

HB 660 INTRODUCED BY PECK, ET AL.  
UNIVERSITY FUND SPENDING AUTHORITY

2/07	INTRODUCED	
2/07	REFERRED TO APPROPRIATIONS	
2/17	HEARING	
2/21	HEARING	
3/04	HEARING	
3/06	HEARING	
3/07	COMMITTEE REPORT--BILL PASSED AS AMENDED	
3/10	2ND READING PASSED	76 21
3/11	3RD READING PASSED	79 18
	TRANSMITTED TO SENATE	
3/13	REFERRED TO FINANCE & CLAIMS	
3/17	HEARING	
4/02	ADVERSE COMMITTEE REPORT ADOPTED AS AMENDED	37 10
4/03	RETURNED TO HOUSE NOT CONCURRED AS AMENDED	

1 <sup>House</sup> BILL NO. 660  
2 INTRODUCED BY Rep NATHAN M. Sullivan, Benton

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE BY STATUTE,  
5 RATHER THAN BOILERPLATE LANGUAGE IN THE GENERAL  
6 APPROPRIATION ACT, THE APPROPRIATION AUTHORIZATION FOR THE  
7 MONTANA UNIVERSITY SYSTEM; TO HAVE THE LEGISLATURE ESTABLISH  
8 THE CURRENT DESIGNATED FUND APPROPRIATION BEGINNING IN THE  
9 1991 BIENNIUM; AMENDING SECTIONS 17-8-101 AND 20-25-425,  
10 MCA; AND PROVIDING EFFECTIVE DATES."

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

13 Section 1. Section 17-8-101, MCA, is amended to read:

14 "17-8-101. Appropriation and disbursement of moneys  
15 from the treasury. (1) Moneys Except as provided in  
16 20-25-302, money deposited in the general fund, the special  
17 revenue fund type, the enterprise fund type, the internal  
18 service fund type, and the capital projects fund type, the  
19 current unrestricted subfund, and the plant fund, with the  
20 exception of refunds authorized in subsection (3), shall be  
21 paid out of the treasury only on appropriation made by law.

22 (2) Moneys deposited in the debt service fund type,  
23 expendable trust fund type, nonexpendable trust fund type,  
24 pension trust fund type, and agency fund type may be paid  
25 out of the treasury under general laws, or contracts entered

1 into in pursuance of law, permitting such disbursement.

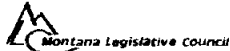
2 (3) Money paid into the state treasury through error  
3 or under circumstances, such that the state is not legally  
4 entitled to retain it and a refund procedure is not  
5 otherwise provided by law, may be refunded upon the  
6 submission of a verified claim approved by the department of  
7 administration."

8 Section 2. Section 17-8-101, MCA, is amended to read:

9 "17-8-101. Appropriation and disbursement of moneys  
10 from the treasury. (1) Moneys Except as provided in  
11 20-25-302, money deposited in the general fund, the special  
12 revenue fund type, the enterprise fund type, the internal  
13 service fund type, and the capital projects fund type, the  
14 current unrestricted subfund, the current designated  
15 subfund, and the plant fund, with the exception of refunds  
16 authorized in subsection (3), shall be paid out of the  
17 treasury only on appropriation made by law.

18 (2) Moneys deposited in the debt service fund type,  
19 expendable trust fund type, nonexpendable trust fund type,  
20 pension trust fund type, and agency fund type may be paid  
21 out of the treasury under general laws, or contracts entered  
22 into in pursuance of law, permitting such disbursement.

23 (3) Money paid into the state treasury through error  
24 or under circumstances, such that the state is not legally  
25 entitled to retain it and a refund procedure is not



-2- INTRODUCED BILL  
HB-660

1 otherwise provided by law, may be refunded upon the  
2 submission of a verified claim approved by the department of  
3 administration."

4 NEW SECTION. Section 3. University fund spending  
5 authority. (1) The spending authority for all funds  
6 appropriated for the university system other than the plant  
7 funds and the current unrestricted subfunds is contingent  
8 upon approval by the board of regents of a comprehensive  
9 program budget by July 1 of each year. The comprehensive  
10 program budget must contain detailed revenues, expenditures,  
11 and anticipated fund balances for current funds, loan funds,  
12 and endowment funds.

13 (2) All movement of funds between the current  
14 unrestricted subfund account and the current designated  
15 subfund account must be clearly identified in the state  
16 budgeting and accounting system.

17 (3) Programs for the comprehensive university budget  
18 include instruction, organized research, public service,  
19 academic support, student services, institutional support,  
20 operation and maintenance of plant, scholarships, and  
21 fellowships.

22 NEW SECTION. Section 4. University fund spending  
23 authority. (1) The spending authority for all funds  
24 appropriated for the university system other than the plant  
25 funds, the current designated subfunds, and the current

1 unrestricted subfunds is contingent upon approval by the  
2 board of regents of a comprehensive program budget by July 1  
3 of each year. The comprehensive program budget must contain  
4 detailed revenues, expenditures, and anticipated fund  
5 balances for current funds, loan funds, and endowment funds.

6 (2) All movement of funds between the current  
7 unrestricted subfund account and the current designated  
8 subfund account must be clearly identified in the state  
9 budgeting and accounting system.

10 (3) Programs for the comprehensive university budget  
11 include instruction, organized research, public service,  
12 academic support, student services, institutional support,  
13 operation and maintenance of plant, scholarships, and  
14 fellowships.

15 Section 5. Section 20-25-425, MCA, is amended to read:

16 "20-25-425. Control of expenditures. Pursuant to  
17 [section 3 or 4], the terms of appropriations of the  
18 legislature or of congress or of gifts of donors, the  
19 regents shall determine the need for all expenditures and  
20 control the purposes for which all funds shall be spent,  
21 subject to the provisions of the law dealing with state  
22 purchases."

23 NEW SECTION. Section 6. Codification instruction.  
24 Sections 3 and 4 are intended to be codified as an integral  
25 part of Title 20, chapter 25, part 4, and the provisions of

1 Title 20, chapter 25, part 4, apply to sections 3 and 4.

2 NEW SECTION. Section 7. Effective dates --  
3 termination. (1) Sections 1, 3, 5, and this section are  
4 effective July 1, 1987.

5 (2) Sections 2 and 4 are effective June 30, 1989, and  
6 section 3 terminates on that date.

-End-

APPROVED BY COMMITTEE  
ON APPROPRIATIONS

1 HOUSE BILL NO. 660  
 2 INTRODUCED BY PECK, NATHE, MCCALLUM, BENGTSON  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE BY STATUTE,  
 5 RATHER THAN BOILERPLATE LANGUAGE IN THE GENERAL  
 6 APPROPRIATION ACT, THE APPROPRIATION AUTHORIZATION FOR THE  
 7 MONTANA UNIVERSITY SYSTEM; TO HAVE THE LEGISLATURE ESTABLISH  
 8 RECEIVE THE CURRENT DESIGNATED FUND-APPROPRIATION-BEGINNING  
 9 IN-THE-1991-BIENNIAL SUBFUND REPORT EACH YEAR; AMENDING  
 10 SECTIONS--17-8-101-AND SECTION 20-25-425, MCA; AND PROVIDING  
 11 AN EFFECTIVE BATES DATE AND A TERMINATION DATE."  
 12

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

14 Section 1. Section 17-8-101, MCA, is amended to read:  
 15 "17-8-101. Appropriation and disbursement of moneys  
 16 from the treasury. (1) Moneys Except as provided in  
 17 20-25-302 AND 20-25-402, money deposited in the general  
 18 fund, the special revenue fund type, the enterprise fund  
 19 type, the internal service fund type, and the capital  
 20 projects fund type, the current unrestricted subfund, and  
 21 the plant fund, with the exception of refunds authorized in  
 22 subsection (3), shall be paid out of the treasury only on  
 23 appropriation made by law.

24 (2) Moneys deposited in the debt service fund type,  
25 expendable trust fund type, nonexpendable trust fund type,

1 pension trust fund type, and agency fund type AND FUNDS THAT  
 2 MAY BE EXPENDED FROM THE UNIVERSITY PLANT FUND UNDER  
 3 AUTHORITY GRANTED THE BOARD OF REGENTS UNDER 20-25-302 AND  
 4 20-25-402 may be paid out of the treasury under general  
 5 laws, or contracts entered into in pursuance of law,  
 6 permitting such disbursement.

7 (3) Money paid into the state treasury through error  
8 or under circumstances, such that the state is not legally  
9 entitled to retain it and a refund procedure is not  
10 otherwise provided by law, may be refunded upon the  
11 submission of a verified claim approved by the department of  
12 administration."

13 ~~Section-27--Section--17-8-101--MCA7-is-amended-to-read:~~  
 14 ~~"17-8-101--Appropriation-and--disbursement--of--moneys~~  
 15 ~~from--the--treasury---(1)--Moneys Except--as--provided--in~~  
 16 ~~20-25-3027--money deposited-in-the-general-fund7--the--special~~  
 17 ~~revenue--fund--type7--the-enterprise-fund-type7--the-internal~~  
 18 ~~service-fund-type7--and-the-capital-projects-fund--type7 the~~  
 19 ~~current---unrestricted---subfund7---the--current--designated~~  
 20 ~~subfund7-and-the-plant-fund7 with-the-exception--of--refunds~~  
 21 ~~authorized--in--subsection--(3)7--shall--be--paid-out-of-the~~  
 22 ~~treasury-only-on-appropriation-made-by-law7~~

23 ~~(2)--Moneys-deposited-in-the-debt--service--fund--type7~~  
 24 ~~expendable--trust--fund-type7-nonexpendable-trust-fund-type7~~  
 25 ~~pension-trust-fund-type7-and-agency-fund-type--may--be--paid~~



1 out-of-the-treasury-under-general-laws,-or-contracts-entered  
2 into-in-pursuance-of-law,-permitting-such-disbursement,-

3 (3)--Money--paid--into-the-state-treasury-through-error  
4 or-under-circumstances,-such-that-the-state-is--not--legally  
5 entitled--to--retain--it--and--a--refund--procedure--is--not  
6 otherwise--provided--by--law,-may--be--refunded--upon--the  
7 submission-of-a-verified-claim-approved-by-the-department-of  
8 administration."

9 NEW SECTION. Section 2. University fund spending  
10 authority. (1) The spending authority for all funds  
11 appropriated for the university system other than the plant  
12 funds and the current unrestricted subfunds is contingent  
13 upon approval by the board of regents of a comprehensive  
14 program budget by July 1 of each year. The comprehensive  
15 program budget must contain detailed revenues, expenditures,  
16 and anticipated fund balances for current funds, loan funds,  
17 and endowment funds.

18 (2) All movement of funds between the current  
19 unrestricted subfund account and the current designated  
20 subfund account must be clearly identified in the state  
21 budgeting and accounting system.

22 (3) Programs for the comprehensive university budget  
23 include instruction, organized research, public service,  
24 academic support, student services, institutional support,  
25 operation and maintenance of plant, scholarships, and

1 fellowships.

2 NEW SECTION. Section 4. University fund spending  
3 authority. (1) The spending authority for all funds  
4 appropriated for the university system other than the plant  
5 funds, the current designated subfunds, and the current  
6 unrestricted subfunds is contingent upon approval by the  
7 board of regents of a comprehensive program budget by July 1  
8 of each year. The comprehensive program budget must contain  
9 detailed revenues, expenditures, and anticipated fund  
10 balances for current funds, loan funds, and endowment funds.

11 (2) All movement of funds between the current  
12 unrestricted subfund account and the current designated  
13 subfund account must be clearly identified in the state  
14 budgeting and accounting system.

15 (3) Programs for the comprehensive university budget  
16 include instruction, organized research, public service,  
17 academic support, student services, institutional support,  
18 operation and maintenance of plant, scholarships, and  
19 fellowships.

20 NEW SECTION. SECTION 3. DETAILED REPORT ON DESIGNATED  
21 SUBFUND. THE BOARD OF REGENTS SHALL, BY OCTOBER 1 OF EACH  
22 YEAR, SUBMIT A DETAILED REPORT TO THE LEGISLATIVE FINANCE  
23 COMMITTEE ON EACH DESIGNATED SUBFUND ACCOUNT. THE REPORT  
24 SHALL SPECIFICALLY IDENTIFY:

25 (1) THE SOURCE OF REVENUE FOR EACH ACCOUNT AND THE

1 LEGAL AUTHORITY FOR RAISING THE REVENUE;  
 2 (2) TRANSFERS FROM OR TO OTHER FUNDS AND OTHER  
 3 DESIGNATED ACCOUNTS;  
 4 (3) CATEGORIES OF EXPENDITURES;  
 5 (4) NUMBER AND TYPE OF FTE; AND  
 6 (5) THE ENDING FUND BALANCE AND THE UNRESERVED ENDING  
 7 FUND BALANCE.

8 NEW SECTION. SECTION 4. MAJOR UNIVERSITY SYSTEM  
 9 RECHARGE CENTERS SUBJECT TO APPROPRIATION. THE BOARD OF  
 10 REGENTS SHALL PRESENT IN THE MANNER SET FORTH IN 17-7-111,  
 11 FOR LEGISLATIVE CONSIDERATION AND APPROPRIATION, PROPOSALS  
 12 RELATING TO MAJOR RECHARGE CENTERS, SUCH AS THE COMPUTER  
 13 CENTER, MOTOR POOL, AND MAINTENANCE AND SERVICE CENTERS.

14 Section 5. Section 20-25-425, MCA, is amended to read:  
 15 "20-25-425. Control of expenditures. Pursuant to  
 16 [section--3--or SECTIONS 2 THROUGH 4], the terms of  
 17 appropriations of the legislature or of congress or of gifts  
 18 of donors, the regents shall determine the need for all  
 19 expenditures and control the purposes for which all funds  
 20 shall be spent, subject to the provisions of the law dealing  
 21 with state purchases."

22 NEW SECTION. Section 6. Codification instruction.  
 23 Sections 3-and 2 THROUGH 4 are intended to be codified as an  
 24 integral part of Title 20,--chapter--25,--part--4,--and--the  
 25 provisions--of--Title--20,--chapter--25,--part--4,--apply to

1 sections-3-and-4 17, CHAPTER 8, PART 1, AND THE PROVISIONS  
 2 OF TITLE 17, CHAPTER 8, PART 1, APPLY TO SECTIONS 2 THROUGH  
 3 4.

4 NEW SECTION. Section 7. Effective dates --  
 5 termination. (1) Sections-17-37-57-and-this-section-are THIS  
 6 ACT IS effective July 1, 1987.

7 (2) Sections--2-and-4-are-effective-June-30,--1989,--and  
 8 section-3-terminates-on-that-date. SECTION 4 TERMINATES JUNE  
 9 30, 1989.

-End-

APPROVED BY COMMITTEE  
ON APPROPRIATIONS

HOUSE BILL NO. 660

INTRODUCED BY PECK, NATHE, MCCALLUM, BENGTON

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE BY STATUTE,  
RATHER THAN BOILERPLATE LANGUAGE IN THE GENERAL  
APPROPRIATION ACT, THE APPROPRIATION AUTHORIZATION FOR THE  
MONTANA UNIVERSITY SYSTEM; TO HAVE THE LEGISLATURE ESTABLISH  
RECEIVE THE CURRENT DESIGNATED FUND-APPROPRIATION-BEGINNING  
IN-THE-1991-BIENNIIUM SUBFUND REPORT EACH YEAR; AMENDING  
SECTIONS 17-8-101 AND 20-25-425, MCA; AND PROVIDING AN  
EFFECTIVE DATE AND A TERMINATION DATE."

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

Section 1. Section 17-8-101, MCA, is amended to read:

"17-8-101. Appropriation and disbursement of moneys  
from the treasury. (1) Moneys Except as provided in  
20-25-302 AND 20-25-402, money deposited in the general  
fund, the special revenue fund type, the enterprise fund  
type, the internal service fund type, and the capital  
projects fund type, the current unrestricted subfund, and  
the plant fund, with the exception of refunds authorized in  
subsection (3), shall be paid out of the treasury only on  
appropriation made by law.

(2) Moneys deposited in the debt service fund type,  
expendable trust fund type, nonexpendable trust fund type,

pension trust fund type, and agency fund type AND FUNDS THAT  
MAY BE EXPENDED FROM THE UNIVERSITY PLANT FUND UNDER  
AUTHORITY GRANTED THE BOARD OF REGENTS UNDER 20-25-302 AND  
20-25-402 may be paid out of the treasury under general  
laws, or contracts entered into in pursuance of law,  
permitting such disbursement.

(3) Money paid into the state treasury through error  
or under circumstances, such that the state is not legally  
entitled to retain it and a refund procedure is not  
otherwise provided by law, may be refunded upon the  
submission of a verified claim approved by the department of  
administration."

~~Section 2. Section 17-8-101, MCA, is amended to read:~~

~~"17-8-101. Appropriation and disbursement of moneys  
from the treasury. (1) Moneys Except as provided in  
20-25-302, money deposited in the general fund, the special  
revenue fund type, the enterprise fund type, the internal  
service fund type, and the capital projects fund type, the  
current unrestricted subfund, the current designated  
subfund, and the plant fund, with the exception of refunds  
authorized in subsection (3), shall be paid out of the  
treasury only on appropriation made by law.~~

~~(2) Moneys deposited in the debt service fund type,  
expendable trust fund type, nonexpendable trust fund type,  
pension trust fund type, and agency fund type may be paid~~





1 out-of-the-treasury-under-general-laws, or contracts entered  
2 into-in-pursuance-of-law, permitting such disbursement.

3 (3) Money paid into the state treasury through error  
4 or under circumstances, such that the state is not legally  
5 entitled to retain it and a refund procedure is not  
6 otherwise provided by law, may be refunded upon the  
7 submission of a verified claim approved by the department of  
8 administration."

9 NEW SECTION. Section 2. University fund spending  
10 authority. (1) The spending authority for all funds  
11 appropriated for the university system other than the plant  
12 funds and the current unrestricted subfunds is contingent  
13 upon approval by the board of regents of a comprehensive  
14 program budget by July 1 of each year. The comprehensive  
15 program budget must contain detailed revenues, expenditures,  
16 and anticipated fund balances for current funds, loan funds,  
17 and endowment funds.

18 (2) All movement of funds between the current  
19 unrestricted subfund account and the current designated  
20 subfund account must be clearly identified in the state  
21 budgeting and accounting system.

22 (3) Programs for the comprehensive university budget  
23 include instruction, organized research, public service,  
24 academic support, student services, institutional support,  
25 operation and maintenance of plant, scholarships, and

1 fellowships.

2 NEW SECTION. Section 4. University fund spending  
3 authority. (1) The spending authority for all funds  
4 appropriated for the university system other than the plant  
5 funds, the current designated subfunds, and the current  
6 unrestricted subfunds is contingent upon approval by the  
7 board of regents of a comprehensive program budget by July 1  
8 of each year. The comprehensive program budget must contain  
9 detailed revenues, expenditures, and anticipated fund  
10 balances for current funds, loan funds, and endowment funds.

11 (2) All movement of funds between the current  
12 unrestricted subfund account and the current designated  
13 subfund account must be clearly identified in the state  
14 budgeting and accounting system.

15 (3) Programs for the comprehensive university budget  
16 include instruction, organized research, public service,  
17 academic support, student services, institutional support,  
18 operation and maintenance of plant, scholarships, and  
19 fellowships.

20 NEW SECTION. SECTION 3. DETAILED REPORT ON DESIGNATED  
21 SUBFUND. THE BOARD OF REGENTS SHALL, BY OCTOBER 1 OF EACH  
22 YEAR, SUBMIT A DETAILED REPORT TO THE LEGISLATIVE FINANCE  
23 COMMITTEE ON EACH DESIGNATED SUBFUND ACCOUNT. THE REPORT  
24 SHALL SPECIFICALLY IDENTIFY:

25 (1) THE SOURCE OF REVENUE FOR EACH ACCOUNT AND THE

1 LEGAL AUTHORITY FOR RAISING THE REVENUE;  
 2 (2) TRANSFERS FROM OR TO OTHER FUNDS AND OTHER  
 3 DESIGNATED ACCOUNTS;  
 4 (3) CATEGORIES OF EXPENDITURES;  
 5 (4) NUMBER AND TYPE OF FTE; AND  
 6 (5) THE ENDING FUND BALANCE AND THE UNRESERVED ENDING  
 7 FUND BALANCE.

8 NEW SECTION. SECTION 4. MAJOR UNIVERSITY SYSTEM  
 9 RECHARGE CENTERS SUBJECT TO APPROPRIATION. THE BOARD OF  
 10 REGENTS SHALL PRESENT IN THE MANNER SET FORTH IN 17-7-111,  
 11 FOR LEGISLATIVE CONSIDERATION AND APPROPRIATION, PROPOSALS  
 12 RELATING TO MAJOR RECHARGE CENTERS, SUCH AS THE COMPUTER  
 13 CENTER, MOTOR POOL, AND MAINTENANCE AND SERVICE CENTERS.

14 Section 5. Section 20-25-425, MCA, is amended to read:  
 15 "20-25-425. Control of expenditures. Pursuant to  
 16 [~~section--3--or~~ SECTIONS 2 THROUGH 4], the terms of  
 17 appropriations of the legislature or of congress or of gifts  
 18 of donors, the regents shall determine the need for all  
 19 expenditures and control the purposes for which all funds  
 20 shall be spent, subject to the provisions of the law dealing  
 21 with state purchases."

22 NEW SECTION. Section 6. Codification instruction.  
 23 Sections 3-and 2 THROUGH 4 are intended to be codified as an  
 24 integral part of Title 20, chapter 25, part 4, and the  
 25 provisions of Title 20, chapter 25, part 4, apply to

1 sections 3-and-4 17, CHAPTER 8, PART 1, AND THE PROVISIONS  
 2 OF TITLE 17, CHAPTER 8, PART 1, APPLY TO SECTIONS 2 THROUGH  
 3 4.

4 NEW SECTION. Section 7. Effective dates --  
 5 termination. (1) Sections 17-37-57-and-this-section-are THIS  
 6 ACT IS effective July 1, 1987.

7 (2) Sections 2-and-4-are-effective-June-30,1989,-and  
 8 section-3-terminates-on-that-date. SECTION 4 TERMINATES JUNE  
 9 30, 1989.

-End-

## 1 HOUSE BILL NO. 660

2 INTRODUCED BY PECK, NATHE, MCCALLUM, BENGTON

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE BY STATUTE,  
5 RATHER THAN BOILERPLATE LANGUAGE IN THE GENERAL  
6 APPROPRIATION ACT, THE APPROPRIATION AUTHORIZATION FOR THE  
7 MONTANA UNIVERSITY SYSTEM; TO HAVE THE LEGISLATURE ESTABLISH  
8 RECEIVE THE CURRENT DESIGNATED FUND-APPROPRIATION-BEGINNING  
9 IN-THE-1991-BIENNIAL SUBFUND REPORT EACH YEAR; AMENDING  
10 SECTIONS 17-8-101 AND 20-25-425, MCA; AND PROVIDING AN  
11 EFFECTIVE DATE AND A TERMINATION DATE."  
12

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

14 Section 1. Section 17-8-101, MCA, is amended to read:

15 "17-8-101. Appropriation and disbursement of moneys  
16 from the treasury. (1) Moneys Except as provided in  
17 20-25-302 AND 20-25-402, money deposited in the general  
18 fund, the special revenue fund type, the enterprise fund  
19 type, the internal service fund type, and the capital  
20 projects fund type, the current unrestricted subfund, and  
21 the plant fund, with the exception of refunds authorized in  
22 subsection (3), shall be paid out of the treasury only on  
23 appropriation made by law.

24 (2) Moneys deposited in the debt service fund type,  
25 expendable trust fund type, nonexpendable trust fund type,

1 pension trust fund type, and agency fund type AND FUNDS THAT  
2 MAY BE EXPENDED FROM THE UNIVERSITY PLANT FUND UNDER  
3 AUTHORITY GRANTED THE BOARD OF REGENTS UNDER 20-25-302 AND  
4 20-25-402 may be paid out of the treasury under general  
5 laws, or contracts entered into in pursuance of law,  
6 permitting such disbursement.

7 (3) Money paid into the state treasury through error  
8 or under circumstances, such that the state is not legally  
9 entitled to retain it and a refund procedure is not  
10 otherwise provided by law, may be refunded upon the  
11 submission of a verified claim approved by the department of  
12 administration."

13 Section 2. ~~Section 17-8-101, MCA, is amended to read:~~

14 ~~"17-8-101. Appropriation and disbursement of moneys~~  
15 ~~from the treasury. (1) Moneys Except as provided in~~  
16 ~~20-25-302, money deposited in the general fund, the special~~  
17 ~~revenue fund type, the enterprise fund type, the internal~~  
18 ~~service fund type, and the capital projects fund type, the~~  
19 ~~current unrestricted subfund, the current designated~~  
20 ~~subfund, and the plant fund, with the exception of refunds~~  
21 ~~authorized in subsection (3), shall be paid out of the~~  
22 ~~treasury only on appropriation made by law.~~

23 ~~(2) Moneys deposited in the debt service fund type,~~  
24 ~~expendable trust fund type, nonexpendable trust fund type,~~  
25 ~~pension trust fund type, and agency fund type may be paid~~

1 out-of-the-treasury-under-general-laws-or-contracts-entered  
2 into-in-pursuance-of-law-permitting-such-disbursement:

3 (3)--Money--paid--into--the--state--treasury--through--error  
4 or--under--circumstances--such--that--the--state--is--not--legally  
5 entitled--to--retain--it--and--a--refund--procedure--is--not  
6 otherwise--provided--by--law--may--be--refunded--upon--the  
7 submission--of--a--verified--claim--approved--by--the--department--of  
8 administration:"

9 NEW SECTION. Section 2. University fund spending  
10 authority. (1) The spending authority for all funds  
11 appropriated for the university system other than the plant  
12 funds and the current unrestricted subfunds is contingent  
13 upon approval by the board of regents of a comprehensive  
14 program budget by July 1 of each year. The comprehensive  
15 program budget must contain detailed revenues, expenditures,  
16 and anticipated fund balances for current funds, loan funds,  
17 and endowment funds.

18 (2) All movement of funds between the current  
19 unrestricted subfund account and the current designated  
20 subfund account must be clearly identified in the state  
21 budgeting and accounting system.

22 (3) Programs for the comprehensive university budget  
23 include instruction, organized research, public service,  
24 academic support, student services, institutional support,  
25 operation and maintenance of plant, scholarships, and

1 fellowships.

2 NEW SECTION. Section 4. University fund spending  
3 authority:--(1)--The--spending--authority--for--all--funds  
4 appropriated-for-the-university-system-other-than-the-plant  
5 funds--the--current--designated--subfunds--and--the--current  
6 unrestricted-subfunds-is-contingent-upon-approval-by-the  
7 board-of-regents-of-a-comprehensive-program-budget-by-July-1  
8 of--each-year--The-comprehensive-program-budget-must-contain  
9 detailed-revenues--expenditures--and--anticipated--fund  
10 balances-for-current-funds--loan-funds--and--endowment-funds--

11 (2)--All--movement--of--funds--between--the--current  
12 unrestricted-subfund-account--and--the--current--designated  
13 subfund-account--must--be--clearly--identified--in--the--state  
14 budgeting-and-accounting-system:

15 (3)--Programs-for-the-comprehensive-university-budget  
16 include--instruction--organized--research--public-service--  
17 academic-support--student-services--institutional-support--  
18 operation--and--maintenance--of--plant--scholarships--and  
19 fellowships:

20 NEW SECTION. SECTION 3. DETAILED REPORT ON DESIGNATED  
21 SUBFUND. THE BOARD OF REGENTS SHALL, BY OCTOBER 1 OF EACH  
22 YEAR, SUBMIT A DETAILED REPORT TO THE LEGISLATIVE FINANCE  
23 COMMITTEE ON EACH DESIGNATED SUBFUND ACCOUNT. THE REPORT  
24 SHALL SPECIFICALLY IDENTIFY:

25 (1) THE SOURCE OF REVENUE FOR EACH ACCOUNT AND THE

1 LEGAL AUTHORITY FOR RAISING THE REVENUE;  
 2 (2) TRANSFERS FROM OR TO OTHER FUNDS AND OTHER  
 3 DESIGNATED ACCOUNTS;  
 4 (3) CATEGORIES OF EXPENDITURES;  
 5 (4) NUMBER AND TYPE OF FTE; AND  
 6 (5) THE ENDING FUND BALANCE AND THE UNRESERVED ENDING  
 7 FUND BALANCE.

8 NEW SECTION. SECTION 4. MAJOR UNIVERSITY SYSTEM  
 9 RECHARGE CENTERS SUBJECT TO APPROPRIATION. THE BOARD OF  
 10 REGENTS SHALL PRESENT IN THE MANNER SET FORTH IN 17-7-111,  
 11 FOR LEGISLATIVE CONSIDERATION AND APPROPRIATION, PROPOSALS  
 12 RELATING TO MAJOR RECHARGE CENTERS, SUCH AS THE COMPUTER  
 13 CENTER, MOTOR POOL, AND MAINTENANCE AND SERVICE CENTERS.

14 Section 5. Section 20-25-425, MCA, is amended to read:  
 15 "20-25-425. Control of expenditures. Pursuant to  
 16 [~~section--3--or~~ SECTIONS 2 THROUGH 4], the terms of  
 17 appropriations of the legislature or of congress or of gifts  
 18 of donors, the regents shall determine the need for all  
 19 expenditures and control the purposes for which all funds  
 20 shall be spent, subject to the provisions of the law dealing  
 21 with state purchases."

22 NEW SECTION. Section 6. Codification instruction.  
 23 Sections 3-and 2 THROUGH 4 are intended to be codified as an  
 24 integral part of Title 20,--chapter--25,--part--4,--and--the  
 25 provisions--of--Title--20,--chapter--25,--part--4--apply-to

1 sections-3-and-4 17, CHAPTER 8, PART 1, AND THE PROVISIONS  
 2 OF TITLE 17, CHAPTER 8, PART 1, APPLY TO SECTIONS 2 THROUGH  
 3 4.  
 4 NEW SECTION. Section 7. Effective dates --  
 5 termination. (1) Sections-17-37-57-and-this-section-are THIS  
 6 ACT IS effective July 1, 1987.  
 7 (2) Sections--2-and-4-are-effective-June-30,--1989,--and  
 8 section-3-terminates-on-that-date. SECTION 4 TERMINATES JUNE  
 9 30, 1989.

-End-