LC 0393

INTRODUCED BY Ronney Lift Dumble (throne 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 4 11-805.1, R.C.M. 1947, TO PROVIDE FOR THE PUBLICATION OF THE 5 PROCEEDINGS OF CITY AND TOWN COUNCILS." 6 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 8 Section 1. Section 11-805.1, R.C.M. 1947, is amended 9 to read as follows: 10 \*11-805.1. Duties of town clerk. It shall be the duty 11 12 of the town clerk: (1) To receive all moneys that come to the town, either 13 14 from taxation or otherwise, and to pay the same out on the warrant of the mayor, countersigned by the clerk, drawn in 15 15 accordance with law. (2) To perform such duties in the collection of taxes, 17 licenses, or assessments as are or may be prescribed by law 18 19 or ordinances. (3) To present on the first Monday of each month to the 20 council a full and detailed statement of the amounts of 21 money belonging to the town, received by him and by him 22 disbursed during the preceding month, and the state of each 23 particular fund, which statement must be verified by his 24 25 oath.

INTRODUCED BILL

1 (4) To keep the books and accounts of the city or town 2 in such manner as to correctly present the condition of the finances thereof, which must always be open to the 3 inspection of the mayor, council, or any member thereof. 4 5 (5) To keep a separate account of each fund or appropriation, and the debits and credits thereof. 6 7 (6) To give every person paying to him money as town clerk, a receipt therefor, specifying the date of payment, 8 9 the amount, and for what paid. 10 (7) To render at any time an account to the council, showing the money on hand and the condition of the treasury. 11 12 (8) To keep a register of all warrants paid, which must 13 show the date, amount, and number, and the person to whom, 14 and the fund from which the same was paid. 15 (9) To annually make out and submit to the town 16 council, at its last meeting prior to May first, a detailed 17 account of all receipts and expenditures during the past 18 fiscal year, and an abstract thereof must be published in 19 some newspaper in the city or town, or, if none is 20 published, such abstract must be posted in the room or building occupied by the council. 21 22 (10)To pay out, in the order which they are registered, all warrants presented for payment, when there 23 are funds in the treasury to pay the same. 24

25 (11) To deposit all public moneys in his possession and

-2-

SB70

1 under his control, excepting such as may be required for 2 current business, in any solvent bank or banks located in 3 such city or town, subject to national supervision or state examination, as the council shall designate, and no other, 4 5 and the sums so deposited shall bear interest at the rate of 6 two and one-half per centum per annum, payable 7 quarter-annually.

8 (12) To attend all meetings of the council, to record
9 and sign the proceedings thereof and all ordinances, bylaws,
10 resolutions, and contracts passed, adopted, or entered into,
11 and to sign, number, and keep a record of all licenses,
12 commissions, or permits granted or authorized by the
13 council.

14 (13) To enter in a book all ordinances, resolutions,
15 and bylaws passed and adopted by the council. Such book is
16 called "The Ordinance Book."

17 (14) To enter in a book kept for that purpose the date,
18 amount, and person in whose favor and for what purpose
i9 warrants are drawn upon the town treasury.

20 (15) To countersign and cause to be published or
21 posted, as provided by law, all ordinances, bylaws, or
22 resolutions passed and adopted by the council.

23 (16) To file and keep all records, books, papers, or
24 property belonging to the town, and to deliver the same to
25 his successor when gualified.

-3-

1	(17) To prepare a condensed statement of the
2	proceedings of a regular or special meeting of the city or
3	town council, including the total expenditure from each
4	municipal fund, and cause the same to be published in a
5	newspaper of general circulation in the city or town, or if
6	there is none, in a newspaper serving the district.
7	The statement shall include a list of all claims
8	allowed and a summary of all receipts. Failure by the clerk
9	to make such a publication is a misdemeanor."
10	Section 2. Notwithstanding the provisions of section
11	43-517, R.C.M. 1947, there shall be no reimbursement nor
12	shall there be any appropriation made by this act because
13	the duties imposed on local government entities by this act
14	are such that related costs are incurred as a part of their
15	normal operating procedures.

-End-

-4-

. .

## STATE OF MONTANA

**REQUEST NO. \_\_\_41-75** 

# FISCAL NOTE

Form BD-15

In compliance with a written request received <u>January 17</u>, 19 <u>75</u>, there is hereby submitted a Fiscal Note for <u>Senate Bill 70</u> pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

### DESCRIPTION OF PROPOSED LEGISLATION:

An act to extend the duties of a town clerk to include the preparation and publication of the proceedings of city or town councils; including the total expenditure from each municipal fund.

#### **ASSUMPTIONS:**

1. There are 126 cities and towns which would come under the provisions of this bill.

2. The city or town councils will meet once a week.

3. The average cost of such a publication is \$40 per printing.

#### FISCAL IMPACT:

Increased expenditure to cities and towns under proposed law would be an estimated \$1,920 per year.

BUDGET DIRECTOR V Office of Budget and Program Planning Date: \_\_\_\_\_\_January 21, 1975\_\_\_\_\_