

HOUSE BILL NO. 7

INTRODUCED BY BERGSAGEL  
BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION

IN THE HOUSE

DECEMBER 23, 1992	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
JANUARY 4, 1993	FIRST READING.
MARCH 17, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
MARCH 18, 1993	PRINTING REPORT.
MARCH 22, 1993	SECOND READING, DO PASS AS AMENDED.
MARCH 23, 1993	ENGROSSING REPORT.
MARCH 24, 1993	THIRD READING, PASSED. AYES, 79; NOES, 20.
MARCH 25, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 26, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.  FIRST READING.
APRIL 7, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
APRIL 8, 1993	SECOND READING, CONCURRED IN AS AMENDED.
APRIL 12, 1993	THIRD READING, CONCURRED IN. AYES, 47; NOES, 1.  RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 14, 1993	SECOND READING, AMENDMENTS CONCURRED IN.
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APRIL 15, 1993

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO THE  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS FOR  
DESIGNATED PROJECTS UNDER THE RECLAMATION AND DEVELOPMENT GRANTS  
PROGRAM; PRIORITIZING GRANTS AND AMOUNTS; AND ESTABLISHING  
CONDITIONS FOR GRANTS."

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

NEW SECTION. **Section 1. Appropriations for reclamation and  
development grants.** (1) The amounts listed in [section 2] are  
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interest income of the resource indemnity trust fund set forth in  
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in 15-38-202 and 75-1-1101.

(2) The funds appropriated in this section must be awarded by  
the department to the entities listed in [section 2] for the  
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the conditions provided in [sections 2 through 4].

1        NEW SECTION.    **Section 2. Approved grant projects.**    (1) The  
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14      to the 53rd legislature for the 1995 biennium.

15            (2) The following are the grants program prioritized projects  
16      and activities:

17 <u>Applicant/Project</u>	<u>Grant Amount</u>
18      MONTANA BOARD OF OIL AND GAS CONSERVATION	
19            Kevin-Sunburst Plugging and Reclamation Project	\$299,000
20      MONTANA BOARD OF OIL AND GAS CONSERVATION	
21            Cat Creek Plugging and Reclamation Project	214,810
22      GOVERNOR/LIEUTENANT GOVERNOR'S OFFICES	
23            The Montana Office of Public Policy	
24            Dispute Resolution	127,667
25      TOWN OF WALKERVILLE	

1	Walkerville Reclamation Project	75,569
2	STATE LANDS, DEPARTMENT OF	
3	Well Assessment and Abandonment -- Oil and Gas	211,800
4	BROADWATER CONSERVATION DISTRICT	
5	White's Gulch Placer Mine Reclamation Project	296,300
6	TOOLE COUNTY	
7	North Toole County Oil Field Reclamation Project	298,284
8	FISH, WILDLIFE, AND PARKS, DEPARTMENT OF	
9	Elk Creek Placer Mined Channel Reconstruction	72,850
10	TOWN OF COLUMBUS AND TOWN OF JOLIET	
11	Waste Stream Reduction -- Oil Recycling	41,172
12	MONTANA SALINITY CONTROL ASSOCIATION	
13	Soil and Water Nonpoint Source Pollution Control	172,250
14	CARBON CONSERVATION DISTRICT	
15	RC&Ds Affecting Change Through Local Leadership	300,000
16	HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT OF	
17	Nonpoint Source Pollution Control in Montana	300,000
18	MONTANA BUREAU OF MINES AND GEOLOGY	
19	Acid-Mine Drainage Prevention, Control, and	
20	Treatment -- Stockett/Sand Coulee Area	148,623
21	JEFFERSON VALLEY CONSERVATION DISTRICT	
22	Crystal Mine Remediation Technology Demonstration	150,000
23	DEER LODGE VALLEY CONSERVATION DISTRICT	
24	Developing Acid/Heavy Metal-Tolerant Cultivars	137,700
25	GLACIER COUNTY CONSERVATION DISTRICT	
26	Comprehensive Evaluation of Ground Water	

1 Contamination -- Red River Drainage 214,059

2 VALLEY COUNTY

3 Fort Peck Reservoir Breakwater 300,000

4 NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF

5 Arsenic Transport and Mobility 50,000

6 RAVALLI COUNTY

7 A Lake for Better Water Quality 300,000

8 BUTTE-SILVER BOW

9 Mitigation of Mining and Smelting Damage Through

10 Urban Forestry 150,000

11 TOWN OF HOT SPRINGS

12 Camas Therapy Center 150,000

13 (3) To the entities listed in this section, this  
14 appropriation constitutes a valid obligation of these funds for  
15 purposes of encumbering the funds within the 1995 biennium pursuant  
16 to 17-7-302.

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25           NEW SECTION.   **Section 6. Reversion of funds.**   All funds

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3 unencumbered on June 30, 1995, revert to that account.

4 NEW SECTION. **Section 7. Severability.** If a part of [this  
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6 invalid part remain in effect. If a part of [this act] is invalid  
7 in one or more of its applications, the part remains in effect in  
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10 -END-  
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SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
April 6, 1993

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration House Bill No. 7 (third reading copy -- blue), respectfully report that House Bill No. 7 be amended as follows and as so amended be concurred in.

Signed: Judy H. Jacobson  
Senator Judy H. Jacobson, Chair

That such amendments read:

1. Page 4, line 13.

Following: Line 12

Insert: "If this project receives funding in House Bill No. 6,  
then this appropriation is void."

-END-

mi Amd. Coord.  
mi Sec. of Senate

Hockett  
Senator Carrying Bill

HB 7

SENATE

771516SC.San

SENATE COMMITTEE OF THE WHOLE AMENDMENT

April 8, 1993 11:53 am

April 8, 1993  
Page 2 of 2

Mr. Chairman: I move to amend House Bill No. 7 (third reading copy -- blue).

ADOPT

REJECT

Signed: 

Senator Bob Hockett

That such amendments read:

1. Page 3, line 1.  
Strike: "75,569"  
Insert: "50,000"

2. Page 3, lines 2 and 3.  
Strike: Lines 2 and 3 in their entirety

3. Page 3, line 5.  
Following: "296,300"  
Insert: ""

4. Page 3, line 7.  
Strike: "298,284"  
Insert: "273,284"

5. Page 3, following line 7.  
Insert: "This grant requires a \$25,000 in-kind match."

6. Page 3, line 9.  
Following: "72,850"  
Insert: ""

7. Page 3, line 17.  
Following: "300,000"  
Insert: ""

8. Page 3, line 20.  
Following: "148,623"  
Insert: ""

9. Page 3, lines 21 and 22.  
Strike: Lines 21 and 22 in their entirety

10. Page 3, line 24.  
Strike: "137,700"  
Insert: "120,000"

11. Page 4, line 1.  
Strike: "214,059"  
Insert: "150,000"

12. Page 4, line 3.  
Strike: "300,000"  
Insert: "100,000"

13. Page 4, line 7.  
Following: "300,000"  
Insert: ""

14. Page 4, line 18.  
Following: "projects."  
Insert: "(1)"

15. Page 4, following line 22.  
Insert: "(2) The funding provided to the projects approved in [section 2] and identified by an asterisk (\*) following the grant amount is eligible for and may be designated for use as a nonfederal match for the federal funding acquired for the nonpoint source pollution control program administered by the department of health and environmental sciences."

-END-

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8       ranked projects and activities must be provided for projects and  
9       activities lower on the priority list that would otherwise not  
10      receive funding. Descriptions of the various projects and  
11      activities and specific conditions established for each project and  
12      activity are contained within the department of natural resources  
13      and conservation reclamation and development grants program report  
14      to the 53rd legislature for the 1995 biennium.

15            (2) The following are the grants program prioritized projects  
16      and activities:

17 <u>Applicant/Project</u>	18 <u>Grant Amount</u>
19      MONTANA BOARD OF OIL AND GAS CONSERVATION	
20            Kevin-Sunburst Plugging and Reclamation Project	\$299,000
21      MONTANA BOARD OF OIL AND GAS CONSERVATION	
22            Cat Creek Plugging and Reclamation Project	214,810
23      GOVERNOR/LIEUTENANT GOVERNOR'S OFFICES	
24            The Montana Office of Public Policy	
25            Dispute Resolution	127,667
26      TOWN OF WALKERVILLE	



1	Walkerville Reclamation Project	75,569
2		<u>50,000*</u>
3	<del>STATE LANDS, DEPARTMENT OF</del>	
4	<del>Well Assessment and Abandonment -- Oil and Gas</del>	<del>211,800</del>
5	BROADWATER CONSERVATION DISTRICT	
6	White's Gulch Placer Mine Reclamation Project	296,300*
7	TOOLE COUNTY	
8	North Toole County Oil Field Reclamation Project	<del>298,284</del>
9		<u>273,284*</u>
10	<u>THIS GRANT REQUIRES A \$25,000 IN-KIND MATCH.</u>	
11	FISH, WILDLIFE, AND PARKS, DEPARTMENT OF	
12	Elk Creek Placer Mined Channel Reconstruction	72,850*
13	TOWN OF COLUMBUS AND TOWN OF JOLIET	
14	Waste Stream Reduction -- Oil Recycling	41,172
15	<del>MONTANA SALINITY CONTROL ASSOCIATION</del>	
16	<del>Soil and Water Nonpoint Source Pollution Control</del>	<del>172,250</del>
17	CARBON CONSERVATION DISTRICT	
18	RC&Ds Affecting Change Through Local Leadership	300,000
19	HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT OF	
20	Nonpoint Source Pollution Control in Montana	300,000*
21	MONTANA BUREAU OF MINES AND GEOLOGY	
22	Acid-Mine Drainage Prevention, Control, and	
23	Treatment -- Stockett/Sand Coulee Area	148,623*
24	<del>JEFFERSON VALLEY CONSERVATION DISTRICT</del>	
25	<del>Crystal Mine Remediation Technology Demonstration</del>	<del>150,000</del>
26	DEER LODGE VALLEY CONSERVATION DISTRICT	

1	Developing Acid/Heavy Metal-Tolerant Cultivars	<del>137,700</del>
2		<u>120,000</u>
3	GLACIER COUNTY CONSERVATION DISTRICT	
4	Comprehensive Evaluation of Ground Water	
5	Contamination -- Red River Drainage	<del>214,059</del>
6		<u>150,000*</u>
7	VALLEY COUNTY	
8	Fort Peck Reservoir Breakwater	<del>300,000</del>
9		<u>100,000</u>
10	NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF	
11	Arsenic Transport and Mobility	50,000
12	RAVALLI COUNTY	
13	A Lake for Better Water Quality	300,000*
14	BUTTE-SILVER BOW	
15	Mitigation of Mining and Smelting Damage Through	
16	Urban Forestry	150,000
17	TOWN OF HOT SPRINGS	
18	Camas Therapy Center	150,000
19	<u>IF THIS PROJECT RECEIVES FUNDING IN HOUSE BILL NO. 6, THEN</u>	
20	<u>THIS APPROPRIATION IS VOID.</u>	
21	(3) To the entities listed in this section, this	
22	appropriation constitutes a valid obligation of these funds for	
23	purposes of encumbering the funds within the 1995 biennium pursuant	
24	to 17-7-302.	
25	<u>NEW SECTION.</u> Section 3. Coordination of fund sources for	

1 grants program projects. (1) A sponsor of a grants program project  
2 who has applied for a grant for that project under both the  
3 reclamation and development grants program and either the water  
4 development program or the renewable resource development program  
5 may not receive duplicative funding.

6 (2) THE FUNDING PROVIDED TO THE PROJECTS APPROVED IN [SECTION  
7 2] AND IDENTIFIED BY AN ASTERISK (\*) FOLLOWING THE GRANT AMOUNT IS  
8 ELIGIBLE FOR AND MAY BE DESIGNATED FOR USE AS A NONFEDERAL MATCH  
9 FOR THE FEDERAL FUNDING ACQUIRED FOR THE NONPOINT SOURCE POLLUTION  
10 CONTROL PROGRAM ADMINISTERED BY THE DEPARTMENT OF HEALTH AND  
11 ENVIRONMENTAL SCIENCES.

12 NEW SECTION. Section 4. Conditions of grants. Disbursement  
13 of grant funds under [sections 1 through 6] is subject to the  
14 following conditions that must be met by the project sponsor:

15 (1) A scope of work and budget for the project must be  
16 approved by the department of natural resources and conservation.  
17 Reduction in a scope of work or budget may not affect priority  
18 activities or improvements.

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

21 (3) The project sponsor shall show satisfactory completion of  
22 conditions described in the recommendations section of the project  
23 narrative of the reclamation and development grants program report  
24 for the 1995 biennium.

25 (4) An agreement between the department and the grant

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

4 (5) Any other specific requirements considered necessary by  
5 the department must be met to accomplish the purpose of the grant  
6 as evidenced from the application to the department or as defined  
7 by the legislature.

8 NEW SECTION. Section 5. other appropriations. There is  
9 appropriated to any entity of state government that receives a  
10 grant under [sections 1 through 6], the amount of the grant upon  
11 award of the grant by the department of natural resources and  
12 conservation. Grants to state entities from a prior biennium are  
13 reauthorized for completion of contract work.

14 NEW SECTION. Section 6. Reversion of funds. All funds  
15 appropriated from the reclamation and development grants special  
16 revenue account under [sections 1 through 6] that are unspent and  
17 unencumbered on June 30, 1995, revert to that account.

18 NEW SECTION. Section 7. Severability. If a part of [this  
19 act] is invalid, all valid parts that are severable from the  
20 invalid part remain in effect. If a part of [this act] is invalid  
21 in one or more of its applications, the part remains in effect in  
22 all valid applications that are severable from the invalid  
23 applications.

24 -END-