

1

2

INTRODUCED BY

House BILL NO. 179

CB

---

3

4

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING EMERGENCY FUNDING FOR LOCAL FOOD BANKS;  
ESTABLISHING AN EMERGENCY FOOD BANK ACCOUNT; PROVIDING FOR FUNDING THE ACCOUNT;  
APPROPRIATING THE ACCOUNT FOR EMERGENCY GRANTS TO LOCAL FOOD BANKS; AMENDING  
SECTION 17-7-502, MCA; AND PROVIDING AN EFFECTIVE DATE."

8

9

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

10

11

**NEW SECTION. Section 1. Emergency food bank funding.** There is an emergency food bank  
account in the state special revenue fund. The department shall, pursuant to 17-7-139, transfer \$200,000  
from appropriated funds to the account. The account must be available for emergency grants to food banks  
during the biennium. Local food banks may apply for emergency grants. The account is statutorily  
appropriated as provided in 17-7-502.

16

17

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

18

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

21

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply  
with both of the following provisions:

23

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

24

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

26

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105;  
2-18-812; 3-5-901; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-23-706;  
15-30-195; 15-31-702; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411;  
16-11-308; 17-3-106; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 17-6-101; 17-6-201; 17-7-304;  
18-11-112; 19-2-502; 19-6-709; 19-9-1007; 19-17-301; 19-18-512; 19-18-513; 19-18-606; 19-19-205;

1 19-19-305; 19-19-506; 20-8-107; 20-8-111; 20-9-361; 20-26-1503; 23-5-136; 23-5-306; 23-5-409;  
 2 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 32-1-537; 37-43-204; 37-51-501; 39-71-503;  
 3 39-71-907; 39-71-2321; 39-71-2504; 44-12-206; 44-13-102; 50-4-623; 50-5-232; 50-40-206; [section  
 4 1]; 53-6-150; 53-6-703; 53-24-206; 60-2-220; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313;  
 5 76-12-123; 80-2-103; 80-2-222; 80-4-416; 81-5-111; 82-11-136; 82-11-161; 85-1-220; 85-20-402;  
 6 90-3-301; 90-4-215; 90-6-331; 90-7-220; 90-7-221; and 90-9-306.

7 (4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing,  
 8 paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued  
 9 pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of  
 10 Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as  
 11 determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the  
 12 bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec.  
 13 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for  
 14 supplemental benefit; and pursuant to sec. 7(2), Ch. 29, L. 1995, the inclusion of 15-30-195 terminates  
 15 July 1, 2001.)"

16  
 17 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an  
 18 integral part of Title 53, chapter 2, part 1, and the provisions of Title 53, chapter 2, part 1, apply to  
 19 [section 1].

20  
 21 **NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 1997.

22 -END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0179, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act providing emergency funding for local food banks; establishing an emergency food bank account; providing for funding the account, appropriating the account for emergency grants to local food banks.

FISCAL IMPACT:

The proposal provides for grants to emergency food banks of \$200,000 each biennium. The proposal does not specify a funding source for the transfers to the grant account. Hence, it is unclear which accounts are affected and whether an appropriation is necessary. Any unspent funds transferred to this account, which would have otherwise reverted to the general fund, will reduce the general fund balance.

*Dave Lewis* 1-11-97  
DAVE LEWIS, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning

\_\_\_\_\_  
JOHN COBB, PRIMARY SPONSOR      DATE

Fiscal Note for HB0179, as introduced

**HB 179**