

HB 29     INTRODUCED BY SPAETH  
          REDUCING APPROPRIATION FROM GRANT PROGRAM SPECIAL  
                 REVENUE ACCOUNT  
          BY REQUEST OF DEPT OF NATURAL RESOURCES &  
                 CONSERVATION

6/19     INTRODUCED  
6/19     REFERRED TO APPROPRIATIONS  
6/25     TABLED IN COMMITTEE

1 House BILL NO. 29  
2 INTRODUCED BY Spaeth  
3 BY REQUEST OF THE  
4 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
5  
6 A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE  
7 APPROPRIATION FROM THE GRANT PROGRAM SPECIAL REVENUE ACCOUNT  
8 FOR ADMINISTRATIVE EXPENSES; APPROPRIATING \$500,000 FROM THE  
9 GRANT PROGRAM SPECIAL REVENUE ACCOUNT TO THE DEPARTMENT OF  
10 NATURAL RESOURCES AND CONSERVATION FOR ADMINISTRATIVE  
11 EXPENSES OF THE WATER RESOURCES DIVISION; CLARIFYING AND  
12 REDEFINING THE AMOUNT OF FUNDS TO BE DEPOSITED INTO THE  
13 ENVIRONMENTAL CONTINGENCY ACCOUNT; REPEALING THE  
14 APPROPRIATION FROM THE WATER DEVELOPMENT STATE SPECIAL  
15 REVENUE ACCOUNT TO THE DEPARTMENT OF NATURAL RESOURCES AND  
16 CONSERVATION FOR EMERGENCY PROJECTS; AMENDING SECTION 2(3),  
17 HOUSE BILL NO. 922, LAWS OF 1985, AND SECTIONS 15-38-203,  
18 75-1-1101, AND 75-1-1102, MCA; REPEALING SECTION 10, CHAPTER  
19 717, LAWS OF 1985; AND PROVIDING AN IMMEDIATE EFFECTIVE  
20 DATE."  
21  
22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
23 Section 1. Section 2(3), House Bill No. 922, Laws of  
24 1985, is amended to read:  
25 "(3) Appropriations may be made from the grant program

1 special revenue account for the following purposes:  
2 (a) grants for designated projects and activities; and  
3 (b) administrative expenses, including but not limited  
4 to the salaries and expenses of personnel, equipment, office  
5 space, and other expenses necessarily incurred in the  
6 administration of the grant program. There is appropriated  
7 ~~\$277,000~~ \$77,000 for these administrative expenses. These  
8 expenses may be funded prior to funding of projects."  
9 Section 2. Section 75-1-1102, MCA, is amended to read:  
10 "75-1-1102. Grant program special revenue account  
11 created -- revenues -- allocation -- limitations on  
12 appropriations. (1) There is created a grant program special  
13 revenue account within the state special revenue fund  
14 established in 17-2-102.  
15 (2) There must be paid into the grant program special  
16 revenue account all money allocated for appropriation from  
17 the resource indemnity trust interest account set forth in  
18 Title 15, chapter 38, with the exception of those  
19 allocations made in 15-38-202.  
20 (3) Appropriations may be made from the grant program  
21 special revenue account for the following purposes:  
22 (a) grants for designated projects and activities; and  
23 (b) administrative expenses, including but not limited  
24 to the salaries and expenses of personnel, equipment, office  
25 space, and other expenses necessarily incurred in the

administration of the grant program. These expenses may be funded prior to funding of projects; and

(c) general administration of the water resources division of the department of natural resources and conservation."

Section 3. Section 75-1-1101, MCA, is amended to read:

"75-1-1101. Environmental contingency account objectives. (1) There is created an environmental contingency account within the state special revenue fund established in 17-2-102. The environmental contingency account is controlled by the governor.

(2) Except as provided in subsection (5), the following funds must be allocated to the environmental contingency account from the resource indemnity trust interest account:

(a) at the beginning of each fiscal year, the biennium ending June 30, 1987, an amount equal to 5% of the funds appropriated to the department of natural resources and conservation from the resource indemnity trust interest account must be allocated to the environmental contingency account, minus \$300,000; and

(b) at the beginning of the biennium ending June 30, 1989, and each biennium thereafter, an amount equal to 5% of the funds appropriated to the department of natural resources and conservation for the grants funded from the

grant program special revenue account.

(3) Funds are statutorily appropriated, as provided in 17-7-502, from the environmental contingency account upon the authorization of the governor to meet unanticipated public needs consistent with the following objectives:

(a) to support water development projects in communities that face an emergency or imminent need for such services or to prevent the physical failure of a water project;

(b) to preserve vegetation, water, soil, fish, wildlife, or other renewable resources from an imminent physical threat or during an emergency, not including:

(i) natural disasters adequately covered by other funding sources; or

(ii) fire;

(c) to respond to an emergency or imminent threat to persons, property, or the environment caused by mineral development; and

(d) to fund the environmental quality protection fund provided for in 75-10-704 or to take other necessary actions, including the construction of facilities, to respond to actual or potential threats to persons, property, or the environment caused by hazardous wastes or other hazardous materials.

(4) The environmental contingency account may receive

1 no additional allocation for any fiscal year in which the  
2 balance in the account exceeds \$1,000,000 at the beginning  
3 of that fiscal year.

4 (5) Interest from funds in the environmental  
5 contingency account accrues to the resource indemnity trust  
6 interest account.

7 (6) The governor shall submit to the legislature at  
8 the beginning of each regular session a complete financial  
9 report on the environmental contingency account, including a  
10 description of all expenditures made since the preceding  
11 report."

12 Section 4. Section 15-38-203, MCA, is amended to read:

13 "15-38-203. Purpose of fund usage -- limitation on  
14 future use. (1) Any funds made available under this chapter  
15 shall be used and expended to improve the total environment  
16 and rectify damage thereto.

17 (2) It is the intent of the legislature that after  
18 fiscal year 1987 future appropriations from the resource  
19 indemnity trust interest account not be made to fund general  
20 operating expenses of state agencies."

21 NEW SECTION. Section 5. Appropriation. There is  
22 appropriated from the grant program special revenue account  
23 \$500,000 to the Department of Natural Resources and  
24 Conservation for fiscal year 1987 for the general  
25 administration of the Water Resources Division.

1 NEW SECTION. Section 6. Repealer. Section 10, Chapter  
2 717, Laws of 1985, is repealed.

3 NEW SECTION. Section 7. Effective date. This act is  
4 effective on passage and approval.

-End-