

HOUSE BILL NO. 7

INTRODUCED BY M. CUFFE

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

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

NEW SECTION. Section 1. Appropriations for reclamation and development grants. (1) There is

appropriated to the department of natural resources and conservation from the natural resources projects state special revenue account established in 15-38-302 up to:

- (a) \$800,000 for planning reclamation and development projects to be awarded by the department over the course of the biennium;
- (b) \$500,000 to implement measures to control invasive aquatic species in state waters; and
- (c) \$214,000 for the Montana salinity control association.

(2) The amount of \$4,370,620 is appropriated to the department of natural resources and conservation from the natural resources projects state special revenue account for grants to political subdivisions and local governments during the biennium ending June 30, 2017. The funds in this subsection must be awarded by the department to the named entities for the described purposes and in the grant amounts set out in subsection (4) subject to the conditions set forth in [sections 2 and 3] and the contingencies described in the reclamation and development grant program January 2015 report to the 64th legislature.

(3) Funds must be awarded up to the amounts approved in this section in the order of priority listed in subsection (4) 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.

(4) The following are the prioritized grant projects:

Applicant/Project	Amount
Montana Board of Oil & Gas Conservation	



1	(2015 Southern District)	\$300,000
2	Montana Board of Oil & Gas Conservation	
3	(2015 Northeast District)	\$300,000
4	Montana Department of Environmental Quality	
5	(Belt Water Treatment Project)	\$500,000
6	Montana Department of Environmental Quality	
7	(Black Pine Mine - South Fork Lower Willow Creek	
8	Fluvially Deposited Mill Tailings)	\$500,000
9	Missoula County	
10	(Martina Creek & Ninemile Creek Reclamation)	\$484,000
11	<u>CENTRAL MONTANA REGIONAL WATER AUTHORITY</u>	
12	<u>(MUSSELSHELL-JUDITH RURAL WATER SYSTEM RESOURCES MONITORING)</u>	<u>\$441,848</u>
13	Deer Lodge Conservation District	
14	(French Gulch Placer Mining Restoration)	\$500,000
15	Montana Department of Environmental Quality	
16	(Landusky Bioreactor Rehabilitation)	\$500,000
17	Montana Department of Environmental Quality	
18	(Basin Creek Mine - Site Stability Project)	\$500,000
19	Montana Department of Environmental Quality	
20	(Sand Coulee Acid Mine Drainage Source Control)	\$332,443
21	Deer Lodge Conservation District	
22	(Moose-French Creek Placer Mining Restoration)	\$85,000
23	Montana Department of Environmental Quality	
24	(Mitigation of Threat to Harlowton	
25	Public Drinking Water)	\$82,440
26	Madison County	
27	(North Willow Creek Reclamation)	\$499,828
28	Cascade County	
29	(Identifying the Fate of Acid Mine Drainage and	
30	Potential Impacts to Madison Aquifer)	\$327,322

1	Montana Bureau of Mines & Geology	
2	(Enhance Monitoring Fox Hills - Hell Creek Aquifer)	\$499,109
3	Montana Bureau of Mines & Geology	
4	(Enhance Montana's Manufacturing Growth Through	
5	Production of Commodities from Remediation)	\$498,171
6	Roosevelt County	
7	(Kenco Refinery Highest Priority Cleanup)	\$150,000

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9 **NEW SECTION. Section 2. Coordination of fund sources for grants to political subdivisions and**
 10 **local governments.** A project sponsor listed under [section 1] may not receive funds from both the reclamation
 11 and development grants program and the renewable resource grant and loan program for the same project during
 12 the same biennium.

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14 **NEW SECTION. Section 3. Condition of grants.** Disbursement of funds under [section 1] is subject
 15 to the following conditions that must be met by the project sponsor:

16 (1) A scope of work and budget for the project must be approved by the department of natural resources
 17 and conservation. Any changes in scope of work or budget subsequent to legislative approval may not change
 18 project goals and objectives. Changes in activities that would reduce the public or natural resource benefits as
 19 presented in department of natural resources and conservation reports and applicant testimony to the 64th
 20 legislature may result in a proportional reduction in the grant amount.

21 (2) The project sponsor shall show satisfactory completion of conditions described in the
 22 recommendation section of the project narrative of the program report to the legislature for the biennium ending
 23 June 30, 2017, or, in the case of planning grants issued under [section 1], completion of conditions specified at
 24 the time of written notification of approved grant authority.

25 (3) The project sponsor must have a fully executed grant agreement with the department.

26 (4) Any other specific requirements considered necessary by the department must be met to accomplish
 27 the purpose of the grant as evidenced from the application to the department or from the proposal as presented
 28 to the legislature.

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30 **NEW SECTION. Section 4. Other appropriations.** There is appropriated to any entity of state

1 government that receives a grant under [section 1] the amount of the grant upon award of the grant by the
2 department of natural resources and conservation. Grants to entities from prior biennia are reauthorized for
3 completion of contract work.

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5 **NEW SECTION. Section 5. Approval of grants -- completion of biennial appropriation.** The
6 legislature, pursuant to 90-2-1111, approves the reclamation and development grants listed in [section 1]. The
7 authorization of these grants completes a biennial appropriation from the natural resources projects state special
8 revenue account established in 15-38-302.

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10 **NEW SECTION. Section 6. Notification to tribal governments.** The secretary of state shall send a
11 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
12 Chippewa tribe.

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14 **COORDINATION SECTION. SECTION 7. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 226 IS PASSED**
15 **AND APPROVED WITH A REDUCTION OF FUNDS FOR THE NATURAL RESOURCES PROJECTS STATE SPECIAL REVENUE**
16 **ACCOUNT CREATED IN 15-38-302, THEN THE APPROPRIATION FOR RECLAMATION AND DEVELOPMENT GRANTS OF**
17 **\$4,370,620 PROVIDED IN [SECTION 1(2) OF THIS ACT] IS REDUCED TO \$3,770,620 AND THE PROJECTS AUTHORIZED IN**
18 **[SECTION 1(4) OF THIS ACT] TITLED MONTANA BOARD OF OIL & GAS CONSERVATION (2015 SOUTHERN DISTRICT) AT AN**
19 **AMOUNT OF \$300,000 AND MONTANA BOARD OF OIL & GAS CONSERVATION (2015 NORTHEAST DISTRICT) AT AN AMOUNT**
20 **OF \$300,000 ARE ELIMINATED.**

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22 **NEW SECTION. Section 8. Severability.** If a part of [this act] is invalid, all valid parts that are severable
23 from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part
24 remains in effect in all valid applications that are severable from the invalid applications.

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26 **NEW SECTION. Section 9. Effective date.** [This act] is effective July 1, 2015.

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