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INTRODUCED BY House BILL NO. 265  
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A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEYS TO VARIOUS STATE AGENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1975; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. For the purposes of this act, unless otherwise stated:

(1) "Agency" includes all state offices, departments, divisions, boards, commissions, councils, committees, institutions, and other entities or instrumentalities of state government.

(2) "Program" means a segment that includes a combination of planned efforts to provide a service.

(3) "Approved budget amendment" means approval by the governor, or his designated representative, of a request submitted through the budget director to:

(a) obtain financing for a new or expanded program from funds which were not available for consideration by the legislature but which have become available from a source other than the state's general fund; or

(b) transfer appropriations, including general fund

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appropriations, between programs within a state agency; or  
(c) expend remaining balances of the first fiscal year appropriations, including general fund appropriations, during the second fiscal year of the biennium.

Section 2. The appropriations contained in this act are intended to provide only necessary and ordinary expenditures for the year for which the appropriations are made. Except for amounts subject to accrual at the end of each fiscal year, the unexpended balance of any appropriation shall revert to the fund from which it was appropriated. In case of necessity, an appropriation not expended during the first fiscal year of the biennium may be expended during the second fiscal year by approved budget amendment.

Section 3. The appropriations in this act are intended to provide for all expenditures for:

- (1) personal services;
- (2) all other ordinary and necessary expenditures for the operation of the agency and the program to which the appropriation applies;
- (3) repairs and maintenance, other than major alterations of existing buildings; and
- (4) the purchase or replacement of capital items other than expenditures for the construction, improvement, or furnishing of buildings or purchase of buildings or land unless specifically authorized.

-2- HB 265

1 Section 4. Financing for new or expanded programs from  
2 sources other than the general fund may be made available by  
3 approved budget amendment.

4 Section 5. Each agency shall submit to the budget  
5 director, on or before July 1 of each fiscal year, an  
6 operational plan within the limits of appropriations which  
7 includes the position and salary of all officers and  
8 employees. The salary of the chief administrator of each  
9 agency shall be determined by the appointing authority.  
10 Informational copies of operational plan changes shall be  
11 submitted to the budget director for review.

12 Section 6. No new program may be established and no  
13 existing program may be expanded beyond the scope of the  
14 programs approved by the legislature in the 1975 biennial  
15 budget, unless the new program or the program expansion and  
16 its method of financing is approved by the governor, or his  
17 designated representative after presentation through the  
18 budget director.

19 Section 7. Transfers of appropriated funds between  
20 programs of an agency may be made only by an approved budget  
21 amendment.

22 Section 8. If the operation of a state agency is  
23 financed by an appropriation or appropriations from the  
24 general fund as well as by appropriation from other sources,  
25 the funds provided by appropriation from the general fund

1 shall be decreased by the amount that the funds received  
2 from other sources exceeds the amount from other sources  
3 appropriated by the legislature in the 1975 biennial budget,  
4 provided that:

5 (1) the decrease does not jeopardize the receipt of  
6 the funds to be received from other sources; and

7 (2) this section shall not apply to any excess funds  
8 if they are to be expended for a new or expanded program  
9 approved by the governor, or his designated representative  
10 upon a request submitted to him through the budget director.

11 Section 9. When an agency receives federal funds as a  
12 reimbursement for the cost of administering a federal  
13 program and this cost was financed by a general fund  
14 appropriation, the federal funds shall be deposited into the  
15 general fund unless usage of the federal funds is restricted  
16 by federal provisions.

17 Section 10. The governor may reduce any appropriation  
18 by not more than fifteen percent (15%) except appropriations  
19 for:

20 (1) payment of interest and retirement of the state  
21 debt;

22 (2) operation of the legislature;

23 (3) public schools;

24 (4) the judiciary; or

25 (5) salaries of elected officials, during their term

1 of office.

2 Section 11. In addition to the amounts specifically  
3 appropriated by this act, there is hereby appropriated to  
4 the Montana university system units all funds which are  
5 properly expendable in the current operation of the system.

6 Section 12. If any section, subsection, sentence,  
7 clause, or phrase of this act is for any reason held  
8 unconstitutional, such decision shall not affect the  
9 validity of the remaining portions of this act.

10 Section 13. The following moneys are appropriated for  
11 the fiscal year ending June 30, 1975:

12 DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING

13 Central services program

14 From the earmarked revenue fund

15 02001 Administrative services ERA \$ 114

16 Board of Dentists

17 From the earmarked revenue fund

18 02199 Dental examiners ERA 295

19 Board of Horse Racing

20 From the earmarked revenue fund

21 02195 Horse racing commission ERA 2,436

22 Board of Real Estate

23 From the earmarked revenue fund

24 02078 Real estate ERA 8,753

25 Board of Psychologists

1 From the earmarked revenue fund  
2 02540 Board of psychologist  
3 examiners ERA 146  
4 Board of Professional Engineers and  
5 Land Surveyors  
6 From the earmarked revenue fund  
7 02133 Professional engineers ERA 677  
8 COUNTY ATTORNEYS  
9 Legal services program  
10 From the general fund 33,075  
11 DISTRICT COURT JUDGES  
12 District judges program  
13 From the general fund 15,750  
14 DEPARTMENT OF PUBLIC SERVICE REGULATION  
15 Public service regulation program  
16 From the general fund 32,570  
17 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES  
18 Developmental disabilities services and  
19 facilities program  
20 From the general fund 1,000,000  
21 Any funds unexpended from this appropriation as of June 30,  
22 1975, is hereby reappropriated for the fiscal year ending  
23 June 30, 1976.  
24 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
25 Fire protection program



SECOND READING

MISSING

## 1 HOUSE BILL NO. 265

2 INTRODUCED BY BARDANOUE

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEYS  
5 TO VARIOUS STATE AGENCIES FOR THE FISCAL YEAR ENDING JUNE  
6 30, 1975; PROVIDING FOR OTHER MATTERS RELATING TO THE  
7 APPROPRIATIONS; AND PROVIDING AN EFFECTIVE DATE."

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13 divisions, boards, commissions, councils, committees,  
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15 state government.16 (2) "Program" means a segment that includes a  
17 combination of planned efforts to provide a service.18 (3) "Approved budget amendment" means approval by the  
19 governor, or his designated representative, of a request  
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22 from funds which were not available for consideration by the  
23 legislature but which have become available from a source  
24 other than the state's general fund; or

25 (b) transfer appropriations, including general fund

1 appropriations, between programs within a state agency; or

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4 during the second fiscal year of the biennium.5 Section 2. The appropriations contained in this act  
6 are intended to provide only necessary and ordinary  
7 expenditures for the year for which the appropriations are  
8 made. Except for amounts subject to accrual at the end of  
9 each fiscal year, the unexpended balance of any  
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11 appropriated. In case of necessity, an appropriation not  
12 expended during the first fiscal year of the biennium may be  
13 expended during the second fiscal year by approved budget  
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18 (2) all other ordinary and necessary expenditures for  
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24 than expenditures for the construction, improvement, or  
25 furnishing of buildings or purchase of buildings or land

1 unless specifically authorized.

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4 approved budget amendment.

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7 operational plan within the limits of appropriations which  
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9 employees. The salary of the chief administrator of each  
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20 Section 7. Transfers of appropriated funds between  
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13 DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING

14	Central services program		
15	From the earmarked revenue fund		
16	02001 Administrative services ERA	\$	114
17	Board of Dentists		
18	From the earmarked revenue fund		
19	02199 Dental examiners ERA	295	<u>2,215</u>
20	Board of Horse Racing		
21	From the earmarked revenue fund		
22	02195 Horse racing commission ERA		2,436
23	Board of Real Estate		
24	From the earmarked revenue fund		
25	02078 Real estate ERA	<del>0,759</del>	<u>61,059</u>

1	Board of Psychologists		
2	From the earmarked revenue fund		
3	02540 Board of psychologist		
4	examiners ERA		<u>146,937</u>
5	Board of Professional Engineers and		
6	Land Surveyors		
7	From the earmarked revenue fund		
8	02133 Professional engineers ERA		<del>677</del> <u>9,952</u>
9	<u>BOARD OF MEDICAL DOCTORS PROGRAM</u>		
10	<u>FROM THE EARMARKED REVENUE FUND</u>		
11	02152 BOARD OF MEDICAL EXAMINERS ERA		<u>10,000</u>
12	<u>BOARD OF NURSING PROGRAM</u>		
13	<u>FROM THE EARMARKED REVENUE FUND</u>		
14	02224 BOARD OF NURSING ERA		<u>3,214</u>
15	<u>BOARD OF PHARMACISTS PROGRAM</u>		
16	<u>FROM THE EARMARKED REVENUE FUND</u>		
17	02220 BOARD OF PHARMACY ERA		<u>12,420</u>
18	<u>BOARD OF PLUMBERS PROGRAM</u>		
19	<u>FROM THE EARMARKED REVENUE FUND</u>		
20	02190 PLUMBING EXAMINERS ERA		<u>5,350</u>
21	<u>BOARD OF VETERINARIANS PROGRAM</u>		
22	<u>FROM THE EARMARKED REVENUE FUND</u>		
23	02232 VETERINARY MEDICAL EXAMINERS ERA		<u>1,000</u>
24	<u>BOARD OF HEARING AID DISPENSERS</u>		
25	<u>FROM THE EARMARKED REVENUE FUND</u>		



April 7, 1975

SENATE COMMITTEE ON FINANCE AND CLAIMS

AMENDMENTS TO HOUSE BILL NO. 265

That House Bill No. 265, third reading, be amended as follows:

1. Amend page 5, line 3.  
Following: line 2  
Strike: Section 11 in its entirety  
Renumber: subsequent sections
  
2. Amend page 7, section 13, line 20.  
Following line 20  
Insert: "Department of Institutions  
Community based services program  
From the general fund 145,224  
  
Center for the Aged  
Care and treatment program  
From the general fund 3,465  
General services program  
From the general fund 16,350  
  
Childrens Center  
Counseling and guidance program  
(Judgement pursuant to Glick v. Dept. of  
Institutions Supreme Court Docket No. 12725)  
From the general fund 260,446  
  
Galen State Hospital  
Alcoholic program  
From the general fund 161,778  
  
Pine Hills School  
General services program  
From the general fund 26,017  
Farm program  
From the general fund 20,524  
  
Montana State Prison  
General services program  
From the general fund 175,525  
Ranch program  
From the general fund 276,880  
  
Swan River Youth Forest Camp  
General services program  
From the general fund 2,000  
  
Secretary of State  
From the general fund 26,665

April 7, 1975  
H.B. 265  
Page 2

Department of Health and Environmental Sciences  
Microbiology Laboratory  
From the general fund 15,000"

3. Amend page 8, section 13, line 20.

Following: line 20

Insert: "Legislative Assembly

From the general fund for the payment of the  
employer's contribution to the public employees'  
retirement system for those enrolled in accordance  
with 68-1602(1), RCM 1947 50,000

AND AS SO AMENDED, BE CONCURRED IN

HOUSE BILL NO. 265

INTRODUCED BY BARDANOUVE

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23 (2) operation of the legislature;

24 (3) public schools;

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1 (5) salaries of elected officials, during their term  
2 of office.

3 ~~Section 11,--in-addition-to--the--amounts--specifically~~  
4 ~~appropriated--by--this--act,--there-is--hereby--appropriated--to~~  
5 ~~the-Montana-university-system--units--all--funds--which--are~~  
6 ~~properly--expendable-in-the-current-operation-of-the-system.~~

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18 From the earmarked revenue fund

19 02199 Dental examiners ERA 295 2,215

20 Board of Horse Racing

21 From the earmarked revenue fund

22 02195 Horse racing commission EPA 2,436

23 Board of Peal Estate

24 From the earmarked revenue fund

25 02078 Real estate ERA ~~8,753~~ 61,059

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2 From the earmarked revenue fund

3 02540 Board of psychologist

4 examiners ERA 146 937

5 Board of Professional Engineers and

6 Land Surveyors

7 From the earmarked revenue fund

8 02133 Professional engineers ERA ~~677 9,952~~ 10,629

9 BOARD OF MEDICAL DOCTORS PROGRAM

10 FROM THE EARMARKED REVENUE FUND

11 02152 BOARD OF MEDICAL EXAMINERS EPA 10,000

12 BOARD OF NURSING PROGRAM

13 FROM THE EARMARKED REVENUE FUND

14 02224 BOARD OF NURSING ERA 3,214

15 BOARD OF PHARMACISTS PROGRAM

16 FROM THE EARMARKED REVENUE FUND

17 02220 BOARD OF PHARMACY ERA 12,420

18 BOARD OF PLUMBERS PROGRAM

19 FROM THE EARMARKED REVENUE FUND

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21 BOARD OF VETERINARIANS PROGRAM

22 FROM THE EARMARKED REVENUE FUND

23 02232 VETERINARY MEDICAL EXAMINERS EPA 1,000

24 BOARD OF HEARING AID DISPENSERS

25 FROM THE EARMARKED REVENUE FUND



1 RANCH PROGRAM

2 FROM THE GENERAL FUND 276,880

3 SWAN RIVER YOUTH FOREST CAMP

4 GENERAL SERVICES PROGRAM

5 FROM THE GENERAL FUND 2,000

6 SECRETARY OF STATE

7 FROM THE GENERAL FUND 26,665

8 DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

9 MICROBIOLOGY LABORATORY

10 FROM THE GENERAL FUND 15,000

11 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

12 Fire protection program

13 From the general fund 227,498

14 DEPARTMENT OF LABOR AND INDUSTRY

15 WORKMEN'S COMPENSATION DIVISION

16 INSURANCE COMPLIANCE PROGRAM

17 FROM THE GENERAL FUND 20,000

18 DEPARTMENT OF BUSINESS REGULATION

19 PRIVATE POST-SECONDARY EDUCATION PROGRAM

20 FROM THE GENERAL FUND 17,065

21 DEPARTMENT OF JUSTICE

22 HIGHWAY PATROL BUREAU

23 PATROL OPERATIONS PROGRAM

24 FROM THE GENERAL FUND 15,700

25 ENVIRONMENTAL QUALITY COUNCIL

1 FROM THE GENERAL FUND 11,015

2 DEPARTMENT OF ADMINISTRATION

3 STATE BOARD OF EXAMINERS

4 CLAIM OF JOSEPH N. DALBEC

5 FROM THE GENERAL FUND 574.95

6 LEGISLATURE

7 FROM THE GENERAL FUND FOR THE PAYMENT OF THE EMPLOYER'S

8 CONTRIBUTION TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM

9 FOR THOSE ENROLLED IN ACCORDANCE WITH SECTION 68-1602 (1),

10 R.C.M. 1947 50,000

11 SECTION 13. THERE IS APPROPRIATED TO THE FORTY-FOURTH

12 LEGISLATURE THE SUM REMAINING IN SENATE BILL 511,

13 FORTY-THIRD LEGISLATURE, SECOND REGULAR SESSION.

14 SECTION 14. ANY CLAIM MADE PRIOR TO JULY 1, 1975, FOR

15 UNPAID ENCUMBRANCES OF THE FORTY-THIRD LEGISLATURE SHALL BE

16 PAID FROM MONIES APPROPRIATED BY SECTION 13.

17 Section 15. This act is effective upon passage and

18 approval.

-End-