

HOUSE BILL NO. 676

Introduced: 02/07/83

Referred to Committee on Natural Resources: 02/07/83

Hearing: 2/11/83

Report: 02/12/83, Do Not Pass

Bill Killed: 02/14/82

1 Hansen BILL NO. 676  
2 INTRODUCED BY Ream  
3 BY REQUEST OF THE DEPARTMENT OF  
4 NATURAL RESOURCES AND CONSERVATION  
5

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE DEPOSIT IN  
7 THE EARMARKED REVENUE FUND OF MONEY PAID TO THE DEPARTMENT  
8 OF NATURAL RESOURCES AND CONSERVATION BECAUSE OF CONDITIONS  
9 IMPOSED BY THE BOARD OF NATURAL RESOURCES AND CONSERVATION  
10 UNDER PROVISIONS OF THE MONTANA MAJOR FACILITY SITING ACT;  
11 TO PROVIDE FOR THE EXPENDITURE OF SUCH MONEY; TO PROVIDE FOR  
12 THE USE OF THE INTEREST AND INCOME FROM INVESTMENT OF THE  
13 MONEY; TO TRANSFER MONEY ALREADY PAID TO THE DEPARTMENT TO  
14 THE EARMARKED REVENUE FUND FOR USE AS PROVIDED IN THE ACT;  
15 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."  
16

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

18 Section 1. Fund created. (1) Money paid to the  
19 department because of conditions imposed by the board in  
20 granting certificates of environmental compatibility and  
21 public need must be deposited in the earmarked revenue fund  
22 for expenditure by the department in accordance with the  
23 conditions imposed.

24 (2) Any expenditure of the money paid to the  
25 department under subsection (1) is subject to approval by

1 the board. Upon approval by the board, funds may be spent  
2 by budget amendment for the purpose for which they were  
3 initially deposited. Notwithstanding any provisions of the  
4 general appropriations bill, expenditure by budget amendment  
5 under this section is not subject to any emergency-only  
6 restrictions.

7 (3) Income and interest from investment of the money  
8 deposited in the earmarked revenue fund pursuant to [this  
9 act] must be credited to the fund and may be used for the  
10 purpose prescribed in this section.

11 Section 2. Transfer of unspent funds. Unspent money  
12 paid to the department in accordance with the provisions of  
13 paragraphs 12.1.8 and 12.1.9 of the certificate of  
14 environmental compatibility and public need issued for  
15 Colstrip generating units 3 and 4 must be transferred to the  
16 earmarked revenue fund for use only as provided in [section  
17 1].

18 Section 3. Codification instruction. Section 1 is  
19 intended to be codified as an integral part of Title 75,  
20 chapter 20, part 1, and the provisions of Title 75, chapter  
21 20, parts 1 through 5, apply to section 1.

22 Section 4. Effective date. This act is effective on  
23 passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. 358-83

FISCAL NOTE

Form BD-15

In compliance with a written request received February 9, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 676 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

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 676 requires deposit in the earmarked revenue fund of money paid to the department due to conditions imposed by the Board of Natural Resources and Conservation under provisions of the Montana Major Facility Siting Act; provides for the expenditure of the funds in the earmarked account; provides for deposit of interest earned from these funds in the earmarked account; and transfers money already paid to the department to the earmarked account.

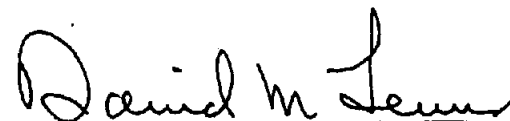
ASSUMPTIONS:

- 1) The \$118,806 in the Lake Broadview mitigation account as of December 31, 1982, will be transferred to the earmarked account.
- 2) The department anticipates spending \$15,000 a year during fiscal years 1983, 1984, and 1985. For purposes of simplifying the computation of interest earned each year, it is assumed the expenditures will be made at the beginning of each year.
- 3) The state will obtain a return of 11 percent on the funds.

FISCAL IMPACT:

This bill will not have any impact on the total revenues or expenditures, but will accrue interest earned on these funds to an earmarked revenue account rather than the general fund. Approximately \$9,800 will be earned in FY 1984 and \$9,200 in 1985, based on the assumptions above. These amounts could increase if the board requires mitigation funds as conditions upon approval of other projects.

FISCAL NOTE 13:F/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-14-83