

HOUSE BILL 33

Introduced by Cobb

6/20      Introduced  
            Died in Process

1 House BILL NO. 33  
2 INTRODUCED BY Cobb

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO STATUTORILY  
5 APPROPRIATE STATE AND COUNTY EQUALIZATION REVENUE FOR THE  
6 SCHOOL FOUNDATION PROGRAM; AMENDING SECTION 17-7-502, MCA;  
7 AND PROVIDING A DELAYED EFFECTIVE DATE."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. **Section 1.** State and county equalization  
11 revenue -- statutory appropriation. Revenue received in  
12 support of state and county equalization under the  
13 provisions of 20-9-331, 20-9-333, and 20-9-343 is  
14 statutorily appropriated, as provided in 17-7-502, to the  
15 superintendent of public instruction to be used for county  
16 equalization and state equalization aid for the public  
17 schools, as provided by law, and must be accounted for in  
18 accordance with generally accepted accounting principles.

19 **Section 2.** Section 17-7-502, MCA, is amended to read:

20 "17-7-502. Statutory appropriations -- definition --  
21 requisites for validity. (1) A statutory appropriation is an  
22 appropriation made by permanent law that authorizes spending  
23 by a state agency without the need for a biennial  
24 legislative appropriation or budget amendment.

25 (2) Except as provided in subsection (4), to be

1 effective, a statutory appropriation must comply with both  
2 of the following provisions:

3 (a) The law containing the statutory authority must be  
4 listed in subsection (3).

5 (b) The law or portion of the law making a statutory  
6 appropriation must specifically state that a statutory  
7 appropriation is made as provided in this section.

8 (3) The following laws are the only laws containing  
9 statutory appropriations: 2-9-202; 2-17-105; 2-18-812;  
10 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304;  
11 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-70-101;  
12 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424;  
13 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205;  
14 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606;  
15 19-12-301; 19-13-604; 20-6-406; 20-8-111; [section 1];  
16 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016;  
17 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150;  
18 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101;  
19 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136;  
20 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306;  
21 and section 13, House Bill No. 861, Laws of 1985.

22 (4) There is a statutory appropriation to pay the  
23 principal, interest, premiums, and costs of issuing, paying,  
24 and securing all bonds, notes, or other obligations, as due,  
25 that have been authorized and issued pursuant to the laws of

LC 0052/01

1 Montana. Agencies that have entered into agreements  
2 authorized by the laws of Montana to pay the state  
3 treasurer, for deposit in accordance with 17-2-101 through  
4 17-2-107, as determined by the state treasurer, an amount  
5 sufficient to pay the principal and interest as due on the  
6 bonds or notes have statutory appropriation authority for  
7 such payments. (In subsection (3), pursuant to sec. 10, Ch.  
8 664, L. 1987, the inclusion of 39-71-2504 terminates June  
9 30, 1991.)"

10 NEW SECTION. **Section 3.** Effective date. [This act] is  
11 effective July 1, 1990.

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