

HOUSE BILL NO. 217

INTRODUCED BY JANET MOORE

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE HOUSE

January 16, 1985	Introduced and referred to Committee on State Administration.
January 25, 1985	Committee recommend bill do pass. Report adopted. Statement of Intent attached. Bill printed and placed on members' desks.
January 28, 1985	Second reading, pass consideration.
January 30, 1985	Second reading, do pass. Considered correctly engrossed.
January 31, 1985	Third reading, passed. Ayes, 100; Noes, 0. Transmitted to Senate.

IN THE SENATE

February 4, 1985	Introduced and referred to Committee on State Administration.
March 8, 1985	Committee recommend bill be concurrent in. Report adopted.
March 11, 1985	Second reading, concurred in.

March 13, 1985

Third reading, concurred in.
Ayes, 50; Noes, 0.

Returned to House.

IN THE HOUSE

March 14, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

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 5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE
 6 RESPONSIBILITY FOR THE ADMINISTRATION AND DEVELOPMENT OF
 7 RULES FOR EMERGENCY AND DISASTER EXPENDITURES BE TRANSFERRED
 8 FROM THE DEPARTMENT OF ADMINISTRATION TO THE DEPARTMENT OF
 9 MILITARY AFFAIRS; AMENDING SECTION 10-3-311, MCA."

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 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 10-3-311, MCA, is amended to read:

13 "10-3-311. Emergency or disaster expenditures. (1) The
 14 governor may authorize the incurring of liabilities and
 15 expenses to be paid as other claims against the state from
 16 the general fund, in the amount necessary, when an emergency
 17 or disaster justifies the expenditure and is declared by the
 18 governor, to meet contingencies and needs arising from an
 19 emergency or disaster, as defined in 10-3-103, which results
 20 in damage to the works, buildings, or property of the state
 21 or any political subdivision thereof or which menaces the
 22 health, welfare, safety, lives, or property of any
 23 considerable number of persons in any county or community of
 24 the state, upon demonstration by the political jurisdiction
 25 that:

1 (a) such political jurisdiction has exhausted all
 2 available emergency levies;

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

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

11 (2) The governor is charged with the implementation of
 12 the program.

13 (3) The administration and development of rules for
 14 implementation of this section must be promulgated by the
 15 department of administration."

-End-



APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

1 STATEMENT OF INTENT

2 HOUSE BILL 217

3 House State Administration Committee

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5 A statement of intent is required for this bill because
6 it transfers rulemaking authority from the department of
7 administration to the department of military affairs. It is
8 the intent of the legislature that in developing rules under
9 this act, the department of military affairs look to the
10 rules of the department of administration under 10-3-311,
11 MCA, so that affected political jurisdictions are assured of
12 some continuity in the administration of disaster and
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