



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2015 Biennium

**Bill #** HB0128

**Title:** Provide authority to expend water rights enforcement penalties

**Primary Sponsor:** Hollenbaugh, Galen

**Status:** As Amended in House Committee

- Significant Local Gov Impact     
 Needs to be included in HB 2     
 Technical Concerns  
 Included in the Executive Budget     
 Significant Long-Term Impacts     
 Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2014 Difference</u>	<u>FY 2015 Difference</u>	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>
<b>Expenditures:</b>				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$20,000	\$20,000	\$20,000	\$20,000
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Description of fiscal impact:** HB 128 provides the Department of Natural Resources and Conservation (DNRC) a statutory appropriation from the water right appropriation account to implement the provisions of 85-2-114, MCA.

### FISCAL ANALYSIS

**Assumptions:**

1. HB 128 provides a statutory appropriation from the water right appropriation account for fees collected pursuant to 85-2-122(2), MCA. The Department of Natural Resources and Conservation (DNRC) currently collects these fees which are deposited pursuant to 85-2-318, MCA. This legislation provides the statutory spending authority for this revenue. No spending authority has existed for this revenue prior to this legislation.

2. 17-1-508, MCA requires analysis of the statutory appropriation relative to the guidance in 17-1-508(2), MCA, to be published in the fiscal note.

	<u>YES</u>	<u>NO</u>
a. The fund or use requires an appropriation.	yes	
b. The money is not from a continuing, reliable, and estimable source.	yes	
c. The use of the appropriation or the expenditure occurrence is not predictable and reliable.	yes	
d. The authority does not exist elsewhere.	yes	
e. An alternative appropriation method is not available, practical, or effective.	yes	
f. Other than for emergency purposes, it does not appropriate money from the state general fund.	yes	
g. The money is dedicated for a specific use.	yes	
h. The legislature wishes the activity to be funded on a continual basis.	yes	
i. When feasible, an expenditure cap and sunset date are included.	yes	

	<u>FY 2014 Difference</u>	<u>FY 2015 Difference</u>	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>
<b><u>Fiscal Impact:</u></b>				
<b><u>Expenditures:</u></b>				
Personal Services	\$0	\$0	\$0	\$0
Operating Expenses	<u>\$20,000</u>	<u>\$20,000</u>	<u>\$20,000</u>	<u>\$20,000</u>
<b>TOTAL Expenditures</b>	<u><u>\$20,000</u></u>	<u><u>\$20,000</u></u>	<u><u>\$20,000</u></u>	<u><u>\$20,000</u></u>
<b><u>Funding of Expenditures:</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	<u>\$20,000</u>	<u>\$20,000</u>	<u>\$20,000</u>	<u>\$20,000</u>
<b>TOTAL Funding of Exp.</b>	<u><u>\$20,000</u></u>	<u><u>\$20,000</u></u>	<u><u>\$20,000</u></u>	<u><u>\$20,000</u></u>
<b><u>Revenues:</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>TOTAL Revenues</b>	<u><u>\$0</u></u>	<u><u>\$0</u></u>	<u><u>\$0</u></u>	<u><u>\$0</u></u>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)

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Sponsor's Initials

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Date

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Budget Director's Initials

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Date