

Amendments to House Bill No. 701
2nd Reading Copy

Requested by Bill Mercer
For the (H) Committee of the Whole

Prepared by Corina Hach
04/02/2021, 09:36:14

1. Title, line 11.

Following: "APPROPRIATION;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

2. Title, line 15 through line 16.

Strike: "17-6-" on line 15 through "17-6-610," on line 16

Insert: "17-7-502,"

3. Page 37, line 20.

Strike: "provide compensation for the economic and social costs of"

Insert: "generate revenue for the state"

4. Page 37, line 20.

Following: "~~current~~"

Strike: "marijuana"

5. Page 61, line 19.

Following: "transfer"

Insert: ", in accordance with the provisions of 17-2-124,"

6. Page 61, line 20 through line 21.

Strike: "in" on line 20 through "order" on line 21

Insert: "to the following state pension trust funds for the purpose of reducing unfunded pension liabilities"

7. Page 61, line 22 through page 62, line 4.

Strike: subsections (a) through (b) in their entirety

Insert: "(a) 2.5% to be deposited to the credit of the firefighters' unified retirement system;

(b) 0.9% to be deposited to the credit of the Montana state game wardens' and peace officers' retirement system;

(c) 4.2% to be deposited to the credit of the municipal police officers' retirement system;

(d) 46.95% to be deposited to the credit of the public employees' retirement system defined benefit trust fund;

(e) 2% to be deposited to the credit of the sheriffs' retirement system;

(f) 43.35% to be deposited to the credit of the teachers' retirement system of the state of Montana; and

(g) 0.1% to be deposited to the credit of the volunteer firefighters' pension trust fund.

(5) Money in the account is statutorily appropriated, as provided in 17-7-502, for the purposes described in subsection (3)."

8. Page 89, line 16 through page 92, line 10.

Strike: sections 62 and 63 in their entirety

9. Page 92.

Following: line 11

Insert: "Section 62. Section 17-7-502, MCA, is amended to read:

"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.

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

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

(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.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 5-13-404; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-802; 10-3-1304; 10-4-304; 15-1-121; 15-1-218; 15-31-1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-130; 15-70-433; 16-11-119; 16-11-509; 16-12-111; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; 53-6-148; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-321; 61-3-415; 67-1-309; 69-3-870; 69-4-527; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 75-26-308; 76-13-151; 76-13-150; 76-17-103; 76-22-109; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 80-11-1006; 81-1-112; 81-1-113; 81-7-106; 81-7-123; 81-10-103; 82-11-161; 85-2-526; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-6-331; and

90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay 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 bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117 terminates June 30, 2025; pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates December 31, 2023; pursuant to sec. 12, Ch. 55, L. 2017, the inclusion of 37-54-113 terminates June 30, 2023; pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of 10-3-1304 terminates September 30, 2025; pursuant to sec. 55, Ch. 151, L. 2017, the inclusion of 30-10-1004 terminates June 30, 2021; pursuant to sec. 1, Ch. 213, L. 2017, the inclusion of 90-6-331 terminates June 30, 2027; pursuant to secs. 5, 8, Ch. 284, L. 2017, the inclusion of 81-1-112, 81-1-113, and 81-7-106 terminates June 30, 2023; pursuant to sec. 1, Ch. 340, L. 2017, the inclusion of 22-1-327 terminates July 1, 2023; pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-103 terminates June 30, 2027; pursuant to sec. 5, Ch. 50, L. 2019, the

inclusion of 37-50-209 terminates September 30, 2023; pursuant to sec. 1, Ch. 408, L. 2019, the inclusion of 17-7-215 terminates June 30, 2029; pursuant to secs. 11, 12, and 14, Ch. 343, L. 2019, the inclusion of 15-35-108 terminates June 30, 2027; pursuant to sec. 7, Ch. 465, L. 2019, the inclusion of 85-2-526 terminates July 1, 2023; and pursuant to sec. 5, Ch. 477, L. 2019, the inclusion of 10-3-802 terminates June 30, 2023.)""

Renumber: subsequent sections

10. Page 141, line 17.

Following: "37"

Insert: ", 38, 39, 50,"

Strike: "and"

11. Page 141, line 17.

Following: "52,"

Insert: "and 53,"

12. Page 142, line 5.

Strike: "(c)"

Insert: "(2)"

13. Page 142, line 7.

Strike: "(d)"

Insert: "(3)"

14. Page 142, line 7.

Following: "in"

Strike: "this"

15. Page 142, line 9 through line 22.

Strike: subsections (2) and (3) in their entirety

16. Page 144, line 13.

Strike: "83"

Insert: "82"

17. Page 144, line 13.

Strike: "84, 85, 101, 104,"

Insert: "83, 84, 100, 103,"

18. Page 144, line 15.

Strike: "82, 83(11), 86 through 88, 99, 100, and 102"

Insert: "81, 82(11), 85 through 87, 98, 99, and 101"

- END -

Explanation - Note: Because the page and line numbers referred to in these amendment instructions are required to match the page and line numbers of the official bill version being amended, they will not necessarily match the page and line numbers shown in any related Amendments in Context document.