

1 HOUSE BILL NO. 7

2 INTRODUCED BY BERGSAGEL

3 BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL
6 RESOURCES AND CONSERVATION FOR GRANTS FOR DESIGNATED PROJECTS UNDER THE
7 RECLAMATION AND DEVELOPMENT GRANTS PROGRAM; PRIORITIZING GRANTS AND AMOUNTS;
8 ESTABLISHING CONDITIONS FOR GRANTS; AND PROVIDING AN EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 NEW SECTION. **Section 1. Appropriations for reclamation and development grants.** (1) The
13 amounts listed in [section 2] are appropriated to the department of natural resources and conservation from
14 the reclamation and development grants special revenue account from funds allocated for appropriation
15 from the interest income of the resource indemnity trust fund set forth in Title 15, chapter 38, with the
16 exception of those allocations made in 15-38-202 and 75-1-1101.

17 (2) The funds appropriated in this section must be awarded by the department to the entities listed
18 in [section 2] for the prescribed purposes and in the prescribed grant amounts, subject to the conditions
19 provided in [sections 2 through 4].

20
21 NEW SECTION. **Section 2. Approved grant projects.** (1) The legislature approves the grants listed
22 in subsection (2), to be made in the order of priority as indicated within the following list of projects and
23 activities. If the conditions in [sections 3 and 4] are met, funds must be awarded up to the amounts
24 approved in this section in order of priority until available funds are expended. Funds not accepted by
25 grantees or funds not used by higher-ranked projects and activities must be provided for projects and
26 activities lower on the priority list that would otherwise not receive funding. Descriptions of the various
27 projects and activities and specific conditions established for each project and activity are contained within
28 the department of natural resources and conservation reclamation and development grants program report
29 to the 54th legislature for the 1997 biennium.

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

	<u>Grant Amount</u>
1 <u>Applicant/Project</u>	
2 NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF *	
3 Abandoned Mine Reclamation Project	\$300,000
4 MONTANA BOARD OF OIL AND GAS CONSERVATION *	
5 Devil's Basin: Plug, Abandonment, and Restoration	300,000
6 MONTANA BOARD OF OIL AND GAS CONSERVATION *	
7 South Cut Bank Field - A: Plug, Abandonment,	
8 and Restoration	300,000
9 MONTANA BOARD OF OIL AND GAS CONSERVATION *	
10 South Cut Bank Field - B: Plug, Abandonment,	
11 and Restoration	300,000
12 STATE LANDS, DEPARTMENT OF *	
13 Oil Well Abandonment	183,260
14 LEWIS & CLARK COUNTY/CITY OF HELENA *	
15 Ten Mile Mine Site Reclamation Project	100,000
16 MONTANA STATE UNIVERSITY *	
17 Clean Tailings Reclamation	150,000
18 CASCADE COUNTY CONSERVATION DISTRICT *	
19 Muddy Creek Water Quality Improvement	300,000
20 HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT OF *	
21 Nonpoint Pollution Control	300,000
22 BUTTE-SILVER BOW LOCAL GOVERNMENT	
23 Upper Clark Fork Basin: Superfund Tech. Assist.	93,622
24 HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT OF	
25 Superfund GIS	171,548
26 GLACIER COUNTY CONSERVATION DISTRICT *	
27 Comprehensive Evaluation of Ground Water,	
28 Contamination, Red River Drainage	157,424
29 TOOLE COUNTY *	
30 North Toole County Reclamation Project	295,246

1	STATE LANDS, DEPARTMENT OF *	
2	Scobey Reclamation Site	11,000
3	CARBON COUNTY	
4	Dry Hydrant Demonstration	133,000
5	PETROLEUM COUNTY CONSERVATION DISTRICT *	
6	Petroleum County Artesian Basin	
7	Ground Water Project	300,000
8	BUTTE-SILVER BOW LOCAL GOVERNMENT	
9	Travona Mineyard Preservation and Enhancement	168,740
10	TOWN OF WALKERVILLE	
11	Walkerville Parks and Recreation Project	103,200
12	JEFFERSON VALLEY CONSERVATION DISTRICT *	
13	Remote Mine Site Demonstration Project	65,558
14	STATE LANDS, DEPARTMENT OF	
15	Expansion of the DSL GIS	124,377
16	EASTERN SANDERS CONSERVATION DISTRICT	
17	Plains Area Recreational Center - PARC	153,600

18 (3) To the entities listed in this section, this appropriation constitutes a valid obligation of these
19 funds for purposes of encumbering the funds within the 1997 biennium pursuant to 17-7-302.

20 (4) The funding provided to the grant projects in this section and identified by an asterisk (*)
21 following the applicant's name is eligible for and may be designated for use as a nonfederal match for the
22 federal funding acquired for the nonpoint source pollution control program administered by the department
23 of health and environmental sciences.

24

25 NEW SECTION. **Section 3. Coordination of fund sources for grants program projects.** A sponsor
26 of a grants program project who has applied for a grant for that project under both the reclamation and
27 development grants program and the renewable resource grant and loan program may not receive
28 duplicative funding.

29

30 NEW SECTION. **Section 4. Condition of grants.** Disbursement of grant funds under [sections 1

1 through 6] is subject to the following conditions that must be met by the project sponsor:

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

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

7 (3) The project sponsor shall show satisfactory completion of conditions described in the
8 recommendations section of the project narrative of the reclamation and development grants program report
9 for the 1997 biennium.

10 (4) An agreement between the department and the grant applicant must be executed in a timely
11 manner, taking into consideration any changed conditions or circumstances that govern the administration
12 and disbursement of funds.

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

16

17 **NEW SECTION. Section 5. Other appropriations.** There is appropriated to any entity of state
18 government that receives a grant under [sections 1 through 6] the amount of the grant upon award of the
19 grant by the department of natural resources and conservation. Grants to state entities from a prior
20 biennium are reauthorized for completion of contract work.

21

22 **NEW SECTION. Section 6. Reversion of funds.** All funds appropriated from the reclamation and
23 development grants special revenue account under [sections 1 through 6] that are unspent and
24 unencumbered on June 30, 1997, revert to that account.

25

26 **NEW SECTION. Section 7. Severability.** If a part of [this act] is invalid, all valid parts that are
27 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its
28 applications, the part remains in effect in all valid applications that are severable from the invalid
29 applications.

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APPROVED BY COM ON
APPROPRIATIONS

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12 NEW SECTION. **Section 1. Appropriations for reclamation and development grants.** (1) The
13 amounts listed in [section 2] are appropriated to the department of natural resources and conservation from
14 the reclamation and development grants special revenue account from funds allocated for appropriation
15 from the interest income of the resource indemnity trust fund set forth in Title 15, chapter 38, with the
16 exception of those allocations made in 15-38-202 and 75-1-1101.

17 (2) The funds appropriated in this section must be awarded by the department to the entities listed
18 in [section 2] for the prescribed purposes and in the prescribed grant amounts, subject to the conditions
19 provided in [sections 2 through 4].

20
21 NEW SECTION. **Section 2. Approved grant projects.** (1) The legislature approves the grants listed
22 in subsection (2), to be made in the order of priority as indicated within the following list of projects and
23 activities. If the conditions in [sections 3 and 4] are met, funds must be awarded up to the amounts
24 approved in this section in order of priority until available funds are expended. Funds not accepted by
25 grantees or funds not used by higher-ranked projects and activities must be provided for projects and
26 activities lower on the priority list that would otherwise not receive funding. Descriptions of the various
27 projects and activities and specific conditions established for each project and activity are contained within
28 the department of natural resources and conservation reclamation and development grants program report
29 to the 54th legislature for the 1997 biennium.

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

<u>Applicant/Project</u>	<u>Grant Amount</u>
NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF *	
Abandoned Mine Reclamation Project	\$300,000
MONTANA BOARD OF OIL AND GAS CONSERVATION *	
Devil's Basin: Plug, Abandonment, and Restoration	300,000
MONTANA BOARD OF OIL AND GAS CONSERVATION *	
South Cut Bank Field - A: Plug, Abandonment, and Restoration	300,000
MONTANA BOARD OF OIL AND GAS CONSERVATION *	
South Cut Bank Field - B: Plug, Abandonment, and Restoration	300,000
STATE LANDS, DEPARTMENT OF *	
Oil Well Abandonment	183,260
LEWIS & CLARK COUNTY/CITY OF HELENA *	
Ten Mile Mine Site Reclamation Project	100,000
	<u>75,000</u>
MONTANA STATE UNIVERSITY *	
Clean Tailings Reclamation	150,000
	<u>100,000</u>
CASCADE COUNTY CONSERVATION DISTRICT *	
Muddy Creek Water Quality Improvement	300,000
HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT OF *	
Nonpoint Pollution Control	300,000
BUTTE-SILVER BOW LOCAL GOVERNMENT	
Upper Clark Fork Basin: Superfund Tech. Assist.	93,622
HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT OF	
 Superfund GIS	171,548
<u>MONTANA STATE UNIVERSITY EXTENSION SERVICE *</u>	
<u>POLLUTION PREVENTION PROGRAM</u>	<u>59,625</u>
GLACIER COUNTY CONSERVATION DISTRICT *	

1	Comprehensive Evaluation of Ground Water,	
2	Contamination, Red River Drainage	157,424
3	<u>WATER QUALITY DEMONSTRATION AND RECLAMATION,</u>	
4	<u>RED RIVER DRAINAGE</u>	<u>150,000</u>
5	TOOLE COUNTY *	
6	North Toole County Reclamation Project	295,246
7	STATE LANDS, DEPARTMENT OF *	
8	Scobey Reclamation Site	11,000
9	CARBON COUNTY	
10	Dry Hydrant Demonstration	133,000
11	PETROLEUM COUNTY CONSERVATION DISTRICT *	
12	Petroleum County Artesian Basin	
13	Ground Water Project	300,000
14	BUTTE SILVER BOW LOCAL GOVERNMENT	
15	Travona Mineyard Preservation and Enhancement	168,740
16	TOWN OF WALKERVILLE	
17	Walkerville Parks and Recreation Project	103,200
18	JEFFERSON VALLEY CONSERVATION DISTRICT *	
19	Remote Mine Site Demonstration Project	65,558
20	STATE LANDS, DEPARTMENT OF	
21	Expansion of the DSL GIS	124,377
22	EASTERN SANDERS CONSERVATION DISTRICT	
23	Plains Area Recreational Center PARC	153,600

24 (3) To the entities listed in this section, this appropriation constitutes a valid obligation of these
 25 funds for purposes of encumbering the funds within the 1997 biennium pursuant to 17-7-302.

26 (4) The funding provided to the grant projects in this section and identified by an asterisk (*)
 27 following the applicant's name is eligible for and may be designated for use as a nonfederal match for the
 28 federal funding acquired for the nonpoint source pollution control program administered by the department
 29 of health and environmental sciences.

30

1 **NEW SECTION. Section 3. Coordination of fund sources for grants program projects.** A sponsor
2 of a grants program project who has applied for a grant for that project under both the reclamation and
3 development grants program and the renewable resource grant and loan program may not receive
4 duplicative funding.

5
6 **NEW SECTION. Section 4. Condition of grants.** Disbursement of grant funds under [sections 1
7 through 6] is subject to the following conditions that must be met by the project sponsor:

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

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

13 (3) The project sponsor shall show satisfactory completion of conditions described in the
14 recommendations section of the project narrative of the reclamation and development grants program report
15 for the 1997 biennium.

16 (4) An agreement between the department and the grant applicant must be executed in a timely
17 manner, taking into consideration any changed conditions or circumstances that govern the administration
18 and disbursement of funds.

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

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23 **NEW SECTION. Section 5. Other appropriations.** There is appropriated to any entity of state
24 government that receives a grant under [sections 1 through 6] the amount of the grant upon award of the
25 grant by the department of natural resources and conservation. Grants to state entities from a prior
26 biennium are reauthorized for completion of contract work.

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28 **NEW SECTION. Section 6. Reversion of funds.** All funds appropriated from the reclamation and
29 development grants special revenue account under [sections 1 through 6] that are unspent and
30 unencumbered on June 30, 1997, revert to that account.

1 **NEW SECTION. Section 7. Severability.** If a part of [this act] is invalid, all valid parts that are
2 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its
3 applications, the part remains in effect in all valid applications that are severable from the invalid
4 applications.

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6 **NEW SECTION. Section 8. Effective date.** [This act] is effective July 1, 1995.

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-END-

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

THERE ARE NO CHANGES IN THIS BILL AND IT WILL
NOT BE REPRINTED. PLEASE REFER TO SECOND
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7 through 6] is subject to the following conditions that must be met by the project sponsor:

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