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HOUSE BILL NO. 7

INTRODUCED BY M. HOPKINS

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

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 \$800,000 for grants for planning reclamation and
development projects to be awarded by the department over the course of the biennium.

(2) The amount of ~~\$3,702,833~~ \$2,499,284 is appropriated to the department of natural resources and
conservation from the natural resources projects state special revenue account established in 15-38-302 for
grants to political subdivisions and local governments during the biennium beginning July 1, 2021. 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 grants program report to the 67th legislature titled:
"Governor's Executive Budget Fiscal Years 2021 - 2023 Volume 5".

(3) Funds must be awarded up to the amounts approved in ~~this section in the order of priority listed in~~
subsection (4) as conditions set forth in [section 3] are satisfied and 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.~~ After all eligible projects are funded, remaining funds may be used for any

Amendment - 1st Reading - Requested by: Mike Hopkins

67th Legislature

Drafter: Julie Johnson, 406-444-4024

HB 7.1.1

1 reclamation and development project authorized under this section.

2 (4) The following are the prioritized grant projects:

3 Applicant	4 (Project)	5 Amount
6 Philipsburg, Town of	7 (Wastewater Treatment System Improvements, Metals Contaminated Sludge Removal and Disposal)	\$429,000
8 Mineral County Conservation District	9 (Flat Creek Dispersed Tailings Removal and Restoration)	\$219,960
10 Missoula County	11 (Ninemile Creek Placer Mine Reclamation)	\$351,000
12 Harlowton, City of	13 (Contaminated Soils and Free Product Removal at the Harlowton Roundhouse in Harlowton, MT Phase 4)	\$500,000
15 Mineral County	16 (Interim Remedial Action at Milwaukee Road - Haugan State Superfund Facility)	\$499,324
18 Powell County	19 (Milwaukee Roundhouse Area Remediation - Phase 2)	\$500,000
20 Montana Tech - Montana Bureau of Mines and Geology	21 (Modernization of Montana's Regional Seismic Network)	\$499,739
22 Montana Department of Environmental Quality	23 (Landusky Swift Gulch High Flow Treatment System and Stream Rehabilitation)	\$411,199
25 Lewis and Clark County Water Quality Protection District	26 (Grizzly Gulch Placer Mine Reclamation)	\$292,611
27 Lewistown, City of	28 (Central Post and Treating Company CECRA Facility Phase II, Capping and Site Reclamation)	\$500,000
30 Sunburst, Town of		

1	(Town of Sunburst Suta South Clean Up Project)	\$185,805
2	City and County of Butte-Silver Bow	
3	(Butte Mining District: Reclamation and Protection Project, Phase V)	\$224,680
4	Ruby Valley Conservation District	
5	(Granite Creek Reclamation Realignment Project)	\$461,500
6	Deer Lodge Valley Conservation District	
7	(Upper French Gulch Fish Passage and Restoration Project)	\$194,832
8	Fort Peck Assiniboine and Sioux Tribes	
9	(Orphaned Oil Well Abandonment and Reclamation)	\$300,000
10	Ryegate, Town of	
11	(Former Ryegate Conoco Groundwater Remediation)	\$232,505

12

13 **NEW SECTION. Section 2. Coordination of fund sources for grants to political subdivisions**
 14 **and local governments.** A project sponsor listed under [section 1(4)] may not receive funds from both the
 15 reclamation and development grants program and the renewable resource grant and loan program for the same
 16 project during the same biennium.

17

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

20 (1) A scope of work and budget for the project must be approved by the department of natural
 21 resources and conservation. Any changes in scope of work or budget subsequent to legislative approval may
 22 not change project goals and objectives. Changes in activities that would reduce the public or natural resource
 23 benefits as presented in department of natural resources and conservation reports and applicant testimony to
 24 the 67th legislature may result in a proportional reduction in the grant amount.

25 (2) The project sponsor shall show satisfactory completion of conditions described in the
 26 recommendation section of the project narrative of the program report to the legislature for the biennium ending
 27 June 30, 2023, or, in the case of planning grants issued under [section 1(1)], completion of conditions specified
 28 at the time of written notification of approved grant authority.

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

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

5
6 **NEW SECTION. Section 4. Other appropriations.** There is appropriated to any entity of state
7 government that receives a grant under [section 1] the amount of the grant upon award of the grant by the
8 department of natural resources and conservation. Grants to entities from prior bienniums are reauthorized for
9 completion of contract work.

10
11 **NEW SECTION. Section 5. Approval of grants -- completion of biennial appropriation.** The
12 legislature, pursuant to 90-2-1111, approves the reclamation and development grants listed in [section 1]. The
13 authorization of these grants constitutes a biennial appropriation from the natural resources projects state
14 special revenue account established in 15-38-302.

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

18
19 **COORDINATION SECTION. Section 7. Coordination instruction.** (1) If both [this act] and an act
20 that provides additional funding for reclamation and development grants from a source other than the natural
21 resources projects state special revenue account established in 15-38-302 are passed and approved, the
22 projects listed in [section 1(4) of this act] that do not receive funding from the appropriations in [section 1(2) of
23 this act] may receive funding from the appropriation in the other act designated for reclamation and
24 development grants in the order of completion of the conditions of [section 3 of this act] and to the extent that
25 there is appropriation authority available.

26 (2) If both [section 1(1) of this act] and [section 1(1)(b) of House Bill No. 6] are passed and approved
27 and if all of the \$800,000 in grant funds authorized in [section 1(1) of this act] are not expended for planning
28 reclamation and development projects by the end of the biennium, then projects eligible for funding under

1 [section 1(1)(b) of House Bill No. 6] are eligible to apply for funding under [section 1(1) of this act] for renewable
2 resource project planning grants.

3
4 NEW SECTION. Section 8. Severability. If a part of [this act] is invalid, all valid parts that are
5 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
6 the part remains in effect in all valid applications that are severable from the invalid applications.

7
8 NEW SECTION. Section 9. Effective date. [This act] is effective July 1, 2021.

9 - END -

DRAFT