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HOUSE BILL NO. 424

INTRODUCED BY L. JONES, D. BEDEY, J. ESP, J. ELLSWORTH, K. BOGNER

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING SUSTAINABILITY OF STATE FINANCE; REVISING TRANSFER PERCENTAGES INTO THE BUDGET STABILIZATION RESERVE FUND AND THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT; INCREASING THE CAP ON THE BUDGET STABILIZATION RESERVE FUND; INCREASING THE CAP ON THE FIRE SUPPRESSION FUND; ALLOWING THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT TO PAY ON BONDS AND RELATED COSTS; TEMPORARILY INCREASING THE GOVERNOR'S EMERGENCY FUNDS; REQUIRING THAT FUNDS IN THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT BE USED TO FOREGO OR REDUCE THE AMOUNT OF ISSUANCE OF GENERAL OBLIGATION BONDS; PROVIDING FOR GENERAL FUND TRANSFERS AND GENERAL FUND REVERSIONS INTO THE BUDGET STABILIZATION RESERVE FUND AND THE FIRE SUPPRESSION FUND; PROVIDING FOR OTHER TRANSFERS FROM THE GENERAL FUND; PROVIDING FOR A STUDY OF STATE BUDGET PROCESS FOR PERSONAL SERVICES EXPENDITURES; ESTABLISHING REPORTING REQUIREMENTS ON THE USE OF APPROPRIATIONS FOR THE OPERATION OF STATE HEALTH CARE FACILITIES; PROVIDING FOR A STATUTORY APPROPRIATION; EXPANDING USES OF A STATUTORY APPROPRIATION; AMENDING SECTIONS 10-3-312, 17-7-102, 17-7-130, 17-7-140, 17-7-209, AND 17-7-502, AND 76-13-150, MCA; AMENDING SECTION 1(2), CHAPTER 476, LAWS OF 2019, SECTION 13, CHAPTER 476, LAWS OF 2019, AND SECTION 2(2), CHAPTER 499, LAWS OF 2005; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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

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

**"10-3-312. Maximum expenditure by governor -- appropriation.** (1) Whenever a disaster or an emergency, including an energy emergency as defined in 90-4-302 or an invasive species emergency declared under 80-7-1013, is declared by the governor, there is statutorily appropriated to the office of the governor, as

1 accounts described in subsection (3) in lieu of the proceeds of bonds authorized in this section. The total  
2 amount of funds deposited in the accounts from bond proceeds and funds from the account established in 17-7-  
3 209 may not exceed the amounts authorized in subsection (3)."

4

5 **Section 11.** Section 2(2), Chapter 499, Laws of 2005, is amended to read:

6 **"Section 2. Appropriation of bond proceeds.**

7 (2) The following money is appropriated from the CPF from the proceeds for the bonds authorized  
8 by [section 3] or from the account provided for in 17-7-209 to the department of natural resources and  
9 conservation for the capital projects described in this section, and if the bond proceeds are used, contingent  
10 upon the authorization of general obligation bonds by the 59th legislature and the sale of bonds by the board of  
11 examiners:"

12

13 **NEW SECTION. Section 12. Reporting on appropriations for operation of state health care**  
14 **facilities by department of public health and human services.** (1) For any appropriations in House Bill No.  
15 835 or House Bill No. 2 that provide funding for the operation of state health care facilities in the department of  
16 public health and human services beyond those budgeted for the fiscal year beginning July 1, 2022, the  
17 department shall report to the health and human services interim budget committee as follows:

18 (a) by September 1, 2023, on the amounts spent by the department from the appropriations  
19 referred to in subsection (1) on contract staffing, state employee compensation, and state employee recruitment  
20 and retention efforts at each relevant state health care facility in the preceding fiscal year. The department must  
21 also report on its plan for mitigating expenditures over the biennium beginning July 1, 2023, at:

22 (i) the intensive behavior center provided for in 53-20-602;

23 (ii) the Montana mental health nursing care center provided for in 53-21-411; and

24 (iii) the Montana state hospital provided for in 53-21-601;

25 (b) by September 1, 2024, on the amounts spent by the department from the appropriations  
26 referred to in subsection (1) on contract staffing, state employee compensation, and state employee recruitment  
27 and retention efforts at each relevant state health care facility in the preceding fiscal year; and

28 (c) by September 1, 2025, on the amounts spent by the department from the appropriations

**Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims**

68th Legislature

Drafter: Julie Johnson, 406-444-4024

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1 referred to in subsection (1) on contract staffing, state employee compensation, and state employee recruitment  
2 and retention efforts at each relevant state health care facility in the preceding fiscal year.

3 (2) The reports must be provided in an electronic format and presented to the committee in person.  
4

5 NEW SECTION. Section 13. Severability. If a part of [this act] is invalid, all valid parts that are  
6 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,  
7 the part remains in effect in all valid applications that are severable from the invalid applications.  
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9 NEW SECTION. Section 14. Effective date. [This act] is effective on passage and approval.  
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11 NEW SECTION. Section 15. Termination. [Section 1] terminates June 30, 2025.  
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- END -