

Senate Bill 259

In The Senate

January 23, 1981

Introduced and referred
to Committee on State
Administration.

February 18, 1981

Committee recommend bill
do not pass.

1 *Sen* BILL NO. 259
 2 INTRODUCED BY STEVE BROWN

3 BY REQUEST OF
 4 THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
 7 INCURRING OF LIABILITIES AND EXPENSES WHEN AN ENERGY SUPPLY
 8 ALERT OR AN EMERGENCY OR DISASTER ARISING FROM AN ENERGY
 9 SHORTAGE IS DECLARED BY THE GOVERNOR; AMENDING SECTIONS
 10 10-3-311 AND 90-4-318, MCA."

11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 10-3-311, MCA, is amended to read:
 14 "10-3-311. Emergency or disaster expenditures. (1) The
 15 governor may authorize the incurring of liabilities and
 16 expenses to be paid as other claims against the state from
 17 the general fund, in the amount necessary, when an emergency
 18 or disaster justifies the expenditure and is declared by the
 19 governor, to meet contingencies and emergencies arising from
 20 ~~energy shortages~~, hostile attacks, riots or insurrections,
 21 epidemics of disease, plagues of insects, fires, floods, or
 22 other acts of God resulting in damage or disaster to the
 23 works, buildings or property of the state or any political
 24 subdivision thereof or which menace the health, welfare,
 25 safety, lives, or property of any considerable number of

1 persons in any county or community of the state, upon
 2 demonstration by the political jurisdiction that:

3 (a) such political jurisdiction has exhausted all
 4 available emergency levies;

5 (b) the emergency is beyond the financial capability
 6 of the political jurisdiction to respond and for which no
 7 appropriation is available in sufficient amount to meet the
 8 emergency or disaster; or

9 (c) federal funds available for such emergency or
 10 disaster require either matching state funds or specific
 11 expenditures prior to eligibility for assistance under
 12 federal laws.

13 (2) The governor shall be charged with the
 14 implementation of the program.

15 (3) The administration and development of rules for
 16 implementation of this section will be promulgated by the
 17 department of administration."

18 Section 2. Section 90-4-318, MCA, is amended to read:

19 "90-4-318. Governor may authorize expenditure. The
 20 governor may authorize the incurring of liabilities and
 21 expenses to be paid as other claims against the state from
 22 the general fund, in the amount necessary, when an ~~energy~~
 23 ~~supply alert or an~~ energy emergency is declared by the
 24 governor and justifies the expenditure as set forth in
 25 10-3-311 for other emergency or disaster expenditures."

LC 1166/01

-End-