

HOUSE BILL NO. 307

INTRODUCED BY K. KELKER

1
2
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A STATUTORY APPROPRIATION FOR THE
5 RADIOACTIVE WASTE TRANSPORTATION MONITORING, EMERGENCY RESPONSE, AND TRAINING
6 ACCOUNT; AMENDING SECTIONS 10-3-1304 AND 17-7-502, MCA; AND PROVIDING AN IMMEDIATE
7 EFFECTIVE DATE AND A TERMINATION DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 10-3-1304, MCA, is amended to read:

12 **"10-3-1304. Radioactive waste transportation monitoring, emergency response, and training**
13 **account -- purpose -- disbursement.** (1) There is an account in the state special revenue fund to be known as
14 the radioactive waste transportation monitoring, emergency response, and training account administered by the
15 disaster and emergency services division of the department of military affairs.

16 (2) The money deposited into this account by the department of transportation pursuant to 10-3-1307
17 may be used only for the following purposes:

18 (a) to reimburse the highway patrol for expenses incurred in monitoring or providing escorts for motor
19 carriers transporting high-level radioactive waste or transuranic waste through the state;

20 (b) to provide funding for training local emergency response personnel in handling radioactive waste
21 accidents, spills, and other related emergencies; and

22 (c) to reimburse local emergency response entities for costs incurred in the event that an accident, spill,
23 or other related emergency occurs.

24 (3) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department of military
25 affairs for the purposes described in subsection (2)."

26
27 **Section 2.** Section 17-7-502, MCA, is amended to read:

28 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory
29 appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the
30 need for a biennial legislative appropriation or budget amendment.

1 (2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both
2 of the following provisions:

3 (a) The law containing the statutory authority must be listed in subsection (3).

4 (b) The law or portion of the law making a statutory appropriation must specifically state that a statutory
5 appropriation is made as provided in this section.

6 (3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120;
7 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;
8 10-3-314; 10-3-1304; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121;
9 15-70-101; 15-70-433; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101;
10 17-7-215; 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;
11 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-517; 20-9-520; 20-9-534; 20-9-622; 20-9-905;
12 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612;
13 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101;
14 44-12-213; 44-13-102; 50-1-115; 53-1-109; 53-6-1304; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415;
15 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222;
16 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603;
17 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

18 (4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing,
19 paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued
20 pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana
21 to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state
22 treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory
23 appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion
24 of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded
25 liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and
26 sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L.
27 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under
28 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion
29 of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004
30 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30,

1 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017;
2 pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency;
3 pursuant to sec. 5, Ch. 244, L. 2013, the inclusion of 22-1-327 terminates July 1, 2017; pursuant to sec. 27, Ch.
4 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec.
5 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 28, Ch. 368, L. 2015,
6 the inclusion of 53-6-1304 terminates June 30, 2019; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of
7 85-25-102 is effective on occurrence of contingency; pursuant to sec. 5, Ch. 422, L. 2015, the inclusion of
8 17-7-215 terminates June 30, 2021; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117
9 terminates June 30, 2025; pursuant to sec. 10, Ch. 427, L. 2015, the inclusion of 37-50-209 terminates
10 September 30, 2019; and pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates December
11 31, 2023.)"

12

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

14

15 NEW SECTION. SECTION 4. TERMINATION. ~~SECTION 1(3)~~ [THIS ACT] TERMINATES SEPTEMBER 30, 2025.

16

- END -