

SENATE BILL 19

Introduced by Swift, et al.

11/30	Introduced
11/30	Referred to Taxation
11/30	First Reading
11/30	Fiscal Note Requested
12/01	Fiscal Note Received
12/01	Fiscal Note Printed
12/08	Hearing
	Died in Committee

1 **SENATE** BILL NO. **19**
2 INTRODUCED BY *Swift* *Burnett*
3 *Am. Hospital* *State*
4 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE
5 RETIREMENT ADJUSTMENT FOR STATE, SCHOOL, AND LOCAL RETIREES,
6 THUS EQUALIZING STATE TREATMENT OF THOSE RETIREES AND
7 FEDERAL RETIREES; AMENDING SECTION 17-7-502, MCA; REPEALING
8 SECTIONS 19-15-101 AND 19-15-102, MCA; AND PROVIDING AN
9 IMMEDIATE EFFECTIVE DATE."
10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12 **Section 1.** Section 17-7-502, MCA, is amended to read:
13 "17-7-502. Statutory appropriations -- definition --
14 requisites for validity. (1) A statutory appropriation is an
15 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.

1 (3) The following laws are the only laws containing
2 statutory appropriations: 2-9-202; 2-17-105; 2-18-812;
3 3-5-901; 5-13-403; 10-3-203; 10-3-312; 10-3-314; 10-4-301;
4 15-1-111; 15-23-706; 15-25-123; 15-31-702; 15-36-112;
5 15-37-117; 15-38-202; 15-65-121; 16-1-404; 16-1-410;
6 16-1-411; 17-3-106; 17-3-212; 17-5-404; 17-5-424; 17-5-704;
7 17-5-804; 17-6-101; 17-6-201; 17-6-409; 17-7-304; 18-11-112;
8 19-2-502; 19-6-709; 19-9-1007; ~~19-15-101~~; 19-17-301;
9 19-18-512; 19-18-513; 19-18-606; 19-19-205; 19-19-305;
10 19-19-506; 20-4-109; 20-6-406; 20-8-111; 20-9-361;
11 20-26-1403; 20-26-1503; 23-2-823; 23-5-136; 23-5-306;
12 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402;
13 27-12-206; 32-1-537; 37-43-204; 37-51-501; 39-71-503;
14 39-71-907; 39-71-2321; 39-71-2504; 44-12-206; 44-13-102;
15 50-5-232; 50-40-206; 53-6-150; 53-24-206; 60-2-220;
16 61-2-107; 67-3-205; 75-1-1101; 75-5-507; 75-5-1108;
17 75-11-313; 76-12-123; 77-1-808; 80-2-103; 80-2-222;
18 80-4-416; 80-11-310; 81-5-111; 82-11-136; 82-11-161;
19 85-1-220; 85-2-707; 90-3-301; 90-4-215; 90-6-331; 90-7-220;
20 90-9-306; and 90-14-107.
21 (4) There is a statutory appropriation to pay the
22 principal, interest, premiums, and costs of issuing, paying,
23 and securing all bonds, notes, or other obligations, as due,
24 that have been authorized and issued pursuant to the laws of
25 Montana. Agencies that have entered into agreements

1 authorized by the laws of Montana to pay the state
2 treasurer, for deposit in accordance with 17-2-101 through
3 17-2-107, as determined by the state treasurer, an amount
4 sufficient to pay the principal and interest as due on the
5 bonds or notes have statutory appropriation authority for
6 the payments. (In subsection (3): pursuant to sec. 7, Ch.
7 567, L. 1991, the inclusion of 19-6-709 terminates upon
8 death of last recipient eligible for supplemental benefit;
9 and pursuant to sec. 15, Ch. 534, L. 1993, the inclusion of
10 90-14-107 terminates July 1, 1995.)"

11 NEW SECTION. **Section 2.** Repealer. Sections 19-15-101
12 and 19-15-102, MCA, are repealed.

13 NEW SECTION. **Section 3.** Effective date. [This act] is
14 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

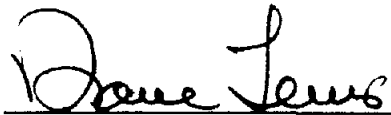
In compliance with a written request, there is hereby submitted a Fiscal Note for SB0019, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act eliminating the retirement adjustment for state, school, and local retirees, thus equalizing state treatment of those retirees and federal retirees; and providing an immediate effective date.

FISCAL IMPACT:

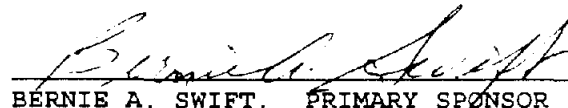
The proposed legislation has no fiscal impact under current law. The Montana Supreme Court has ruled that these retirement adjustments are illegal. The statutory appropriation for the retirement adjustments were estimated to be \$3,896,000 in FY94 and \$4,249,000 in FY95.



DAVE LEWIS, BUDGET DIRECTOR
Office of Budget and Program Planning

11/30

DATE



BERNIE A. SWIFT, PRIMARY SPONSOR

DATE

Fiscal Note for SB0019, as introduced

SB 19