

SENATE BILL NO. 70
 INTRODUCED BY W. MCNUTT
 BY REQUEST OF THE TRANSITION ADVISORY COMMITTEE ON ELECTRIC UTILITY INDUSTRY
 RESTRUCTURING

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT UNIVERSAL SYSTEM BENEFITS PROGRAMS MONEY DEPOSITED IN STATE SPECIAL REVENUE ACCOUNTS BE EXPENDED IN THE UTILITY SERVICE TERRITORY FROM WHICH THE MONEY WAS RECEIVED; REQUIRING THAT, IN ASSESSING UNIVERSAL SYSTEM BENEFITS PROGRAMS FUNDING NEEDS, THE DEPARTMENTS OF ENVIRONMENTAL QUALITY AND PUBLIC HEALTH AND HUMAN SERVICES SOLICIT UTILITY AND PUBLIC COMMENT FROM THE UTILITY SERVICE TERRITORY FROM WHICH THE MONEY WAS RECEIVED; AMENDING SECTION 69-8-412, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 69-8-412, MCA, is amended to read:

"69-8-412. Funds established -- fund administrators designated -- purpose of funds -- department rulemaking authority to administer funds. (1) If, pursuant to 69-8-402(2)(f) or (5)(b), there is any positive difference between credits and the annual funding requirement, the department of revenue shall establish one or both of the following funds:

(a) a fund to provide for universal system benefits programs other than low-income energy assistance. The department of environmental quality shall administer this fund.

(b) a fund to provide universal low-income energy assistance. The department of public health and human services shall administer this fund.

(2) The purpose of these funds is to fund universal system benefits programs.

(3) The department of environmental quality and the department of public health and human services shall expend the money in each representative fund on universal system benefits programs in the utility service territory from which the money was received.

~~(3)~~(4) The department of environmental quality and the department of public health and human services may adopt rules that administer and expend the money in each respective fund based on an annual ~~statewide funding assessment that identifies funding needs in universal system benefits programs~~ assessment of identified

funding needs in the utility service territory from which the money was received. In assessing the funding needs, the departments shall solicit utility and public comment from the utility service territory from which the money was received. The annual assessment must also take into account existing utility and large customer universal system benefits programs expenditures."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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