

1 _____ BILL NO. _____

2 INTRODUCED BY _____

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A STATUTORY APPROPRIATION FOR AQUATIC
5 AND WILDLIFE RESEARCH AND RESPONSE; AMENDING SECTIONS 17-7-502 AND 87-1-601, MCA; AND
6 PROVIDING AN EFFECTIVE DATE."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 **Section 1.** Section 17-7-502, MCA, is amended to read:

11 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory
12 appropriation is an appropriation made by permanent law that authorizes spending by a state agency without
13 the need for a biennial legislative appropriation or budget amendment.

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

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

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

19 (3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-
20 11-407; 5-13-403; 5-13-404; 7-4-2502; 7-4-2924; 7-32-236; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-
21 807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-316; 10-3-802; 10-3-1304; 10-4-304; 10-4-310; 15-1-121;
22 15-1-142; 15-1-143; 15-1-218; 15-1-2302; 15-31-165; 15-31-1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-
23 117; 15-39-110; 15-65-121; 15-70-128; 15-70-131; 15-70-132; 15-70-433; 16-11-119; 16-11-509; 17-3-106; 17-
24 3-212; 17-3-222; 17-3-241; 17-6-101; 17-6-214; 17-7-133; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-410;
25 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; 20-3-
26 369; 20-7-1709; 20-8-107; 20-9-250; 20-9-534; 20-9-622; [20-15-328]; 20-26-617; 20-26-1503; 22-1-327; 22-3-
27 116; 22-3-117; [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-
28 204; 37-50-209; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-4-1506; 44-12-213; 44-13-102; 50-

1 1-115; 53-1-109; 53-6-148; 53-9-113; 53-24-108; 53-24-206; 60-5-530; 60-11-115; 61-3-321; 61-3-415; 67-1-
 2 309; 69-3-870; 69-4-527; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 75-26-308; 76-13-150; 76-13-151; 76-
 3 13-417; 76-17-103; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 80-11-1006; 81-1-112; 81-1-113; 81-2-
 4 203; 81-7-106; 81-7-123; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-601; 87-1-603; 87-
 5 5-909; 90-1-115; 90-1-205; 90-1-504; 90-6-331; and 90-9-306.

6 (4) There is a statutory appropriation to pay the principal, interest, premiums, and any costs or fees
 7 associated with issuing, paying, securing, redeeming, or defeasing all bonds, notes, or other obligations, as due
 8 in the ordinary course or when earlier called for redemption or defeased, that have been authorized and issued
 9 pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of
 10 Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined
 11 by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have
 12 statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the
 13 inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement
 14 system's unfunded liability is 10 years or less; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410
 15 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental
 16 benefit provided by 19-6-709; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on
 17 occurrence of contingency; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117
 18 terminates June 30, 2025; pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of 10-3-1304 terminates
 19 September 30, 2025; pursuant to sec. 1, Ch. 213, L. 2017, the inclusion of 90-6-331 terminates June 30, 2027;
 20 pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-103 terminates June 30, 2027; pursuant to secs.
 21 11, 12, and 14, Ch. 343, L. 2019, the inclusion of 15-35-108 terminates June 30, 2027; pursuant to sec. 1, Ch.
 22 408, L. 2019, the inclusion of 17-7-215 terminates June 30, 2029; pursuant to secs. 1, 2, 3, Ch. 139, L. 2021,
 23 the inclusion of 53-9-113 terminates June 30, 2027; pursuant to sec. 8, Ch. 200, L. 2021, the inclusion of 10-4-
 24 310 terminates July 1, 2031; pursuant to secs. 3, 4, Ch. 404, L. 2021, the inclusion of 30-10-1004 terminates
 25 June 30, 2027; pursuant to sec. 5, Ch. 548, L. 2021, the inclusion of 50-1-115 terminates June 30, 2025;
 26 pursuant to secs. 5 and 12, Ch. 563, L. 2021, the inclusion of 22-3-1004 is effective July 1, 2027; pursuant to
 27 sec. 1, Ch. 20, L. 2023, sec. 2, Ch. 20, L. 2023, and sec. 3, Ch. 20, L. 2023, the inclusion of 81-1-112, 81-1-
 28 113, and 81-7-106 terminates June 30, 2029; pursuant to sec. 9, Ch. 44, L. 2023, the inclusion of 15-1-142

1 terminates December 31, 2025; pursuant to sec. 10, Ch. 47, L. 2023, the inclusion of 15-1-2302 terminates
2 June 30, 2025; pursuant to sec. 2, Ch. 374, L. 2023, the inclusion of 10-3-802 terminates June 30, 2031;
3 pursuant to sec. 12, Ch. 558, L. 2023, the inclusion of 20-9-250 terminates December 31, 2029; pursuant to
4 sec. 4, Ch. 621, L. 2023, the inclusion of 22-1-327 terminates July 1, 2029; pursuant to sec. 24, Ch. 722, L.
5 2023, the inclusion of 17-7-133 terminates June 30, 2027; pursuant to sec. 10, Ch. 758, L. 2023, the inclusion
6 of 44-4-1506 terminates June 30, 2027; and pursuant to sec. 10, Ch. 764, L. 2023, the inclusion of 15-1-143
7 terminates December 31, 2025.)"

8
9 **Section 2.** Section 87-1-601, MCA, is amended to read:

10 **"87-1-601. Use of fish and game money.** (1) (a) Except as provided in 87-1-290, 87-1-293, 87-1-
11 623, and subsections (8) and (10) of this section, all money collected or received from the sale of hunting and
12 fishing licenses or permits, from the sale of seized game or hides, from damages collected for violations of the
13 fish and game laws of this state, or from appropriations or received by the department from any other state
14 source must be turned over to the department of revenue and placed in the state special revenue fund to the
15 credit of the department.

16 (b) Any money received from federal sources must be deposited in the federal special revenue
17 fund to the credit of the department.

18 (c) All interest earned on money from the following sources must be placed in the state special
19 revenue fund to the credit of the department:

- 20 (i) the general license account;
21 (ii) the license drawing account;
22 (iii) accounts established to administer the provisions of 87-1-246, 87-1-258, 87-1-605, 87-2-411,
23 87-2-722, and 87-2-724; and
24 (iv) money received from the sale of any other hunting and fishing license.

25 (2) Except as provided in 87-2-411, the money described in subsection (1) must be exclusively set
26 apart and made available for the payment of all salaries, per diem, fees, expenses, and expenditures
27 authorized to be made by the department under the terms of this title. The money described in subsection (1)
28 must be spent for those purposes by the department, subject to appropriation by the legislature.

1 (3) Any reference to the fish and game fund in Title 87 means fish and game money in the state
2 special revenue fund and the federal special revenue fund.

3 (4) Except as provided in subsections (8) and (9), all money collected or received from fines and
4 forfeited bonds, except money collected or received by a justice's court, that relates to violations of state fish
5 and game laws under Title 87 must be deposited by the department of revenue and credited to the department
6 in a state special revenue fund account for this purpose. Out of any fine imposed by a court for the violation of
7 the fish and game laws, the costs of prosecution must be paid to the county where the trial was held in any
8 case in which the fine is not imposed in addition to the costs of prosecution.

9 (5) (a) Except as provided in 87-1-621, section 2(3), Chapter 560, Laws of 2005, and subsection
10 (6) of this section, money must be deposited in an account in the permanent fund if it is received by the
11 department from:

12 (i) the sale of surplus real property;

13 (ii) exploration or development of oil, gas, or mineral deposits from lands acquired by the
14 department, except royalties or other compensation based on production; and

15 (iii) leases of interests in department real property not contemplated at the time of acquisition.

16 (b) The interest derived from the account, but not the principal, may be used only for the purpose
17 of operation, development, and maintenance of real property of the department and only upon appropriation by
18 the legislature. If the use of money as set forth in this section would result in violation of applicable federal laws
19 or state statutes specifically naming the department or money received by the department, then the use of this
20 money must be limited in the manner, method, and amount to those uses that do not result in a violation.

21 (6) Money received from the sale or lease of lands acquired and managed for the purposes of Title
22 23, chapter 1, must be deposited in the state special revenue fund in the account established for miscellaneous
23 funds received for state parks and may be used only for the purposes of Title 23, chapter 1.

24 (7) Money received from the collection of license drawing applications is subject to the deposit
25 requirements of 17-6-105(6) unless the department has submitted and received approval for a modified deposit
26 schedule pursuant to 17-6-105(8).

27 (8) Money collected or received from fines or forfeited bonds for the violation of 77-1-801, 77-1-
28 806, or rules adopted under 77-1-804 must be deposited in the state general fund.

1 (9) The department of revenue shall deposit in the state general fund one-half of the money
2 received from the fines imposed pursuant to Title 87, chapter 6.

(10) The department shall deposit all money received from the voluntary search and rescue donation in 87-2-202 in a state special revenue account to the credit of the department for search and rescue purposes as provided for in 10-3-801.

6 (11) Each biennium there is \$1.5 million statutorily appropriated pursuant to 17-7-502 from the
7 general license account in this section to the department for the purposes of its aquatic and wildlife research
8 and response."

10 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2025.

- END -