

HOUSE BILL NO. 611

INTRODUCED BY R. COOK

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE USE OF VARIOUS ACCOUNTS AND
5 FUNDS TO IMPLEMENT PROVISIONS OF THE GENERAL APPROPRIATIONS ACT; REVISING THE USE OF
6 THE SCHOOL FACILITY AND TECHNOLOGY ACCOUNT; REVISING THE USE OF THE EMPLOYMENT
7 SECURITY ACCOUNT TO INCLUDE THE DEPARTMENT OF COMMERCE; PROVIDING RULEMAKING
8 AUTHORITY; AMENDING SECTIONS 20-9-516, 39-51-409, AND 90-1-203, MCA; AND PROVIDING AN
9 EFFECTIVE DATE."

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

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13 **Section 1.** Section 20-9-516, MCA, is amended to read:
14 **"20-9-516. School facility and technology account.** (1) There is a school facility and technology
15 account in the state special revenue fund provided for in 17-2-102. The purpose of the account is to provide
16 money to schools for:

- 17 (a) major deferred maintenance;
18 (b) improving energy efficiency in school facilities;
19 (c) critical infrastructure in school districts;
20 (d) emergency facility needs; ~~and~~
21 (e) technological improvements; and
22 (f) state reimbursement for school facilities as provided in 20-9-371.

- 23 (2) There must be deposited in the account:
24 (a) an amount of money equal to the income attributable to the difference between the average sale
25 value of 18 million board feet and the total income produced from the annual timber harvest on common school
26 trust lands during the fiscal year;
27 (b) the mineral royalties transferred from the guarantee account as provided in 20-9-622; and
28 (c) the rental income received from power site leases as provided in 77-4-208."

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30 **Section 2.** Section 39-51-409, MCA, is amended to read:

1 **"39-51-409. Employment security account.** (1) There is an account in the state special revenue fund
2 called the employment security account.

3 (2) Money deposited in the employment security account may be appropriated to the department for
4 payment of:

5 (a) unemployment insurance benefits;

6 (b) expenses incurred in the administration of the unemployment insurance program;

7 (c) expenses incurred in collecting money deposited in the account;

8 (d) expenses incurred for the employment offices established in 39-51-307, including expenses for
9 providing services to the business community;

10 (e) expenses incurred for ~~the~~ apprenticeship and workforce development training program programs;

11 (f) expenses for displaced homemaker programs provided for under 39-7-305;

12 (g) expenses for department research and analysis functions that provide employment, wage, and
13 economic data;

14 (h) expenses for department functions pertaining to wage and hour laws, prevailing wages, and collective
15 bargaining; and

16 (i) principal, interest, and redemption premium on employment security revenue bonds authorized in
17 section 5, Chapter 435, Laws of 2009.

18 (3) Money deposited in the employment security account may be appropriated to the department of
19 commerce for payment of expenses incurred for apprenticeship and workforce development training as provided
20 in 90-1-203.

21 ~~(3)(4)~~ Except as provided in sections 6 and 12, Chapter 435, Laws of 2009, the department may transfer
22 funds from the employment security account to the unemployment insurance fund account provided for in
23 39-51-402 upon receiving approval from the budget director that the transfer will not decrease the money in the
24 account below the level appropriated by the legislature to provide for the employment services programs identified
25 in ~~subsection~~ subsections (2) and (3).

26 ~~(4)(5)~~ The department may transfer appropriation authority in employment services programs between
27 the federal special revenue and the state special revenue fund types."

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29 **Section 3.** Section 90-1-203, MCA, is amended to read:

30 **"90-1-203. Types of financial assistance available.** (1) The department shall provide for and make

1 grants and loans available to local governments and tribal governments for economic development projects and
2 to certified regional development corporations from the money in the economic development special revenue
3 account provided for in 90-1-205.

4 (2) Subject to appropriation, the department shall provide for expenses incurred for apprenticeship and
5 workforce development, including workforce training and job creation from the money in the employment security
6 account provided for in 39-51-409.

7 ~~(2)~~(3) A grant or loan may not be used for a project that would result in the transfer or relocation of jobs
8 from one part of the state to another part of the state."

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10 NEW SECTION. Section 4. Severability. If a part of [this act] is invalid, all valid parts that are severable
11 from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part
12 remains in effect in all valid applications that are severable from the invalid applications.

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14 NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 2011.

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