

HOUSE BILL NO. 6

INTRODUCED BY W. MCNUTT

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 IMPLEMENTING THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM; 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 AN IMMEDIATE EFFECTIVE DATES DATE."

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

NEW SECTION. Section 1. Appropriations from natural resources projects state special revenue account. (1) There is appropriated from the natural resources projects state special revenue account established in 15-38-302 to the department of natural resources and conservation up to:

- (a) \$100,000 to be used for emergency projects;
- (b) \$800,000 to be used for planning grants to be awarded by the department over the course of the biennium;
- (c) \$300,000 to be used for irrigation development grants to be awarded by the department over the course of the biennium; and
- (d) \$50,000 to be used for water project private grants to be awarded by the department over the course of the biennium.

(2) There is appropriated from the natural resources projects state special revenue account established in 15-38-302 to the department of natural resources and conservation ~~\$5,085,798~~ \$8,654,593 that is available in the natural resources projects state special revenue account for grants to political subdivisions and local governments during the 2011 biennium. The funds 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 3] and the contingencies described in the renewable resource grant and loan program January 2009 report to the 61st 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 the following order of priority until available funds are expended. Funds not accepted or used by higher-ranked projects must be provided for projects farther down the priority list that would not otherwise receive funding ~~or for planning grant projects~~. ANY REMAINING PROJECT FUNDS MAY BE USED FOR ANY RENEWABLE RESOURCE PROGRAM PROJECTS AUTHORIZED UNDER THIS SECTION OR FOR RECLAMATION AND DEVELOPMENT PROGRAM PROJECTS AUTHORIZED BY THE 61ST LEGISLATURE IN HOUSE BILL NO. 7. With the exception of planning grants, any projects that are funded by the reclamation and development grants program may not be funded under [sections 1 through 3].

(3) The following are the prioritized grant projects:

RENEWABLE RESOURCE GRANT AND LOAN PROGRAM

Applicant/Project	Grant Amount
Dutton, Town of (Dutton Wastewater System Improvements)	\$100,000
Philipsburg, Town of (Philipsburg Wastewater System Improvements)	\$100,000
Upper Lower River Road Water and Sewer District (Upper Lower River Road Phase 3 Water and Wastewater System Improvements)	\$100,000
Fort Peck Tribes (Fort Peck Tribes Lateral L-56 Rehabilitation Project)	\$100,000
Bitterroot Irrigation District (Bitterroot Irrigation District Siphon 1: Phase 1)	\$100,000
Milk River Irrigation Project (Milk River Systemwide Geolrrigation Mapping Project)	\$65,004
Big Sandy, Town of (Big Sandy Wastewater Improvement Project)	\$100,000
Beaverhead Conservation District (Big Hole Spring Creek Kalsta Spring Creek Water Quality Enhancement)	\$97,485
Montana Department of Natural Resources and Conservation -- Water Resources Division (Ruby Dam Rehabilitation Project)	\$100,000
Nashua, Town of (Nashua Water System Improvements)	\$100,000
Hysham Irrigation District	

(Pump Station Electrical Improvements Project)	\$100,000
Yellowstone County	
(West Billings Flood Control and Groundwater Recharge Study)	\$100,000
Clinton Irrigation District	
(Main Canal Rehabilitation Project)	\$99,610
Hardin, City of	
(Hardin Wastewater System Improvements)	\$100,000
Lewistown, City of	
(Lewistown Wastewater System Improvements)	\$100,000
Winifred, Town of	
(Winifred Wastewater System Improvements)	\$100,000
Gildford County Water and Sewer District	
(Gildford Wastewater System Improvements)	\$100,000
Melstone, Town of	
(Melstone Water System Improvements)	\$100,000
Hysham Irrigation District	
(Flow Monitoring/Data Transfer Project)	\$100,000
Choteau, City of	
(Choteau Wastewater System Improvements)	\$100,000
Wolf Creek County Water and Sewer District	
(Wolf Creek Wastewater System Improvements)	\$100,000
Lower Musselshell Conservation District	
(Lost Horse Creek Siphon Pipeline Rehabilitation)	\$100,000
Whitefish, City of	
(Whitefish Wastewater System Improvements)	\$100,000
Gardiner-Park County Water and Sewer District	
(Gardiner Wastewater System Improvements)	\$100,000
Department of Natural Resources and Conservation -- Water Resources Division	
(Twodot Canal Rehabilitation Project)	\$100,000
Cascade, Town of	
(Cascade Water System Improvements)	\$100,000

Sweet Grass County Conservation District	
(Post-Kellogg Diversion Structure Infrastructure Rehabilitation)	\$100,000
Wibaux, Town of	
(Wibaux Wastewater System Improvements)	\$100,000
Ravalli County Environmental Health	
(Bitterroot Valley Septic Systems Impact Evaluation Model)	\$100,000
Bynum Teton County Water and Sewer District	
(Bynum Water System Improvements)	\$100,000
Lake County	
(Lake County Mapping Project)	\$100,000
Ravalli County	
(Ravalli County Phase II Mapping)	\$100,000
Judith Gap, Town of	
(Judith Gap Water and Wastewater System Improvements)	\$100,000
Crow Tribe	
(Crow Agency Wastewater System Improvements Phase IIIA)	\$100,000
Stevensville, Town of	
(Stevensville Wastewater Improvements Project)	\$100,000
Flathead County	
(Bigfork Stormwater System Improvements)	\$100,000
Kevin, Town of	
(Kevin Water System Improvements)	\$100,000
Em-Kayan Village Water and Sewer District	
(Em-Kayan Village Water System Improvements)	\$100,000
Broadview, Town of	
(Broadview Water System Improvements)	\$100,000
Department of Natural Resources and Conservation -- Water Resources Division	
(Deadman's Basin Terminal Outlet Replacement Project)	\$100,000
Big Horn Conservation District	
(Water Reservations Efficiencies)	\$33,706
Department of Natural Resources and Conservation -- Water Resources Division	

(Martinsdale Reservoir Dam Drain Project)	\$100,000
Loma County Water and Sewer District	
(Loma Water System Improvements)	\$100,000
Woods Bay Homesites WSD	
(Woods Bay WW System Improvements)	\$100,000
Sheaver's Creek Water and Sewer District	
(Sheaver's Creek Wastewater System Improvements)	\$100,000
Bozeman, City of	
(Hyalite Creek Source Water Protection Barrier Project)	\$100,000
Greater Woods Bay Sewer District	
(Greater Woods Bay Wastewater System Improvements)	\$100,000
Virginia City, Town of	
(Virginia City Wastewater System Improvements)	\$100,000
Helena Valley Irrigation District	
(Helena Valley Irrigation District Main Canal Lining Project)	\$100,000
Flathead County	
(Flathead Regional Wastewater Management Group)	\$89,993
North Baker Water and Sewer District	
(North Baker Wastewater System Improvements)	\$100,000
Valier, Town of	
(Valier Water System Improvements)	\$100,000
Flathead Joint Board of Control	
(Flathead Joint Board of Control Jocko K Canal Lining)	\$100,000
Sweet Grass County	
(Yellowstone Greycliff Study)	\$80,000
Cut Bank, City of	
(Cut Bank Water System Improvements)	\$100,000
Confederated Salish and Kootenai Tribes	
(Upper Jocko S Canal Lining Project)	\$100,000
St. Ignatius, Town of	
(St. Ignatius Water System Improvements)	\$100,000

Missoula County	
(Lewis and Clark Subdivision RSID Water System Improvements)	\$100,000
Bridger Pines County Water and Sewer District	
(Bridger Pines Wastewater System Improvements)	\$100,000
Ennis, Town of	
(Ennis Water System Improvements)	\$100,000
Laurel, City of	
(Laurel Water System Improvements)	\$100,000
Fort Smith Water and Sewer District	
(Fort Smith Water System Improvements)	\$100,000
Troy, City of	
(Troy Water System Improvements)	\$100,000
Department of Natural Resources and Conservation -- Water Resources Division	
(Nevada Creek Canal Design and Construction Project)	\$100,000
Granite County	
(Granite County Solid Waste Improvements)	\$100,000
Harlowton, City of	
(Harlowton Water System Improvements)	\$100,000
Jette Meadows Water and Sewer District	
(Jette Meadows Water System Improvements)	\$100,000
Homestead Acres County Water and Sewer District	
(Homestead Acres Water System Improvements)	\$100,000
South Chester Water District	
(South Chester Water System Improvements)	\$100,000
Bigfork Water and Sewer District	
(Bigfork Wastewater System Improvements)	\$100,000
Greenacres County Water and Sewer District	
(Greenacres Water System Improvements)	\$100,000
Livingston, City of	
(Livingston Anaerobic Digester Improvements and Composting)	\$100,000
Eureka, Town of	

(Eureka Water System Improvements)	\$100,000
Manhattan, Town of	
(Manhattan Water System Improvements)	\$100,000
Stevensville, Town of	
(Stevensville Water System Improvements)	\$100,000
Buffalo Rapids Project District II	
(Conversion of Laterals 2.9/7.6 to Pipeline)	\$100,000
Flathead Basin Commission	
(Mapping the Impacts of Septic Systems: A Shallow Ground Water Study)	\$100,000
Daly Ditches Irrigation District	
(Hedge Canal Diversion Dam Replacement)	\$100,000
Fort Shaw Irrigation District	
(Water Quality and Quantity Improvement)	\$100,000
East Bench Irrigation District	
(East Bench Irrigation District Sweetwater Seepage Area Canal Lining)	\$100,000
Montana State University -- Montana Watercourse	
(Watershed Education for Real Estate Agents)	\$19,333
Shelby, City of	
(Shelby Wastewater System Improvements)	\$100,000
Buffalo Rapids Project District II	
(Increasing Pump Discharge Line Efficiency: Phase II)	\$100,000
Sweet Grass County Water and Sewer District	
(Sweet Grass Water System Improvements)	\$100,000
Gore Hill County Water District	
(Gore Hill Water System Improvements)	\$100,000
Whitefish County Water and Sewer District	
(Investigation of Septic Leachate to Littoral Areas of Whitefish Lake)	\$70,000
Richland County Conservation District	
(Lower Yellowstone Ground Water Reservation)	\$100,000
Montana State University -- Montana Water Center	
(Decisionmaker's Guide to Montana's Water)	\$99,462

Ronan, City of

(Ronan Water System Improvements)

\$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) There is appropriated from the natural resources projects state special revenue account established in 15-38-302 to the department of natural resources and conservation up to \$2.2 million that is available in the natural resources projects state special revenue account for renewable resource grants approved by the 60th legislature. The treasure state endowment program shall reduce its grant to the department of natural resources and conservation by the amount expended under this subsection.

(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 2011 biennium pursuant to 17-7-302.

NEW SECTION. Section 2. Conditions of grants. Disbursement of funds under [sections 1 through 3] 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 61st legislature may 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 61st legislature for the 2011 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. Appropriations established. For any entity of state government that receives a grant under [sections 1 and 2], an appropriation is established for the amount of the grant listed in [section 1(3)]. Grants to state entities from prior bienniums are reauthorized for completion of contract work.

NEW SECTION. **Section 4. 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 5. 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 Chippewa tribe.

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. Effective dates.** (1) [Sections 2 through 6 and this section] are effective on passage and approval:~~

~~(2) [Section 1] is effective July 1, 2009.~~

NEW SECTION. SECTION 7. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.

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