

SENATE BILL 225

Introduced by Keating, et al.

1/25	Introduced
1/25	Referred to Natural Resources
2/06	Hearing
2/14	Committee Report--Bill Not Passed as Amended
2/14	Adverse Committee Report Adopted

1 *Senate* BILL NO. *225*
2 INTRODUCED BY *Leating, Rep*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ELIMINATE THE
5 STATUTORY ALLOCATION OF RESOURCE INDEMNITY TRUST INTEREST
6 INCOME TO THE RENEWABLE RESOURCE DEVELOPMENT ACCOUNT;
7 AMENDING SECTIONS 15-38-202, 15-38-203, AND 90-2-1104, MCA;
8 AND PROVIDING AN EFFECTIVE DATE."
9

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

11 **Section 1.** Section 15-38-202, MCA, is amended to read:

12 "15-38-202. Investment of resource indemnity trust
13 fund -- expenditure -- minimum balance. (1) All moneys paid
14 into the resource indemnity trust fund shall be invested at
15 the discretion of the board of investments. All the net
16 earnings accruing to the resource indemnity trust fund shall
17 annually be added thereto until it has reached the sum of
18 \$10 million. Thereafter, only the net earnings may be
19 appropriated and expended until the fund reaches \$100
20 million. Thereafter, all net earnings and all receipts shall
21 be appropriated by the legislature and expended, provided
22 that the balance in the fund may never be less than \$100
23 million.

24 (2) At the beginning of each biennium, an amount not
25 to exceed \$175,000 is allocated from the interest income of

1 the resource indemnity trust fund to the environmental
2 contingency account pursuant to the conditions of 75-1-1101.
3 The remainder of the interest income is allocated as
4 follows:

5 (a) Beginning in fiscal year 1982, provided the amount
6 in the resource indemnity trust fund is greater than \$10
7 million, 30% of the interest income of the resource
8 indemnity trust fund must be allocated to the water
9 development state special revenue account created by
10 85-1-604.

11 (b) Beginning in fiscal year 1988, 12% of the interest
12 income of the resource indemnity trust fund must be
13 allocated to the hazardous waste/CERCLA special revenue
14 account provided for in 75-10-621.

15 (c) Beginning in fiscal year 1990, 8% of the interest
16 income from the resource indemnity trust fund must be
17 allocated to the ~~renewable--resource--development-account~~
18 ~~provided-for-in-Title-90, chapter--2~~ general fund of the
19 state.

20 (d) Beginning in fiscal year 1990, 46% of the interest
21 income from the resource indemnity trust fund must be
22 allocated to the reclamation and development grants account
23 provided for in 90-2-1104.

24 (e) Beginning in fiscal year 1990, 4% of the interest
25 income of the resource indemnity trust fund must be

1 allocated to the environmental quality protection fund
2 provided for in 75-10-704.

3 (3) Any formal budget document prepared by the
4 legislature or the executive branch that proposes to
5 appropriate funds from the resource indemnity trust interest
6 account other than as provided for by the allocations in
7 subsection (2) must specify the amount of money from each
8 allocation that is proposed to be diverted and the proposed
9 use of the diverted funds. A formal budget document includes
10 a printed and publicly distributed budget proposal or
11 recommendation, an introduced bill, or a bill developed
12 during the legislative appropriation process or otherwise
13 during a legislative session."

14 **Section 2.** Section 15-38-203, MCA, is amended to read:

15 "15-38-203. Purpose of fund usage ~~----limitation--on~~
16 ~~future-use. {1}-Any~~ Beginning in fiscal year 1990, a minimum
17 of 92% of the funds made available under this chapter shall
18 must be used and expended to improve the total environment
19 and rectify damage thereto.

20 ~~{2}--It--is--the--intent-of-the-legislature-that-future~~
21 ~~appropriations-from-the-resource--indemnity--trust--interest~~
22 ~~account--not--be--made-to-fund-general-operating-expenses-of~~
23 ~~state-agencies."~~

24 **Section 3.** Section 90-2-1104, MCA, is amended to read:

25 "90-2-1104. Reclamation and development grants

1 account. (1) There is a reclamation and development grants
2 special revenue account within the state special revenue
3 fund established in 17-2-102.

4 (2) There must be paid into the reclamation and
5 development grants account money ~~allocated~~ appropriated by
6 the legislature from the interest income of the resource
7 indemnity trust fund ~~under-the-provisions-of-15-38-202.~~

8 (3) Appropriations may be made from the reclamation
9 and development grants account for the following purposes:

10 (a) grants for designated projects; and

11 (b) administrative expenses, including the salaries
12 and expenses of personnel, equipment, office space, and
13 other expenses necessarily incurred in the administration of
14 the grants program. These expenses may be funded prior to
15 funding of projects."

16 NEW SECTION. **Section 4.** Effective date. [This act] is
17 effective July 1, 1989.

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