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*** Bill No. ***

Introduced By *****

By Request of the Department of Military Affairs

A Bill for an Act entitled: "AN ACT TO CREATE A STATE SPECIAL REVENUE ACCOUNT TO BE USED FOR THE PREPARATION TO PURCHASE, AND OR THE PURCHASE OF, LAND NECESSARY TO MEET THE MONTANA NATIONAL GUARD MISSION REQUIREMENTS, AMENDING SECTIONS 10-1-108 AND 17-7-502, MCA."

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 10-1-108, MCA, is amended to read:

"10-1-108. Armories. (1) A county, city, or town may convey or lease real property to the state for armories or other military facilities.

(2) A county, city, or town in which a unit of the national guard is organized and regularly stationed may provide any part of the funds to build an armory. The armory must be of sufficient size and suitable for the drill of the unit.

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(3) If the state sells an armory, the proceeds from the sale must be deposited in the special revenue fund to the credit of the department.

a. The proceeds are statutorily appropriated, as provided in 17-7-502, upon the authorization of the governor, for the purpose in (4) and in accordance with (5).

b. Interest accruing on these proceeds shall be deposited in the general fund.

(4) The proceeds may only be used for the preparation to purchase, and or the purchase of, land necessary to meet the Montana National Guard mission requirements.

(5) Upon the department establishing a clear and convincing financial benefit to act without undue haste, the governor may authorize the department to make expenditures from the special revenue fund for the purpose in (4)."

{Internal References to 10-1-108: None }

Section 2. 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

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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; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-121; 15-1-218; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 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; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612;

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23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503;
41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102;
50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206;
60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108;
75-6-214; 75-11-313; 77-1-108; 77-2-362; 80-2-222;
80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513;
90-1-115; 90-1-205; 90-3-1003; 90-9-306; and section 2,
Chapter 6, Special Laws of May 2007.

(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 Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization

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period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; and pursuant to sec. 10, Ch. 6, Sp. L. May 2007, the inclusion of section 2, Chapter 6, Special Laws of May 2007, terminates July 1, 2008."

{Internal References to 17-7-502:

2-17-105	5-11-407	5-13-403	10-2-603
10-3-203	10-3-310	10-3-312	10-3-312
10-3-314	10-4-301	15-1-111	15-1-113
15-1-121	15-23-706	15-31-906	15-35-108
15-36-332	15-37-117	15-38-202	15-38-202
15-65-121	15-65-121	15-70-101	15-70-369
15-70-601	16-11-509	17-1-508	17-3-106
17-3-212	17-3-222	17-3-241	17-6-101
17-7-304	17-7-501	18-11-112	19-3-319
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	20-8-107	20-9-534	20-9-622
20-26-1503	22-3-1004	23-4-105	23-4-202
23-4-204	23-4-302	23-4-304	23-5-306
23-5-409	23-5-612	23-7-301	23-7-402
37-43-204	37-51-501	39-71-503	41-5-2011
42-2-105	44-1-504	44-12-206	44-13-102
50-4-623	53-1-109	53-6-703	53-24-108

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53-24-108	53-24-206	60-11-115	61-3-415
69-3-870	75-1-1101	75-5-1108	75-6-214
75-10-622	75-11-313	77-2-362	80-2-222
80-4-416	80-5-510	80-11-518	82-11-161
87-1-513	90-1-115	90-1-115	90-1-205
90-3-1003	90-9-306) }		

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