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*House* BILL NO. 354

INTRODUCED BY Cobb

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT UNEXPENDED GENERAL FUND APPROPRIATIONS ABOVE ANTICIPATED REVERSIONS FROM A GENERAL APPROPRIATIONS ACT REVERT TO THE LONG-RANGE BUILDING PROGRAM ACCOUNT; AMENDING SECTIONS 17-7-205 AND 17-7-304, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 17-7-205, MCA, is amended to read:

**"17-7-205. Long-range building program account.** (1) There is a long-range building program account in the capital projects fund type.

(2) Cigarette tax revenue deposited in the account pursuant to 16-11-119 must be obligated prior to obligating other funds in the account.

(3) Coal severance taxes allocated to the account under 15-35-108 may be appropriated for the long-range building program or debt service payments on building projects. Coal severance taxes required for general obligation bond debt service may be transferred to the debt service fund.

(4) Reversions allocated to the account under 17-7-304 may be appropriated for the long-range building program.

~~(4)~~(5) Interest earnings, project carryover funds, administrative fees, and miscellaneous revenue must be retained in the account."

**Section 2.** Section 17-7-304, MCA, is amended to read:

**"17-7-304. (Temporary) Disposal of unexpended appropriations.** (1) (a) ~~All~~ Subject to subsection (1)(b), money appropriated for any specific purpose except that appropriated for the university system units listed in subsection (2) and except as provided in subsection (4) must, after the expiration of the time for which appropriated, revert to the several funds and accounts from which originally appropriated. However, any unexpended balance in any specific appropriation may be used for the years for which the appropriation was made.



*HB 354*  
INTRODUCED BILL

1           **(b) Money appropriated from the general fund in a general appropriations act in excess of the**  
2 **anticipated reversions established in this subsection reverts to the long-range building program account**  
3 **established in 17-7-205. Any reversion that would be made to the general fund in excess of the following**  
4 **reverts to the long-range building program account:**

5           **(i) \$15,900,000 in fiscal year 1997;**

6           **(ii) \$5 million in fiscal year 1998; and**

7           **(iii) \$5 million in fiscal year 1999.**

8           (2) Except as provided in 17-2-108 and subsection (3) of this section, all money appropriated for  
9 the university of Montana campuses at Missoula, Butte, Dillon, and Helena and the Montana state university  
10 campuses at Bozeman, Billings, Havre, and Great Falls, the agricultural experiment station with central  
11 offices at Bozeman, the forest and conservation experiment station with central offices at Missoula, the  
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16 a long-term plan for major and deferred maintenance expenditures and equipment or fixed assets purchases  
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19 time to address changing needs and priorities. The board of regents shall communicate the plan to each  
20 legislature, to the legislative finance committee when requested by the legislative finance committee, and  
21 to the office of budget and program planning.

22           (3) Subsection (2) does not apply to reversions that are the result of a reduction in spending  
23 directed by the governor pursuant to 17-7-140. Any amount that is a result of a reduction in spending  
24 directed by the governor must revert to the fund or account from which it was originally appropriated.

25           (4) For the 2 years following the end of a fiscal year, 30% of the money appropriated to an agency  
26 for that year by the general appropriations act for personal services, operating expenses, and equipment  
27 and remaining unexpended and unencumbered at the end of the year may be spent for any purpose that  
28 is consistent with the goals and objectives of the agency. The dollar amount of the 30% amount that may  
29 be carried forward and spent must be determined by the office of budget and program planning.

30 (Terminates July 1, 1997--sec. 13, Ch. 23, Sp. L. November 1993.)

1           **17-7-304. (Effective July 1, 1997) Disposal of unexpended appropriations.** (1) (a) All Subject to  
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STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0354, as introduced

DESCRIPTION OF PROPOSED LEGISLATION: An act providing that unexpended general fund appropriations above anticipated reversions from a general appropriation act revert to the long-range building program account.

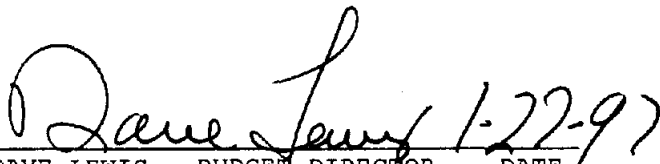
ASSUMPTIONS:

1. The general fund balance sheet for the executive budget assumes reversions of the amounts referenced in the bill.
2. It is assumed the amounts would revert to the "cash" portion of the long-range building account and not the debt service account that is transferred to the general fund.

FISCAL IMPACT:

The proposal would "transfer" HB 2 general fund appropriation authority reversions in excess of the amounts anticipated in the executive budget from the general fund to the long-range building account. If this occurs, the general fund available for appropriation by the Fifty-Sixth Legislature will be reduced by the excess amount transferred to the long-range building account. The amount available in the long-range bond account will be increased by a like amount.

Good B.!!

  
DAVE LEWIS, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning

      1/28/97  
JOHN COBB, PRIMARY SPONSOR      DATE

Fiscal Note for HB0354, as introduced

**HB 354**

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2 INTRODUCED BY COBB

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