

CHAPTER NO. 405.

SENATE BILL NO. 397

INTRODUCED BY McCALLUM, S. BROWN

IN THE SENATE

February 7, 1979	Introduced and referred to Committee on Local Government.
February 15, 1979	Committee recommend bill do pass. Report adopted.
February 16, 1979	Printed and placed on members' desks.
February 17, 1979	Second reading, do pass.
February 19, 1979	Considered correctly engrossed.
February 20, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 21, 1979	Introduced and referred to Committee on Judiciary.
March 20, 1979	Committee recommend bill be concurred in. Report adopted.
March 21, 1979	Second reading, concurred in.
March 24, 1979	Third reading, concurred in.

IN THE SENATE

March 24, 1979	Returned from second house. Concurred in. Sent to enrolling.  Reported correctly enrolled.
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1 *Senate* BILL NO. *397*  
 2 INTRODUCED BY *McDermott, J. Brown*

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE DISTRICT  
 5 COURT PROGRAMS FUNDED BY THE COUNTY TO BE SUBJECT TO THE  
 6 COUNTY BUDGET LAW; AMENDING SECTIONS 7-6-2311, 7-6-2313, AND  
 7 40-3-114, MCA."

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

10 Section 1. Section 7-6-2311, MCA, is amended to read:

11 "7-6-2311. Filing of estimate of revenues and expenses  
 12 with county clerk. (1) Before June 1 each year the county  
 13 clerk and recorder shall notify in writing each county  
 14 official in charge of an office, department, service, or  
 15 ~~institution, or county-funded district court program~~ of the  
 16 county to file with the county clerk and recorder, before  
 17 June 10, detailed and itemized estimates, both of the  
 18 probable revenues from sources other than taxation and of  
 19 all expenditures required by the office, department,  
 20 service, or institution for the next fiscal year.

21 (2) (a) The county commissioners shall submit to the  
 22 county clerk and recorder the estimate of expenditures for  
 23 all purposes for the board and a detailed statement showing  
 24 all new road and bridge construction to be financed from  
 25 county road and bridge funds, from any special road or

1 bridge fund, from any special highway fund, and from bond  
 2 issues issued or authorized for the next fiscal year,  
 3 together with the cost of that construction as computed by  
 4 the county surveyor or, if for construction in charge of a  
 5 special engineer, then by that engineer. The county  
 6 commissioners shall also submit to the county clerk and  
 7 recorder detailed estimates of all expenditures for  
 8 construction or improvement purposes proposed to be made  
 9 from the proceeds of bond issues not yet authorized and from  
 10 the proceeds of tax levies which are required to be approved  
 11 at an election to be held.

12 (b) The county surveyor and any special engineer shall  
 13 prepare the estimates of cost of road and bridge  
 14 construction for the county commissioners. They shall also  
 15 submit a similar statement showing road and bridge  
 16 maintenance expenditures as nearly as can be estimated.

17 (c) The county treasurer shall prepare the estimates  
 18 for interest and debt reduction.

19 (d) The county clerk and recorder shall prepare all  
 20 other estimates which properly fall within the duties of his  
 21 office.

22 (3) The estimates required in this section shall be  
 23 submitted on forms provided by the county clerk and recorder  
 24 and prescribed by the department of community affairs. The  
 25 forms may only be varied or departed from with permission

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 INTRODUCED BILL

1 and approval of that department. Each of the officials shall  
2 file the estimates within the time and in the manner  
3 provided in the form and notice.

4 (4) In the absence or disability of an official, the  
5 duties required by this section or 7-6-2312 devolve upon the  
6 official or employee in charge of the office, department,  
7 service, or institution."

8 Section 2. Section 7-6-2313, MCA, is amended to read:

9 "7-6-2313. Preparation of expenditure program and  
10 information on sources of revenue. (1) From those estimates  
11 the county clerk and recorder shall prepare a tabulation  
12 showing the complete expenditure program of the county for  
13 the current fiscal year and the sources of revenue by which  
14 it is to be financed.

15 (2) The tabulation shall set forth:

16 (a) the estimated receipts from all sources other than  
17 taxation for each office, department, service, or  
18 institution, or district court program funded by the county  
19 for the current fiscal year;

20 (b) the actual receipts for the last completed fiscal  
21 year;

22 (c) the surplus or unencumbered treasury balances at  
23 the close of that last fiscal year;

24 (d) the amount necessary to be raised by taxation;

25 (e) the estimated expenditure for each office,

1 department, service, or institution, or district court  
2 program funded by the county for the current fiscal year;

3 (f) the actual expenditures for the last completed  
4 fiscal year;

5 (g) all contracts or other obligations which will  
6 affect the current year revenues;

7 (h) the total amount of emergency warrants issued  
8 during the preceding fiscal year, with the amount issued for  
9 each emergency and the amount issued against each fund."

10 Section 3. Section 40-3-114, MCA, is amended to read:

11 "40-3-114. Budget. The provisions of the county budget  
12 system, Title 7, chapter 6, part 23, shall, except as  
13 provided by 40-3-125(3), be applicable to expenditures for  
14 the court of conciliation ~~provided, however, that the court~~  
15 ~~may submit to the board of county commissioners the~~  
16 ~~information required by 7-6-2311 on or before July 1 of each~~  
17 year."

-End-

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21 (2) (a) The county commissioners shall submit to the  
22 county clerk and recorder the estimate of expenditures for  
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24 all new road and bridge construction to be financed from  
25 county road and bridge funds, from any special road or

1 bridge fund, from any special highway fund, and from bond  
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12 (b) The county surveyor and any special engineer shall  
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17 (c) The county treasurer shall prepare the estimates  
18 for interest and debt reduction.

19 (d) The county clerk and recorder shall prepare all  
20 other estimates which properly fall within the duties of his  
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22 (3) The estimates required in this section shall be  
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 5   special engineer, then by that engineer. The county  
 6   commissioners shall also submit to the county clerk and  
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