

HOUSE BILL NO. 48

INTRODUCED BY G. HOLLENBAUGH

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING GENERAL FUND AT THE END OF THE

6 BIENNIUM IN AN AMOUNT EQUAL TO ANY UNEXPENDED BALANCE OF THE STATUTORY

7 APPROPRIATIONS FOR GOVERNOR-DECLARED DISASTERS AND EMERGENCIES TO THE FIRE

8 SUPPRESSION ACCOUNT; TRANSFERRING MONEY FROM THE FIRE SUPPRESSION ACCOUNT TO THE

9 STATE GENERAL FUND; AMENDING SECTIONS 10-3-312 AND 76-13-150, MCA; AND PROVIDING AN

10 EFFECTIVE DATE."

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

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14 **Section 1.** Section 10-3-312, MCA, is amended to read:

15 **"10-3-312. Maximum expenditure by governor -- appropriation.** (1) Whenever a disaster or an

16 emergency, including an energy emergency as defined in 90-4-302 or an invasive species emergency declared

17 under 80-7-1013, is declared by the governor, there is statutorily appropriated to the office of the governor, as

18 provided in 17-7-502, and, subject to subsection (2), the governor is authorized to expend from the general fund

19 an amount not to exceed \$16 million in any biennium, minus any amount appropriated pursuant to 10-3-310 in

20 the same biennium. The statutory appropriation in this subsection may be used by any state agency designated

21 by the governor.

22 (2) In the event of the recovery of money expended under this section, the spending authority must be

23 reinstated to a level reflecting the recovery.

24 (3) If a disaster is declared by the president of the United States, there is statutorily appropriated to the

25 office of the governor, as provided in 17-7-502, and the governor is authorized to expend from the general fund

26 an amount not to exceed \$500,000 during the biennium to meet the state's share of the individual and family grant

27 programs as provided in 42 U.S.C. 5178. The statutory appropriation in this subsection may be used by any state

28 agency designated by the governor.

29 (4) At the end of each biennium, an amount equal to any unobligated balance of the \$16 million statutory

30 appropriation in subsection (1), minus any amount appropriated pursuant to 10-3-310 in the same biennium, is



1 transferred from the state general fund to the fire suppression account provided for in 76-13-150."

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3 **Section 2.** Section 76-13-150, MCA, is amended to read:

4 **"76-13-150. Fire suppression account -- fund transfer.** (1) There is a fire suppression account in the
5 state special revenue fund to the credit of the department.

6 (2) The legislature may transfer money from other funds to the account, and the money in the account
7 is subject to legislative fund transfers.

8 (3) Funds received for restitution by private parties must be deposited in the account.

9 (4) Money in the account may be used only for the purpose of paying expenses for fire prevention,
10 including fuel mitigation, grants for the purchase of fire suppression equipment for county cooperatives, and fire
11 suppression costs.

12 (5) Interest earned on the balance of the account is retained in the account."
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14 NEW SECTION. **Section 3. Transfer of funds.** By August 15, 2011, there must be transferred \$20
15 million from the fire suppression account provided for in 76-13-150 to the state general fund.

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17 NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2011.

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