



ADMINISTRATIVE RULES OF MONTANA



17.40.311 APPLICATION PROCEDURES

- (1) A complete application package may be submitted to the department at any time. The department shall consider applications in the order received. If the department determines, in its sole discretion, that it lacks sufficient time to consider an application during the state fiscal year (July 1 through June 30) in which it was submitted, the department shall consider the application during the next fiscal year.
- (2) A municipality that seeks direct loan assistance, a loan guarantee, or insurance for a municipal obligation must submit:
 - (a) a completed uniform application form;
 - (b) a preliminary engineering or technical report that includes an assessment of the environmental impacts associated with the proposed project;
 - (c) plans and specifications of the project, if available;
 - (d) a project schedule;
 - (e) an engineering contract with information concerning procurement of services; and
 - (f) other information needed for evaluating the project, as determined by the department or required pursuant to administrative rules issued by the department of natural resources and conservation.
- (3) A municipality that seeks loan assistance to refinance projects previously constructed and subject to outstanding indebtedness must submit:
 - (a) a completed uniform application form;
 - (b) cost information, including a description of existing indebtedness;
 - (c) documentation indicating how the requirements listed in ARM 17.40.309 were satisfied when the project was originally constructed; and
 - (d) other information needed for evaluating the project, as determined by the department or the department of natural resources and conservation.
- (4) A private person who seeks financial assistance in connection with a nonpoint source project must submit:
 - (a) a completed loan application in a form determined by the department and the department of natural resources and conservation to be appropriate for the private person;
 - (b) a project work plan;

- (c) an implementation schedule;
- (d) a reasonably detailed description of the project;
- (e) a reasonably detailed estimate of the cost of the project;
- (f) a timetable for the construction of the project and for payment of the cost of the project;
- (g) a description of the source or sources of funds to be used in addition to the proceeds of the loan to pay the cost of the project;
- (h) a description of the source or sources of revenue proposed to be used to repay the loan;
- (i) a current financial statement of the system showing assets, liabilities, revenues, and expenses;
- (j) a statement as to whether, at the time of application, there are any outstanding loans, notes, bonds, or other obligations payable from the revenue of the system and, if so, a description of the loans, notes, bonds, or other obligations;
- (k) a statement as to whether, at the time of the application, there are any outstanding loans, notes, or other obligations of the private person and, if so, a description of the loans, notes, or other obligations;
- (l) all information that the department or the department of natural resources and conservation may require in order to determine the effect of making the loan on the tax exempt status of the state's bonds; and
- (m) all other information that the department or the department of natural resources and conservation may require to determine the feasibility of a project and the applicant's ability to repay the loan including, but not limited to:
 - (i) engineering reports;
 - (ii) economic feasibility studies; and
 - (iii) legal opinions.
- (n) other information needed for evaluating the project, as determined by the department or the department of natural resources and conservation.

Authorizing statute(s): 75-5-1105, MCA

Implementing statute(s): 75-5-1111, MCA

History: NEW, 1990 MAR p. 1468, Eff. 7/27/90; TRANS, from DHES, 1996 MAR p. 1499; AMD, 2003 MAR p. 232, Eff. 2/14/03.