

SENATE BILL NO. 292

INTRODUCED BY FRITZ, PETERSON, FISHER, FORRESTER
BY REQUEST OF THE JOINT APPROPRIATIONS SUBCOMMITTEE
ON GENERAL GOVERNMENT AND TRANSPORTATION

IN THE SENATE

FEBRUARY 1, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
	FIRST READING.
FEBRUARY 11, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 12, 1993	PRINTING REPORT.
	SECOND READING, DO PASS.
FEBRUARY 13, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 50; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 23, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
	FIRST READING.
MARCH 30, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 31, 1993	SECOND READING, CONCURRED IN.
APRIL 1, 1993	THIRD READING, CONCURRED IN. AYES, 90; NOES, 8.
	RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 5, 1993	SECOND READING, AMENDMENTS CONCURRED IN.
APRIL 6, 1993	THIRD READING, AMENDMENTS

CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

Sungta BILL NO. *292*

INTRODUCED BY *Fritz Peterson*
BY REQUEST OF THE JOINT APPROPRIATIONS SUBCOMMITTEE
ON GENERAL GOVERNMENT AND TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT INCLUDING ADMINISTRATIVE COSTS IN THE STATUTORY APPROPRIATION FOR THE YOUTH DETENTION SERVICES GRANT PROGRAM; AMENDING SECTION 23-7-402, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 23-7-402, MCA, is amended to read:

"23-7-402. 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) That part of all gross revenue not used for the payment of prizes, commissions, and operating expenses, together with the interest earned on the gross revenue while the gross revenue is in the enterprise fund, is net revenue. Except for the amount required to be paid under subsection (5), net revenue must be paid quarterly from the enterprise fund established by 23-7-401 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) 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.

(5) (a) ~~For the fiscal year beginning July 1, 1991, 1.6% of the net revenue derived under subsection (3) must be paid quarterly to the board of crime control;~~

~~(b) For the fiscal year beginning July 1, 1992, and thereafter, An amount equal to 9.1% of the net revenue derived under subsection (3), but not to exceed \$1 million in any fiscal year, must be paid to the board of crime control.~~

~~(c)(b) All money paid to the board of crime control under this subsection (5) must be used to fund state grants to counties for youth detention services and to cover the costs of administering the grant program as authorized in 41-5-1002. The revenue is statutorily appropriated, as provided in 17-7-502, to the board of crime control."~~

NEW SECTION. Section 2. 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 SB0292, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act clarifying the inclusion of administrative costs in the statutory appropriation for the youth detention services grant program.

ASSUMPTIONS:

1. It is assumed that original legislative intent for the statutory appropriation of lottery proceeds to the Board of Crime Control was to provide for administrative costs in performing the duties and responsibilities associated with the regional juvenile detention program. The necessary administrative expenses were included in the executive budget for the Crime Control Division for the 1995 biennium and, therefore, this bill has no fiscal impact on the Crime Control Division.
2. It is assumed that the need for this amendment is the result of an oversight in the original implementing legislation passed during the 1991 legislative session.
3. The bill does not change the distribution of net lottery revenue between the state equalization account and the Board of Crime Control; therefore, there is no fiscal impact on state equalization aid or other state appropriations for education.

FISCAL IMPACT:

None.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

None.

David Lewis 2-5-93
DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

H. Fritz 2/8/93
HARRY FRITZ, PRIMARY SPONSOR DATE
Fiscal Note for SB0292, as introduced
SB 292

APPROVED BY COMM. ON
FINANCE AND CLAIMS

1 *Singh* BILL NO. *292*
2 INTRODUCED BY *Fish* *Peterson* *Finn* *Foran*
3 BY REQUEST OF THE JOINT APPROPRIATIONS SUBCOMMITTEE
4 ON GENERAL GOVERNMENT AND TRANSPORTATION

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT INCLUDING
7 ADMINISTRATIVE COSTS IN THE STATUTORY APPROPRIATION FOR THE
8 YOUTH DETENTION SERVICES GRANT PROGRAM; AMENDING SECTION
9 23-7-402, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

12 **Section 1.** Section 23-7-402, MCA, is amended to read:

13 "23-7-402. Disposition of revenue. (1) A minimum of 45%
14 of the money paid for tickets or chances must be paid out as
15 prize money. The prize money is statutorily appropriated, as
16 provided in 17-7-502, to the lottery.

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

19 (3) That part of all gross revenue not used for the
20 payment of prizes, commissions, and operating expenses,
21 together with the interest earned on the gross revenue while
22 the gross revenue is in the enterprise fund, is net revenue.
23 Except for the amount required to be paid under subsection
24 (5), net revenue must be paid quarterly from the enterprise
25 fund established by 23-7-401 to the superintendent of public

1 instruction for distribution as state equalization aid to
2 the public schools of Montana as provided in 20-9-343. The
3 net revenue is statutorily appropriated, as provided in
4 17-7-502, to the superintendent of public instruction.

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

8 (5) (a) ~~For the fiscal year beginning July 1, 1991,~~
9 ~~17.6% of the net revenue derived under subsection (3) must be~~
10 ~~paid quarterly to the board of crime control;~~

11 ~~(b) For the fiscal year beginning July 1, 1992, and~~
12 ~~thereafter, An amount equal to 9.1% of the net revenue~~
13 ~~derived under subsection (3), but not to exceed \$1 million~~
14 ~~in any fiscal year, must be paid to the board of crime~~
15 ~~control.~~

16 ~~(c)(b)~~ All money paid to the board of crime control
17 under this subsection (5) must be used to fund state grants
18 to counties for youth detention services and to cover the
19 costs of administering the grant program as authorized in
20 41-5-1002. The revenue is statutorily appropriated, as
21 provided in 17-7-502, to the board of crime control."

22 **NEW SECTION. Section 2.** Effective date. [This act] is
23 effective July 1, 1993.

-End-

SB 292
SECOND READING

1 Senators BILL NO. 292
 2 INTRODUCED BY Fitch Peterson Egan Tomlinson
 3 BY REQUEST OF THE JOINT APPROPRIATIONS SUBCOMMITTEE
 4 ON GENERAL GOVERNMENT AND TRANSPORTATION

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 20 payment of prizes, commissions, and operating expenses,
 21 together with the interest earned on the gross revenue while
 22 the gross revenue is in the enterprise fund, is net revenue.
 23 Except for the amount required to be paid under subsection
 24 (5), net revenue must be paid quarterly from the enterprise
 25 fund established by 23-7-401 to the superintendent of public

1 instruction for distribution as state equalization aid to
 2 the public schools of Montana as provided in 20-9-343. The
 3 net revenue is statutorily appropriated, as provided in
 4 17-7-502, to the superintendent of public instruction.

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

8 (5) (a) ~~For the fiscal year beginning July 1, 1991,~~
 9 ~~1% of the net revenue derived under subsection (3) must be~~
 10 ~~paid quarterly to the board of crime control;~~

11 ~~(b) For the fiscal year beginning July 1, 1992, and~~
 12 ~~thereafter, An amount equal to 9.1% of the net revenue~~
 13 ~~derived under subsection (3), but not to exceed \$1 million~~
 14 ~~in any fiscal year, must be paid to the board of crime~~
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 17 under this subsection (5) must be used to fund state grants
 18 to counties for youth detention services and to cover the
 19 costs of administering the grant program as authorized in
 20 41-5-1002. The revenue is statutorily appropriated, as
 21 provided in 17-7-502, to the board of crime control."

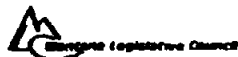
22 NEW SECTION. Section 2. Effective date. [This act] is
 23 effective July 1, 1993.

-End-

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SB 292

THIRD READING



HOUSE STANDING COMMITTEE REPORT

March 30, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that Senate Bill 292 (third reading copy -- blue) be concurred in as amended .

Signed: 

Tom Zook, Chair

And, that such amendments read:

Carried by: Rep. Peterson

1. Title, line 6.

Following: "ACT"

Strike: "INCLUDING"

Insert: "CLARIFYING THE APPROPRIATION OF"

2. Title, line 7.

Following: "COSTS"

Strike: "IN THE STATUTORY APPROPRIATION"

3. Page 2, line 20.

Following: "The"

Strike: "revenue is"

Insert: "grants are"

4. Page 2, line 21.

Following: "control."

Insert: "The costs of administering the grant program must be paid pursuant to a legislative appropriation."

-END-

SB 292

Committee Vote:

HOUSE

SENATE BILL NO. 292

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BY REQUEST OF THE JOINT APPROPRIATIONS SUBCOMMITTEE
ON GENERAL GOVERNMENT AND TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT ~~INCLUDING~~ CLARIFYING
THE APPROPRIATION OF ADMINISTRATIVE COSTS IN-THE-STATUTORY
APPROPRIATION FOR THE YOUTH DETENTION SERVICES GRANT
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fund established by 23-7-401 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) 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.

(5) (a) ~~For--the--fiscal--year--beginning--July--1--1991--~~
~~1.6%--of--the--net--revenue--derived--under--subsection--(3)--must--be~~
~~paid--quarterly--to--the--board--of--crime--control.~~

~~(b)--For--the--fiscal--year--beginning--July--1--1992--and~~
~~thereafter, An amount equal to 9.1% of the net revenue~~
~~derived under subsection (3), but not to exceed \$1 million~~
~~in any fiscal year, must be paid to the board of crime~~
~~control.~~

~~(c)(b)~~ All money paid to the board of crime control under this subsection (5) must be used to fund state grants to counties for youth detention services and to cover the costs of administering the grant program as authorized in 41-5-1002. The revenue---is GRANTS ARE statutorily appropriated, as provided in 17-7-502, to the board of crime control. THE COSTS OF ADMINISTERING THE GRANT PROGRAM MUST BE PAID PURSUANT TO A LEGISLATIVE APPROPRIATION."

NEW SECTION. **Section 2.** Effective date. [This act] is

SB 0292/02

1 effective July 1, 1993.

-End-