

## HOUSE BILL NO. 376

INTRODUCED BY B. OLSON, LAWSON, A. OLSON, RIPLEY

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING COUNTY COMMISSIONERS IN A COUNTY WHERE A ~~UNIT~~ CAMPUS OF THE UNIVERSITY SYSTEM IS LOCATED TO LEVY, SUBJECT TO VOTER APPROVAL, UP TO 6 MILLS IN SUPPORT OF THE ~~UNIT~~ CAMPUS; LIMITING A COUNTY TO ONE MILL LEVY ELECTION IN A YEAR FOR REQUESTING ADDITIONAL FUNDING FOR A CAMPUS OF THE MONTANA UNIVERSITY SYSTEM; AMENDING SECTION 17-7-502, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Mill levy authorized for postsecondary education -- LIMITATION. (1) The board of county commissioners of a county where a ~~unit~~ CAMPUS of the Montana university system is located may, subject to ~~15-10-420~~ 15-10-425, annually levy a tax of up to 6 mills on the taxable valuation of the property subject to taxation in the county. The levy must be made at the same time as other levies are made for county and school purposes.

(2) The funds from the mill levy must be deposited in the state ~~general fund and must be distributed for postsecondary education on the basis of budgets approved by~~ SPECIAL REVENUE FUND AND ARE STATUTORILY APPROPRIATED, AS PROVIDED IN 17-7-502, TO the board of regents for the ~~units~~ EXCLUSIVE USE OF THE CAMPUSES located in the counties where the tax is levied.

(3) NOTWITHSTANDING THE PROVISIONS OF 15-10-425, A PROPOSITION REQUESTING ADDITIONAL FUNDING FOR A CAMPUS OF THE MONTANA UNIVERSITY SYSTEM MAY BE SUBMITTED TO THE ELECTORS ONLY ONCE IN A CALENDAR YEAR.

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 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: 2-15-151; 2-17-105; 5-13-403; 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; 15-35-108; 15-36-324; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-9-702; 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; [section 1]; 20-26-1503; 22-3-1004; 23-5-306; 23-5-409; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 53-6-703; 53-24-206; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-3-1003; 90-6-710; 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 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 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, the inclusion of 15-35-108 and 90-6-710 terminates June 30, 2005; pursuant to sec. 17, Ch. 414, L. 2001, the inclusion of 2-15-151 terminates December 31, 2006; and pursuant to sec. 2, Ch. 594, L. 2001, the inclusion of 17-3-241 becomes effective July 1, 2003.)"

**NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 20, chapter 25, part 4, and the provisions of Title 20, chapter 25, part 4, apply to [section 1].

**NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2003.

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