

HOUSE BILL NO. 6

INTRODUCED BY J. WITT

BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION AND THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS UNDER THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM; PRIORITIZING GRANTS AND AMOUNTS; ESTABLISHING CONDITIONS FOR GRANTS; AND PROVIDING EFFECTIVE DATES."

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

NEW SECTION. **Section 1. Appropriations from the renewable resource grant and loan state special revenue account.** (1) There is appropriated to the department of natural resources and conservation \$4 million from the amount that is available in the renewable resource grant and loan state special revenue account. Up to \$125,000 of this amount is to be used for emergency projects, and \$100,000 is to be used for project planning grants to be awarded by the department over the course of the biennium.

(2) The remaining funds appropriated in this section must be awarded by the department to the named entities for the described purposes and in the described grant amounts set out in subsection (3), subject to the conditions set forth in [sections 1 through 4] and the contingencies described in the renewable resource grant and loan program January 2003 report to the 58th legislature. The legislature, pursuant to 85-1-605, approves the grants listed in subsection (3), with grants to be made in the order indicated in the prioritized list of projects and activities. Funds must be awarded up to the amounts approved in this section in order of priority until available funds are expended. Funds not accepted or used by higher-ranked projects must be provided for projects further down the priority list that would not otherwise receive funding. For each of the grant projects listed after the city of Troy project in subsection (3), grant funds may not be received until sufficient funds are available for that purpose. Any projects that are funded by the reclamation and development grants program may not be funded under [sections 1 through 4].

(3) The following are the prioritized grant projects:

RENEWABLE RESOURCE GRANT AND LOAN PROGRAM

Applicant/Project	Grant Amount
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Scobey, City of	
(Wastewater System Improvements)	\$100,000
Dawson County	
(Yellowstone River Floodplain Management)	100,000
Flathead Basin Commission	
(Ashley Creek Headwater Restoration)	99,700
Missoula, City of	
(Rattlesnake Neighborhood Sewer Collection System)	100,000
North Powell Conservation District	
(Blackfoot River Habitat, Water Quality and Restoration)	62,600
Montana Department of Agriculture	
(Monitoring Well Network for the Assessment of Ag Chemicals)	100,000
Paradise Valley Irrigation District*	
(Hillside Lateral)	100,000
Ramsay County Water and Sewer District	
(Water System Improvements)	100,000
Missoula County	
(Mullen Road Corridor Sewer Project - Phase I)	100,000
Park County	
(North Park County Water Resources Protection Plan)	100,000
Sheaver's Creek Water and Sewer District	
(Water System Improvements)	100,000
Stanford, Town of	
(Water System Improvements)	100,000
Hamilton, City of	
(Water Distribution Improvements)	100,000
Park County-Cooke City Water District	
(Water System Improvements)	100,000
Milk River Joint Board of Control*	
(St. Mary Siphon Expansion Joint Replacement)	100,000
Buffalo Rapids Irrigation District	

(Refit of Glendive Pumping Plant)	100,000
Mill Creek Irrigation District	
(Mill Lake Dam Rehabilitation)	100,000
Montana Department of Natural Resources and Conservation	
(Seepage Monitoring Project - DNRC Dams)	97,646
Sidney Water Users Irrigation District	
(Increasing Irrigation Efficiency)	100,000
Stillwater County	
(Yellowstone River Floodplain Management)	100,000
Yellowstone County	
(Yellowstone River Floodplain Management)	100,000
Worden Ballantin Yellowstone County Water and Sewer District	
(Water Distribution System Improvements)	100,000
Ryegate, Town of	
(Water System Improvements)	100,000
Malta Irrigation District*	
(Replacement and Modification of Check Structures)	100,000
Judith Basin County	
(Geyser Water System Improvements)	100,000
Blackfeet Tribe	
(Oki Mamii (Hello Fish))	23,581
Sheridan, Town of	
(Water System Improvements)	100,000
Pablo-Lake County Water and Sewer District	
(Wastewater Treatment System Improvements)	100,000
Fort Belknap Irrigation District*	
(Sugar Factory Lateral Project)	100,000
Montana Department of Natural Resources and Conservation	
(North Fork of the Smith River Dam Rehabilitation)	100,000
Conrad, City of	
(Raw Water Intake and Pump Station Improvements)	100,000

Lewis and Clark County Water Quality Protection District	
(Ground Water Sustainability in North Hills Area, Helena)	100,000
Power-Teton County Water and Sewer District	
(Water System Improvements)	100,000
Phillips County Green Meadows Water and Sewer District	
(Water System Improvements)	100,000
Chinook Division Irrigation Joint Board of Control*	
(Fresno Dam - Gate Leaf Seals)	100,000
Upper/Lower River Road Water and Sewer District	
(Water System Improvements)	100,000
Gallatin Local Water Quality District	
(Dedicated Monitoring Well Network for the Gallatin Valley)	99,883
Troy, City of	
(Water System Improvements)	100,000
Montana Department of Corrections	
(Rehabilitation of Prison Ranch Dam)	100,000
Fort Shaw Irrigation District	
(Water Quality and Quantity Improvement - Phase III)	89,122
Butte-Silver Bow Local Government	
(Basin Creek Dam 1 and 2)	100,000
Hill County	
(Beaver Creek Dam Outlet Works Repair)	100,000
Melstone, Town of	
(Water Conservation Project)	99,929
Glasgow Irrigation District*	
(Vandalia Diversion Dam	
Rehabilitation - Phase III)	100,000
Richland County Conservation District	
(Irrigation Potential of Ground Water)	85,212
Milk River Joint Board of Control*	
(Nelson Reservoir Pumping Design/Construction - Phase I)	100,000

Pablo-Lake County Water and Sewer District	
(Water Distribution Improvements)	100,000
Cut Bank, City of	
(Water System Improvement)	100,000
Pleasant View Homesites County Water and Sewer District	
(Water System Improvements)	100,000
Gardiner-Park County Water District	
(Water System Improvements)	100,000
Huntley Project Irrigation District	
(Anita Reservoir Dam Safety Repairs and Sediment Removal)	100,000
Whitefish, City of	
(Water Distribution Improvements)	100,000
Black Eagle Water District	
(Wastewater System Improvements)	50,000
Montana Mines and Geology, Bureau of	
(Irrigation Technical Assistance Project)	99,925
Geraldine, Town of	
(Water System Improvements - Phase II)	100,000
Harlem Irrigation District*	
(Lower Harlem Irrigation Canal Improvements - Phase I)	100,000
Meadowlark Water and Sewer District	
(Wastewater Collection System Improvements)	100,000
Columbia Falls, City of	
(4th Avenue West Water and Sewer)	100,000
Columbus, Town of	
(Storm Water Improvements)	100,000
Libby, City of	
(Johnston Acres Water System Improvements)	100,000
Three Forks, City of	
(Water System Improvements)	100,000
Lake County Solid Waste District	

(Solid Waste Transfer Station) 100,000

(4) For grant projects for which the department of natural resources and conservation also has recommended a loan, the authorization for the loan is contained in House Bill No. 8.

(5) The funding provided to the projects approved in this section and identified with an asterisk (*) following the applicant's name is eligible for and may be designated for use as a nonfederal match for the federal funding required for the settlement of the Fort Belknap/Montana Water Right Compact.

(6) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 2005 biennium pursuant to 17-7-302.

NEW SECTION. Section 2. Condition of grants. Disbursement of funds under [sections 1 through 4] for grants is subject to the following conditions that must be met by project sponsors:

(1) approval of a scope of work and budget for the project by the department of natural resources and conservation. Changes in the project scope of work or budget that reduce the public or natural resource benefits as presented in department reports and applicant testimony to the 58th legislature will result in the proportional reduction in grant amount.

(2) documented commitment of other funds required for project completion;

(3) satisfactory completion of conditions described in the recommendation section of the project narrative in the renewable resource grant and loan program project recommendations and biennium report submitted to the 58th legislature for the 2005 biennium or, in the case of emergency applications, conditions specified at the time of written notification of approved grant authority;

(4) execution of a grant agreement with the department; and

(5) accomplishment of other specific requirements considered necessary by the department to accomplish the purpose of the grant as evidenced from the application to the department or from the proposal to the legislature.

NEW SECTION. Section 3. Conditions for grants. Notwithstanding the conditions described in [section 2], grant funds are disbursed in the order of priority listed in [section 1] as resource indemnity trust account interest income revenue is received. A project approved by [section 1] is not entitled to receive grant funds that are not collected and allocated to the renewable resource grant and loan program state special revenue account.

NEW SECTION. Section 4. Appropriations established.(1) For any entity of state government that receives a grant under [sections 1 through 3], an appropriation is established for the amount of the grant listed in [section 1(3)]. Grants to state entities from prior biennia are reauthorized for completion of contract work.

(2) Any funds in excess of the amount appropriated for grants under [sections 1 through 3] are available for appropriation for authorized purposes from the renewable resource grant and loan state special revenue account.

NEW SECTION. Section 5. Review of previously authorized grants. Recipients of renewable resource grants authorized by previous legislatures that have not completed startup conditions must be notified by the department of natural resources and conservation that the legislature, at the next regular session, will review renewable resource grants to determine if the commitment of the renewable resource grant should be withdrawn.

NEW SECTION. Section 6. 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.

NEW SECTION. Section 7. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell band of Chippewa.

NEW SECTION. Section 8. Effective dates. (1) [Sections 2 through 7 and this section] are effective on passage and approval.

(2) [Section 1] is effective July 1, 2003.

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