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68th Legislature 2023 HB 7.1

1	HOUSE BILL NO. 7			
2	INTRODUCED BY M. HOPKINS, J. FITZPATRICK			
3	BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION, OFFICE OF			
4	BUDGET AND PROGRAM PLANNING			
5				
6	A BILL FOR AN ACT ENTITLED: "AN ACT AN ACT IMPLEMENTING THE RECLAMATION AND			
7	DEVELOPMENT GRANTS PROGRAM; APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL			
8	RESOURCES AND CONSERVATION FOR GRANTS UNDER THE RECLAMATION AND DEVELOPMENT			
9	GRANTS PROGRAM; PRIORITIZING PROJECT GRANTS AND AMOUNTS; ESTABLISHING CONDITIONS			
10	FOR GRANTS; AND PROVIDING AN EFFECTIVE DATE."			
11				
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:			
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14	NEW SECTION. Section 1. Appropriations for reclamation and development grants. (1) There is			
15	appropriated to the department of natural resources and conservation from the natural resources projects state			
16	special revenue account established in 15-38-302 up to \$2,000,000 for grants for planning reclamation and			
17	development projects to be awarded by the department over the course of the biennium beginning July 1, 2023			
18	(2) The amount of \$3,653,347 is appropriated to the department of natural resources and			
19	conservation from the natural resources projects state special revenue account established in 15-38-302 for			
20	grants to political subdivisions and local governments during the biennium beginning July 1, 2023. The funds in			
21	this subsection must be awarded by the department to the named entities for the described purposes and in the			
22	grant amounts set out in subsection (4) subject to the conditions set forth in [sections 2 and 3] and the			
23	contingencies described in the reclamation and development grants program report to the 68th legislature titled:			
24	"Governor's Executive Budget Fiscal Years 2023 - 2025 Volume 5".			
25	(3) Funds must be awarded up to the amounts approved in this section in the order of priority listed			
26	in subsection (4) until available funds are expended. Funds not accepted or used by higher-ranked projects			
27	must be provided for projects farther down the priority list that would not otherwise receive funding. After all			
28	eligible projects are funded, remaining funds may be used for any reclamation and development project			



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1	authorized under this section.			
2	(4)	The following are the prioritized grant projects:		
3	Applica	Applicant/Project Amount		
4	Beave	Beaverhead Conservation District		
5	Grasshopper Creek Mine Tailings Stream Bank Stabilization \$419,180			
6	DNRC - State Water Projects Bureau			
7	Willow Creek Dam Rehabilitation Project \$500,000			
8	DNRC - State Water Projects Bureau			
9	East Fork of Rock Creek Dam Rehabilitation \$500,000			
10	Chester, Town of			
11	Chester Motors Petroleum Cleanup \$300,000			
12	Black Eagle-Cascade County Water and Sewer District			
13	Black Eagle Sewer System Improvements 2023 \$125,000			
14	Harlowton, City of			
15	Asbes	Asbestos Removal, Cleanup, and Restoration of Contaminated Soils at Harlowton Roundhouse		
16			\$500,000	
17	Deer L	odge, City of		
18	Milwaukee Roundhouse Site Passenger Refueling Area Remediation \$342,500		\$342,500	
19	Philips	burg, Town of		
20	Philips	burg Wastewater Project	\$316,667	
21	Casca	de Conservation District		
22	Muddy	Creek Restoration and Resilience Project	\$500,000	
23	DNRC	- Water Management Bureau		
24	Expan	sion of Water Resources Division Hydrology Data Portal	\$150,000	
25				
26	NEW S	SECTION. Section 2. Coordination of fund sources for gran	ts to political subdivisions	
27	and local governments. A project sponsor listed under [section 1(4)] may not receive funds from both the			
28	reclamation and development grants program and the renewable resource grant and loan program for the same			



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1 project during the same biennium.

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

- (1) A scope of work, schedule, and budget for the project must be approved by the department of natural resources and conservation. Any changes in scope of work or budget subsequent to legislative approval may not change project goals and objectives. Changes in activities that would reduce the public or natural resource benefits as presented in department of natural resources and conservation reports and applicant testimony to the 68th legislature may result in a proportional reduction in the grant amount.
- (2) The project sponsor shall show satisfactory completion of conditions described in the recommendation section of the project narrative of the program report to the legislature for the biennium ending June 30, 2025, or, in the case of planning grants issued under [section 1(1)], completion of conditions specified at the time of written notification of approved grant authority.
  - (3) The project sponsor must have a fully executed grant agreement with the department.
- (4) Any other specific requirements considered necessary by the department must be met to accomplish the purpose of the grant as evidenced from the application to the department or from the proposal as presented to the legislature.

<u>NEW SECTION.</u> **Section 4. Other appropriations.** There is appropriated to any entity of state government that receives a grant under [section 1] the amount of the grant upon award of the grant by the department of natural resources and conservation. Grants to entities from prior bienniums are reauthorized for completion of contract work.

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



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NEW SECTION. Section 6. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each federally recognized tribal government in Montana.

COORDINATION SECTION. Section 7. Coordination instruction. (1) If both [this act] and an act that provides additional funding for reclamation and development grants from a source other than the natural resources projects state special revenue account established in 15-38-302 are passed and approved, the projects listed in [section 1(4) of this act] that do not receive funding from the appropriations in [section 1(2) of this act] may receive funding from the appropriation in the other act designated for reclamation and development grants in the order of completion of the conditions of [section 3 of this act] and to the extent that there is appropriation authority available.

(2) If both [section 1(1) of this act] and [section 1(1)(b) of House Bill No. 6] are passed and approved and if all of the \$2,000,000 in grant funds authorized in [section 1(1) of this act] are not expended for planning reclamation and development projects by the end of the biennium, then projects eligible for funding under [section 1(1)(b) of House Bill No. 6] are eligible to apply for funding under [section 1(1) of this act] for renewable resource project planning grants.

NEW SECTION. Section 8. 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 9. Effective date. [This act] is effective July 1, 2023.

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