62nd Legislature

1	HOUSE BILL NO. 439
2	INTRODUCED BY G. HOLLENBAUGH
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE CREATION OF STATE DEBT THROUGH THE
5	ISSUANCE OF GENERAL OBLIGATION BONDS SUBJECT TO A STATE GENERAL FUND REVENUE
6	CERTIFICATION BY THE DEPARTMENT OF ADMINISTRATION; APPROPRIATING THE PROCEEDS OF THE
7	BONDS FOR UNIVERSITY SYSTEM BUILDING PROJECTS AND OTHER CAPITAL PROJECTS; PROVIDING
8	FOR MATTERS RELATING TO APPROPRIATIONS; AND PROVIDING EFFECTIVE DATES."
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10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	
12	NEW SECTION. Section 1. Certification of general fund revenue. (1) The department of
13	administration shall certify to the secretary of state by August 1, 2011, the amount of unaudited general fund
14	revenue and transfers into the general fund received in fiscal year 2011 as recorded when the fiscal year 2011
15	statewide accounting, budgeting, and human resource system records are closed in July 2011. General fund
16	revenue and transfers into the general fund are those recorded in the statewide accounting, budgeting, and
17	human resources system using generally accepted accounting principles in accordance with 17-1-102(2).
18	(2) If the certified unaudited general fund revenue and transfers into the general fund received in fiscal
19	year 2011 exceed the revenue and transportation interim committee's estimate, as introduced in the 2011
20	legislature, of \$1,672,133,000, plus prior fiscal year revenue of \$750,000, by at least \$2,000,000, then the
21	department of administration shall certify to the board of examiners, the board of regents, the budget director, the
22	legislative fiscal analyst, and the secretary of state the difference between \$1,672,133,000, plus prior year
23	revenue of \$750,000, and the certified unaudited general fund revenue and transfers into the general fund
24	received in fiscal year 2011. The certification must be provided no later than August 1, 2011.
25	
26	NEW SECTION. Section 2. Definitions. For the purposes of [sections 3 through 6], "capital project"
27	means the acquisition of land or improvements or the planning, capital construction, renovation, equipping,

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NEW SECTION. Section 3. Appropriation of bond proceeds. The following money is appropriated

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furnishing, or major repair projects authorized in [sections 3 through 6].



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1	to the department of administration from the capital projects fund from the proceeds of the bonds authorized by
2	[section 4] for the indicated capital projects:
3	(1) combined state laboratories (veterinary diagnostic lab, analytical lab, and wildlife lab), \$6.7 million;
4	(2) Montana heritage center, Helena, \$23 million;
5	(3) Montana state university-Billings, science and instructional tech building, \$14.25 million;
6	(4) Montana state university-Bozeman, classroom renovation, \$2.5 million;
7	(5) Montana state university-Bozeman, Montana agricultural experiment stations, \$1 million;
8	(6) Montana state university-Great Falls college of technology, agricultural and trades building, \$4 million;
9	(7) Southwestern Montana veterans' home, Silver Bow County, \$5 million.
10	(8) University of Montana-Missoula college of technology, new facility, \$29 million; and
11	(9) University of Montana-western, main hall, \$4.45 million.
12	
13	NEW SECTION. Section 4. Authorization of bonds condition. (1) The board of examiners is
14	authorized to issue and sell general obligation bonds in an amount not exceeding \$89.9 million for the capital
15	projects described in [section 3] in addition to the amount of general obligation bonds outstanding on January 1,
16	2011.
17	(2) The bonds in this section must be issued in accordance with the terms and in the manner required
18	by Title 17, chapter 5, part 8. The authority granted to the board of examiners by this section is in addition to any
19	other authorization to the board of examiners to issue and sell general obligation bonds.
20	(3) The proceeds from the bonds sold under this section must be deposited in the capital projects
21	account provided for in 17-5-804.
22	
23	NEW SECTION. Section 5. Planning and design. The department of administration may proceed with
24	the planning and design of capital projects prior to the receipt of other funding sources. The entities receiving
25	funds pursuant to [sections 2 through 6] may use interentity loans in accordance with 17-2-107 to pay planning
26	and design costs incurred before the receipt of other funding sources.
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28	NEW SECTION. Section 6. Legislative consent. The appropriations authorized in [section 3] constitute
29	legislative consent for the capital projects contained in [section 3] within the meaning of 18-2-102.
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1	NEW SECTION. Section 7. Severability. If a part of [this act] is invalid, all valid parts that are severable
2	from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part
3	remains in effect in all valid applications that are severable from the invalid applications.
4	
5	NEW SECTION. Section 8. Requirement for approval of state debt. Because [section 4] authorizes
6	the creation of state debt, Article VIII, section 8, of the Montana constitution requires a vote of two-thirds of the
7	members of each house of the legislature for passage.
8	
9	NEW SECTION. Section 9. Effective dates contingency. (1) Except as provided in subsection (2),
10	[this act] is effective on passage and approval.
11	(2) [Sections 2 through 6] are effective only if the department of administration certifies that unaudited
12	general fund revenue and transfers into the general fund received in fiscal year 2011 exceed the revenue and
13	transportation interim committee's estimate, as introduced in the 2011 legislature, of \$1,672,133,000, plus prior
14	fiscal year revenue of \$750,000, by at least \$2,000,000, as provided in [section 1].
15	- END -

Legislative Services Division