

HOUSE BILL NO. 179

INTRODUCED BY PHILLIPS, PAVLOVICH, DAILY, GERVAIS,
R. DEBRUYCKER, SIMPKINS, SPRING, FELAND, HAYNE, BACHINI,
NATHE, HARDING, BURNETT, DEVLIN, BRUSKI, JERGESON

IN THE HOUSE

JANUARY 15, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON APPROPRIATIONS.

 FIRST READING.

MARCH 25, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

MARCH 26, 1991 PRINTING REPORT.

MARCH 27, 1991 SECOND READING, DO PASS.

MARCH 28, 1991 ENGROSSING REPORT.

 THIRD READING, PASSED.
AYES, 89; NOES, 8.

 TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 28, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON FINANCE & CLAIMS.

 FIRST READING.

APRIL 12, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

APRIL 13, 1991 SECOND READING, CONCURRED IN.

APRIL 15, 1991 THIRD READING, CONCURRED IN.
AYES, 48; NOES, 0.

 RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

 RECEIVED FROM SENATE.

APRIL 17, 1991 SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 18, 1991

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

APRIL 19, 1991

REPORTED CORRECTLY ENROLLED.

APRIL 20, 1991

SIGNED BY PRESIDENT.

SIGNED BY SPEAKER.

DELIVERED TO GOVERNOR.

APRIL 25, 1991

RETURNED FROM GOVERNOR WITH
RECOMMENDED AMENDMENTS.

SECOND READING, GOVERNOR'S
AMENDMENTS CONCURRED IN.

IN THE SENATE

APRIL 29, 1991

SECOND READING, GOVERNOR'S
AMENDMENTS CONCURRED IN.

THIRD READING, GOVERNOR'S
AMENDMENTS CONCURRED IN.

IN THE HOUSE

APRIL 29, 1991

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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House BILL NO. 179

INTRODUCED BY *Phillip Carlinsky Daily Journal*
NATHAN HARDING
 A BILL FOR AN ACT ENTITLED: "AN ACT MAKING A STATUTORY
 APPROPRIATION OF REVENUE FROM THE STATE LOTTERY TO THE

6 DEPARTMENT OF MILITARY AFFAIRS FOR THE UPGRADING AND
 7 MAINTENANCE OF THE STATE VETERANS' CEMETERY; AMENDING
 8 SECTION 23-5-1027, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

11 **Section 1.** Section 23-5-1027, MCA, is amended to read:

12 "23-5-1027. **Disposition of revenue.** (1) A minimum of
 13 45% of the money paid for tickets or chances must be paid
 14 out as prize money. The prize money is statutorily
 15 appropriated, as provided in 17-7-502, to the lottery.

16 (2) Commissions paid to lottery ticket or chance sales
 17 agents are not a state lottery operating expense.

18 (3) The amount of \$50,000 must be paid each fiscal year
 19 from the enterprise fund established by 23-5-1026 to the
 20 department of military affairs for the upgrading and
 21 maintenance of the state veteran's cemetery established by
 22 10-2-601 and located at Fort William Henry Harrison. This
 23 amount is statutorily appropriated, as provided in 17-7-502,
 24 to the department of military affairs.

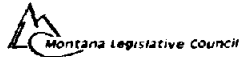
25 †3) (4) That part of all gross revenue not used for the

1 payment of prizes, commissions, and operating expenses and
 2 not appropriated to the department of military affairs under
 3 subsection (3), together with the interest earned on the
 4 gross revenue while the gross revenue is in the enterprise
 5 fund, is net revenue and must be paid quarterly from the
 6 enterprise fund established by 23-5-1026 to the
 7 superintendent of public instruction for distribution as
 8 state equalization aid to the public schools of Montana as
 9 provided in 20-9-343. The net revenue is statutorily
 10 appropriated, as provided in 17-7-502, to the superintendent
 11 of public instruction.

12 †4) (5) The spending authority of the lottery may be
 13 increased in accordance with this section upon review and
 14 approval of a revised operation plan by the budget office."

15 NEW SECTION. Section 2. Effective date. [This act] is
 16 effective July 1, 1991.

-End-



-2- INTRODUCED BILL
 HB 179

APPROVED BY COMMITTEE
ON APPROPRIATIONS

HOUSE BILL NO. 179

INTRODUCED BY PHILLIPS, PAVLOVICH, DAILY, GERVAIS,
R. DEBRUYCKER, SIMPKINS, SPRING, FELAND, HAYNE, BACHINI,
NATHE, HARDING, BURNETT, DEVLIN, BRUSKI, JERGESON

A BILL FOR AN ACT ENTITLED: "AN ACT MAKING A STATUTORY
APPROPRIATION OF REVENUE FROM THE STATE LOTTERY
APPROPRIATING FUNDS TO THE DEPARTMENT OF MILITARY AFFAIRS
FOR THE UPGRADING AND MAINTENANCE OF THE STATE VETERANS'
CEMETERY; AMENDING SECTION 23-5-1027, MCA, AND PROVIDING AN
EFFECTIVE DATE."

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

Section 1. Section 23-5-1027, MCA, is amended to read:

"23-5-1027. Disposition of revenue. (1) A minimum of
45% of the money paid for tickets or chances must be paid
out as prize money. The prize money is statutorily
appropriated, as provided in 17-7-5027, to the lottery.

(2) Commissions paid to lottery ticket or chance sales
agents are not a state lottery operating expense.

(3) The amount of \$507,000 must be paid each fiscal year
from the enterprise fund established by 23-5-1026 to the
department of military affairs for the upgrading and
maintenance of the state veteran's cemetery established by
10-2-601 and located at Fort William Henry Harrison. This

~~amount is statutorily appropriated, as provided in 17-7-5027
to the department of military affairs.~~

~~(3)(4) That part of all gross revenue not used for the
payment of prizes, commissions, and operating expenses and
not appropriated to the department of military affairs under
subsection (3) together with the interest earned on the
gross revenue while the gross revenue is in the enterprise
fund is net revenue and must be paid quarterly from the
enterprise fund established by 23-5-1026 to the
superintendent of public instruction for distribution as
state equalization aid to the public schools of Montana as
provided in 20-9-343. The net revenue is statutorily
appropriated, as provided in 17-7-5027, to the superintendent
of public instruction.~~

~~(4)(5) The spending authority of the lottery may be
increased in accordance with this section upon review and
approval of a revised operation plan by the budget office."~~

NEW SECTION. SECTION 1. APPROPRIATION. THERE IS
APPROPRIATED THE FOLLOWING AMOUNTS FROM THE GENERAL FUND TO
THE DEPARTMENT OF MILITARY AFFAIRS FOR THE UPGRADING AND
MAINTENANCE OF THE STATE VETERANS' CEMETERY:

FISCAL YEAR 1992	\$22,806
FISCAL YEAR 1993	22,795

NEW SECTION. Section 2. Effective date. [This act] is
effective July 1, 1991.

-End-

-2-



1 HOUSE BILL NO. 179

2 INTRODUCED BY PHILLIPS, PAVLOVICH, DAILY, GERVAIS,

3 R. DEBRUYCKER, SIMPKINS, SPRING, FELAND, HAYNE, BACHINI,

4 NATHE, HARDING, BURNETT, DEVLIN, BRUSKI, JERGESON

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT MAKING ~~A STATUTORY~~
7 ~~APPROPRIATION OF REVENUE FROM THE STATE LOTTERY~~
8 APPROPRIATING FUNDS TO THE DEPARTMENT OF MILITARY AFFAIRS
9 FOR THE UPGRADING AND MAINTENANCE OF THE STATE VETERANS'
10 CEMETERY; ~~AMENDING SECTION 23-5-1027, MCA,~~ AND PROVIDING AN
11 EFFECTIVE DATE."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:14 ~~Section 1, Section 23-5-1027, MCA, is amended to read:~~

15 ~~"23-5-1027. Disposition of revenue: (1) A minimum of~~
16 ~~45% of the money paid for tickets or chances must be paid~~
17 ~~out as prize money. The prize money is statutorily~~
18 ~~appropriated, as provided in 17-7-5027, to the lottery.~~

19 ~~(2) Commissions paid to lottery ticket or chance sales~~
20 ~~agents are not a state lottery operating expense.~~

21 ~~(3) The amount of \$50,000 must be paid each fiscal year~~
22 ~~from the enterprise fund established by 23-5-1026 to the~~
23 ~~department of military affairs for the upgrading and~~
24 ~~maintenance of the state veterans cemetery established by~~
25 ~~10-2-601 and located at Fort William Henry Harrison. This~~

1 ~~amount is statutorily appropriated, as provided in 17-7-5027,~~
2 ~~to the department of military affairs.~~

3 ~~(3)(4) That part of all gross revenue not used for the~~
4 ~~payment of prizes, commissions, and operating expenses and~~
5 ~~not appropriated to the department of military affairs under~~
6 ~~subsection (3), together with the interest earned on the~~
7 ~~gross revenue while the gross revenue is in the enterprise~~
8 ~~fund, is net revenue and must be paid quarterly from the~~
9 ~~enterprise fund established by 23-5-1026 to the~~
10 ~~superintendent of public instruction for distribution as~~
11 ~~state equalization aid to the public schools of Montana as~~
12 ~~provided in 20-9-343. The net revenue is statutorily~~
13 ~~appropriated, as provided in 17-7-5027, to the superintendent~~
14 ~~of public instruction.~~

15 ~~(4)(5) The spending authority of the lottery may be~~
16 ~~increased in accordance with this section upon review and~~
17 ~~approval of a revised operation plan by the budget office."~~

18 NEW SECTION. SECTION 1. APPROPRIATION. THERE IS
19 APPROPRIATED THE FOLLOWING AMOUNTS FROM THE GENERAL FUND TO
20 THE DEPARTMENT OF MILITARY AFFAIRS FOR THE UPGRADING AND
21 MAINTENANCE OF THE STATE VETERANS' CEMETERY:

22	<u>FISCAL YEAR 1992</u>	<u>\$22,806</u>
23	<u>FISCAL YEAR 1993</u>	<u>22,795</u>

24 NEW SECTION. Section 2. Effective date. [This act] is
25 effective July 1, 1991.

-End-

-2-

HB 179

THIRD READING



SENATE STANDING COMMITTEE REPORT

Page 1 of 1
April 12, 1991

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration House Bill No. 179 (third reading copy -- blue), respectfully report that House Bill No. 179 be amended and as so amended be concurred in:

1. Page 1, line 10.

Following: "CEMETERY;"

Insert: "PROVIDING COORDINATION INSTRUCTIONS;"

2. Page 2.

Following: line 23

Insert: "NEW SECTION. Section 2. Coordination instruction.

[This act] is contingent on passage and approval of Senate Bill No. 461."

Renumber: subsequent section

Signed: Judy H. Jacobson
Judy H. Jacobson, Chairman

JA 4-12-91
Amd. Coord.
SB 4-12-91 11:30
Sec. of Senate

HB 179

SENATE

HOUSE BILL NO. 179

INTRODUCED BY PHILLIPS, PAVLOVICH, DAILY, GERVAIS,
R. DEBRUYCKER, SIMPKINS, SPRING, FELAND, HAYNE, BACHINI,
NATHE, HARDING, BURNETT, DEVLIN, BRUSKI, JERGESON

A BILL FOR AN ACT ENTITLED: "AN ACT MAKING--A--STATUTORY
APPROPRIATION---OF---REVENUE---FROM---THE---STATE---LOTTERY
APPROPRIATING FUNDS TO THE DEPARTMENT OF MILITARY AFFAIRS
FOR THE UPGRADING AND MAINTENANCE OF THE STATE VETERANS'
CEMETERY; PROVIDING COORDINATION INSTRUCTIONS; AMENDING
SECTION-23-5-1027, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section-1, Section-23-5-1027, MCA, is amended to read:

"23-5-1027. Disposition of revenue. (1) A minimum of
45% of the money paid for tickets or chances must be paid
out as prize money. The prize money is statutorily
appropriated, as provided in 17-7-502, to the lottery.

(2) Commissions paid to lottery ticket or chance sales
agents are not a state lottery operating expense.

(3) The amount of \$50,000 must be paid each fiscal year
from the enterprise fund established by 23-5-1026 to the
department of military affairs for the upgrading and
maintenance of the state veterans cemetery established by
10-2-601 and located at Fort William Henry Harrison. This

~~amount is statutorily appropriated, as provided in 17-7-502,
to the department of military affairs.~~

~~(3)(4) That part of all gross revenue not used for the
payment of prizes, commissions, and operating expenses and
not appropriated to the department of military affairs under
subsection (3) together with the interest earned on the
gross revenue while the gross revenue is in the enterprise
fund, is net revenue and must be paid quarterly from the
enterprise fund established by 23-5-1026 to the
superintendent of public instruction for distribution as
state equalization aid to the public schools of Montana as
provided in 20-9-343. The net revenue is statutorily
appropriated, as provided in 17-7-502, to the superintendent
of public instruction.~~

~~(4)(5) The spending authority of the lottery may be
increased in accordance with this section upon review and
approval of a revised operation plan by the budget office."~~

NEW SECTION. SECTION 1. APPROPRIATION. THERE IS
APPROPRIATED THE FOLLOWING AMOUNTS FROM THE GENERAL FUND TO
THE DEPARTMENT OF MILITARY AFFAIRS FOR THE UPGRADING AND
MAINTENANCE OF THE STATE VETERANS' CEMETERY:

FISCAL YEAR 1992	\$22,806
FISCAL YEAR 1993	22,795

NEW SECTION. SECTION 2. COORDINATION INSTRUCTION.
[THIS ACT] IS CONTINGENT ON PASSAGE AND APPROVAL OF SENATE



HB 0179/03

1 BILL NO. 461.

2 NEW SECTION. **Section 3.** Effective date. [This act] is
3 effective July 1, 1991.

-End-

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 179
(REFERENCE COPY, AS AMENDED)
April 25, 1991

1. Title, line 10.
Following: "CEMETERY;"
Strike: "PROVIDING COORDINATION INSTRUCTIONS;"

2. Page 2, line 24 through page 3, line 1.
Strike: Section 2 in its entirety
Renumber: Subsequent sections

Gov. Amend
HB 179



AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF MILITARY AFFAIRS
FOR THE UPGRADING AND MAINTENANCE OF THE STATE VETERANS' CEMETERY;
AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. **Appropriation.** There is appropriated the following amounts from the general fund to the department of military affairs for the upgrading and maintenance of the state veterans' cemetery:

Fiscal year 1992	\$22,806
Fiscal year 1993	22,795

Section 2. **Effective date.** [This act] is effective July 1, 1991.