

## HOUSE BILL NO. 22

INTRODUCED BY D. MCALPIN

BY REQUEST OF THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING A PROVISION FOR MAKING REIMBURSEMENTS TO LOCAL GOVERNMENTS FOR THE FEE IN LIEU OF TAX ON CERTAIN VEHICLES THAT ARE MADE UNDER ANOTHER SECTION OF LAW; AMENDING SECTION 17-7-502, MCA; REPEALING SECTION 15-1-113, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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

**Section 1.** 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; 5-11-407; 5-13-403; 10-2-603; 10-3-203; 10-3-310; 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; 15-65-121; 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; 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; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161;

1 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

2 (4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing,  
3 paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued  
4 pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana  
5 to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state  
6 treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory  
7 appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of  
8 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L.  
9 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's  
10 unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates  
11 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  
12 of 15-35-108 terminates June 30, 2010; pursuant to sec. 7, Ch. 314, L. 2005, the inclusion of 23-4-105, 23-4-202,  
13 23-4-204, 23-4-302, and 23-4-304 becomes effective July 1, 2007; and pursuant to sec. 17, Ch. 593, L. 2005,  
14 the inclusion of 15-31-906 terminates January 1, 2010.)"

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16 NEW SECTION. **Section 2. Repealer.** Section 15-1-113, MCA, is repealed.

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

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20 NEW SECTION. **Section 4. Retroactive applicability.** [This act] applies retroactively, within the  
21 meaning of 1-2-109, to reimbursement payments after December 31, 2001.

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