

HOUSE BILL NO. 715
INTRODUCED BY WALDRON

IN THE HOUSE

February 11, 1983	Introduced and referred to Committee on Local Government.
February 19, 1983	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 21, 1983	Second reading, do pass.
February 22, 1983	Considered correctly engrossed.
February 23, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Local Government.
March 23, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 25, 1983	Second reading, concurred in.
March 28, 1983	Third reading, concurred in. Ayes, 47; Noes, 0.

IN THE HOUSE

March 28, 1983	Returned to House with amendments.
April 1, 1983	Second reading, amendments concurred in.

April 4, 1983

Third reading, amendments
concurred in.

Sent to enrolling.

April 7, 1983

Correctly enrolled.

April 10, 1983

Signed by Speaker.

April 13, 1983

Signed by President.

April 14, 1983

Delivered to Governor.

April 19, 1983

Returned from Governor with
recommended amendments.

Second reading, Governor's
amendments concurred in.

Third reading, Governor's
amendments concurred in.

IN THE SENATE

April 20, 1983

Governor's amendments
transmitted to Senate.

Second reading, Governor's
amendments concurred in.

April 21, 1983

Third reading, Governor's
amendments concurred in.

IN THE HOUSE

April 21, 1983

Returned to House. Sent to
enrolling.

Reported correctly enrolled.

1 House BILL NO. 715
2 INTRODUCED BY Wilson
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW COUNTIES AND
5 MUNICIPALITIES TO AMEND THEIR FINAL BUDGETS BECAUSE OF
6 UNANTICIPATED REVENUES, SHORTFALLS IN REVENUES, OR SAVINGS;
7 AMENDING SECTIONS 7-6-2302, 7-6-2324, 7-6-4231, AND
8 7-6-4235, MCA; AND PROVIDING AN EFFECTIVE DATE."
9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11 Section 1. Section 7-6-2320, MCA, is amended to read:
12 "7-6-2320. Final budget -- approval, and adoption, and
13 amendment. (1) The budget as finally determined, in addition
14 to setting out separately each item for which an
15 appropriation or expenditure is authorized and the fund out
16 of which it is to be paid, shall set out:
17 (a) the total amount appropriated and authorized to be
18 spent from each fund;
19 (b) the cash balance in the fund at the close of the
20 preceding fiscal year;
21 (c) the amount estimated to accrue to the fund from
22 sources other than taxation;
23 (d) the reserve for the next fiscal year; and
24 (e) the amount necessary to be raised for each fund by
25 tax levy during the current fiscal year.

1 (2) The board shall then by resolution approve and
2 adopt the budget as finally determined and enter the budget
3 at length in the official minutes of the board.
4 ~~(3) (a) Subject to compliance with the procedures set~~
5 ~~forth in subsection (4), the board may approve and adopt a~~
6 ~~resolution amending a final budget when:~~
7 ~~(i) unanticipated revenues are received;~~
8 ~~(ii) shortfalls in anticipated and budgeted revenues~~
9 ~~occur that, unless reductions in appropriations are made,~~
10 ~~will result in expenditures for the year exceeding actual~~
11 ~~revenues and cash balances available therefor; or~~
12 ~~(iii) savings result from unanticipated adjustments in~~
13 ~~projected expenditures.~~
14 ~~(b) Amended appropriations must be classified as:~~
15 ~~(i) salaries and wages;~~
16 ~~(ii) maintenance and operation;~~
17 ~~(iii) capital outlays;~~
18 ~~(iv) interest and debt redemption; or~~
19 ~~(v) miscellaneous.~~
20 ~~(4) Prior to amending a final budget, the board shall:~~
21 ~~(a) hold a public hearing on the proposed amendments~~
22 ~~at least 7 days prior to a vote on the resolution amending~~
23 ~~the budget; and~~
24 ~~(b) publish notice, at least once, in a newspaper of~~
25 ~~general circulation in the county at least 6, but not more~~

1 than 16 days before the hearing on the budget amendments.
 2 The published notice must specify the date, time, place, and
 3 subject of the hearing."

4 Section 2. Section 7-6-2324, MCA, is amended to read:

5 "7-6-2324. Limitations on appropriations after budget
 6 adopted. (1) The estimates of expenditures, itemized and
 7 classified as required in 7-6-2313 and 7-6-2314 and as
 8 finally fixed and adopted and as may be amended as provided
 9 in 7-6-2320 by said board of county commissioners, shall
 10 constitute the appropriations for the county for the fiscal
 11 year intended to be covered thereby.

12 (2) Except as provided in 3-5-404, 7-6-2325, and
 13 7-31-2101, the county commissioners and every other county
 14 official, including judges of the district court, shall be
 15 limited in the making of expenditures or incurring of
 16 liabilities to the amount of such detailed appropriations
 17 and classifications, respectively."

18 Section 3. Section 7-6-4231, MCA, is amended to read:

19 "7-6-4231. Final budget -- approval, and adoption, and
 20 amendment. (1) The budget as finally determined, in addition
 21 to setting out separately each item for which an
 22 appropriation is made or expenditure authorized and the fund
 23 out of which it is to be paid, shall set out:

24 (a) the total amount appropriated and authorized to be
 25 spent from each fund;

1 (b) the cash balance in excess of outstanding unpaid
 2 warrants at the close of the preceding fiscal year;

3 (c) the amount estimated to accrue to the fund from
 4 sources other than taxation;

5 (d) the reserve for the next fiscal year; and

6 (e) the amount necessary to be raised for each fund by
 7 tax levy during the current fiscal year.

8 (2) The council shall then by resolution approve and
 9 adopt the budget as finally determined, and the clerk shall
 10 enter it at length in the official minutes of the council.

11 ~~(3) (a) Subject to compliance with the procedures set~~
 12 ~~forth in subsection (4), the council may approve and adopt a~~
 13 ~~resolution amending a final budget when:~~

14 ~~(i) unanticipated revenues are received;~~

15 ~~(ii) shortfalls in anticipated and budgeted revenues~~
 16 ~~occur that, unless reductions in appropriations are made,~~
 17 ~~will result in expenditures for the year exceeding actual~~
 18 ~~revenues and cash balances available therefor; or~~

19 ~~(iii) savings result from unanticipated adjustments in~~
 20 ~~projected expenditures.~~

21 ~~(b) Amended appropriations must be classified as:~~

22 ~~(i) salaries and wages;~~

23 ~~(ii) maintenance and operation;~~

24 ~~(iii) capital outlay;~~

25 ~~(iv) interest and debt redemption; or~~

(v) miscellaneous.

1 effective July 1, 1983.

-End-

(4) Prior to amending a final budget, the council shall:

(a) hold a public hearing on the proposed amendments at least 7 days prior to a vote on the resolution amending the budget; and

(b) publish notice at least once in a newspaper of general circulation in the city or town at least 6 but not more than 16 days before the hearing on the budget amendments. The published notice must specify the date, time, place, and subject of the hearing."

Section 4. Section 7-6-4235, MCA, is amended to read:

"7-6-4235. Limitations on appropriations after budget adopted. (1) The estimates of expenditures, itemized and classified as required in 7-6-4224 and 7-6-4225 and as finally fixed and adopted and as may be amended as provided in 7-6-4231 by said council, shall constitute the appropriations for the municipality for the fiscal year intended to be covered thereby.

(2) Except as provided in 7-6-4236, the council and every other municipal official shall be limited in the making of expenditures or incurring of liabilities to the amount of such detailed appropriations and classifications, respectively."

NEW SECTION. Section 5. Effective date. This act is

Approved by Comm.
on Local Government

1 House BILL NO. 715
2 INTRODUCED BY Walton
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW COUNTIES AND
5 MUNICIPALITIES TO AMEND THEIR FINAL BUDGETS BECAUSE OF
6 UNANTICIPATED REVENUES, SHORTFALLS IN REVENUES, OR SAVINGS;
7 AMENDING SECTIONS 7-6-2302, 7-6-2324, 7-6-4231, AND
8 7-6-4235, MCA; AND PROVIDING AN EFFECTIVE DATE."
9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11 Section 1. Section 7-6-2320, MCA, is amended to read:
12 "7-6-2320. Final budget -- approvals and adoptions and
13 amendment. (1) The budget as finally determined, in addition
14 to setting out separately each item for which an
15 appropriation or expenditure is authorized and the fund out
16 of which it is to be paid, shall set out:
17 (a) the total amount appropriated and authorized to be
18 spent from each fund;
19 (b) the cash balance in the fund at the close of the
20 preceding fiscal year;
21 (c) the amount estimated to accrue to the fund from
22 sources other than taxation;
23 (d) the reserve for the next fiscal year; and
24 (e) the amount necessary to be raised for each fund by
25 tax levy during the current fiscal year.

1 (2) The board shall then by resolution approve and
2 adopt the budget as finally determined and enter the budget
3 at length in the official minutes of the board.
4 ~~(3) (a) Subject to compliance with the procedures set~~
5 ~~forth in subsection (4), the board may approve and adopt a~~
6 ~~resolution amending a final budget when:~~
7 ~~(i) unanticipated revenues are received;~~
8 ~~(ii) shortfalls in anticipated and budgeted revenues~~
9 ~~occur that, unless reductions in appropriations are made,~~
10 ~~will result in expenditures for the year exceeding actual~~
11 ~~revenues and cash balances available therefor; or~~
12 ~~(iii) savings result from unanticipated adjustments in~~
13 ~~projected expenditures.~~
14 ~~(b) Amended appropriations must be classified as:~~
15 ~~(i) salaries and wages;~~
16 ~~(ii) maintenance and operation;~~
17 ~~(iii) capital outlays;~~
18 ~~(iv) interest and debt redemption; or~~
19 ~~(v) miscellaneous.~~
20 ~~(4) Prior to amending a final budget, the board shall:~~
21 ~~(a) hold a public hearing on the proposed amendments~~
22 ~~at least 7 days prior to a vote on the resolution amending~~
23 ~~the budget; and~~
24 ~~(b) publish notice, at least once, in a newspaper of~~
25 ~~general circulation in the county at least 6, but not more~~

1 ~~than 16 days before the hearing on the budget amendments.~~
 2 ~~The published notice must specify the date, time, place, and~~
 3 ~~subject of the hearing."~~

4 Section 2. Section 7-6-2324, MCA, is amended to read:
 5 "7-6-2324. Limitations on appropriations after budget
 6 adopted. (1) The estimates of expenditures, itemized and
 7 classified as required in 7-6-2313 and 7-6-2314 and as
 8 finally fixed and adopted ~~and as may be amended as provided~~
 9 ~~in 7-6-2320~~ by said board of county commissioners, shall
 10 constitute the appropriations for the county for the fiscal
 11 year intended to be covered thereby.

12 (2) Except as provided in 3-5-404, 7-6-2325, and
 13 7-31-2101, the county commissioners and every other county
 14 official, including judges of the district court, shall be
 15 limited in the making of expenditures or incurring of
 16 liabilities to the amount of such detailed appropriations
 17 and classifications, respectively."

18 Section 3. Section 7-6-4231, MCA, is amended to read:

19 "7-6-4231. Final budget -- approval and adoption and
 20 amendment. (1) The budget as finally determined, in addition
 21 to setting out separately each item for which an
 22 appropriation is made or expenditure authorized and the fund
 23 out of which it is to be paid, shall set out:

24 (a) the total amount appropriated and authorized to be
 25 spent from each fund;

1 (b) the cash balance in excess of outstanding unpaid
 2 warrants at the close of the preceding fiscal year;

3 (c) the amount estimated to accrue to the fund from
 4 sources other than taxation;

5 (d) the reserve for the next fiscal year; and

6 (e) the amount necessary to be raised for each fund by
 7 tax levy during the current fiscal year.

8 (2) The council shall then by resolution approve and
 9 adopt the budget as finally determined, and the clerk shall
 10 enter it at length in the official minutes of the council.

11 ~~(3) (a) Subject to compliance with the procedures set~~
 12 ~~forth in subsection (4), the council may approve and adopt a~~
 13 ~~resolution amending a final budget when:~~

14 ~~(i) unanticipated revenues are received;~~

15 ~~(ii) shortfalls in anticipated and budgeted revenues~~
 16 ~~occur that, unless reductions in appropriations are made,~~
 17 ~~will result in expenditures for the year exceeding actual~~
 18 ~~revenues and cash balances available therefor; or~~

19 ~~(iii) savings result from unanticipated adjustments in~~
 20 ~~projected expenditures;~~

21 ~~(b) Amended appropriations must be classified as:~~

22 ~~(i) salaries and wages;~~

23 ~~(ii) maintenance and operations;~~

24 ~~(iii) capital outlay;~~

25 ~~(iv) interest and debt redemption; or~~

1 effective July 1, 1983.

-End-

1 ~~(vi) miscellaneous.~~
2 ~~(4) Prior to amending a final budget, the council~~
3 ~~shall:~~
4 ~~(a) hold a public hearing on the proposed amendments~~
5 ~~at least 7 days prior to a vote on the resolution amending~~
6 ~~the budget; and~~
7 ~~(b) publish notice at least once in a newspaper of~~
8 ~~general circulation in the city or town at least 6 but not~~
9 ~~more than 16 days before the hearing on the budget~~
10 ~~amendments. The published notice must specify the date,~~
11 ~~time, place, and subject of the hearing."~~
12 Section 4. Section 7-6-4235, MCA, is amended to read:
13 "7-6-4235. Limitations on appropriations after budget
14 adopted. (1) The estimates of expenditures, itemized and
15 classified as required in 7-6-4224 and 7-6-4225 and as
16 finally fixed and adopted ~~and as may be amended as provided~~
17 ~~in 7-6-4231~~ by said council, shall constitute the
18 appropriations for the municipality for the fiscal year
19 intended to be covered thereby.
20 (2) Except as provided in 7-6-4236, the council and
21 every other municipal official shall be limited in the
22 making of expenditures or incurring of liabilities to the
23 amount of such detailed appropriations and classifications,
24 respectively."
25 ~~NEW SECTION.~~ Section 5. Effective date. This act is

1 House BILL NO. 715
 2 INTRODUCED BY Welton
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW COUNTIES AND
 5 MUNICIPALITIES TO AMEND THEIR FINAL BUDGETS BECAUSE OF
 6 UNANTICIPATED REVENUES, SHORTFALLS IN REVENUES, OR SAVINGS;
 7 AMENDING SECTIONS 7-6-2302, 7-6-2324, 7-6-4231, AND
 8 7-6-4235, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

11 Section 1. Section 7-6-2320, MCA, is amended to read:

12 "7-6-2320. Final budget -- approval, and adoption, and
 13 amendment. (1) The budget as finally determined, in addition
 14 to setting out separately each item for which an
 15 appropriation or expenditure is authorized and the fund out
 16 of which it is to be paid, shall set out:

17 (a) the total amount appropriated and authorized to be
 18 spent from each fund;

19 (b) the cash balance in the fund at the close of the
 20 preceding fiscal year;

21 (c) the amount estimated to accrue to the fund from
 22 sources other than taxation;

23 (d) the reserve for the next fiscal year; and

24 (e) the amount necessary to be raised for each fund by
 25 tax levy during the current fiscal year.

1 (2) The board shall then by resolution approve and
 2 adopt the budget as finally determined and enter the budget
 3 at length in the official minutes of the board.

4 ~~(3) (a) Subject to compliance with the procedures set~~
 5 ~~forth in subsection (4), the board may approve and adopt a~~
 6 ~~resolution amending a final budget when:~~

7 ~~(i) unanticipated revenues are received;~~

8 ~~(ii) shortfalls in anticipated and budgeted revenues~~
 9 ~~occur that, unless reductions in appropriations are made,~~
 10 ~~will result in expenditures for the year exceeding actual~~
 11 ~~revenues and cash balances available therefor; or~~

12 ~~(iii) savings result from unanticipated adjustments in~~
 13 ~~projected expenditures.~~

14 ~~(b) Amended appropriations must be classified as:~~

15 ~~(i) salaries and wages;~~

16 ~~(ii) maintenance and operation;~~

17 ~~(iii) capital outlay;~~

18 ~~(iv) interest and debt redemption; or~~

19 ~~(v) miscellaneous.~~

20 ~~(4) Prior to amending a final budget, the board shall:~~

21 ~~(a) hold a public hearing on the proposed amendments~~
 22 ~~at least 7 days prior to a vote on the resolution amending~~
 23 ~~the budget; and~~

24 ~~(b) publish notice, at least once, in a newspaper of~~
 25 ~~general circulation in the county at least 6 but not more~~

~~that 16 days before the hearing on the budget amendments.~~
~~The published notice must specify the date, time, place, and~~
~~subject of the hearing."~~

Section 2. Section 7-6-2324, MCA, is amended to read:

"7-6-2324. Limitations on appropriations after budget adopted. (1) The estimates of expenditures, itemized and classified as required in 7-6-2313 and 7-6-2314 and as finally fixed and adopted ~~and as may be amended as provided~~ in 7-6-2320 by said board of county commissioners, shall constitute the appropriations for the county for the fiscal year intended to be covered thereby.

(2) Except as provided in 3-5-404, 7-6-2325, and 7-31-2101, the county commissioners and every other county official, including judges of the district court, shall be limited in the making of expenditures or incurring of liabilities to the amount of such detailed appropriations and classifications, respectively."

Section 3. Section 7-6-4231, MCA, is amended to read:

"7-6-4231. Final budget -- approval, and adoption, and amendment. (1) The budget as finally determined, in addition to setting out separately each item for which an appropriation is made or expenditure authorized and the fund out of which it is to be paid, shall set out:

(a) the total amount appropriated and authorized to be spent from each fund;

(b) the cash balance in excess of outstanding unpaid warrants at the close of the preceding fiscal year;

(c) the amount estimated to accrue to the fund from sources other than taxation;

(d) the reserve for the next fiscal year; and

(e) the amount necessary to be raised for each fund by tax levy during the current fiscal year.

(2) The council shall then by resolution approve and adopt the budget as finally determined, and the clerk shall enter it at length in the official minutes of the council.

~~(3) (a) Subject to compliance with the procedures set forth in subsection (4), the council may approve and adopt a resolution amending a final budget when:~~

~~(i) unanticipated revenues are received;~~

~~(ii) shortfalls in anticipated and budgeted revenues occur that, unless reductions in appropriations are made, will result in expenditures for the year exceeding actual revenues and cash balances available therefor; or~~

~~(iii) savings result from unanticipated adjustments in projected expenditures.~~

~~(b) Amended appropriations must be classified as:~~

~~(i) salaries and wages;~~

~~(ii) maintenance and operation;~~

~~(iii) capital outlay;~~

~~(iv) interest and debt redemption; or~~

1 (vi) miscellaneous.
 2 (a) Prior to amending a final budget, the council
 3 shall:

4 (a) hold a public hearing on the proposed amendments
 5 at least 7 days prior to a vote on the resolution amending
 6 the budget; and

7 (b) publish notice at least once in a newspaper of
 8 general circulation in the city or town at least 6 but not
 9 more than 16 days before the hearing on the budget
 10 amendments. The published notice must specify the date,
 11 time, place, and subject of the hearing."

12 Section 4. Section 7-6-4235, MCA, is amended to read:

13 "7-6-4235. Limitations on appropriations after budget
 14 adopted. (1) The estimates of expenditures, itemized and
 15 classified as required in 7-6-4224 and 7-6-4225 and as
 16 finally fixed and adopted ~~and as may be amended as provided~~
 17 ~~in 7-6-4231~~ by said council, shall constitute the
 18 appropriations for the municipality for the fiscal year
 19 intended to be covered thereby.

20 (2) Except as provided in 7-6-4236, the council and
 21 every other municipal official shall be limited in the
 22 making of expenditures or incurring of liabilities to the
 23 amount of such detailed appropriations and classifications,
 24 respectively."

25 ~~NEW SECTION.~~ Section 5. Effective date. This act is

1 effective July 1, 1983.

-End-

March 23, 1983

SENATE STANDING COMMITTEE REPORT
(Local Government)

That House Bill No. 715 be amended as follows:

1. Title, line 6.
Following: line 5
Strike: "UNANTICIPATED REVENUES,"
Following: "REVENUES"
Strike: ", "
2. Page 2, line 7.
Strike: line 7 in its entirety.
Renumber: subsequent subsections
3. Page 4, line 14.
Strike: line 14 in its entirety
Renumber: subsequent subsections

HOUSE BILL NO. 715

INTRODUCED BY WALDRON

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW COUNTIES AND MUNICIPALITIES TO AMEND THEIR FINAL BUDGETS BECAUSE OF UNANTICIPATED REVENUES, SHORTFALLS IN REVENUES, OR SAVINGS; AMENDING SECTIONS 7-6-2302, 7-6-2324, 7-6-4231, AND 7-6-4235, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 7-6-2320, MCA, is amended to read:

"7-6-2320. Final budget -- approval, and adoption, and amendment. (1) The budget as finally determined, in addition to setting out separately each item for which an appropriation or expenditure is authorized and the fund out of which it is to be paid, shall set out:

(a) the total amount appropriated and authorized to be spent from each fund;

(b) the cash balance in the fund at the close of the preceding fiscal year;

(c) the amount estimated to accrue to the fund from sources other than taxation;

(d) the reserve for the next fiscal year; and

(e) the amount necessary to be raised for each fund by tax levy during the current fiscal year.

(2) The board shall then by resolution approve and adopt the budget as finally determined and enter the budget at length in the official minutes of the board.

~~(3) (a) Subject to compliance with the procedures set forth in subsection (4), the board may approve and adopt a resolution amending a final budget when:~~

~~(i) unanticipated revenues are received;~~

~~(ii) (I) shortfalls in anticipated and budgeted revenues occur that, unless reductions in appropriations are made, will result in expenditures for the year exceeding actual revenues and cash balances available therefor; or~~
~~(iii) (II) savings result from unanticipated adjustments in projected expenditures.~~

~~(b) Amended appropriations must be classified as:~~

~~(i) salaries and wages;~~

~~(ii) maintenance and operation;~~

~~(iii) capital outlay;~~

~~(iv) interest and debt redemption; or~~

~~(v) miscellaneous.~~

~~(4) Prior to amending a final budget, the board shall:~~

~~(a) hold a public hearing on the proposed amendments at least 7 days prior to a vote on the resolution amending the budget; and~~

~~(b) publish notice, at least once, in a newspaper of general circulation in the county at least 6 but not more~~

1 ~~than 16 days before the hearing on the budget amendments.~~
 2 ~~The published notice must specify the date, time, place, and~~
 3 ~~subject of the hearing."~~

4 Section 2. Section 7-6-2324, MCA, is amended to read:
 5 "7-6-2324. Limitations on appropriations after budget
 6 adopted. (1) The estimates of expenditures, itemized and
 7 classified as required in 7-6-2313 and 7-6-2314 and as
 8 finally fixed and adopted ~~and as may be amended as provided~~
 9 ~~in 7-6-2320~~ by said board of county commissioners, shall
 10 constitute the appropriations for the county for the fiscal
 11 year intended to be covered thereby.

12 (2) Except as provided in 3-5-404, 7-6-2325, and
 13 7-31-2101, the county commissioners and every other county
 14 official, including judges of the district court, shall be
 15 limited in the making of expenditures or incurring of
 16 liabilities to the amount of such detailed appropriations
 17 and classifications, respectively."

18 Section 3. Section 7-6-4231, MCA, is amended to read:

19 "7-6-4231. Final budget -- approval, and adoption, and
 20 amendment. (1) The budget as finally determined, in addition
 21 to setting out separately each item for which an
 22 appropriation is made or expenditure authorized and the fund
 23 out of which it is to be paid, shall set out:

24 (a) the total amount appropriated and authorized to be
 25 spent from each fund;

1 (b) the cash balance in excess of outstanding unpaid
 2 warrants at the close of the preceding fiscal year;

3 (c) the amount estimated to accrue to the fund from
 4 sources other than taxation;

5 (d) the reserve for the next fiscal year; and

6 (e) the amount necessary to be raised for each fund by
 7 tax levy during the current fiscal year.

8 (2) The council shall then by resolution approve and
 9 adopt the budget as finally determined, and the clerk shall
 10 enter it at length in the official minutes of the council.

11 ~~(3) (a) Subject to compliance with the procedures set~~
 12 ~~forth in subsection (4), the council may approve and adopt a~~
 13 ~~resolution amending a final budget when:~~

14 ~~fit--unanticipated revenues are received;~~

15 ~~fit(1) shortfalls in anticipated and budgeted~~
 16 ~~revenues occur that, unless reductions in appropriations are~~
 17 ~~made, will result in expenditures for the year exceeding~~
 18 ~~actual revenues and cash balances available therefor; or~~

19 ~~fit(2) savings result from unanticipated adjustments~~
 20 ~~in projected expenditures.~~

21 ~~(b) Amended appropriations must be classified as:~~

22 ~~(i) salaries and wages;~~

23 ~~(ii) maintenance and operations;~~

24 ~~(iii) capital outlay;~~

25 ~~(iv) interest and debt redemption; or~~

~~(vi) miscellaneous.~~

1 effective July 1, 1983.

~~(4) Prior to amending a final budget, the council~~

-End-

shall:

~~(a) hold a public hearing on the proposed amendments
at least 7 days prior to a vote on the resolution amending
the budget; and~~

~~(b) publish notice at least once in a newspaper of
general circulation in the city or town at least 6 but not
more than 16 days before the hearing on the budget
amendments. The published notice must specify the date,
time, place, and subject of the hearing."~~

Section 4. Section 7-6-4235, MCA, is amended to read:

"7-6-4235. Limitations on appropriations after budget
adopted. (1) The estimates of expenditures, itemized and
classified as required in 7-6-4224 and 7-6-4225 and as
finally fixed and adopted ~~and as may be amended as provided~~
in ~~7-6-4231~~ by said council, shall constitute the
appropriations for the municipality for the fiscal year
intended to be covered thereby.

(2) Except as provided in 7-6-4236, the council and
every other municipal official shall be limited in the
making of expenditures or incurring of liabilities to the
amount of such detailed appropriations and classifications,
respectively."

~~YEM-SECTION.~~ Section 5. Effective date. This act is

PROPOSED AMENDMENT TO
HOUSE BILL NO. 715
REFERENCE BILL

1. Title, line 7.

Following: "SECTIONS"
Strike: "7-6-2302"
Insert: "7-6-2320"

Governor's
4-19-83

HOUSE BILL NO. 715

INTRODUCED BY WALDRON

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW COUNTIES AND MUNICIPALITIES TO AMEND THEIR FINAL BUDGETS BECAUSE OF UNANTICIPATED-REVENUES, SHORTFALLS IN REVENUES, OR SAVINGS; AMENDING SECTIONS 7-6-2302 ~~7-6-2320~~, 7-6-2324, 7-6-4231, AND 7-6-4235, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 7-6-2320, MCA, is amended to read:

"7-6-2320. Final budget -- approval, and adoption, and amendment. (1) The budget as finally determined, in addition to setting out separately each item for which an appropriation or expenditure is authorized and the fund out of which it is to be paid, shall set out:

(a) the total amount appropriated and authorized to be spent from each fund;

(b) the cash balance in the fund at the close of the preceding fiscal year;

(c) the amount estimated to accrue to the fund from sources other than taxation;

(d) the reserve for the next fiscal year; and

(e) the amount necessary to be raised for each fund by tax levy during the current fiscal year.

(2) The board shall then by resolution approve and adopt the budget as finally determined and enter the budget at length in the official minutes of the board.

~~(3) (a) Subject to compliance with the procedures set forth in subsection (4), the board may approve and adopt a resolution amending a final budget when:~~

~~iii--unanticipated-revenues-are-received~~

~~iii--(i) shortfalls in anticipated and budgeted revenues occur that, unless reductions in appropriations are made, will result in expenditures for the year exceeding actual revenues and cash balances available therefor; or~~

~~iii--(ii) savings result from unanticipated adjustments in projected expenditures.~~

~~(b) Amended appropriations must be classified as:~~

~~(i) salaries and wages;~~

~~(ii) maintenance and operation;~~

~~(iii) capital outlay;~~

~~(iv) interest and debt redemption; or~~

~~(v) miscellaneous.~~

~~(4) Prior to amending a final budget, the board shall:~~
~~(a) hold a public hearing on the proposed amendments at least 7 days prior to a vote on the resolution amending the budget; and~~

~~(b) publish notice, at least once, in a newspaper of general circulation in the county at least 6 but not more~~

1 ~~than 16 days before the hearing on the budget amendments.~~
 2 ~~The published notice must specify the date, time, place, and~~
 3 ~~subject of the hearing."~~

4 Section 2. Section 7-6-2324, MCA, is amended to read:

5 "7-6-2324. Limitations on appropriations after budget
 6 adopted. (1) The estimates of expenditures, itemized and
 7 classified as required in 7-6-2313 and 7-6-2314 and as
 8 finally fixed and adopted ~~and as may be amended as provided~~
 9 ~~in 7-6-2329~~ by said board of county commissioners, shall
 10 constitute the appropriations for the county for the fiscal
 11 year intended to be covered thereby.

12 (2) Except as provided in 3-5-404, 7-6-2325, and
 13 7-31-2101, the county commissioners and every other county
 14 official, including judges of the district court, shall be
 15 limited in the making of expenditures or incurring of
 16 liabilities to the amount of such detailed appropriations
 17 and classifications, respectively."

18 Section 3. Section 7-6-4231, MCA, is amended to read:

19 "7-6-4231. Final budget -- approval, ~~and adoption, and~~
 20 ~~amendment.~~ (1) The budget as finally determined, in addition
 21 to setting out separately each item for which an
 22 appropriation is made or expenditure authorized and the fund
 23 out of which it is to be paid, shall set out:

24 (a) the total amount appropriated and authorized to be
 25 spent from each fund;

1 (b) the cash balance in excess of outstanding unpaid
 2 warrants at the close of the preceding fiscal year;

3 (c) the amount estimated to accrue to the fund from
 4 sources other than taxation;

5 (d) the reserve for the next fiscal year; and

6 (e) the amount necessary to be raised for each fund by
 7 tax levy during the current fiscal year.

8 (2) The council shall then by resolution approve and
 9 adopt the budget as finally determined, and the clerk shall
 10 enter it at length in the official minutes of the council.

11 ~~(3) (a) Subject to compliance with the procedures set~~
 12 ~~forth in subsection (4), the council may approve and adopt a~~
 13 ~~resolution amending a final budget when:~~

14 ~~(i) unanticipated revenues are received;~~

15 ~~(ii) shortfalls in anticipated and budgeted~~
 16 ~~revenues occur that, unless reductions in appropriations are~~
 17 ~~made, will result in expenditures for the year exceeding~~
 18 ~~actual revenues and cash balances available therefor; or~~

19 ~~(iii) savings result from unanticipated adjustments~~
 20 ~~in projected expenditures.~~

21 ~~(b) Amended appropriations must be classified as:~~

22 ~~(i) salaries and wages;~~

23 ~~(ii) maintenance and operation;~~

24 ~~(iii) capital outlay;~~

25 ~~(iv) interest and debt redemption; or~~

1 (v) miscellaneous.

1 effective July 1, 1983.

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2 (4) Prior to amending a final budget, the council
3 shall:

4 (a) hold a public hearing on the proposed amendments
5 at least 7 days prior to a vote on the resolution amending
6 the budget; and

7 (a) publish notice at least once in a newspaper of
8 general circulation in the city or town at least 6 but not
9 more than 16 days before the hearing on the budget
10 amendments. The published notice must specify the date,
11 time, place, and subject of the hearing."

12 Section 4. Section 7-6-4235, MCA, is amended to read:

13 "7-6-4235. Limitations on appropriations after budget
14 adopted. (1) The estimates of expenditures, itemized and
15 classified as required in 7-6-4224 and 7-6-4225 and as
16 finally fixed and adopted and as may be amended as provided
17 in 7-6-4231 by said council, shall constitute the
18 appropriations for the municipality for the fiscal year
19 intended to be covered thereby.

20 (2) Except as provided in 7-6-4236, the council and
21 every other municipal official shall be limited in the
22 making of expenditures or incurring of liabilities to the
23 amount of such detailed appropriations and classifications,
24 respectively."

25 NEW SECTION. Section 5. Effective date. This act is