

HOUSE BILL NO. 922

INTRODUCED BY HARPER, THOFT

BY REQUEST OF THE DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION

IN THE HOUSE

February 23, 1985	Introduced and referred to Committee on Appropriations.
April 12, 1985	Committee recommend bill do pass as amended. Report adopted.
April 13, 1985	Bill printed and placed on members' desks.
April 15, 1985	Second reading, do pass as amended.
	On motion, rules suspended and bill placed on third reading this day.
	Third reading, passed.
	Transmitted to Senate.

IN THE SENATE

April 13, 1985	On motion, House Bill No. 922 will be accepted through the 81st Legislative Day. Rules suspended to accept. Motion adopted.
April 16, 1985	Introduced and referred to Committee on Finance and Claims.

April 17, 1985 On motion, rules temporarily suspended for the purpose of allowing all bills passed on second reading on the 88th Legislative Day to be advanced to third reading that same day.

April 20, 1985 Committee recommend bill be concurred in as amended. Report adopted.

April 22, 1985 Second reading, pass consideration.

April 23, 1985 Second reading, concurred in as amended.

 Third reading, concurred in. Ayes, 48; Noes, 0.

 Returned to House with amendments.

IN THE HOUSE

April 23, 1985 Received from Senate.

April 24, 1985 Second reading, amendments concurred in.

 Third reading, amendments concurred in.

 Sent to enrolling.

 Reported correctly enrolled.

1 House BILL NO. 922
 2 INTRODUCED BY Wayne Schaff
 3 BY REQUEST OF THE DEPARTMENT OF NATURAL
 4 RESOURCES AND CONSERVATION

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO
 7 THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR
 8 GRANTS UNDER THE MONTANA LEGACY PROGRAM; PRIORITIZING GRANTS
 9 AND AMOUNTS; ESTABLISHING CONDITIONS FOR GRANTS; AND
 10 PROVIDING A CONTINGENT EFFECTIVE DATE."
 11

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Appropriations for legacy program grants.

14 (1) There is appropriated to the Department of Natural
 15 Resources and Conservation from the Legacy Program special
 16 revenue account all funds allocated, after the
 17 appropriations included in House Bill No. 500, for this
 18 program as provided in Senate Bill No. 277 for the biennium
 19 ending June 30, 1987.

20 (2) There is also appropriated to the Department of
 21 Natural Resources and Conservation the balance in the
 22 resource indemnity trust interest account, including any
 23 funds remaining unexpended at the end of fiscal year 1985.

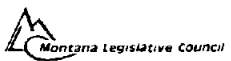
24 (3) The funds appropriated in this section must be
 25 awarded by the Department of Natural Resources and

1 Conservation to the entities listed in section 2 for the
 2 described purposes and in the described grant amounts,
 3 subject to the conditions described in section 5.

4 Section 2. Approved grant projects. (1) The
 5 Legislature, pursuant to Senate Bill No. 277, approves the
 6 grants listed in subsection (2) to be made in the order of
 7 priority as indicated within the following prioritized list
 8 of projects and activities. If conditions in section 5 are
 9 met, funds must be awarded up to the amounts approved in
 10 this section in order of priority until available funds are
 11 expended. Funds not accepted or utilized by higher ranked
 12 projects and activities must be provided for projects and
 13 activities lower on the priority list that would otherwise
 14 not receive funding. Descriptions of the various projects
 15 and activities and specific contingencies established for
 16 each project and activity are contained within the
 17 Department's Montana Legacy Program status report for the
 18 1986-87 biennium.

19 (2) The following are the Montana Legacy Program
 20 prioritized projects and activities:

PROJECT	GRANT AMOUNT
1. DEPARTMENT OF AGRICULTURE	\$1,000,000
Weed Control Trust Fund	
2. MONTANA STATE UNIVERSITY, DEPARTMENT OF	58,266
BIOLOGY	



1	Stream Restoration from Placer Mining on	
2	Grasshopper Creek	
3	3. DEPARTMENT OF FISH, WILDLIFE, AND PARKS	227,370
4	Bannack Apex Mill Rehabilitation	
5	4. BUREAU OF MINES AND GEOLOGY	257,300
6	Field and Office Programs -- Groundwater	
7	Information Center	
8	5. ANACONDA-DEER LODGE COUNTY, DEER LODGE	300,436
9	VALLEY CONSERVATION DISTRICT,	
10	HEADWATERS RESOURCE CONSERVATION AND	
11	DEVELOPMENT	
12	Anaconda Soil Stabilization and Erosion	
13	Control	
14	6. MONTANA STATE UNIVERSITY, DEPARTMENT OF	151,752
15	BIOLOGY	
16	Stream Restoration -- Confederate Gulch	
17	and Deep Creek	
18	7. DEPARTMENT OF HEALTH AND ENVIRONMENTAL	800,000
19	SCIENCES	
20	Hazardous Waste Management Collection and	
21	Transfer Project	
22	8. GOVERNMENT OF BUTTE-SILVER BOW	545,000
23	Butte Hill Mining Reclamation	
24	9. TOOLE COUNTY	390,000
25	North Toole County Reclamation Project	

1	10. GOVERNOR'S OFFICE	100,000
2	Clark Fork River Projects	
3	11. DEPARTMENT OF NATURAL RESOURCES AND	50,000
4	CONSERVATION, CONSERVATION DISTRICTS	
5	DIVISION	
6	Reclamation of Streambanks and Adjacent	
7	Areas Damaged by Placer Mining	
8	12. MILE HIGH CONSERVATION DISTRICT	88,400
9	Reclamation Techniques for Heavy Metal	
10	Contaminated Agricultural Lands	
11	13. GOVERNOR'S OFFICE	80,000
12	Cabin Creek Reference to the	
13	International Joint Commission	
14	14. MONTANA STATE UNIVERSITY, WATER RESOURCES	20,000
15	RESEARCH CENTER	
16	Environmental Fate of Cyanides and Heavy	
17	Metals from Historic Cyanide Leach	
18	Operations in the Judith Mountains	
19	15. CITY OF RED LODGE	241,930
20	Coal Miner's Memorial Park Revegetation	
21	and Irrigation Project	
22	16. MONTANA STATE UNIVERSITY, 49TH PARALLEL	91,104
23	INSTITUTE	
24	Montana/Alberta Milk River Joint	
25	Impoundment Assessment	

1	17. DEPARTMENT OF FISH, WILDLIFE, AND PARKS	5,000	1	24. MONTANA STATE LIBRARY	472,639
2	Improvements for Historic Ghost Town of		2	Natural Resources Information System;	
3	Elkhorn		3	Natural Heritage Program	
4	18. MONTANA STATE UNIVERSITY, WATER RESOURCES	91,590	4	25. BITTERROOT CONSERVATION DISTRICT	5,000
5	RESEARCH CENTER		5	Demonstration of Savory Grazing	
6	Heavy Metal Contamination in the Clark		6	Management for Weed Control	
7	Fork River Flood Plain and Impacts on		7	26. DEPARTMENT OF FISH, WILDLIFE, AND PARKS	450,811
8	the Biotic Resources of the River		8	Gartside Dam Repair	
9	19. FORT PECK TRIBAL COUNCIL	149,542	9	27. UNIVERSITY OF MONTANA	61,482
10	Determine Extent of Groundwater		10	Mitigation of Impacts of Natural Resource	
11	Contamination in the East Poplar Oil		11	Development to the Montana Beekeeping	
12	Field		12	Industry	
13	20. POWDER RIVER CONSERVATION DISTRICT	80,000	13	28. TRIANGLE CONSERVATION DISTRICT	150,000
14	Powder River Irrigation Water Quality		14	Expanded State Salinity	
15	Study		15	29. DEER LODGE AND SILVER BOW COUNTIES	580,000
16	21. TETON COUNTY CONSERVATION DISTRICT	212,660	16	Land Acquisition for Public Recreation at	
17	Upper Teton Water Conservation Study		17	Georgetown Lake	
18	22. MONTANA STATE UNIVERSITY, WATER RESOURCES	24,834	18	30. MONTANA STATE UNIVERSITY, RECLAMATION	65,920
19	RESEARCH CENTER		19	RESEARCH UNIT	
20	Chemistry Controlling Copper Availability		20	Reclaiming Bentonite Mined Areas in	
21	and Transportation in the Upper Clark		21	Montana	
22	Fork River		22	31. DEPARTMENT OF NATURAL RESOURCES &	555,000
23	23. DEPARTMENT OF HEALTH AND ENVIRONMENTAL	55,000	23	CONSERVATION, CONSERVATION DISTRICTS	
24	SCIENCES		24	DIVISION	
25	Forest Land Watershed Improvement Program		25	Soil Survey and Mapping Project	

1	32. WHITEFISH COUNTY WATER DISTRICT	60,000
2	Whitefish River Cleanup	
3	33. MONTANA STATE UNIVERSITY, RECLAMATION	200,000
4	RESEARCH UNIT, AND BUREAU OF MINES &	
5	GEOLOGY	
6	Acid Generation from Western Mining	
7	34. MONTANA STATE UNIVERSITY, AGRICULTURAL	30,000
8	EXPERIMENT STATION, EASTERN	
9	AGRICULTURAL RESEARCH CENTER	
10	The Influence of Conservation Tillage	
11	Practices on Insect Pests of Small	
12	Grains	
13	35. ROOSEVELT COUNTY CONSERVATION DISTRICT	5,000
14	Saline Seep Treatment	
15	36. YELLOWSTONE COUNTY	100,000
16	Urban/Rural Water Alert, Data	
17	Centralization and Utilization	
18	37. DEPARTMENT OF FISH, WILDLIFE, AND PARKS	150,000
19	Giant Springs State Park Improvements	
20	38. GLEN LAKE IRRIGATION DISTRICT	155,000
21	Therriault Creek Syphon Construction	
22	39. DEPARTMENT OF FISH, WILDLIFE, AND PARKS	105,000
23	Rosebud Park and River Access Development	
24	40. BUREAU OF MINES AND GEOLOGY	133,195
25	Butte Mine Flooding Monitoring	

1	41. MONTANA STATE UNIVERSITY, WATER RESOURCES	44,400
2	RESEARCH CENTER	
3	Role of Clinker in the Hydrogeologic	
4	Regime of the Southeastern Montana	
5	Coal Region	
6	42. DEPARTMENT OF FISH, WILDLIFE, AND PARKS	35,000
7	Fort Maginnis State Monument Improvements	
8	43. DEPARTMENT OF FISH, WILDLIFE, AND PARKS	10,000
9	Yellow Bay Fence Construction	
10	44. DEPARTMENT OF FISH, WILDLIFE, AND PARKS	75,000
11	Hell Creek Recreation Area Improvements	
12	45. MONTANA STATE UNIVERSITY, PLANT AND SOIL	34,656
13	SCIENCE DEPARTMENT	
14	Beaver Creek Fire Erosion Study	
15	46. UNIVERSITY OF MONTANA BOTANY DEPARTMENT	21,797
16	Clark Fork Basin Denuded Zone Sediment:	
17	Effects on Germination and Net	
18	Productivity of Two Riparian Grasses	
19	47. LEWIS AND CLARK CONSERVATION DISTRICT	27,139
20	Lewis and Clark County Conservation	
21	Tillage Program	
22	48. DEPARTMENT OF FISH, WILDLIFE, AND PARKS	142,760
23	Clark's Lookout State Monument	
24	Development	
25	49. EAST BENCH IRRIGATION DISTRICT	697,295

1 McHessor-Dry Gulch Gravity Irrigation
 2 Project
 3 50. MONTANA STATE UNIVERSITY, AGRICULTURAL 200,564
 4 EXPERIMENT STATION
 5 Alternative Fuel Production Using
 6 Safflower Oil
 7 51. MONTANA STATE UNIVERSITY, INSTITUTE OF 87,048
 8 NATURAL RESOURCES
 9 Demonstration of the CLAIM-II
 10 Computerized Coal Mine Reclamation
 11 Planning System
 12 Section 3. Appropriation to emergency fund. Up to 10%
 13 of the funds appropriated to the Department of Natural
 14 Resources and Conservation from the Legacy Program special
 15 revenue account is appropriated to the Department of Natural
 16 Resources and Conservation to be used for emergencies as
 17 provided in Senate Bill No. 277.
 18 Section 4. Coordination of fund sources for Legacy
 19 Program projects. A sponsor of a Legacy Program project who
 20 has applied for a grant for that project under both the
 21 Legacy Program and the Water Development Program or the
 22 Renewable Resource Development Program must be funded so
 23 that the project sponsor does not receive duplicative
 24 funding.
 25 Section 5. Conditions of grants. Disbursement of grant

1 funds under this act is subject to the following conditions
 2 which must be met by project sponsors:
 3 (1) A scope of work and budget for the project must be
 4 approved by the Department of Natural Resources and
 5 Conservation. Reduction in a scope of work or budget may not
 6 affect priority activities or improvements.
 7 (2) Other funds required for project completion must
 8 have been committed and the commitment must be documented.
 9 (3) A project sponsor must show satisfactory
 10 completion of conditions described in the recommendations
 11 section of the project narrative of the Legacy Program
 12 report for the 1986-87 biennium.
 13 (4) An agreement between the Department of Natural
 14 Resources and Conservation and the grant applicant must be
 15 executed in a timely manner, taking into consideration any
 16 changed conditions or circumstances that govern the
 17 administration and disbursement of funds.
 18 (5) Any other specific requirements must be
 19 accomplished as considered necessary by the Department of
 20 Natural Resources and Conservation to accomplish the purpose
 21 of the grant as evidenced from the application to the
 22 Department of Natural Resources and Conservation or the
 23 proposal to the Legislature.
 24 Section 6. Reversion of funds. All funds allocated to
 25 the Legacy Program special revenue account under this act

1 that are unspent and unencumbered on June 30, 1987, revert
2 to the Legacy Program special revenue account.

3 Section 7. Severability. If a part of this act is
4 invalid, all valid parts that are severable from the invalid
5 part remain in effect. If a part of this act is invalid in
6 one or more of its applications, the part remains in effect
7 in all valid applications that are severable from the
8 invalid applications.

9 Section 8. Contingent effective date. If Senate Bill
10 No. 277 is not passed and approved, this act is void. If
11 Senate Bill No. 277 and this act are both passed and
12 approved, this act is effective at the same time that Senate
13 Bill No. 277 is effective.

-End-

APPROVED BY COMMITTEE
ON APPROPRIATIONS

1 HOUSE BILL NO. 922
2 INTRODUCED BY HARPER, THOFT
3 BY REQUEST OF THE DEPARTMENT OF NATURAL
4 RESOURCES AND CONSERVATION

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO
7 THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR
8 GRANTS UNDER ~~THE MONTANA LEGACY PROGRAM~~ FOR DESIGNATED
9 PROJECTS; PRIORITIZING GRANTS AND AMOUNTS; ESTABLISHING
10 CONDITIONS FOR GRANTS; ~~AND PROVIDING A CONTINGENT EFFECTIVE~~
11 DATE."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Appropriations for ~~legacy program grants.~~
15 ~~{1} There is appropriated to the Department of Natural~~
16 ~~Resources and Conservation from the Legacy Program special~~
17 ~~revenue account all funds allocated, after the~~
18 ~~appropriations included in House Bill No. 500, for this~~
19 ~~program as provided in Senate Bill No. 277 for the biennium~~
20 ~~ending June 30, 1987.~~

21 {2}(1) There is also appropriated to the Department of
22 Natural Resources and Conservation the balance in the
23 resource indemnity trust interest account, including any
24 funds remaining unexpended at the end of fiscal year 1985.

25 {3}(2) The funds appropriated in this section must be

1 awarded by the Department of Natural Resources and
2 Conservation to the entities listed in section 2 3 for the
3 described purposes and in the described grant amounts,
4 subject to the conditions described in section 5 6.

5 SECTION 2. GRANT PROGRAM SPECIAL REVENUE ACCOUNT
6 CREATED -- REVENUES -- ALLOCATION -- LIMITATIONS ON
7 APPROPRIATIONS. (1) THERE IS CREATED A GRANT PROGRAM
8 SPECIAL REVENUE ACCOUNT WITHIN THE STATE SPECIAL REVENUE
9 FUND ESTABLISHED IN 17-2-102.

10 (2) THERE MUST BE PAID INTO THE GRANT PROGRAM SPECIAL
11 REVENUE ACCOUNT ALL MONEY ALLOCATED FOR APPROPRIATION FROM
12 THE RESOURCE INDEMNITY TRUST INTEREST ACCOUNT SET FORTH IN
13 TITLE 15, CHAPTER 38, WITH THE EXCEPTION OF THOSE
14 ALLOCATIONS MADE IN 15-38-202.

15 (3) APPROPRIATIONS MAY BE MADE FROM THE GRANT PROGRAM
16 SPECIAL REVENUE ACCOUNT FOR THE FOLLOWING PURPOSES:

- 17 (A) GRANTS FOR DESIGNATED PROJECTS AND ACTIVITIES; AND
- 18 (B) ADMINISTRATIVE EXPENSES, INCLUDING BUT NOT LIMITED
- 19 TO THE SALARIES AND EXPENSES OF PERSONNEL, EQUIPMENT, OFFICE
- 20 SPACE, AND OTHER EXPENSES NECESSARILY INCURRED IN THE
- 21 ADMINISTRATION OF THE GRANT PROGRAM. THERE IS APPROPRIATED
- 22 \$277,000 FOR THESE ADMINISTRATIVE EXPENSES. THESE EXPENSES
- 23 MAY BE FUNDED PRIOR TO FUNDING OF PROJECTS.

24 Section 3. Approved grant projects. (1) The
25 Legislature, pursuant to Senate Bill No. 277, approves the



1 grants listed in subsection (2) to be made in the order of
 2 priority as indicated within the following prioritized list
 3 of projects and activities. If conditions in section 5 6 are
 4 met, funds must be awarded up to the amounts approved in
 5 this section in order of priority until available funds are
 6 expended. Funds not accepted or utilized by higher ranked
 7 projects and activities must be provided for projects and
 8 activities lower on the priority list that would otherwise
 9 not receive funding. Descriptions of the various projects
 10 and activities and specific contingencies established for
 11 each project and activity are contained within the
 12 Department's Montana Legacy Program status report for the
 13 1986-87 biennium.

14 (2) The following are the Montana-Legacy GRANT Program
 15 prioritized projects and activities:

PROJECT	GRANT AMOUNT
17 1. DEPARTMENT OF AGRICULTURE	\$1,000,000
18 Weed Control Trust Fund	
19 2. MONTANA STATE UNIVERSITY, DEPARTMENT-OF	58,266
20 <u>BIOLOGY</u>	
21 <u>WATER RESOURCES RESEARCH CENTER</u>	
22 Stream Restoration from Placer Mining on	
23 Grasshopper Creek	
24 3. DEPARTMENT-OF-FISH, WILDLIFE, AND PARKS	227,370
25 Bannack-Apex-Mill-Rehabilitation	

1 <u>43.</u> BUREAU OF MINES AND GEOLOGY	257,300
2	<u>75,000</u>
3 Field and Office Programs -- Groundwater	
4 Information Center	
5 <u>54.</u> ANACONDA-DEER LODGE COUNTY, DEER LODGE	300,436
6 VALLEY CONSERVATION DISTRICT,	
7 HEADWATERS RESOURCE CONSERVATION AND	
8 DEVELOPMENT	
9	<u>150,000</u>
10 Anaconda Soil Stabilization and Erosion	
11 Control	
12 <u>65.</u> MONTANA STATE UNIVERSITY, DEPARTMENT-OF	151,752
13 <u>BIOLOGY</u>	
14 <u>WATER RESOURCES RESEARCH CENTER</u>	<u>134,249</u>
15 Stream Restoration -- Confederate Gulch	
16 and Deep Creek	
17 <u>76.</u> DEPARTMENT OF HEALTH AND ENVIRONMENTAL	800,000
18 SCIENCES	
19 Hazardous Waste Management Collection and	
20 Transfer Project	
21 <u>87.</u> GOVERNMENT OF BUTTE-SILVER BOW	545,000
22	<u>500,000</u>
23 Butte Hill Mining Reclamation	
24 <u>98.</u> TOOLE COUNTY	390,000
25	<u>298,130</u>

1	North Toole County Reclamation Project	
2	<u>109.</u> GOVERNOR'S OFFICE	100,000
3	Clark Fork River Projects	
4	<u>110.</u> DEPARTMENT OF NATURAL RESOURCES AND	507,000
5	CONSERVATION, CONSERVATION DISTRICTS	
6	DIVISION	
7		<u>30,000</u>
8	Reclamation of Streambanks and Adjacent	
9	Areas Damaged by Placer Mining	
10	<u>121.</u> MILE HIGH CONSERVATION DISTRICT	88,400
11	Reclamation Techniques for Heavy Metal	
12	Contaminated Agricultural Lands	
13	<u>1312.</u> GOVERNOR'S OFFICE	80,000
14	Cabin Creek Reference to the	
15	International Joint Commission	
16	<u>1413.</u> MONTANA STATE UNIVERSITY, WATER	20,000
17	RESOURCES RESEARCH CENTER	
18	Environmental Fate of Cyanides and Heavy	
19	Metals from Historic Cyanide Leach	
20	Operations in the Judith Mountains	
21	<u>14.</u> DEPARTMENT OF HEALTH AND ENVIRONMENTAL	<u>15,000</u>
22	SCIENCES	
23	SCOBEY AIR QUALITY MONITORING	
24	<u>15.</u> MONTANA STATE LIBRARY	<u>225,561</u>
25	NATURAL RESOURCES INFORMATION SYSTEM	

1	<u>NATURAL HERITAGE PROGRAM</u>	
2	<u>1516.</u> CITY OF RED LODGE	241,930
3		<u>100,000</u>
4	Coal Miner's Memorial Park Revegetation	
5	and Irrigation Project	
6	<u>17.</u> TRIANGLE CONSERVATION DISTRICT	<u>150,000</u>
7	<u>EXPANDED STATE SALINITY</u>	
8	16--MONTANA--STATE--UNIVERSITY--49TH--PARALLEL	917104
9	INSTITUTE	
10	Montana/Alberta---Milk---River---Joint	
11	Impoundment-Assessment	
12	17--DEPARTMENT--OF--FISH--WILDLIFE--AND--PARKS	57000
13	Improvements-for-Historic-Ghost--Town--of	
14	Eikhorn	
15	18--MONTANA--STATE--UNIVERSITY--WATER--RESOURCES	917590
16	RESEARCH-CENTER	
17	Heavy--Metal--Contamination--in-the-Clark	
18	Fork-River-Flood-Plain-and-impacts--on	
19	the-Biotic-Resources-of-the-River	
20	19--PORT--PECK--TRIBAL--COUNCIL	1497542
21	Determine-----Extent----of----Groundwater	
22	Contamination-in-the-East--Poplar--Oil	
23	Field	
24	<u>2018.</u> POWDER RIVER CONSERVATION DISTRICT	80,000
25	Powder River Irrigation Water Quality	

1 Study
 2 21--TETON-COUNTY-CONSERVATION-DISTRICT 2127660
 3 Upper-Teton-Water-Conservation-Study
 4 22--MONTANA-STATE-UNIVERSITY--WATER-RESOURCES 247834
 5 RESEARCH-CENTER
 6 Chemistry-Controlling-Copper-Availability
 7 and-Transportation-in-the-Upper--Clark
 8 Fork-River
 9 23--DEPARTMENT--OF--HEALTH--AND-ENVIRONMENTAL 557000
 10 SCIENCES
 11 Forest-Land-Watershed-Improvement-Program
 12 24--MONTANA-STATE-LIBRARY 4727639
 13 Natural--Resources--Information---System;
 14 Natural-Heritage-Program
 15 25--BITTERROOT-CONSERVATION-DISTRICT 57000
 16 Demonstration-----of----Savory----Grazing
 17 Management-for-Weed-Control
 18 26--DEPARTMENT-OF-FISH--WILDLIFE--AND--PARKS 4507811
 19 Gartside-Dam-Repair
 20 27--UNIVERSITY-OF-MONTANA 617482
 21 Mitigation-of-Impacts-of-Natural-Resource
 22 Development--to-the-Montana-Beekeeping
 23 Industry
 24 28--TRIANGLE-CONSERVATION-DISTRICT 1507000
 25 Expanded-State-Salinity

1 29--BEER-LODGE-AND-SILVER-BOW-COUNTIES 5007000
 2 Land-Acquisition-for-Public-Recreation-at
 3 Georgetown-Lake
 4 30--MONTANA--STATE--UNIVERSITY--RECLAMATION 657920
 5 RESEARCH-UNIT
 6 Reclaiming---Bentonite---Mined--Areas--in
 7 Montana
 8 31--DEPARTMENT---OF---NATURAL---RESOURCES---& 5557000
 9 CONSERVATION--CONSERVATION--DISTRICTS
 10 DIVISION
 11 Soil-Survey-and-Mapping-Project
 12 32--WHITEFISH-COUNTY-WATER-DISTRICT 607000
 13 Whitefish-River-Cleanup
 14 33--MONTANA--STATE--UNIVERSITY--RECLAMATION 2007000
 15 RESEARCH--UNIT--AND-BUREAU-OF-MINES-&
 16 GEOLOGY
 17 Acid-Generation-from-Western-Mining
 18 34--MONTANA--STATE--UNIVERSITY--AGRICULTURAL 307000
 19 EXPERIMENT-----STATION--EASTERN
 20 AGRICULTURAL-RESEARCH-CENTER
 21 The--Influence--of--Conservation--Tillage
 22 Practices--on--Insect--Pests--of--Small
 23 Grains
 24 35--ROOSEVELT-COUNTY-CONSERVATION-DISTRICT 57000
 25 Saline-Seep-Treatment

1	36--YELLOWSTONE-COUNTY	100,000
2	Urban/Rural----Water----Alert,----Data	
3	Centralization-and-Utilization	
4	37--DEPARTMENT--OF--FISH, WILDLIFE, AND PARKS	150,000
5	Giant-Springs-State-Park-Improvements	
6	3819. GLEN LAKE IRRIGATION DISTRICT	155,000
7		<u>100,000</u>
8	Therriault Creek Syphon Construction	
9	20. MSU, 49TH PARALLEL INSTITUTE	70,000
10	<u>MONTANA/ALBERTA MILK RIVER JOINT</u>	
11	<u>IMPOUNDMENT ASSESSMENT</u>	
12	21. MONTANA BUREAU OF MINES AND GEOLOGY	91,870
13	<u>WILLISTON BASIN RECLAMATION PROJECT</u>	
14	39--DEPARTMENT--OF--FISH, WILDLIFE, AND PARKS	105,000
15	Rosebud-Park-and-River-Access-Development	
16	40--BUREAU-OF-MINES-AND-GEOLOGY	133,195
17	Butte-Mine-Flooding-Monitoring	
18	41--MONTANA-STATE-UNIVERSITY, WATER-RESOURCES	44,400
19	RESEARCH-CENTER	
20	Role--of--Clinker--in--the--Hydrogeologic	
21	Regime--of--the--Southeastern--Montana	
22	Coal-Region	
23	42--DEPARTMENT-OF-FISH, WILDLIFE, AND PARKS	35,000
24	Fort-Maginnis-State-Monument-Improvements	
25	43--DEPARTMENT--OF--FISH, WILDLIFE, AND PARKS	10,000

1	Yellow-Bay-Fence-Construction	
2	44--DEPARTMENT-OF-FISH, WILDLIFE, AND PARKS	75,000
3	Hell--Creek--Recreation-Area-Improvements	
4	45--MONTANA-STATE-UNIVERSITY, PLANT-AND-SOIL	34,656
5	SCIENCE-DEPARTMENT	
6	Beaver-Creek-Fire-Erosion-Study	
7	46--UNIVERSITY--OF--MONTANA-BOTANY-DEPARTMENT	21,797
8	Clark-Fork-Basin-Denuded--Zone--Sediment-	
9	Effects---on---Germination---and---Net	
10	Productivity-of-Two--Riparian--Grasses	
11	47--LEWIS-AND-CLARK-CONSERVATION-DISTRICT	27,139
12	Lewis---and---Clark--County--Conservation	
13	Pillage-Program	
14	48--DEPARTMENT-OF-FISH, WILDLIFE, AND PARKS	142,760
15	Clark's----Lookout----State----Monument	
16	Development	
17	49--EAST-BENCH-IRRIGATION-DISTRICT	697,295
18	McHessor-Dry--Gulch--Gravity---Irrigation	
19	Project	
20	50--MONTANA--STATE--UNIVERSITY, AGRICULTURAL	200,564
21	EXPERIMENT-STATION	
22	Alternative---Fuel---Production---Using	
23	Safflower-Oil	
24	51--MONTANA--STATE--UNIVERSITY,--INSTITUTE-OF	87,040
25	NATURAL-RESOURCES	

1 ~~Demonstration-----of-----the-----C&A&M-II~~
 2 ~~Computerized-Coal-Mine-Reclamation~~
 3 ~~Planning-System~~
 4 ~~Section-3---Appropriation-to-emergency-fund---Up-to-10%~~
 5 ~~of--the--funds--appropriated--to--the--Department-of-Natural~~
 6 ~~Resources-and-Conservation-from-the-Begacy--Program--special~~
 7 ~~revenue-account-is-appropriated-to-the-Department-of-Natural~~
 8 ~~Resources--and--Conservation--to--be-used-for-emergencies-as~~
 9 ~~provided-in-Senate-Bill-No--277-~~

10 NEW SECTION. SECTION 4. ENVIRONMENTAL CONTINGENCY
 11 ACCOUNT. (1) THERE IS CREATED AN ENVIRONMENTAL CONTINGENCY
 12 ACCOUNT WITHIN THE STATE SPECIAL REVENUE FUND ESTABLISHED IN
 13 17-2-102. THE ENVIRONMENTAL CONTINGENCY ACCOUNT IS
 14 CONTROLLED BY THE GOVERNOR.

15 (2) EXCEPT AS PROVIDED IN SUBSECTION (5), AT THE
 16 BEGINNING OF EACH FISCAL YEAR, 5% OF THE FUNDS APPROPRIATED
 17 TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FROM
 18 THE RESOURCE INDEMNITY TRUST INTEREST ACCOUNT MUST BE
 19 ALLOCATED TO THE ENVIRONMENTAL CONTINGENCY ACCOUNT.

20 (3) FUNDS MAY BE EXPENDED FROM THE ENVIRONMENTAL
 21 CONTINGENCY ACCOUNT UPON THE AUTHORIZATION OF THE GOVERNOR
 22 TO MEET UNANTICIPATED PUBLIC NEEDS CONSISTENT WITH THE
 23 FOLLOWING OBJECTIVES:

24 (A) TO SUPPORT WATER DEVELOPMENT PROJECTS IN
 25 COMMUNITIES THAT FACE AN EMERGENCY OR IMMINENT NEED FOR SUCH

1 SERVICES OR TO PREVENT THE PHYSICAL FAILURE OF A WATER
 2 PROJECT;

3 (B) TO PRESERVE VEGETATION, WATER, SOIL, FISH,
 4 WILDLIFE, OR OTHER RENEWABLE RESOURCES FROM AN IMMINENT
 5 PHYSICAL THREAT OR DURING AN EMERGENCY, NOT INCLUDING:

6 (I) NATURAL DISASTERS ADEQUATELY COVERED BY OTHER
 7 FUNDING SOURCES; OR

8 (II) FIRE;

9 (C) TO RESPOND TO AN EMERGENCY OR IMMINENT THREAT TO
 10 PERSONS, PROPERTY, OR THE ENVIRONMENT CAUSED BY MINERAL
 11 DEVELOPMENT; AND

12 (D) TO [FUND THE ENVIRONMENTAL QUALITY PROTECTION FUND
 13 PROVIDED FOR IN SECTION 2 OF HOUSE BILL NO. 766 OR TO] TAKE
 14 [OTHER] NECESSARY ACTIONS, INCLUDING THE CONSTRUCTION OF
 15 FACILITIES, TO RESPOND TO ACTUAL OR POTENTIAL THREATS TO
 16 PERSONS, PROPERTY, OR THE ENVIRONMENT CAUSED BY HAZARDOUS
 17 WASTES OR OTHER HAZARDOUS MATERIALS.

18 (4) THE ENVIRONMENTAL CONTINGENCY ACCOUNT MAY RECEIVE
 19 NO ADDITIONAL ALLOCATION FOR ANY FISCAL YEAR IN WHICH THE
 20 BALANCE IN THE ACCOUNT EXCEEDS \$1,000,000 AT THE BEGINNING
 21 OF THAT FISCAL YEAR.

22 (5) INTEREST FROM FUNDS IN THE ENVIRONMENTAL
 23 CONTINGENCY ACCOUNT ACCRUES TO THE RESOURCE INDEMNITY TRUST
 24 INTEREST ACCOUNT.

25 (6) THE GOVERNOR SHALL SUBMIT TO THE LEGISLATURE AT

1 THE BEGINNING OF EACH REGULAR SESSION A COMPLETE FINANCIAL
 2 REPORT ON THE ENVIRONMENTAL CONTINGENCY ACCOUNT, INCLUDING A
 3 DESCRIPTION OF ALL EXPENDITURES MADE SINCE THE PRECEDING
 4 REPORT.

5 Section 5. Coordination of fund sources for Legacy
 6 GRANT Program projects. A sponsor of a Legacy GRANT Program
 7 project who has applied for a grant for that project under
 8 both the Legacy GRANT Program and the Water Development
 9 Program or the Renewable Resource Development Program must
 10 be funded so that the project sponsor does not receive
 11 duplicative funding.

12 Section 6. Conditions of grants. Disbursement of grant
 13 funds under this act is subject to the following conditions
 14 which must be met by project sponsors:

15 (1) A scope of work and budget for the project must be
 16 approved by the Department of Natural Resources and
 17 Conservation. Reduction in a scope of work or budget may not
 18 affect priority activities or improvements.

19 (2) Other funds required for project completion must
 20 have been committed and the commitment must be documented.

21 (3) A project sponsor must show satisfactory
 22 completion of conditions described in the recommendations
 23 section of the project narrative of the Legacy Program
 24 report for the 1986-87 biennium.

25 (4) An agreement between the Department of Natural

1 Resources and Conservation and the grant applicant must be
 2 executed in a timely manner, taking into consideration any
 3 changed conditions or circumstances that govern the
 4 administration and disbursement of funds.

5 (5) Any other specific requirements must be
 6 accomplished as considered necessary by the Department of
 7 Natural Resources and Conservation to accomplish the purpose
 8 of the grant as evidenced from the application to the
 9 Department of Natural Resources and Conservation or the
 10 proposal to the Legislature.

11 Section 7. Reversion of funds. All funds allocated to
 12 the Legacy GRANT Program special revenue account under this
 13 act that are unspent and unencumbered on June 30, 1987,
 14 revert to the Legacy GRANT Program special revenue account.

15 Section 8. Severability. If a part of this act is
 16 invalid, all valid parts that are severable from the invalid
 17 part remain in effect. If a part of this act is invalid in
 18 one or more of its applications, the part remains in effect
 19 in all valid applications that are severable from the
 20 invalid applications.

21 ~~Section 8.--Contingent--effective-date--if-Senate-Bill~~
 22 ~~No-277-is-not-passed-and-approved,--this--act--is--void--if~~
 23 ~~Senate--Bill--No--277--and--this--act--are--both-passed-and~~
 24 ~~approved,--this-act-is-effective-at-the-same-time-that-Senate~~
 25 ~~Bill-No-277-is-effective.~~

HB 0922/02

1 SECTION 9. COORDINATION INSTRUCTION. IF HOUSE BILL
2 NO. 766 IS NOT PASSED AND APPROVED, THE BRACKETED LANGUAGE
3 IN SECTION 4(3)(D) IS VOID.

-End-

HOUSE BILL NO. 922

INTRODUCED BY HARPER, THOFT

BY REQUEST OF THE DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS UNDER ~~THE MONTANA LEGACY PROGRAM~~ FOR DESIGNATED PROJECTS; PRIORITIZING GRANTS AND AMOUNTS; ESTABLISHING CONDITIONS FOR GRANTS, ~~AND PROVIDING A CONTINGENT EFFECTIVE DATE.~~"

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Appropriations for ~~legacy-program grants.~~
~~(1) There is appropriated to the Department of Natural Resources and Conservation from the legacy-program special revenue account all funds allocated, after the appropriations included in House Bill No. 500, for this program as provided in Senate Bill No. 277 for the biennium ending June 30, 1987.~~

~~(2)(1)~~ There is also appropriated to the Department of Natural Resources and Conservation the balance in the resource indemnity trust interest account, including any funds remaining unexpended at the end of fiscal year 1985.

~~(3)(2)~~ The funds appropriated in this section must be

awarded by the Department of Natural Resources and Conservation to the entities listed in section ~~2~~ 3 for the described purposes and in the described grant amounts, subject to the conditions described in section ~~5~~ 6.

SECTION 2. GRANT PROGRAM SPECIAL REVENUE ACCOUNT CREATED -- REVENUES -- ALLOCATION -- LIMITATIONS ON APPROPRIATIONS. (1) THERE IS CREATED A GRANT PROGRAM SPECIAL REVENUE ACCOUNT WITHIN THE STATE SPECIAL REVENUE FUND ESTABLISHED IN 17-2-102.

(2) THERE MUST BE PAID INTO THE GRANT PROGRAM SPECIAL REVENUE ACCOUNT ALL MONEY ALLOCATED FOR APPROPRIATION FROM THE RESOURCE INDEMNITY TRUST INTEREST ACCOUNT SET FORTH IN TITLE 15, CHAPTER 38, WITH THE EXCEPTION OF THOSE ALLOCATIONS MADE IN 15-38-202.

(3) APPROPRIATIONS MAY BE MADE FROM THE GRANT PROGRAM SPECIAL REVENUE ACCOUNT FOR THE FOLLOWING PURPOSES:

(A) GRANTS FOR DESIGNATED PROJECTS AND ACTIVITIES; AND

(B) ADMINISTRATIVE EXPENSES, INCLUDING BUT NOT LIMITED TO THE SALARIES AND EXPENSES OF PERSONNEL, EQUIPMENT, OFFICE SPACE, AND OTHER EXPENSES NECESSARILY INCURRED IN THE ADMINISTRATION OF THE GRANT PROGRAM. THERE IS APPROPRIATED \$277,000 FOR THESE ADMINISTRATIVE EXPENSES. THESE EXPENSES MAY BE FUNDED PRIOR TO FUNDING OF PROJECTS.

Section 3. Approved grant projects. (1) The Legislature, ~~pursuant to Senate Bill No. 277,~~ approves the

1 grants listed in subsection (2) to be made in the order of
 2 priority as indicated within the following prioritized list
 3 of projects and activities. If conditions in section 5 6 are
 4 met, funds must be awarded up to the amounts approved in
 5 this section in order of priority until available funds are
 6 expended. Funds not accepted or utilized by higher ranked
 7 projects and activities must be provided for projects and
 8 activities lower on the priority list that would otherwise
 9 not receive funding. Descriptions of the various projects
 10 and activities and specific contingencies established for
 11 each project and activity are contained within the
 12 Department's Montana Legacy Program status report for the
 13 1986-87 biennium.

14 (2) The following are the Montana-legacy GRANT Program
 15 prioritized projects and activities:

16 PROJECT	GRANT AMOUNT
17 1. DEPARTMENT OF AGRICULTURE	\$1,000,000
18 Weed Control Trust Fund	
19 2. MONTANA STATE UNIVERSITY, DEPARTMENT-OF	58,266
20 BIOLOGY	
21 <u>WATER RESOURCES RESEARCH CENTER</u>	
22 Stream Restoration from Placer Mining on	
23 Grasshopper Creek	
24 3. DEPARTMENT-OF-FISHY-WILDLIFE-AND-PARKS	227,378
25 Bannack-Apex-Mill-Rehabilitation	

1 43. BUREAU OF MINES AND GEOLOGY	257,388
2	<u>75,000</u>
3 Field and Office Programs -- Groundwater	
4 Information Center	
5 54. ANACONDA-DEER LODGE COUNTY, DEER LODGE	388,436
6 VALLEY CONSERVATION DISTRICT,	
7 HEADWATERS RESOURCE CONSERVATION AND	
8 DEVELOPMENT	
9	<u>150,000</u>
10 Anaconda Soil Stabilization and Erosion	
11 Control	
12 65. MONTANA STATE UNIVERSITY, DEPARTMENT-OF	151,752
13 BIOLOGY	
14 <u>WATER RESOURCES RESEARCH CENTER</u>	<u>134,249</u>
15 Stream Restoration -- Confederate Gulch	
16 and Deep Creek	
17 76. DEPARTMENT OF HEALTH AND ENVIRONMENTAL	800,000
18 SCIENCES	
19 Hazardous Waste Management Collection and	
20 Transfer Project	
21 87. GOVERNMENT OF BUTTE-SILVER BOW	545,888
22	<u>500,000</u>
23 Butte Hill Mining Reclamation	
24 98. TOOLE COUNTY	398,888
25	<u>298,130</u>

1	North Toole County Reclamation Project	
2	<u>189.</u> GOVERNOR'S OFFICE	100,000
3	Clark Fork River Projects	
4	<u>110.</u> DEPARTMENT OF NATURAL RESOURCES AND	50,000
5	CONSERVATION, CONSERVATION DISTRICTS	
6	DIVISION	
7		<u>30,000</u>
8	Reclamation of Streambanks and Adjacent	
9	Areas Damaged by Placer Mining	
10	<u>121.</u> MILE HIGH CONSERVATION DISTRICT	88,400
11	Reclamation Techniques for Heavy Metal	
12	Contaminated Agricultural Lands	
13	<u>132.</u> GOVERNOR'S OFFICE	80,000
14	Cabin Creek Reference to the	
15	International Joint Commission	
16	<u>143.</u> MONTANA STATE UNIVERSITY, WATER	20,000
17	RESOURCES RESEARCH CENTER	
18	Environmental Fate of Cyanides and Heavy	
19	Metals from Historic Cyanide Leach	
20	Operations in the Judith Mountains	
21	<u>14.</u> DEPARTMENT OF HEALTH AND ENVIRONMENTAL	<u>15,000</u>
22	SCIENCES	
23	<u>SCOBEY AIR QUALITY MONITORING</u>	
24	<u>15.</u> MONTANA STATE LIBRARY	<u>225,561</u>
25	<u>NATURAL RESOURCES INFORMATION SYSTEM</u>	

1	<u>NATURAL HERITAGE PROGRAM</u>	
2	<u>1516.</u> CITY OF RED LODGE	241,938
3		<u>100,000</u>
4	Coal Miner's Memorial Park Revegetation	
5	and Irrigation Project	
6	<u>17.</u> TRIANGLE CONSERVATION DISTRICT	<u>150,000</u>
7	<u>EXPANDED STATE SALINITY</u>	
8	<u>16.</u> MONTANA STATE UNIVERSITY, 49TH PARALLEL	91,104
9	INSTITUTE	
10	Montana/Alberta Milk River Joint	
11	Impoundment Assessment	
12	<u>17.</u> DEPARTMENT OF FISH, WILDLIFE, AND PARKS	5,000
13	Improvements for Historic Ghost Town of	
14	Bikhorn	
15	<u>18.</u> MONTANA STATE UNIVERSITY, WATER RESOURCES	91,598
16	RESEARCH CENTER	
17	Heavy Metal Contamination in the Clark	
18	Fork River Flood Plain and impacts on	
19	the Biotic Resources of the River	
20	<u>19.</u> FORT PECK TRIBAL COUNCIL	<u>149,542</u>
21	Determine Extent of Groundwater	
22	Contamination in the East Poplar Oil	
23	Field	
24	<u>2018.</u> POWDER RIVER CONSERVATION DISTRICT	80,000
25	Powder River Irrigation Water Quality	

1	Study	
2	21. TETON COUNTY CONSERVATION DISTRICT	212,669
3	Upper Teton Water Conservation Study	
4	22. MONTANA STATE UNIVERSITY, WATER RESOURCES	247,834
5	RESEARCH CENTER	
6	Chemistry Controlling Copper Availability	
7	and Transportation in the Upper Clark	
8	Fork River	
9	23. DEPARTMENT OF HEALTH AND ENVIRONMENTAL	557,000
10	SCIENCES	
11	Forest and Watershed Improvement Program	
12	24. MONTANA STATE LIBRARY	472,639
13	Natural Resources Information System,	
14	Natural Heritage Program	
15	25. BITTERROOT CONSERVATION DISTRICT	57,000
16	Demonstration of Savory Grazing	
17	Management for Weed Control	
18	26. DEPARTMENT OF FISH, WILDLIFE, AND PARKS	450,811
19	Gateside Dam Repair	
20	27. UNIVERSITY OF MONTANA	617,402
21	Mitigation of Impacts of Natural Resource	
22	Development to the Montana Beekeeping	
23	Industry	
24	28. TRIANGLE CONSERVATION DISTRICT	150,000
25	Expanded State Salinity	

1	29. DEER LODGE AND SILVER BOW COUNTIES	500,000
2	Land Acquisition for Public Recreation at	
3	Georgetown Lake	
4	30. MONTANA STATE UNIVERSITY, RECLAMATION	65,920
5	RESEARCH UNIT	
6	Reclaiming Bentonite Mined Areas in	
7	Montana	
8	31. DEPARTMENT OF NATURAL RESOURCES &	555,000
9	CONSERVATION, CONSERVATION DISTRICTS	
10	DIVISION	
11	Soil Survey and Mapping Project	
12	32. WHITEFISH COUNTY WATER DISTRICT	60,000
13	Whitefish River Cleanup	
14	33. MONTANA STATE UNIVERSITY, RECLAMATION	200,000
15	RESEARCH UNIT, AND BUREAU OF MINES &	
16	GEOLOGY	
17	Acid Generation from Western Mining	
18	34. MONTANA STATE UNIVERSITY, AGRICULTURAL	307,000
19	EXPERIMENT STATION, EASTERN	
20	AGRICULTURAL RESEARCH CENTER	
21	The Influence of Conservation Tillage	
22	Practices on Insect Pests of Small	
23	Grains	
24	35. ROOSEVELT COUNTY CONSERVATION DISTRICT	57,000
25	Saline Seep Treatment	

1	36--YELLOWSTONE-COUNTY	100,000
2	Urban/Rural-----Water-----Alert,-----Data	
3	Centralization-and-Utilization	
4	37--DEPARTMENT--OF--FISH, WILDLIFE, AND PARKS	150,000
5	Giant-Springs-State-Park-Improvements	
6	3819. GLEN LAKE IRRIGATION DISTRICT	155,000
7		100,000
8	Therriault Creek Syphon Construction	
9	20. MSU, 49TH PARALLEL INSTITUTE	70,000
10	MONTANA/ALBERTA MILK RIVER JOINT	
11	IMPOUNDMENT ASSESSMENT	
12	21. MONTANA BUREAU OF MINES AND GEOLOGY	91,870
13	WILLISTON BASIN RECLAMATION PROJECT	
14	39--DEPARTMENT--OF--FISH, WILDLIFE, AND PARKS	105,000
15	Rosebud-Park-and-River-Access-Development	
16	40--BUREAU-OF-MINES-AND-GEOLOGY	133,195
17	Butte-Mine-Flooding-Monitoring	
18	41--MONTANA-STATE-UNIVERSITY, WATER-RESOURCES	44,400
19	RESEARCH-CENTER	
20	Role--of--Clinker--in--the--Hydrogeologic	
21	Regime--of--the--Southeastern--Montana	
22	Coal-Region	
23	42--DEPARTMENT-OF-FISH, WILDLIFE, AND PARKS	35,000
24	Port-Maginnis-State-Monument-Improvements	
25	43--DEPARTMENT--OF--FISH, WILDLIFE, AND PARKS	10,000

1	Yellow-Bay-Fence-Construction	
2	44--DEPARTMENT-OF-FISH, WILDLIFE, AND PARKS	75,000
3	Hell--Creek--Recreation-Area-Improvements	
4	45--MONTANA-STATE-UNIVERSITY, PLANT AND SOIL	34,656
5	SCIENCE-DEPARTMENT	
6	Beaver-Creek-Fire-Erosion-Study	
7	46--UNIVERSITY--OF--MONTANA-BOTANY-DEPARTMENT	21,797
8	Clark-Fork-Basin-Denuded--Zone--Sediment,	
9	Effects---on---Germination---and---Net	
10	Productivity-of-Two--Riparian--Grasses	
11	47--LEWIS-AND-CLARK-CONSERVATION-DISTRICT	27,139
12	Lewis---and---Clark--County--Conservation	
13	Tillage-Program	
14	48--DEPARTMENT-OF-FISH, WILDLIFE, AND PARKS	142,760
15	Clark's-----Lookout-----State-----Monument	
16	Development	
17	49--EAST-BENCH-IRRIGATION-DISTRICT	697,295
18	McHessor-Dry--Gulch--Gravity---Irrigation	
19	Project	
20	50--MONTANA--STATE--UNIVERSITY, AGRICULTURAL	200,564
21	EXPERIMENT-STATION	
22	Alternative---Fuel---Production---Using	
23	Safflower-Oil	
24	51--MONTANA--STATE--UNIVERSITY, INSTITUTE-OF	87,048
25	NATURAL-RESOURCES	

1 ~~Demonstration~~ ~~of~~ ~~the~~ ~~CLAIM~~ ~~IF~~
 2 ~~Computerized~~ ~~Coal~~ ~~Mine~~ ~~Reclamation~~
 3 ~~Planning~~ ~~System~~

4 ~~Section 3~~ ~~Appropriation~~ ~~to~~ ~~emergency~~ ~~fund~~ ~~Up~~ ~~to~~ ~~10%~~
 5 ~~of~~ ~~the~~ ~~funds~~ ~~appropriated~~ ~~to~~ ~~the~~ ~~Department~~ ~~of~~ ~~Natural~~
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 8 ~~Resources~~ ~~and~~ ~~Conservation~~ ~~to~~ ~~be~~ ~~used~~ ~~for~~ ~~emergencies~~ ~~as~~
 9 ~~provided~~ ~~in~~ ~~Senate~~ ~~Bill~~ ~~No.~~ ~~277.~~

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 25 COMMUNITIES THAT FACE AN EMERGENCY OR IMMINENT NEED FOR SUCH

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 4 WILDLIFE, OR OTHER RENEWABLE RESOURCES FROM AN IMMINENT
 5 PHYSICAL THREAT OR DURING AN EMERGENCY, NOT INCLUDING:

6 (I) NATURAL DISASTERS ADEQUATELY COVERED BY OTHER
 7 FUNDING SOURCES; OR

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9 (C) TO RESPOND TO AN EMERGENCY OR IMMINENT THREAT TO
 10 PERSONS, PROPERTY, OR THE ENVIRONMENT CAUSED BY MINERAL
 11 DEVELOPMENT; AND

12 (D) TO [FUND THE ENVIRONMENTAL QUALITY PROTECTION FUND
 13 PROVIDED FOR IN SECTION 2 OF HOUSE BILL NO. 766 OR TO] TAKE
 14 [OTHER] NECESSARY ACTIONS, INCLUDING THE CONSTRUCTION OF
 15 FACILITIES, TO RESPOND TO ACTUAL OR POTENTIAL THREATS TO
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 19 NO ADDITIONAL ALLOCATION FOR ANY FISCAL YEAR IN WHICH THE
 20 BALANCE IN THE ACCOUNT EXCEEDS \$1,000,000 AT THE BEGINNING
 21 OF THAT FISCAL YEAR.

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 23 CONTINGENCY ACCOUNT ACCRUES TO THE RESOURCE INDEMNITY TRUST
 24 INTEREST ACCOUNT.

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THE BEGINNING OF EACH REGULAR SESSION A COMPLETE FINANCIAL REPORT ON THE ENVIRONMENTAL CONTINGENCY ACCOUNT, INCLUDING A DESCRIPTION OF ALL EXPENDITURES MADE SINCE THE PRECEDING REPORT.

Section 5. Coordination of fund sources for Legacy GRANT Program projects. A sponsor of a Legacy GRANT Program project who has applied for a grant for that project under both the Legacy GRANT Program and the Water Development Program or the Renewable Resource Development Program must be funded so that the project sponsor does not receive duplicative funding.

Section 6. Conditions of grants. Disbursement of grant funds under this act is subject to the following conditions which must be met by project sponsors:

(1) A scope of work and budget for the project must be approved by the Department of Natural Resources and Conservation. Reduction in a scope of work or budget may not affect priority activities or improvements.

(2) Other funds required for project completion must have been committed and the commitment must be documented.

(3) A project sponsor must show satisfactory completion of conditions described in the recommendations section of the project narrative of the Legacy Program report for the 1986-87 biennium.

(4) An agreement between the Department of Natural

Resources and Conservation and the grant applicant must be executed in a timely manner, taking into consideration any changed conditions or circumstances that govern the administration and disbursement of funds.

(5) Any other specific requirements must be accomplished as considered necessary by the Department of Natural Resources and Conservation to accomplish the purpose of the grant as evidenced from the application to the Department of Natural Resources and Conservation or the proposal to the Legislature.

NEW SECTION. SECTION 7. LIMITING FUTURE USE OF FUNDS FROM RESOURCE INDEMNITY TRUST INTEREST ACCOUNT. IT IS THE INTENT OF THE LEGISLATURE THAT FUTURE APPROPRIATIONS FROM THE RESOURCE INDEMNITY TRUST INTEREST ACCOUNT NOT BE MADE TO FUND GENERAL OPERATING EXPENSES OF STATE AGENCIES.

Section 8. Reversion of funds. All funds allocated to the Legacy GRANT Program special revenue account under this act that are unspent and unencumbered on June 30, 1987, revert to the Legacy GRANT Program special revenue account.

Section 9. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

1 ~~Section 8--Contingent-effective-date.--If Senate Bill~~
2 ~~No. 777 is not passed and approved, this act is void. If~~
3 ~~Senate Bill No. 777 and this act are both passed and~~
4 ~~approved, this act is effective at the same time that Senate~~
5 ~~Bill No. 777 is effective.~~

6 SECTION 10. COORDINATION INSTRUCTION. IF HOUSE BILL
7 NO. 766 IS NOT PASSED AND APPROVED, THE BRACKETED LANGUAGE
8 IN SECTION 4(3)(D) IS VOID.

-End-

SENATE

April 19 19 85

MR. PRESIDENT

We, your committee on Finance and Claims

having had under consideration House Bill No. 922

third reading copy (blue)
color

LEGACY PROGRAM GRANTS - AUTHORIZED PROJECTS AND GRANT AMOUNTS

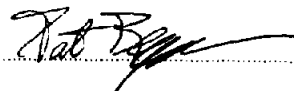
HARPER (Van Valkenburg)

Respectfully report as follows: That House Bill No. 922,
be amended as follows:

1. Page 5, line 2.
Strike: "100,000"
Insert: "130,000"
2. Page 9, line 7.
Strike: "100,000"
Insert: "32,000"
3. Page 9, line 11.
Following: "ASSESSMENT"
Insert: "under auspices of the Montana-Western Canadian Provinces Boundary
Advisory Committee"
4. Page 9.
Following: line 13
Insert: "22. ANACONDA-DEER LODGE COUNTY 70,000
Sewage Facilities"
5. Page 14.
Following: line 15
Insert: "Section 8. Future preference for appropriations from the
resource indemnity trust interest account. In evaluating proposals
for use of funds from the resource indemnity trust interest account
during the biennium ending June 30, 1989, preferential consideration
must be given to proposals that promote projects or activities that:
(1) relate to reclamation or to mitigation of the environmental
impacts of resource extraction;
(2) collect, organize, and retrieve natural resource data in a
manner compatible with state data systems;

~~DEPASS~~

(continued)


.....
Chairman.

April 19, 1985 19

(3) promote effective hazardous waste management; or

(4) are consistent with 15-38-203 which are recommended by
standing or interim legislative committees."

Renumber: subsequent sections

AND AS AMENDED
BE CONCURRED

KB


.....
SENATOR PAT REGAN, CHAIRMAN

COMMITTEE OF THE WHOLE AMENDMENT

SENATE

4-23-85

DATE

10:35 a.m.

TIME

MR. CHAIRMAN: I MOVE TO AMEND

HOUSE BILL

No. 922

third reading copy (blue) as follows:
Color

1. Page 11, line 20.

Following: "FUNDS"

Strike: "MAY BE EXPENDED"

Insert: "are statutorily appropriated [, as provided in section 2 of House Bill No. 12,]"

2. Page 14.

Following: line 19

Insert: "NEW SECTION. Section 9. Coordination. If this act and House Bill No. 12 are both passed and approved, subsection (3) of section 2 of House Bill No. 12 is amended to include a reference to section 4 of this act, and the bracketed language in section 4 (3) of this act "[, as provided in section 2 of House Bill No. 12,] is effective. If House Bill No. 12 is not passed and approved, such bracketed language in section 4 (3) of this act is void."

Renumber: subsequent sections

20
ADOPT

REJECT

Christians

HOUSE BILL NO. 922

INTRODUCED BY HARPER, THOFT

BY REQUEST OF THE DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO
THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR
GRANTS UNDER--THE--MONTANA--LEGACY--PROGRAM FOR DESIGNATED
PROJECTS; PRIORITIZING GRANTS AND AMOUNTS; ESTABLISHING
CONDITIONS FOR GRANTS;--AND--PROVIDING--A--CONTINGENT--EFFECTIVE
DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Appropriations for legacy-program grants.

~~{1} There is appropriated to the Department of Natural
Resources and Conservation from the legacy-program special
revenue account all funds allocated after the
appropriations included in House Bill No. 500, for this
program as provided in Senate Bill No. 277 for the biennium
ending June 30, 1987.~~

{2}(1) There is also appropriated to the Department of
Natural Resources and Conservation the balance in the
resource indemnity trust interest account, including any
funds remaining unexpended at the end of fiscal year 1985.

{3}(2) The funds appropriated in this section must be

awarded by the Department of Natural Resources and
Conservation to the entities listed in section 2 3 for the
described purposes and in the described grant amounts,
subject to the conditions described in section 5 6.

SECTION 2. GRANT PROGRAM SPECIAL REVENUE ACCOUNT
CREATED -- REVENUES -- ALLOCATION -- LIMITATIONS ON
APPROPRIATIONS. (1) THERE IS CREATED A GRANT PROGRAM
SPECIAL REVENUE ACCOUNT WITHIN THE STATE SPECIAL REVENUE
FUND ESTABLISHED IN 17-2-102.

(2) THERE MUST BE PAID INTO THE GRANT PROGRAM SPECIAL
REVENUE ACCOUNT ALL MONEY ALLOCATED FOR APPROPRIATION FROM
THE RESOURCE INDEMNITY TRUST INTEREST ACCOUNT SET FORTH IN
TITLE 15, CHAPTER 38, WITH THE EXCEPTION OF THOSE
ALLOCATIONS MADE IN 15-38-202.

(3) APPROPRIATIONS MAY BE MADE FROM THE GRANT PROGRAM
SPECIAL REVENUE ACCOUNT FOR THE FOLLOWING PURPOSES:

- (A) GRANTS FOR DESIGNATED PROJECTS AND ACTIVITIES; AND
- (B) ADMINISTRATIVE EXPENSES, INCLUDING BUT NOT LIMITED
TO THE SALARIES AND EXPENSES OF PERSONNEL, EQUIPMENT, OFFICE
SPACE, AND OTHER EXPENSES NECESSARILY INCURRED IN THE
ADMINISTRATION OF THE GRANT PROGRAM. THERE IS APPROPRIATED
\$277,000 FOR THESE ADMINISTRATIVE EXPENSES. THESE EXPENSES
MAY BE FUNDED PRIOR TO FUNDING OF PROJECTS.

Section 3. Approved grant projects. (1) The
Legislature, pursuant to Senate Bill No. 277, approves the



1 grants listed in subsection (2) to be made in the order of
 2 priority as indicated within the following prioritized list
 3 of projects and activities. If conditions in section 5 6 are
 4 met, funds must be awarded up to the amounts approved in
 5 this section in order of priority until available funds are
 6 expended. Funds not accepted or utilized by higher ranked
 7 projects and activities must be provided for projects and
 8 activities lower on the priority list that would otherwise
 9 not receive funding. Descriptions of the various projects
 10 and activities and specific contingencies established for
 11 each project and activity are contained within the
 12 Department's Montana Legacy Program status report for the
 13 1986-87 biennium.

14 (2) The following are the Montana-legacy GRANT program
 15 prioritized projects and activities:

16 PROJECT	GRANT AMOUNT
17 1. DEPARTMENT OF AGRICULTURE	\$1,000,000
18 Weed Control Trust Fund	
19 2. MONTANA STATE UNIVERSITY, DEPARTMENT OF	58,266
20 BIOLOGY	
21 <u>WATER RESOURCES RESEARCH CENTER</u>	
22 Stream Restoration from Placer Mining on	
23 Grasshopper Creek	
24 3. DEPARTMENT OF FISH, WILDLIFE, AND PARKS	227,759
25 Bannack-Apex-Mill-Rehabilitation	

1 43. BUREAU OF MINES AND GEOLOGY	257,300
2	<u>75,000</u>
3 Field and Office Programs -- Groundwater	
4 Information Center	
5 54. ANACONDA-DEER LODGE COUNTY, DEER LODGE	300,436
6 VALLEY CONSERVATION DISTRICT,	
7 HEADWATERS RESOURCE CONSERVATION AND	
8 DEVELOPMENT	
9	<u>150,000</u>
10 Anaconda Soil Stabilization and Erosion	
11 Control	
12 65. MONTANA STATE UNIVERSITY, DEPARTMENT OF	151,752
13 BIOLOGY	
14 <u>WATER RESOURCES RESEARCH CENTER</u>	<u>134,249</u>
15 Stream Restoration -- Confederate Gulch	
16 and Deep Creek	
17 76. DEPARTMENT OF HEALTH AND ENVIRONMENTAL	800,000
18 SCIENCES	
19 Hazardous Waste Management Collection and	
20 Transfer Project	
21 87. GOVERNMENT OF BUTTE-SILVER BOW	545,000
22	<u>500,000</u>
23 Butte Hill Mining Reclamation	
24 98. TOOLE COUNTY	390,000
25	<u>298,130</u>

1	North Toole County Reclamation Project	
2	109. GOVERNOR'S OFFICE	100,000 <u>130,000</u>
3	Clark Fork River Projects	
4	110. DEPARTMENT OF NATURAL RESOURCES AND	50,000
5	CONSERVATION, CONSERVATION DISTRICTS	
6	DIVISION	
7		<u>30,000</u>
8	Reclamation of Streambanks and Adjacent	
9	Areas Damaged by Placer Mining	
10	1211. MILE HIGH CONSERVATION DISTRICT	88,400
11	Reclamation Techniques for Heavy Metal	
12	Contaminated Agricultural Lands	
13	1312. GOVERNOR'S OFFICE	80,000
14	Cabin Creek Reference to the	
15	International Joint Commission	
16	1413. MONTANA STATE UNIVERSITY, WATER	20,000
17	RESOURCES RESEARCH CENTER	
18	Environmental Fate of Cyanides and Heavy	
19	Metals from Historic Cyanide Leach	
20	Operations in the Judith Mountains	
21	<u>14.</u> DEPARTMENT OF HEALTH AND ENVIRONMENTAL	<u>15,000</u>
22	SCIENCES	
23	<u>SCOBAY AIR QUALITY MONITORING</u>	
24	<u>15.</u> MONTANA STATE LIBRARY	<u>225,561</u>
25	<u>NATURAL RESOURCES INFORMATION SYSTEM</u>	

1	<u>NATURAL HERITAGE PROGRAM</u>	
2	1516. CITY OF RED LODGE	241,930
3		<u>100,000</u>
4	Coal Miner's Memorial Park Revegetation	
5	and Irrigation Project	
6	<u>17.</u> TRIANGLE CONSERVATION DISTRICT	<u>150,000</u>
7	<u>EXPANDED STATE SALINITY</u>	
8	167-MONTANA--STATE--UNIVERSITY,--49TH--PARALLEL	91,104
9	INSTITUTE	
10	Montana/Alberta----Milk----River----Joint	
11	Impoundment-Assessment	
12	177-BEPARTMENT--OF--FISH,--WILDLIFE,--AND--PARKS	5,000
13	Improvements-for-Historic-Ghost--Town--of	
14	Elkhorn	
15	187-MONTANA-STATE-UNIVERSITY,--WATER-RESOURCES	91,590
16	RESEARCH-CENTER	
17	Heavy--Metal--Contamination--in-the-Clark	
18	Fork-River-Flood-Plain-and-Impacts--on	
19	the-Biotic-Resources-of-the-River	
20	197--PORT-PEEK-TRIBAL-COUNCIL	149,542
21	Determine-----Extent-----of-----Groundwater	
22	Contamination-in-the-East--Poplar--Oil	
23	Field	
24	<u>2018.</u> POWDER RIVER CONSERVATION DISTRICT	80,000
25	Powder River Irrigation Water Quality	

1	Study	
2	21--TETON-COUNTY-CONSERVATION-DISTRICT	212,660
3	Upper-Teton-Water-Conservation-Study	
4	22--MONTANA-STATE-UNIVERSITY--WATER-RESOURCES	24,834
5	RESEARCH-CENTER	
6	Chemistry-Controlling-Copper-Availability	
7	and-Transportation-in-the-Upper--Clark	
8	Fork-River	
9	23--DEPARTMENT--OF--HEALTH--AND-ENVIRONMENTAL	55,000
10	SCIENCES	
11	Forest-Land-Watershed-Improvement-Program	
12	24--MONTANA-STATE-LIBRARY	422,639
13	Natural--Resources--Information---System,	
14	Natural-Heritage-Program	
15	25--BITTERROOT-CONSERVATION-DISTRICT	5,000
16	Demonstration-----of----Savory----Grazing	
17	Management-for-Weed-Control	
18	26--DEPARTMENT-OF-FISH, WILDLIFE,--AND--PARKS	450,811
19	Gartside-Dam-Repair	
20	27--UNIVERSITY-OF-MONTANA	61,482
21	Mitigation-of-Impacts-of-Natural-Resource	
22	Development--to-the-Montana-Beekeeping	
23	Industry	
24	28--TRIANGLE-CONSERVATION-DISTRICT	150,000
25	Expanded-State-Salinity	

1	29--DEER-LODGE-AND-SILVER-BOW-COUNTIES	500,000
2	Land-Acquisition-for-Public-Recreation-at	
3	Georgetown-Lake	
4	30--MONTANA--STATE--UNIVERSITY,---RECLAMATION	65,920
5	RESEARCH-UNIT	
6	Reclaiming---Bentonite---Mined--Areas--in	
7	Montana	
8	31--DEPARTMENT---OF---NATURAL---RESOURCES---&	555,000
9	CONSERVATION,--CONSERVATION--DISTRICTS	
10	DIVISION	
11	Soil-Survey-and-Mapping-Project	
12	32--WHITEFISH-COUNTY-WATER-DISTRICT	60,000
13	Whitefish-River-Cleanup	
14	33--MONTANA--STATE--UNIVERSITY,---RECLAMATION	200,000
15	RESEARCH--UNIT,--AND-BUREAU-OF-MINES-&	
16	GEOLOGY	
17	Acid-Generation-from-Western-Mining	
18	34--MONTANA--STATE--UNIVERSITY,--AGRICULTURAL	30,000
19	EXPERIMENT-----STATION,-----EASTERN	
20	AGRICULTURAL-RESEARCH-CENTER	
21	The--Influence--of--Conservation--Tillage	
22	Practices--on--Insect--Pests--of--Small	
23	Grains	
24	35--ROOSEVELT-COUNTY-CONSERVATION-DISTRICT	5,000
25	Saline-Seep-Treatment	

1	36--YELLOWSTONE-COUNTY	100,000
2	Urban/Rural-----Water-----Alert,-----Data	
3	Centralization-and-Utilization	
4	37--DEPARTMENT--OF--FISH, WILDLIFE, AND PARKS	150,000
5	Giant-Springs-State-Park-Improvements	
6	3819. GLEN LAKE IRRIGATION DISTRICT	155,000
7		<u>100,000</u> <u>32,000</u>
8	Therriault Creek Syphon Construction	
9	20. MSU, 49TH PARALLEL INSTITUTE	70,000
10	<u>MONTANA/ALBERTA MILK RIVER JOINT</u>	
11	<u>IMPOUNDMENT ASSESSMENT UNDER AUSPICES</u>	
12	<u>OF THE MONTANA-WESTERN CANADIAN</u>	
13	<u>PROVINCES BOUNDARY ADVISORY COMMITTEE</u>	
14	21. MONTANA BUREAU OF MINES AND GEOLOGY	91,870
15	<u>WILLISTON BASIN RECLAMATION PROJECT</u>	
16	22. ANACONDA-DEER LODGE COUNTY	
17	<u>SEWAGE FACILITIES</u>	70,000
18	39--DEPARTMENT-OF-FISH, WILDLIFE, AND PARKS	105,000
19	Rosebud-Park-and-River-Access-Development	
20	40--BUREAU-OF-MINES-AND-GEOLOGY	133,195
21	Butte-Mine-Flooding-Monitoring	
22	41--MONTANA-STATE-UNIVERSITY, WATER-RESOURCES	44,400
23	RESEARCH-CENTER	
24	Role--of--Clinker--in--the--Hydrogeologic	
25	Regime--of--the--Southeastern--Montana	

1	Coal-Region	
2	42--DEPARTMENT--OF--FISH, WILDLIFE, AND PARKS	35,000
3	Fort-Maginnis-State-Monument-Improvements	
4	43--DEPARTMENT-OF-FISH, WILDLIFE, AND PARKS	10,000
5	Yellow-Bay-Pence-Construction	
6	44--DEPARTMENT--OF--FISH, WILDLIFE, AND PARKS	75,000
7	Hell-Creek-Recreation--Area--Improvements	
8	45--MONTANA--STATE-UNIVERSITY, PLANT-AND-SOIL	34,656
9	SCIENCE-DEPARTMENT	
10	Beaver-Creek-Fire-Erosion-Study	
11	46--UNIVERSITY-OF-MONTANA--BOTANY--DEPARTMENT	21,797
12	Clark--Fork--Basin--Denuded--Zone--Sediment-	
13	Effects--on--Germination--and--Net	
14	Productivity--of--Two-Riparian-Grasses	
15	47--LEWIS-AND-CLARK-CONSERVATION-DISTRICT	27,139
16	Lewis--and--Clark--County--Conservation	
17	Willage-Program	
18	48--DEPARTMENT--OF--FISH, WILDLIFE, AND PARKS	142,760
19	Clark's--Lookout--State--Monument	
20	Development	
21	49--EAST-BENCH-IRRIGATION-DISTRICT	697,295
22	McHessor-Dry--Guich--Gravity--Irrigation	
23	Project	
24	50--MONTANA--STATE--UNIVERSITY, AGRICULTURAL	200,564
25	EXPERIMENT-STATION	

1 ~~Alternative----Fuel----Production---Using~~
 2 ~~Safflower-Oil~~
 3 ~~51-MONTANA-STATE--UNIVERSITY,--INSTITUTE--OF~~ 87,048
 4 ~~NATURAL-RESOURCES~~
 5 ~~Demonstration-----of-----the-----CLAIM--is~~
 6 ~~Computerized-Coal-Mine-Reclamation~~
 7 ~~Planning-System~~
 8 ~~Section-3---Appropriation-to-emergency-fund---Up-to-10%~~
 9 ~~of--the--funds--appropriated--to--the--Department-of-Natural~~
 10 ~~Resources-and-Conservation-from-the-Begacy--Program--special~~
 11 ~~revenue-account-is-appropriated-to-the-Department-of-Natural~~
 12 ~~Resources--and--Conservation--to--be-used-for-emergencies-as~~
 13 ~~provided-in-Senate-Bill-No--277-~~
 14 NEW SECTION. SECTION 4. ENVIRONMENTAL CONTINGENCY
 15 ACCOUNT. (1) THERE IS CREATED AN ENVIRONMENTAL CONTINGENCY
 16 ACCOUNT WITHIN THE STATE SPECIAL REVENUE FUND ESTABLISHED IN
 17 17-2-102. THE ENVIRONMENTAL CONTINGENCY ACCOUNT IS
 18 CONTROLLED BY THE GOVERNOR.
 19 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), AT THE
 20 BEGINNING OF EACH FISCAL YEAR, 5% OF THE FUNDS APPROPRIATED
 21 TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FROM
 22 THE RESOURCE INDEMNITY TRUST INTEREST ACCOUNT MUST BE
 23 ALLOCATED TO THE ENVIRONMENTAL CONTINGENCY ACCOUNT.
 24 (3) FUNDS MAY---BE---EXPENDED ARE STATUTOR LY
 25 APPROPRIATED[, AS PROVIDED IN SECTION 2 OF HOUSE BILL NO.

1 12.] FROM THE ENVIRONMENTAL CONTINGENCY ACCOUNT UPON THE
 2 AUTHORIZATION OF THE GOVERNOR TO MEET UNANTICIPATED PUBLIC
 3 NEEDS CONSISTENT WITH THE FOLLOWING OBJECTIVES:
 4 (A) TO SUPPORT WATER DEVELOPMENT PROJECTS IN
 5 COMMUNITIES THAT FACE AN EMERGENCY OR IMMINENT NEED FOR SUCH
 6 SERVICES OR TO PREVENT THE PHYSICAL FAILURE OF A WATER
 7 PROJECT;
 8 (B) TO PRESERVE VEGETATION, WATER, SOIL, FISH,
 9 WILDLIFE, OR OTHER RENEWABLE RESOURCES FROM AN IMMINENT
 10 PHYSICAL THREAT OR DURING AN EMERGENCY, NOT INCLUDING:
 11 (I) NATURAL DISASTERS ADEQUATELY COVERED BY OTHER
 12 FUNDING SOURCES; OR
 13 (II) FIRE;
 14 (C) TO RESPOND TO AN EMERGENCY OR IMMINENT THREAT TO
 15 PERSONS, PROPERTY, OR THE ENVIRONMENT CAUSED BY MINERAL
 16 DEVELOPMENT; AND
 17 (D) TO [FUND THE ENVIRONMENTAL QUALITY PROTECTION FUND
 18 PROVIDED FOR IN SECTION 2 OF HOUSE BILL NO. 766 OR TO] TAKE
 19 [OTHER] NECESSARY ACTIONS, INCLUDING THE CONSTRUCTION OF
 20 FACILITIES, TO RESPOND TO ACTUAL OR POTENTIAL THREATS TO
 21 PERSONS, PROPERTY, OR THE ENVIRONMENT CAUSED BY HAZARDOUS
 22 WASTES OR OTHER HAZARDOUS MATERIALS.
 23 (4) THE ENVIRONMENTAL CONTINGENCY ACCOUNT MAY RECEIVE
 24 NO ADDITIONAL ALLOCATION FOR ANY FISCAL YEAR IN WHICH THE
 25 BALANCE IN THE ACCOUNT EXCEEDS \$1,000,000 AT THE BEGINNING

1 OF THAT FISCAL YEAR.
 2 (5) INTEREST FROM FUNDS IN THE ENVIRONMENTAL
 3 CONTINGENCY ACCOUNT ACCRUES TO THE RESOURCE INDEMNITY TRUST
 4 INTEREST ACCOUNT.
 5 (6) THE GOVERNOR SHALL SUBMIT TO THE LEGISLATURE AT
 6 THE BEGINNING OF EACH REGULAR SESSION A COMPLETE FINANCIAL
 7 REPORT ON THE ENVIRONMENTAL CONTINGENCY ACCOUNT, INCLUDING A
 8 DESCRIPTION OF ALL EXPENDITURES MADE SINCE THE PRECEDING
 9 REPORT.

10 Section 5. Coordination of fund sources for Legacy
 11 GRANT program projects. A sponsor of a legacy GRANT program
 12 project who has applied for a grant for that project under
 13 both the legacy GRANT program and the Water Development
 14 Program or the Renewable Resource Development Program must
 15 be funded so that the project sponsor does not receive
 16 duplicative funding.

17 Section 6. Conditions of grants. Disbursement of grant
 18 funds under this act is subject to the following conditions
 19 which must be met by project sponsors:

- 20 (1) A scope of work and budget for the project must be
 21 approved by the Department of Natural Resources and
 22 Conservation. Reduction in a scope of work or budget may not
 23 affect priority activities or improvements.
 24 (2) Other funds required for project completion must
 25 have been committed and the commitment must be documented.

1 (3) A project sponsor must show satisfactory
 2 completion of conditions described in the recommendations
 3 section of the project narrative of the Legacy Program
 4 report for the 1986-87 biennium.

5 (4) An agreement between the Department of Natural
 6 Resources and Conservation and the grant applicant must be
 7 executed in a timely manner, taking into consideration any
 8 changed conditions or circumstances that govern the
 9 administration and disbursement of funds.

10 (5) Any other specific requirements must be
 11 accomplished as considered necessary by the Department of
 12 Natural Resources and Conservation to accomplish the purpose
 13 of the grant as evidenced from the application to the
 14 Department of Natural Resources and Conservation or the
 15 proposal to the Legislature.

16 NEW SECTION. SECTION 7. LIMITING FUTURE USE OF FUNDS
 17 FROM RESOURCE INDEMNITY TRUST INTEREST ACCOUNT. IT IS THE
 18 INTENT OF THE LEGISLATURE THAT FUTURE APPROPRIATIONS FROM
 19 THE RESOURCE INDEMNITY TRUST INTEREST ACCOUNT NOT BE MADE TO
 20 FUND GENERAL OPERATING EXPENSES OF STATE AGENCIES.

21 NEW SECTION. SECTION 8. FUTURE PREFERENCE FOR
 22 APPROPRIATIONS FROM THE RESOURCE INDEMNITY TRUST INTEREST
 23 ACCOUNT. IN EVALUATING PROPOSALS FOR USE OF FUNDS FROM THE
 24 RESOURCE INDEMNITY TRUST INTEREST ACCOUNT DURING THE
 25 BIENNIUM ENDING JUNE 30, 1989, PREFERENTIAL CONSIDERATION

1 MUST BE GIVEN TO PROPOSALS THAT PROMOTE PROJECTS OR
 2 ACTIVITIES THAT:

3 (1) RELATE TO RECLAMATION OR TO MITIGATION OF THE
 4 ENVIRONMENTAL IMPACTS OF RESOURCE EXTRACTION;

5 (2) COLLECT, ORGANIZE, AND RETRIEVE NATURAL RESOURCE
 6 DATA IN A MANNER COMPATIBLE WITH STATE DATA SYSTEMS;

7 (3) PROMOTE EFFECTIVE HAZARDOUS WASTE MANAGEMENT; OR

8 (4) ARE CONSISTENT WITH 15-38-203 WHICH ARE
 9 RECOMMENDED BY STANDING OR INTERIM LEGISLATIVE COMMITTEES.

10 Section 9. Reversion of funds. All funds allocated to
 11 the Legacy GRANT program special revenue account under this
 12 act that are unspent and unencumbered on June 30, 1987,
 13 revert to the Legacy GRANT program special revenue account.

14 NEW SECTION. SECTION 10. COORDINATION. IF THIS ACT
 15 AND HOUSE BILL NO. 12 ARE BOTH PASSED AND APPROVED,
 16 SUBSECTION (3) OF SECTION 2 OF HOUSE BILL NO. 12 IS AMENDED
 17 TO INCLUDE A REFERENCE TO SECTION 4 OF THIS ACT, AND THE
 18 BRACKETED LANGUAGE IN SECTION 4(3) OF THIS ACT "[, AS
 19 PROVIDED IN SECTION 2 OF HOUSE BILL NO. 12,]" IS EFFECTIVE.
 20 IF HOUSE BILL NO. 12 IS NOT PASSED AND APPROVED, SUCH
 21 BRACKETED LANGUAGE IN SECTION 4(3) OF THIS ACT IS VOID.

22 Section 11. Severability. If a part of this act is
 23 invalid, all valid parts that are severable from the invalid
 24 part remain in effect. If a part of this act is invalid in
 25 one or more of its applications, the part remains in effect

1 in all valid applications that are severable from the
 2 invalid applications.

3 ~~Section 8--Contingent--effective-date--if-Senate-Bill~~
 4 ~~Not-277-is-not-passed-and-approved, this--act--is--void--if~~
 5 ~~Senate--Bill--No--277--and--this--act--are--both--passed--and~~
 6 ~~approved, this act is effective at the same time that Senate~~
 7 ~~Bill No--277 is effective.~~

8 SECTION 12. COORDINATION INSTRUCTION. IF HOUSE BILL
 9 NO. 766 IS NOT PASSED AND APPROVED, THE BRACKETED LANGUAGE
 10 IN SECTION 4(3)(D) IS VOID.

-End-