

SENATE BILL NO. 256

INTRODUCED BY MCLANE, KELLER, WEEDING, SPAETH,
CAMPBELL, GIACOMETTO, BISHOP, NOBLE

IN THE SENATE

JANUARY 26, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
FEBRUARY 10, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 11, 1989	PRINTING REPORT.
FEBRUARY 14, 1989	SECOND READING, DO PASS.
FEBRUARY 15, 1989	ENGROSSING REPORT.
FEBRUARY 16, 1989	THIRD READING, PASSED. AYES, 48; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 16, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
FEBRUARY 20, 1989	FIRST READING.
MARCH 13, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 15, 1989	SECOND READING, CONCURRED IN AS AMENDED.
MARCH 17, 1989	THIRD READING, CONCURRED IN. AYES, 93; NOES, 3.
	RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 1, 1989

RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 4, 1989

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Donna* BILL NO. *256*
2 INTRODUCED BY *McL...* *W...*
3 *Cargill* *Di...* *B...*
4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
5 CREATION OF A COUNTY ROAD AND BRIDGE DEPRECIATION RESERVE
6 FUND; PROVIDING FOR USE OF THE FUND; AND PROVIDING AN
7 IMMEDIATE EFFECTIVE DATE."
8

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

10 NEW SECTION. Section 1. County road and bridge
11 depreciation reserve fund. (1) The governing body of a
12 county may establish a road and bridge depreciation reserve
13 fund to be used for acquisition and replacement of property,
14 capital improvements, and equipment necessary to maintain
15 and improve county road and bridge facilities and services.
16 (2) County road and bridge money that has not been
17 expended or encumbered for a fiscal year must be deposited
18 in the road and bridge depreciation reserve fund. County
19 road and bridge money includes county road and bridge
20 appropriations; license and permit fees; federal, state, and
21 other revenues; and grants.
22 (3) Money in the road and bridge depreciation reserve
23 fund must be invested as provided by law. Interest and
24 income from the investment of the road and bridge
25 depreciation reserve fund must be credited to the fund.

1 NEW SECTION. Section 2. Effective date. [This act] is
2 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB256, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

SB256 would authorize creation of a county road and bridge depreciation reserve fund.

ASSUMPTIONS:

1. Creation of the depreciation reserve fund would be discretionary.
2. Once the reserve is created, however, all road and bridge fund cash at fiscal year-end would have to be transferred to the new fund.
3. There is no state fiscal impact.
4. Establishment of a capital improvement fund is currently authorized by Sections 7-6-2219 through 7-6-2221, MCA.

FISCAL IMPACT: None for state.

TECHNICAL NOTES:

1. A depreciation reserve could cause budget problems for some counties if it were determined the cash in reserve were included in the 33 1/3% of budget requirement.
2. Questions may occur as to whether the Act would apply to the special voter-approved levies authorized in 7-14-2503 and 7-14-2504, MCA.

2/2/89

RAY SHACKLEFORD, BUDGET DIRECTOR DATE
OFFICE OF BUDGET AND PROGRAM PLANNING



HARRY H. MCLANE, PRIMARY SPONSOR

DATE

Fiscal Note for SB256, as introduced

SB 256

APPROVED BY COMM.
ON LOCAL GOVERNMENT

SENATE BILL NO. 256

INTRODUCED BY MCLANE, KELLER, WEEDING, SPAETH,

CAMPBELL, GIACOMETTO, BISHOP, NOBLE

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
CREATION OF A COUNTY ROAD AND BRIDGE DEPRECIATION RESERVE
FUND; AND PROVIDING FOR USE OF THE FUND; ~~AND PROVIDING AN~~
~~IMMEDIATE-EFFECTIVE-DATE.~~"

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

NEW SECTION. **Section 1.** County road and bridge
depreciation reserve fund. (1) The governing body of a
county may establish a road and bridge depreciation reserve
fund to be used for acquisition and replacement of property,
capital improvements, and equipment necessary to maintain
and improve county road and bridge facilities and services.

(2) ~~County~~ BUDGETED COUNTY road and bridge money that
has not been expended or encumbered for a fiscal year ~~must~~
MAY be deposited in the road and bridge depreciation reserve
fund. ~~County-road-and-bridge-money-includes-county-road--and~~
~~bridge--appropriations;--license--and--permit-fees;--federal;~~
~~state;--and-other-revenues;--and-grants;~~

(3) Money in the road and bridge depreciation reserve
fund must be invested as provided by law. Interest and
income from the investment of the road and bridge

depreciation reserve fund must be credited to the fund.

~~NEW-SECTION--Section-2--Effective-date---{This-act}~~
~~is-effective-on-passage-and-approval;~~

-End-

SENATE BILL NO. 256

INTRODUCED BY MCLANE, KELLER, WEEDING, SPAETH,

CAMPBELL, GIACOMETTO, BISHOP, NOBLE

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
CREATION OF A COUNTY ROAD AND BRIDGE DEPRECIATION RESERVE
FUND; ~~AND PROVIDING FOR USE OF THE FUND;--AND--PROVIDING--AN~~
~~IMMEDIATE--EFFECTIVE--DATE.~~"

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

NEW SECTION. **Section 1.** County road and bridge
depreciation reserve fund. (1) The governing body of a
county may establish a road and bridge depreciation reserve
fund to be used for acquisition and replacement of property,
capital improvements, and equipment necessary to maintain
and improve county road and bridge facilities and services.

(2) County BUDGETED COUNTY road and bridge money that
has not been expended or encumbered for a fiscal year must
MAY be deposited in the road and bridge depreciation reserve
fund. ~~County-road-and-bridge-money-includes-county-road--and~~
~~bridge--appropriations;--license--and--permit-fees;--federal;~~
~~state;--and--other-revenues;--and--grants;~~

(3) Money in the road and bridge depreciation reserve
fund must be invested as provided by law. Interest and
income from the investment of the road and bridge

depreciation reserve fund must be credited to the fund.

~~NEW-SECTION. Section 2. Effective date,---{This act}~~~~is-effective-on-passage-and-approval;~~

-End-

COMMITTEE OF THE WHOLE AMENDMENT
SENATE BILL 256
Representative Vern Keller

March 14, 1989 11:05 am
Page 1 of 1

Mr. Chairman: I move to amend SENATE BILL 256 (third reading copy -- blue).

Signed: Vern Keller
Representative Vern Keller

And, that such amendments to SENATE BILL 256 read as follows:

1. Title, line 7.

Strike: "AND"

Insert: ";

2. Title, line 8.

Following: "DATE"

Insert: "; AND LIMITING THE AMOUNT OF THE FUND"

3. Page 1, line 12.

Following: "fund"

Insert: "-- limitation"

4. Page 1, line 20.

Following: "fund."

Insert: "The fund may not exceed \$200,000."

ADOPT

REJECT

HOUSE

591105CW.HBV
SB 256

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A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
CREATION OF A COUNTY ROAD AND BRIDGE DEPRECIATION RESERVE
FUND; ~~AND; PROVIDING FOR USE OF THE FUND;--AND--PROVIDING--AN~~
~~IMMEDIATE--EFFECTIVE--DATE; AND LIMITING THE AMOUNT OF THE~~
FUND."

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

NEW SECTION. Section 1. County road and bridge
depreciation reserve fund -- LIMITATION. (1) The governing
body of a county may establish a road and bridge
depreciation reserve fund to be used for acquisition and
replacement of property, capital improvements, and equipment
necessary to maintain and improve county road and bridge
facilities and services.

(2) County BUDGETED COUNTY road and bridge money that
has not been expended or encumbered for a fiscal year must
MAY be deposited in the road and bridge depreciation reserve
fund. THE FUND MAY NOT EXCEED \$200,000. ~~County-road-and~~
~~bridge-money-includes-county-road-and-bridge-appropriations;~~
~~license-and-permit-fees;-federal;-state;-and-other-revenues;~~
~~and-grants-~~

(3) Money in the road and bridge depreciation reserve
fund must be invested as provided by law. Interest and
income from the investment of the road and bridge
depreciation reserve fund must be credited to the fund.

~~NEW-SECTION--Section 2--Effective date--(This act)~~
~~is-effective-on-passage-and-approval-~~

-End-