

HOUSE BILL NO. 23

INTRODUCED BY DONALDSON

BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE

IN THE HOUSE

January 6, 1981	Introduced and referred to Committee on State Administration.
January 7, 1981	Fiscal note requested.
January 14, 1981	Fiscal note returned.
January 15, 1981	Referred to Committee on Appropriations.
January 20, 1981	Committee recommend bill do pass as amended. Report adopted.
January 22, 1981	Bill printed and placed on members' desks.
January 23, 1981	Second reading, do pass as amended.
January 26, 1981	Correctly engrossed. Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 27, 1981	Introduced and referred to Committee on Finance and Claims.
February 14, 1981	Committee recommend bill be concurred in. Report adopted.
February 17, 1981	Second reading, concurred in.
February 19, 1981	Third reading, concurred in. Yeas, 47; Nays, 1.

IN THE HOUSE

February 20, 1961

Returned from Senate. Con-
curred in. Sent to enrolling.

Reported correctly enrolled.

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO TERMINATE THE STATE

6 AIRPLANE POOL AND TO AUTHORIZE SALE OR TRANSFER OF CERTAIN

7 AIRCRAFT AND HANGARS; AMENDING SECTION 67-2-202, MCA."

8

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

10 NEW SECTION. Section 1. Disposal of airplanes and

11 hangars. The department of community affairs shall:

12 (1) convey to the department of fish, wildlife, and

13 parks the special-use Cessna 180 airplane and two hangars,

14 all of which were acquired under House Bill 921, Laws of

15 1979, for the consideration of \$61,774, less depreciation

16 since June, 1979, such funds to be deposited in the general

17 fund;

18 (2) convey to the department of highways the hangar

19 acquired under House Bill 921, Laws of 1979, for a

20 consideration of \$61,230, less depreciation since June,

21 1979, such funds to be deposited in the general fund;

22 (3) retain for necessary travel of the governor and

23 such other persons as he may designate the twin-engine,

24 pressurized-cabin airplane known as the Duke or other

25 aircraft that may later replace it and shall contract with

1 personnel of state agencies for pilots' services on an

2 hourly basis;

3 (4) dispose of, at the best terms available to the

4 state and at not less than their appraised value, the

5 bonanza and regular-use Cessna 180 airplanes, heretofore

6 part of the state airplane pool, with the proceeds of the

7 sale to be applied to reduce the balance of the loan from

8 the aviation fuel tax fund to the state airplane pool.

9 Section 2. Section 67-2-202, MCA, is amended to read:

10 "67-2-202. Rules enforcement. The department is hereby

11 delegated the power and authority to*

12 ~~(1) formulate and enforce reasonable rules governing~~

13 the use and operation of all airplanes under control of the

14 ~~division~~ department.

15 ~~(2) encourage and coordinate use of such airplanes by~~

16 ~~individual state agencies (an agency for which an aircraft~~

17 ~~has been specially equipped or modified shall have priority~~

18 ~~for the use of such aircraft);~~

19 ~~(3) charge the individual state agencies using the~~

20 ~~airplanes the estimated costs for administration, operation,~~

21 ~~maintenance, service, storage, and replacement;~~

22 ~~(4) establish a capital fund for new and replacement~~

23 ~~equipment using that portion of the money paid by individual~~

24 ~~state agencies for the use of the airplanes; and~~

25 ~~(5) place any surplus resulting from use charges into~~

LC 0114/01

1 the-capital-fund

-End-

STATE OF MONTANA

REQUEST NO. _____

FISCAL NOTE

Form BD-15

In compliance with a written request received January 14, 19 81, there is hereby submitted a Fiscal Note for House Bill 23 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

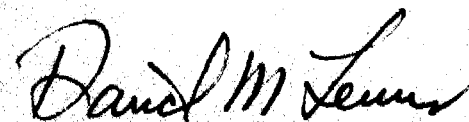
House Bill 23 terminates the State Airplane Pool, authorizes the sale or transfer of certain aircraft and hangars, and funds the operation of the Duties for Governor Travel for 1/1/81-6/30/81.

Assumptions

- (1) The following items will clear all claims by the Earmarked Revenue Aviation Fuel Tax, Earmarked Revenue Account against the Air Transportation Pool.
1. Return A-36 to Aeronautics Division
 2. Transfer 38,888 from Reserve Account to Aeronautics Division
 3. Pay back \$158,039 to the Aviation Fuel Tax Earmarked Revenue Account
- (2) Hangars & Airplanes obtained in July 1979 will be returned to the Departments of Highways, Fish, Wildlife & Parks and Natural Resources at their July 1, 1979 cost less depreciations. Proceeds will go to the General Fund.

Fiscal Impact

	<u>FY 1981</u>
Revenue:	
General Fund: Pay back on aircraft & hangars	<u>113,597</u>
Expenditures:	
General Fund: Pay back on operational loan	158,039
Operation of Duke 1/1/81-6/30/81	45,000
Air Transportation Reserve Account: Transfer to Aviation Fuel Tax Earmarked Revenue	<u>38,888</u>
Total Expenditures	241,927
Net Effect (Revenues less Costs)	
General Fund	(89,442)
Reserve Account	<u>(38,888)</u>
	(128,330)



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-14-81

Approved by Committee
on State Administration

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A BILL FOR AN ACT ENTITLED: ~~"AN ACT TO TERMINATE THE STATE AIRPLANE POOL AND TO AUTHORIZE SALE OR TRANSFER OF CERTAIN AIRCRAFT AND HANGARS, AMENDING SECTION 67-2-202, MCA. AN ACT TO TERMINATE THE STATE AIRPLANE POOL, TO AUTHORIZE SALE OR TRANSFER OF CERTAIN AIRCRAFT AND HANGARS AND APPROPRIATIONS TO ALLOW TERMINATION; REPEALING SECTIONS 67-2-201 THROUGH 67-2-205, MCA, IN THEIR ENTIRETY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."~~

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

NEW SECTION. Section 1. Disposal of airplanes and hangars, AND CASH BALANCES. The department of community affairs shall:

(1) convey to the department of fish, wildlife, and parks the special-use Cessna 180 airplane and two hangars, all of which were acquired under House Bill 921, Laws of 1979, for the consideration of \$61,774, less depreciation since June, 1979, such funds to be deposited in the general fund;

(2) convey to the department of highways the hangar acquired under House Bill 921, Laws of 1979, for a

consideration of \$61,230, less depreciation since June, 1979, such funds to be deposited in the general fund;

(3) retain for necessary travel CONVEY TO THE OFFICE of the governor and such other persons as he may designate the twin-engine, pressurized-cabin airplane known as the Duke or other aircraft that may later replace it and shall contract with personnel of state agencies for pilots' services on an hourly basis;

(4) dispose of at the best terms available to the state and at not less than their appraised value, CONVEY TO THE AERONAUTICS DIVISION OF THE DEPARTMENT OF COMMUNITY AFFAIRS the Bonanza and regular-use Cessna 180 airplanes, heretofore part of the state airplane pool, with the proceeds of the sale to be applied to reduce the balance of the loan from the aviation fuel tax fund to the state airplane pool, AND \$38,888 FROM THE AIRPLANE CAPITAL REPLACEMENT ACCOUNT;

(5) CONVEY TO THE DEPARTMENT OF NATURAL RESOURCES THE REGULAR CESSNA 180, SERIAL NUMBER 18052167; AND

(6) DEPOSIT ALL REMAINING CASH FROM OPERATIONS AND CAPITAL REPLACEMENT ACCOUNTS INTO THE GENERAL FUND AFTER AIRPOOL DEBTS, EXCLUDING THE LOAN TO THE AVIATION FUEL TAX EARMARKED REVENUE ACCOUNT, ARE PAID.

~~Section 2. Section 67-2-202, MCA, is amended to read: "67-2-202. Rules enforcement. The department is~~

1 hereby delegated the power and authority to:
 2 (1) formulate and enforce reasonable rules governing
 3 the use and operation of all airplanes under control of the
 4 division; department
 5 (2) encourage and coordinate use of such airplanes by
 6 individual state agencies (an agency for which an aircraft
 7 has been specially equipped or modified shall have priority
 8 for the use of such aircraft);
 9 (3) charge the individual state agencies using the
 10 airplanes the estimated costs for administrative, operation,
 11 maintenance, service, storage, and replacement;
 12 (4) establish a capital fund for new and replacement
 13 equipment using that portion of the money paid by individual
 14 state agencies for the use of the airplanes; and
 15 (5) place any surplus resulting from use charges into
 16 the capital fund."

17 NEW SECTION. SECTION 2. APPROPRIATING FUNDS TO REPAY
 18 THE STATE AIRPLANE POOL LOAN. GENERAL FUND OF \$158,039 IS
 19 APPROPRIATED TO REPAY THE AIRPOOL LOAN FROM THE AVIATION
 20 FUEL TAX FARMARKED REVENUE ACCOUNT OF THE AERONAUTICS
 21 DIVISION WITHIN THE DEPARTMENT OF COMMUNITY AFFAIRS.

22 NEW SECTION. SECTION 3. APPROPRIATING TRAVEL MONEY TO
 23 THE GOVERNOR'S OFFICE. GENERAL FUND OF \$45,000 IS
 24 APPROPRIATED TO THE GOVERNOR'S OFFICE TO PAY FOR
 25 MAINTENANCE, DUKE LOAN PAYMENTS, ONE PILOT, AND RELATED

1 TRAVEL COSTS OF OPERATING THE DUKE FOR THE REMAINDER OF
 2 FISCAL 1981.
 3 SECTION 4. REPEALER. SECTIONS 67-2-201 THROUGH
 4 67-2-205, MCA, ARE REPEALED.
 5 SECTION 5. EFFECTIVE DATE. THIS BILL IS EFFECTIVE UPON
 6 PASSAGE AND APPROVAL.

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(3) ~~retain for necessary travel~~ CONVEY TO THE OFFICE of the governor and such other persons as he may designate the twin-engine, pressurized-cabin airplane known as the Duke or other aircraft that may later replace it and shall ~~contract with personnel of state agencies for pilots' services on an hourly basis;~~

(4) ~~dispose of at the best terms available to the state and at not less than their appraised value~~ CONVEY TO THE AERONAUTICS DIVISION OF THE DEPARTMENT OF COMMUNITY AFFAIRS the Bonanza and regular-use Cessna 180 airplanes heretofore part of the state airplane pool, with the ~~proceeds of the sale to be applied to reduce the balance of the loan from the aviation fuel tax fund to the state airplane pool, AND \$38,888 FROM THE AIRPLANE CAPITAL REPLACEMENT ACCOUNT;~~

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2 {1}--formulate-and-enforce-reasonable--rules--governing

3 the--use-and-operation-of-all-airplanes-under-control-of-the

4 division; departments

5 {2}--encourage-and-coordinate-use-of-such-airplanes--by

6 individual--state--agencies-(an-agency-for-which-an-aircraft

7 has-been-specialty-equipped-or-modified-shall-have--priority

8 for-the-use-of-such-aircraft);

9 {3}--charge--the--individual--state--agencies-using-the

10 airplanes-the-estimated-costs-for-administrative-operation;

11 maintenance-service-storage-and-replacement;

12 {4}--establish-a-capital-fund-for-new--and--replacement

13 equipment-using-that-portion-of-the-money-paid-by-individual

14 state-agencies-for-the-use-of-the-airplanes; and

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