## HOUSE BILL NO. 666

# INTRODUCED BY WANZENRIED BY REQUEST OF THE JOINT SUBCOMMITTEE ON HUMAN SERVICES AND AGING

### IN THE HOUSE

1	N THE HOUSE
MARCH 9, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
	FIRST READING.
MARCH 16, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
MARCH 17, 1993	PRINTING REPORT.
MARCH 30, 1993	SECOND READING, DO PASS AS AMENDED.
MARCH 31, 1993	ENGROSSING REPORT.
APRIL 1, 1993	THIRD READING, PASSED. AYES, 83; NOES, 15.
	TRANSMITTED TO SENATE.
I	N THE SENATE
APRIL 2, 1993	N THE SENATE  INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
	INTRODUCED AND REFERRED TO COMMITTEE
	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
APRIL 2, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.  FIRST READING.  COMMITTEE RECOMMEND BILL BE
APRIL 2, 1993  APRIL 14, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.  FIRST READING.  COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
APRIL 2, 1993  APRIL 14, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.  FIRST READING.  COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.  SECOND READING, CONCURRED IN.  ON MOTION, RULES SUSPENDED AND BILL

IN THE HOUSE

APRIL 16, 1993

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

2	INTRODUCED BY LUNZEVRED
3	BY REQUEST OF THE JOINT SUBCOMMITTEE ON HUMAN SERVICES
4	AND AGING
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE
7	STATUTORY APPROPRIATION FOR THE PETROLEUM TANK RELEASE
8	CLEANUP FUND; AMENDING SECTIONS 17-7-502 AND 75-11-313, MCA;
9	AND PROVIDING AN EFFECTIVE DATE."
.0	
1	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 17-7-502, MCA, is amended to read:
L <b>3</b>	*17-7-502. Statutory appropriations definition
L 4	requisites for validity. (1) A statutory appropriation is an
l 5	appropriation made by permanent law that authorizes spending
16	by a state agency without the need for a biennial
17	legislative appropriation or budget amendment.
18	(2) Except as provided in subsection (4), to be
19	effective, a statutory appropriation must comply with both
20	of the following provisions:
21	(a) The law containing the statutory authority must be
22	listed in subsection (3).
23	(b) The law or portion of the law making a statutory
24	appropriation must specifically state that a statutory
25	appropriation is made as provided in this section.

House BILL NO. 666

1	(3) The following laws are the only laws containing
2	statutory appropriations: 2-9-202; 2-17-105; 2-18-812;
3	10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111;
4	15-23-706; 15-25-123; 15-31-702; 15-36-112; 15-37-117;
5	15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411;
6	17-3-212; 17-5-404; 17-5-424; 17-5-704; 17-5-804; 17-6-409;
7	17-7-304; 19-5-404; 19-6-709; 19-8-504; 19-9-702; 19-9-1007;
8	19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513;
9	19-11-606; 19-12-301; 19-13-604; 19-15-101; 20-4-109;
10	20-6-406; 20-8-111; 20-9-361; 20-26-1503; 22-3-811;
11	23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631;
12	23-7-301; 23-7-402; 27-12-206; 37-43-204; 37-51-501;
13	39-71-2504; 44-12-206; 44-13-102; 53-6-150; 53-24-206;
14	61-5-121; 67-3-205; 75-1-1101; 75-5-507; 75-5-1108;
15	75-11-313; 76-12-123; 77-1-808; 80-2-103; 80-11-310;
16	82-11-136; 82-11-161; 85-1-220; 90-3-301; 90-4-215;
17	90-6-331; 90-7-220; and 90-9-306.
18	(4) There is a statutory appropriation to pay the
19	principal, interest, premiums, and costs of issuing, paying,
20	and securing all bonds, notes, or other obligations, as due,
21	that have been authorized and issued pursuant to the laws of
	•
22	Montana. Agencies that have entered into agreements
23	authorized by the laws of Montana to hav the state

treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount

- sufficient to pay the principal and interest as due on the
- 2 bonds or notes have statutory appropriation authority for
- 3 the payments. (In subsection (3): pursuant to sec. 7, Ch.
- 4 567, L. 1991, the inclusion of 19-6-709 terminates upon
- 5 death of last recipient eligible for supplemental benefit;
- 6 and pursuant to sec. 18, Ch. 748, L. 1991, the inclusion of
- 7 22-3-811 terminates June 30, 1993.)\*
- 8 Section 2. Section 75-11-313, MCA, is amended to read:
- 9 "75-11-313. Petroleum tank release cleanup fund. (1)
- 10 There is a petroleum tank release cleanup fund in the state
- 11 special revenue fund established in 17-2-102. The fund is
- 12 administered as a revolving fund by the board and-is
- 13 statutorily-appropriated-as-provided-in-17-7-502.
- 14 (2) There is deposited in the fund:
- 15 (a) all revenue from the petroleum storage tank cleanup
- 16 fee as provided in 75-11-314;
- 17 (b) money received by the board in the form of gifts,
- 18 grants, reimbursements, or appropriations, from any source,
- intended to be used for the purposes of this fund;
- 20 (c) money appropriated or advanced to the fund by the
- 21 legislature; and

- (d) all interest earned on money in the fund.
- 23 (3) The fund may be used only:
- (a) to administer this part, including payment of board
- 25 and department expenses associated with administration;

- 1 (b) to reimburse owners and operators for eligible 2 costs caused by a release from a petroleum storage tank and 3 approved by the board; and
- 4 (c) for repayment of any advance made under subsection5 (4), plus interest earned on the advance.
- 6 (4) (a) The legislature may appropriate to the fund
  7 repayable advances as necessary to carry out the purposes of
  8 this part. The outstanding total of repayable advances may
  9 not exceed the amount the board estimates will be received
  10 by the fund from the petroleum storage tank cleanup fee
  11 during the next 24 months.
- 12 (b) Advances to the fund must be repaid and interest
  13 earned on advances must be paid to the general fund when
  14 determined appropriate by the board. However, all advances
  15 to the fund plus the interest earned must be repaid on or
  16 before December 31, 1995."
- NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 1993.

-End-

#### STATE OF MONTANA - FISCAL NOTE

#### Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0666, as introduced.

#### DESCRIPTION OF PROPOSED LEGISLATION:

An act eliminating the statutory appropriation for the Petroleum Tank Release Cleanup Fund; amending sections 17-7-502 and 75-11-313, MCA; and providing an effective date.

#### ASSUMPTIONS:

- 1. There will be no fiscal impact on DHES if this bill passes, due to language and an appropriation in HB0002.
- 2. Not authorizing statutory appropriations for operating budgets is consistent with executive and legislative policy adopted in prior sessions.

FISCAL IMPACT:

None

DAVID LEWIS, BUDGET DIRECTOR Office of Budget and Program Planning

pered Ellanguml David E Wanzenried, PRIMARY SPONSOR

DATE

Fiscal Note for <u>HB0666</u>, as introduced HB L66

# APPROVED BY COMMITTEE ON APPROPRIATIONS

1	HOUSE BILL NO. 666
2	INTRODUCED BY WANZENRIED
3	BY REQUEST OF THE JOINT SUBCOMMITTEE ON HUMAN SERVICES
4	AND AGING
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT BEEMENATING REVISING
7	THE STATUTORY APPROPRIATION FOR THE PETROLEUM TANK RELEASE
8	CLEANUP FUND; AMENDING SECTIONS17-7-502AND SECTION
9	75-11-313, MCA; AND PROVIDING AN EFFECTIVE DATE."
0	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
L 2	Section 1 Section-17-7-5027-MCA7-is-amended-to-read:
13	#17-7-502Statutoryappropriationsdefinition
14	requisites-for-walidity:-(l)-A-statutory-appropriation-is-an
15	appropriation-made-by-permanent-law-that-authorizes-spending
16	byastateagencywithouttheneedforabiennial
17	legislative-appropriation-or-budget-amendment:
18	+2)Exceptasprovidedinsubsection+4);tobe
19	effective;-a-statutory-appropriation-must-complywithboth
20	of-the-following-provisions:
21	(a)Thelaw-containing-the-statutory-authority-must-be
22	listed-in-subsection-(3)-
23	<pre>fb}The-law-or-portion-of-the-lawmakingastatutory</pre>
24	appropriationmustspecificallystatethatastatutory
25	appropriation-is-made-as-provided-in-this-section-

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2
      statutory--appropriations:--2-9-202;---2-17-105;---2-18-012;
3
     10-3-203;-10-3-312;-10-3-314;-10-4-301;-13-37-304;-15-1-111;
     15-23-7067---15-25-1237---15-31-7027--15-36-1127--15-37-1177
     15-65-121----15-70-101----16-1-404----16-1-410-----16-1-411+
      17-3-212;--17-5-404;-17-5-424;-17-5-704;-17-5-804;-17-6-409;
      17-7-304;-19-5-404;-19-6-709;-19-8-504;-19-9-702;-19-9-1007;
7
 R
      19-10-205;--19-10-305;--19-10-506;---19-11-512;---19-11-513;
      19-11-6067---19-12-3017---19-13-6047---19-15-1017--20-4-1097
10
      20-6-4067---20-8-1117---20-9-3617---20-26-15037----22-3-0117
      23-5-1367--23-5-3067-23-5-4097-23-5-6107-23-5-6127-23-5-6317
11
12
      23-7-301:---23-7-402:---27-12-206:---37-43-204:---37-51-501:
13
      39-71-2504;--44-12-206;--44-13-102;---53-6-150;---53-24-206;
14
      61-5-121;----67-3-205;---75-1-1101;---75-5-507;---75-5-1100;
15
      75-11-313;---76-12-123;---77-1-808;---80-2-103;---80-11-310;
      82-11-136:---92-11-161:---85-1-220:---90-3-301:----90-4-215:
16
17
      98-6-331:-98-7-228:-and-98-9-386:
18
          +41--There--is--a--statutory--appropriation--to--pay-the
19
      principal, -interest, -premiums, -and-costs-of-issuing, -paying,
20
      and-securing-all-bonds;-notes;-or-other-obligations;-as-due;
21
      that-have-been-authorized-and-issued-pursuant-to-the-laws-of
22
      Montana:--Agencies--that--have---entered---into---agreements
23
      authorized---by--the--laws--of--Montana--to--pay--the--state
24
      treasurery-for-deposit-in-accordance-with--17-2-101--through
25
      17-2-107; --as--determined--by-the-state-treasurer; -an-amount
```

+31--The--following--laws--are--the-only-laws-containing

- sufficient-to-pay-the-principal-and-interest-as-due--on--the
  bonds--or--notes--have-statutory-appropriation-authority-for
  the-payments--(in-subsection-(3):-pursuant-to--sec---7;--Ch;
  567;--b---1991;--the--inclusion--of-19-6-709-terminates-upon
  death-of-last-recipient-eligible-for--supplemental--benefit;
  and--pursuant-to-sec--18;--Ch;-748;-b--1991;-the-inclusion-of
  22-3-811-terminates-dune-30;-1993;1\*
- 8 Section 1. Section 75-11-313, MCA, is amended to read:
  - There is a petroleum tank release cleanup fund. (1) There is a petroleum tank release cleanup fund in the state special revenue fund established in 17-2-102. The fund is administered as a revolving fund by the board AND IS STATUTORILY APPROPRIATED, AS PROVIDED IN 17-7-502, FOR THE PURPOSES PROVIDED FOR UNDER SUBSECTIONS (3)(B) AND (3)(C). ADMINISTRATIVE COSTS UNDER SUBSECTION (3)(A) MUST BE PAID PURSUANT TO A LEGISLATIVE APPROPRIATION and is statutorily appropriated as provided in 17-7-502.
    - (2) There is deposited in the fund:

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- 19 (a) all revenue from the petroleum storage tank cleanup 20 fee as provided in 75-11-314:
- 21 (b) money received by the board in the form of gifts, 22 grants, reimbursements, or appropriations, from any source, 23 intended to be used for the purposes of this fund;
- (c) money appropriated or advanced to the fund by the legislature; and

- 1 (d) all interest earned on money in the fund.
- 2 (3) The fund may be used only:

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- (a) to administer this part, including payment of board
   and department expenses associated with administration:
  - (b) to reimburse owners and operators for eligible costs caused by a release from a petroleum storage tank and approved by the board; and
- 8 (c) for repayment of any advance made under subsection 9 (4), plus interest earned on the advance.
- 10 (4) (a) The legislature may appropriate to the fund
  11 repayable advances as necessary to carry out the purposes of
  12 this part. The outstanding total of repayable advances may
  13 not exceed the amount the board estimates will be received
  14 by the fund from the petroleum storage tank cleanup fee
  15 during the next 24 months.
- 16 (b) Advances to the fund must be repaid and interest
  17 earned on advances must be paid to the general fund when
  18 determined appropriate by the board. However, all advances
  19 to the fund plus the interest earned must be repaid on or
  20 before December 31, 1995."
- NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1993.

-End-

-4-

-3- HB 666

**HB** 666

1	HOUSE BILL NO. 666
2	INTRODUCED BY WANZENRIED
3	BY REQUEST OF THE JOINT SUBCOMMITTEE ON HUMAN SERVICES
4	AND AGING
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6	A BILL FOR AN ACT ENTITLED: "AN ACT BLIMINATING REVISING
7	THE STATUTORY APPROPRIATION FOR THE PETROLEUM TANK RELEASE
8	CLEANUP FUND; AMENDING SECTIONS-17-7-502AND SECTION
9	75-11-313, MCA; AND PROVIDING AN EFFECTIVE DATE."
10	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1:- Section-17-7-5027-MCAy-is-amended-to-read:
12	Section 1. Section-17-7-5017-meny-18-amended-to-rend:
13	#17-7-502Statutoryappropriationsdefinition
14	requisites-for-validity(1)-A-statutory-appropriation-is-an
15	appropriation-made-by-permanent-law-that-authorizes-spending
16	byastateagencywithouttheneedforabiennial
17	legislative-appropriation-or-budget-amendment:
18	{2}Exceptasprovidedinsubsection(4);tobe
19	effectivey-a-statutory-appropriation-must-complywithboth
20	of-the-following-provisions:
21	(a)Thelaw-containing-the-statutory-authority-must-be
22	listed-in-subsection-(3).
23	(b)The-law-or-portion-of-the-lawmakingastatutory
24	appropriationmustspecificallystatethatastatutory
25	

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1	(3)Thefollowinglawsarethe-only-laws-containing
2	statutoryappropriations2-9-202;2-17-105;2-18-012;
3	10-3-203;-10-3-312;-10-3-314;-10-4-301;-13-37-304;-15-1-111;
4	15-23-706;15-25-123;15-31-702;15-36-112;15-37-117;
5	15-65-121;15-78-101;16-1-404;16-1-410;16-1-411;
6	17-3-212;17-5-404;-17-5-424;-17-5-704;-17-5-804;-17-6-409;
7	17-7-304;-19-5-404;-19-6-709;-19-8-504;-19-9-702;-19-9-1007;
8	19-10-205719-10-305719-10-506719-11-512719-11-5137
9	19-11-606;19-12-301;19-13-604;19-15-101;20-4-109;
10	20-6-406;20-8-111;20-9-361;20-26-1503;22-3-811;
11	23-5-136;23-5-306;-23-5-409;-23-5-610;-23-5-612;-23-5-631;
12	23-7-381+23-7-482;27-12-206;37-43-284;37-51-581;
13	39-71-2504744-12-206744-13-102753-6-150753-24-2067
14	61-5-121;67-3-205;75-1-1101;75-5-507;75-5-1100;
15	75-11-313;76-12-123;77-1-808;88-2-183;88-11-310;
16	82-11-136;82-11-161;85-1-220;98-3-381;98-4-215;
17	90-6-331;-90-7-220;-and-90-9-306;
18	(4)Thereisastatutoryappropriationtopay-the
19	principaly-interesty-premiumsy-and-costs-of-issuingy-payingy
20	and-securing-all-bondsy-notesy-or-other-obligationsy-as-duey
21	that-have-been-authorized-and-issued-pursuant-to-the-laws-of
22	Montane:Agenciesthathaveenteredintoagreements
23	authorizedbythelawsofMontanatopaythestate
24	treasurery-for-deposit-in-accordance-with17-2-101through
25	17-2-1077asdeterminedby-the-state-treasurery-an-amount

- sufficient-to-pay-the-principal-and-interest-as-due--on--the
  bonds--or--notes--have-statutory-appropriation-authority-for
  the-payments--(in-subsection-(3):-pursuant-to--sec---7,--Chr
  567y--br--1991y--the--inclusion--of-19-6-789-terminates-upon
  death-of-last-recipient-eligible-for--supplemental--benefit;
  and--pursuant-to-sec--18y-Chr-748y-br-1991y-the-inclusion-of
  22-3-811-terminates-June-30y-1993-)\*
- 8 Section 1. Section 75-11-313, MCA, is amended to read:
  - \*75-11-313. Petroleum tank release cleanup fund. (1)
    There is a petroleum tank release cleanup fund in the state special revenue fund established in 17-2-102. The fund is administered as a revolving fund by the board AND IS STATUTORILY APPROPRIATED, AS PROVIDED IN 17-7-502, FOR THE PURPOSES PROVIDED FOR UNDER SUBSECTIONS (3)(B) AND (3)(C). ADMINISTRATIVE COSTS UNDER SUBSECTION (3)(A) MUST BE PAID PURSUANT TO A LEGISLATIVE APPROPRIATION and is statutority appropriated as provided in 17-7-502.
    - (2) There is deposited in the fund;

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- 19 (a) all revenue from the petroleum storage tank cleanup
  20 fee as provided in 75-11-314;
  - (b) money received by the board in the form of gifts, grants, reimbursements, or appropriations, from any source, intended to be used for the purposes of this fund;
- 24 (c) money appropriated or advanced to the fund by the 25 legislature; and

- (d) all interest earned on money in the fund.
- 2 (3) The fund may be used only:

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- (a) to administer this part, including payment of board
   and department expenses associated with administration;
- 5 (b) to reimburse owners and operators for eligible 6 costs caused by a release from a petroleum storage tank and 7 approved by the board; and
- 8 (c) for repayment of any advance made under subsection 9 (4), plus interest earned on the advance.
  - (4) (a) The legislature may appropriate to the fund repayable advances as necessary to carry out the purposes of this part. The outstanding total of repayable advances may not exceed the amount the board estimates will be received by the fund from the petroleum storage tank cleanup fee during the next 24 months.
  - (b) Advances to the fund must be repaid and interest earned on advances must be paid to the general fund when determined appropriate by the board. However, all advances to the fund plus the interest earned must be repaid on or before December 31, 1995."
- 21 <u>MEW SECTION.</u> Section 2. Effective date. [This act] is 22 effective July 1, <del>1993</del> 1995 1993.

-End-

1	HOUSE BILL NO. 666
2	INTRODUCED BY WANZENRIED
3	BY REQUEST OF THE JOINT SUBCONNITTEE ON HUMAN SERVICES
4	AND AGING
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT BEININATING REVISING
7	THE STATUTORY APPROPRIATION FOR THE PETROLEUM TANK RELEASE
8	CLEANUP FUND; AMENDING SECTIONS17-7-502AND SECTION
9	75-11-313, MCA; AND PROVIDING AN EFFECTIVE DATE."
LO	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section-1Bection-17-7-582y-MCAy-is-emended-to-read:
13	#17-7-502Statutoryappropriationsdefinition
L4	requisites-for-validity:-(1)-A-statutory-appropriation-is-an
15	appropriation-made-by-permanent-law-that-authorises-spending
16	byastateagencywithouttheneedforabiennial
17	legislative-appropriation-or-budget-amendment:
18	<pre> †2;Exceptesprovidedinsubsection(4);tobe </pre>
19	effective;-a-statutory-appropriation-aust-complywithboth
20	of-the-following-provisions:
21	tajThelaw-containing-the-statutory-authority-must-be
22	listed-in-subsection-(3)+
23	<pre>{b}The-law-or-portion-of-the-lawmakingastatutory</pre>
24	appropriationmustspecificallystatethatastatutory

appropriation-is-made-as-provided-in-this-section:

1	for the to 110 wing 12 ws 51 e the -outy - 12 ws - con tarning
2	statutoryappropriations2-9-20272-17-10572-18-6127
3	10-3-203;-10-3-312;-10-3-314;-10-4-301;-13-37-304;-15-1-111;
4	15-23-706;15-25-123;15-31-702;15-36-112;15-37-117;
5	15-65-121715-70-101716-1-404716-1-410716-1-4117
6	17-3-212717-5-4047-17-5-4247-17-5-7047-17-5-8047-17-6-4097
7	17-7-304;-19-5-404;-19-6-709;-19-8-504;-19-9-702;-19-9-1007;
8	19-10-205;19-10-305;19-10-506;19-11-512;19-11-513;
9	19-11-606;19-12-301;19-13-604;19-15-101;20-4-109;
10	20-6-406;20-0-111;20-9-361;20-26-1503;22-3-011;
11	23-5-136;23-5-306;-23-5-409;-23-5-610;-23-5-612;-23-5-631;
12	23-7-301;23-7-402;27-12-206;37-43-204;37-51-501;
13	39-71-2504;44-12-206;44-13-102;53-6-150;53-24-206;
14	61-5-181767-3-205775-1-1101775-5-507775-5-11087
15	75-11-313776-12-123777-1-888788-2-183788-11-3107
16	82-11-136782-11-161785-1-220798-3-381798-4-2157
17	98-6-331;-90-7-220;-end-90-9-306x
18	(4)Thereisastatutoryappropriationtopay-the
19	principaly-interesty-premiumsy-and-costs-of-issuingy-payingy
20	and-securing-all-bondsy-notesy-or-other-obligationsy-as-duey
21	that-have-been-authorised-and-issued-pursuant-to-the-laws-of
22	MontanerAgenciesthathaveenteredintoagreements
23	authorisedbythelawsofMontanatopaythestate
24	treasurery-for-deposit-in-accordance-with17-2-101through
25	12-3-183



HB 666

sufficient-to-pay-the-principal-and-interest-as-due--on--the
bonds--or--notes--have-statutory-appropriation-authority-for
the-payments--(In-subsection-(3):-pursuant-to--sec;--7;--Chr
567;--b:--1991;--the--inclusion--of-19-6-769-terminates-upon
death-of-last-recipient-eligible-for--supplemental--benefit;
and--pursuant-to-sec:-18;-Chr-748;-b:-1991;-the-inclusion-of
22-3-01:-terminates-June-30;-1993:;\*

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- Section 1. Section 75-11-313, MCA, is amended to read:
- \*\*75-11-313. Petroleum tank release cleanup fund. (1)
  There is a petroleum tank release cleanup fund in the state
  special revenue fund established in 17-2-102. The fund is
  administered as a revolving fund by the board AND IS
  STATUTORILY APPROPRIATED, AS PROVIDED IN 17-7-502, FOR THE
  PURPOSES PROVIDED FOR UNDER SUBSECTIONS (3)(B) AND (3)(C).
  ADMINISTRATIVE COSTS UNDER SUBSECTION (3)(A) MUST BE PAID
  PURSUANT TO A LEGISLATIVE APPROPRIATION end-is-statutority
  appropriated-as-provided-in-17-7-502.
  - (2) There is deposited in the fund:
- (a) ·all revenue from the petroleum storage tank cleanup fee as provided in 75-11-314:
- 21 (b) money received by the board in the form of gifts,
  22 grants, reimbursements, or appropriations, from any source,
  23 intended to be used for the purposes of this fund;
- 24 (c) money appropriated or advanced to the fund by the 25 legislature; and

-3-

- (d) all interest earned on money in the fund.
- 2 (3) The fund may be used only:

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- 3 (a) to administer this part, including payment of board 4 and department expenses associated with administration;
- 5 (b) to reimburse owners and operators for eligible 6 costs caused by a release from a petroleum storage tank and 7 approved by the board; and
  - (c) for repayment of any advance made under subsection (4), plus interest earned on the advance.
  - (4) (a) The legislature may appropriate to the fund repayable advances as necessary to carry out the purposes of this part. The outstanding total of repayable advances may not exceed the amount the board estimates will be received by the fund from the petroleum storage tank cleanup fee during the next 24 months.
- 16 (b) Advances to the fund must be repaid and interest
  17 earned on advances must be paid to the general fund when
  18 determined appropriate by the board. However, all advances
  19 to the fund plus the interest earned must be repaid on or
  20 before December 31, 1995."
- NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1993 1995 1993.

-End-