



ADMINISTRATIVE RULES OF MONTANA



17.40.309 CRITERIA FOR FINANCIAL ASSISTANCE TO MUNICIPALITIES

- (1) To be eligible for financial assistance from the revolving fund, a municipality must:
 - (a) meet financial capability requirements set by the department of natural resources and conservation for the proposed project that ensure sufficient revenues will be available to operate and maintain the project for its useful life and to repay the loan;
 - (b) agree to operate and maintain the facility constructed or improved by the project so that it will function properly over the useful life of the project;
 - (c) maintain proper financial records in accordance with generally accepted governmental accounting standards, and agree to periodic audits by the department or a contractor to the department;
 - (d) meet the statutory requirements listed in 33 USC 1382 for projects constructed with funds made available directly by federal capitalization grants;
 - (e) provide legal assurance that the necessary property titles, easements, and rights-of-way have been obtained to construct, operate and maintain the facility;
 - (f) prepare an engineering report evaluating the proposed project, including an analysis of cost-effectiveness and environmental effects;
 - (g) meet the applicable plan and specification requirements for the project (for example, for public wastewater systems, those described in ARM 17.38.101, and for solid waste management systems, those described in ARM 17.50.506) ;
 - (h) utilize proper construction inspection and project management procedures; and
 - (i) meet all applicable local, state, and federal laws and regulations.
- (2) All projects funded with financial assistance from the revolving fund must be listed on the project priority list and intended use plan as described in ARM 17.40.315 and 17.40.316, respectively.

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

Implementing statute(s): 75-5-1105, 75-5-1113, 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.