

HOUSE BILL NO. 203

INTRODUCED BY C. CLARK

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING STATE AID TO LIBRARIES; PROVIDING A FORMULA FOR ESTABLISHING THE AMOUNT OF STATE AID ~~INCLUDING AN INFLATIONARY ADJUSTMENT;~~ PROVIDING A STATUTORY APPROPRIATION; PROVIDING A COORDINATION INSTRUCTION REGARDING APPROPRIATIONS FOR AID TO PUBLIC LIBRARIES; AMENDING SECTIONS 17-7-502 AND 22-1-327, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION 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; 5-11-120; 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; 15-1-121; 15-1-218; 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; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 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; ~~22-1-327~~; 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; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-9-113; 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; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-230; 87-1-603;



1 87-1-621; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; 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 sec. 10, Ch. 360, L. 1999, the inclusion
 8 of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is
 9 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch.
 10 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 17, Ch. 593, L. 2005, and
 11 sec. 1, Ch. 186, L. 2009, the inclusion of 15-31-906 terminates January 1, 2015; pursuant to sec. 73, Ch. 44, L.
 12 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the
 13 supplemental benefit provided by 19-6-709; pursuant to sec. 8, Ch. 330, L. 2009, the inclusion of 87-1-621
 14 terminates June 30, 2013; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30,
 15 2015; pursuant to sec. 8, Ch. 427, L. 2009, the inclusion of 87-1-230 terminates June 30, 2013; pursuant to sec.
 16 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 47, Ch. 19, L. 2011,
 17 the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of
 18 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates
 19 June 30, 2019; and pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates
 20 June 30, 2017.)"

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22 **Section 2.** Section 22-1-327, MCA, is amended to read:

23 **"22-1-327. State aid -- per capita -- per square mile.** (1) The commission shall distribute grants to
 24 public libraries and public library districts on a per capita and per square mile basis.

25 (2) (a) The total amount of annual per capita and per square mile funding to public libraries for EACH fiscal
 26 year 2014 is the base amount of 50 30 40 cents multiplied by the total number of residents of the state as
 27 determined by the most recent decennial census of the population produced by the U.S. bureau of the census.
 28 The 2014 base amount of 50 30 cents must be cumulatively increased each fiscal year by multiplying the base
 29 amount from the previous fiscal year by the inflation factor calculated by the superintendent of public instruction
 30 as described in subsection (2)(b).

1 ~~_____ (b) The inflation factor is equal to the consumer price index for July 1 of the prior calendar year divided~~
2 ~~by the consumer price index for July 1 of the calendar year 3 years prior to the prior calendar year and the~~
3 ~~resulting ratio raised to the power of one-third.~~

4 ~~_____ (c) For the purposes of this section, "consumer price index" means the consumer price index, U.S. city~~
5 ~~average, all urban consumers, for all items, using the 1982-84 base of 100, as published by the bureau of labor~~
6 ~~statistics of the U.S. department of labor.~~

7 (3) The amount determined under subsection (2) is statutorily appropriated, as provided in 17-7-502,
8 from the general fund to the commission for distribution as state aid to public libraries."

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10 COORDINATION SECTION. SECTION 3. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 2 IS PASSED AND
11 APPROVED AND INCLUDES AN APPROPRIATION TO THE STATE LIBRARY COMMISSION TO PROVIDE STATE AID TO PUBLIC
12 LIBRARIES THAT IS EQUAL TO OR GREATER THAN THE AMOUNT OF FUNDING AS CALCULATED IN [SECTION 2 OF THIS ACT,
13 AMENDING 22-1-327], THEN [SECTION 4 OF THIS ACT] MUST READ AS FOLLOWS:

14 "NEW SECTION. Section 4. Effective date. [This act] is effective July 1, 2015."

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16 NEW SECTION. Section 4. Effective date. [This act] is effective July 1, 2013.

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18 NEW SECTION. SECTION 5. TERMINATION. [THIS ACT] TERMINATES JULY 1, 2017.

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