# HOUSE BILL NO. 715

# INTRODUCED BY WALDRON

# IN THE HOUSE

Pebruary 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.
Pebruary 22, 1983	Considered correctly engrossed.
February 23, 1983	Third reading, passed. Transmitted to Senate.
in the s	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
IN THE 1 March 28, 1983	Returned to House with amendments.

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.
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white and then	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 Walkon
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, NCA; 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 adoptionand
13	amendment. (1) The budget as finally determined, in addition
14	to setting out separately reach 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	(a) 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)_Subjectto_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	fill_shortfalls_io_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	[il_salaries_and_wages:
16	(ii) maintenance and operation:
17	[iii]_capital_outlay:
18	(ix) interest_and_debt_redemption: or
19	(x1mlscellaneous=
20	<pre>[41_Prior_to_amending_a_final_budgetthe_board_shall:</pre>
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_budgeti_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 bearing on the budget amendments		
2	The published notice must specify the date: time: place: a		
3			
4	Section 2. Section 7-6-2324, MCA, is amended to	read	
5	#7-6-2374a limitations on apparations of any		

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#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 proxided in 1-2-2320 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:

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

1	(b) the cash balance in excess of outstanding unpai
2	warrants at the close of the preceding fiscal year;
3	(c) the amount estimated to accrue to the fund fro
4	sources other than taxation:

- 5 (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.
- 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.
- 13 (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 fil 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
- revenues and cash balances available thereforier

  fill savings result from unanticipated adjustments in
- 20 projected expenditures.

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- 21 (b) Awanded appropriations must be classified as:
- 22 (il salaries and vages:
- 23 <u>fiil maintenance and operation</u>:
- 24 (iii)\_capital\_outlay:
- 25 (ix) interest and debt redemption; or

(v) miscellaneous.

(4) Prior to amending a final budget. the council

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4 (al\_bold\_a\_public\_hearing\_on\_the\_proposed\_amendments
5 at\_least\_7\_days\_prior\_to\_a\_vote\_on\_the\_resolution\_amending

the budgeti and

(b)\_publish\_optice\_at\_least\_once\_in\_a\_newspaper\_of

general\_circulation\_in\_the\_city\_or\_town\_at\_least\_6\_\_but\_\_not

eore\_\_than\_l6\_\_days\_\_before\_\_the\_\_hearing\_on\_\_the\_\_budget

amendments. The published\_\_notice\_\_must\_\_specify\_\_the\_\_dates

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.

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

1 effective July 1, 1983.

-End-

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Approved by Comm. on Local Government

House BILL NO. 715
INTRODUCED BY Walkon
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 approvals and adoptions_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.

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 expanditures for the year exceeding actual
11	revenues and cash balances available thereforior
12	(ili) savings result from unanticipated adjustments in
13	profected_expenditures.
14	(b)Amended_appropriations_must_be_classified_as:
15	(il_salaries_and_wages:
16	(ii) maintenance and operation:
17	<pre>filil_capital_outlaxi</pre>
18	(iv) interest and debt (edemption; or
19	fxlwiscellaneouse
20	<pre>151_Prior_to_amending_a_final_budgets_the_board_shall:</pre>
21	(a)_hold_a_public_bearing_on_the_proposed_amendments
22	at least I days orior to a vote on the resolution amending
23	the_budgeti_and
24	fbl_oublish_potices_at least onces in a newspaper of

general\_circulation\_in\_the\_county\_at\_least\_6\_but\_not\_sore

than 16 days before the bearing on the budget asendengts.
The published octice must specify the date. times places and
subject of the bearings"

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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 proxided in\_7-6-2320 by said board of county commissioners, shail 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."

18 Section 3. Section 7-6-4231. HCA. is amended to read: 19 \*7-6-4231. Final budget -- approvals and adoptions and 20 amendment. (1) The budget as finally determined, in addition 23 te 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 paids 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	(a) the amount necessary to be raised for each fund by
7	tax levy during the current fiscal year.
8	(2) The council shall them 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 (5), the council may approve and adopt a

resolution amending a final budget when i 14 (i) unantirinated revenues are received:

(ii) shortfalls in anticipated and budgeted revenues 15 16 occur\_that, unless reductions in appropriations are eader 17 will result in expanditures for the year exceeding actual 18 revenues and cash balances available therefort or

19 filil savings result from unacticipated adjustments in 20 projected expenditures.

21 (b) Awarded appropriations must be classified at:

22 fil salaries and wagest

23 (ii) mointenance and operation:

24 (iii) canital outlay:

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25 (iv) interest and debt rademation; or

1	[X]D]	scellaneous.
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(4) Prior to amending a final budget: the council

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4 (a)\_bold\_a\_public\_bearing\_on\_the\_proposed\_amendments

5 at least I days prior to a vote on the resolution amending

6 the budgeti and

(b) publish notice at least once in a newspaper of

general circulation in the city or town at least 6 but not

9 more than 16 days before the bearing on the budget

10 amendments Ibe published notice sust specify the dates

11 time place and subject of the bearing."

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

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

18 appropriations for the municipality for the fiscal year

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 llabilities to the

23 amount of such detailed appropriations and classifications,

24 respectively.\*\*

YEW\_SECTION. Section 5. Effective date. This act is

1 effective July 1, 1983.

-End-

1	House BILL NO. 715
2	INTRODUCED BY Walken
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	
0	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
.1	Section 1. Section 7-6-2320, NCA, 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.
0	will result in expenditures for the year exceeding actual
1	revenues and cash balances available therefort or
2	fill savings result from upanticipated adjustments in
3	projected_expenditures.
4	(b) Amended appropriations must be classified as:
5	fil_salaries_and_wages;
6	fill_maintenance_and_operation:
7	fili)_capital_outlayi
8	(ix)_interest_and_debt_redeeptioni_or
9	(xl_miscellaneous.
0	141_Prior to amending a final budget: the board shall:
1	tal_bold_a_public_hearing_on_the_proposed_amandments
2	at_least_I_days_prior_to_a_vote_on_the_resolution_amending
3	the_budgeti_and
4	fbl_publish_notices_at least_onces_in_a_newspaper_of
5	general_circulation in the county at least 6 but not sore

1	than 15 days before the bearing on the budget associants.
2	The published notice must specify the dates times places and
3	subject_of_the_bearing."
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	in7=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 approvals and adoptions 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:

1	(b) the cash balance in excess of outstanding unpai
Z	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
	tax levy during the current fiscal year.
8	(2) The council shall them 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]_ial_Subject_to_compliance_with_the_procedures_set
12	forth in subsection (5) - the council may approve and adopt.
13	resolution_amending_a_final_budget_when;
14	fil unanticipated revenues are received:
15	(ii) shortfalls in anticipated and budgeted revenue:
16	occur_thate_unless_reductions_in_appropriations_are_made:
17	will result in expenditures for the year exceeding actual
18	cavenues_and_cash_balances_available_therefort_er
19	filil savings result from unanticipated adjustments in
20	projected_expenditures.
21	[b]_Amended_appropriations_must_be_classified_asi
22	(il_salacies_and_wages:
23	[ii] maintenance and operation:
24	[ilil_capital_outlay:
25	fixl_interest_and_debt_redemotion: or

(a) the total amount appropriated and authorized to be

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spent from each fund;

(vi\_miscellangouse

(5) Prior to amending a final hudgete the council

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(al\_bold\_a\_public\_hearing\_on\_the\_proposed\_amendments
at\_least\_7\_days\_prior\_to\_a\_vote\_on\_the\_\_resolution\_amending
the\_budgets\_and

(b) publish notice at least once in a newspaper of general circulation in the cify or town at least 5 but not more than 16 days before the hearing on the budget amendments. The published notice must specify the dates 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\_SECTIONs Section 5. Effective date. This act is

1 effective July 1, 1983.

-End-

# 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 HB 0715/02

1	HOUSE BILL NO. 715
2	INTRODUCED BY WALDRON
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW COUNTIES AND
5	MUNICIPALITIES TO AMEND THEIR FINAL BUDGETS BECAUSE OF
6	UNANTIGIPATED-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	
O	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	(a) the amount necessary to be raised for each fund by
25	tax lavy 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	(31(a)_Subjectto_compliance_with_the_procedures_set
5	forth in_subsection_(4): the board_max_approxe_and_adopt_a
6	resolution amending a final budget when:
7	fitunenticipated:revenues-acc-receivedt
8	<pre>fitt(I) shortfalls in anticipated and budgeted</pre>
9	revenues_occur_that:_uoless_reductions_in_appropriations_are
10	made.will_result_in_expenditures_for_the_wear_exceeding
11	actual revenues and cash balances available therefori or
12	fifit(III savings result from unanticipated adjustments
13	in_projected_expenditures.
14	<pre>1bl_Amended_approprlations_must_be_classified_as:</pre>
15	<pre>fil_salaries_and_wages:</pre>
16	(lil_maintenance_and_operation:
17	<pre>!iiil_capital_outlay:</pre>
16	<pre>fix1 interest_and_debt_redemptioni_qr</pre>
19	(xl_miscellaneous.
20	141 Prior to amending a final budgets the board shall:
21	(a) hold a nublic hearing on the proposed amendments
22	at least 1 days orior to a vote on the resolution amending
23	the_budgeti_and
24	(bl_publish_noticeat_least_once.io_a_newspaper_of
25	general_circulation_in_the_county_at_least_6_but_not_more

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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_bearing."
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 wax 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
l 3	7-31-2101, the county commissioners and every other county
l 4	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

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spent from each fund;

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==unsoticipated=cevenues=sce=ccceixedt
15	fittil) 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 therefors or
19	titit(II) savings result from unanticipated adjustments
20	in_projected_expenditures.
21	<pre>ibl Amended appropriations must be classified as:</pre>
22	(il_salacies_and_wages:
23	(ii) maintenance and operation:
24	(iiil_capital_outlax:
25	(ix)_interest_and_debt_redemption:_or

(b) the cash balance in excess of outstanding unpaid

I	(x)miscellaneous.
2	(4) Prior to amending a final budgets the council
3	shall:
4	<u>fal_hold_a_public_bearing_on_the_proposed_amendments</u>
5	at least 7 days prior to a vote on the resolution amending
6	the_budget:_and
7	(b)publishnoticeatleastonce_in_a_newspaper_of
Ą	general_circulation_in_the_city_or_town_at_least_6_but_not
9	morethan_16_days_before_the_bearing_on_the_budget
10	awendments. Ibe published notice must specify the date:
11	time: place: and subject of the bearing."
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	classifled as required in 7-6-4224 and 7-6-4225 and as
16	finally fixed and adopted <u>and as may be amended as provided</u>
17	in7-6-4231 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	YEW_SECTION: Section 5. Effective date. This act is

1 effective July 1, 1983.

-End-

HB 715

# PROPOSED AMENDMENT TO HOUSE BILL NO. 715 REFERENCE BILL

1. Title, line 7.

Following: Strike:

"SECTIONS" "7-6-2302" "7-6-2320"

Insert:

Governor's 4-19-83

1	HOUSE BILL NO. 715
2	INTRODUCED BY WALDRON
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 1-6-2320, 7-6-2324, 7-6-4231, AND
8	7-6-4235, NCA; AND PROVIDING AN EFFECTIVE DATE.
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
l l	Section 1. Section 7-6-2320, MCA, is amended to read:
15	"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	(o) the cash balance in the fund at the close of the
20	preceding fiscal year;
2 (	(c) the amount estimated to accrue to the fund from
2?	sources other than taxation;
23	<ul><li>(d) the reserve for the next fiscal year; and</li></ul>
24	(a) 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
5	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	til == unanticipated=revenues=are=received:
8	<u>fiil[1] shortfalls in anticipated and budgeted</u>
9	revenues occur that, unless reductions in appropriations are
10	mades will result in expenditures for the year exceeding
11 .	actual revenues and cash balances available therefor: or
12	<pre>tiiit(II) savings result from unanticipated adjustments</pre>
13	in_projected_expenditures.
14	(b) Amended appropriations must be classified as:
15	(i)_salaries_and_wages:
16	(ii) maintenance and operation:
17	<pre>filil capital outlay:</pre>
18	(iv) interest and debt redemption: or
19	(vl_miscellaneous.
20	<pre>(4) Prior to amending a final budget: the board shall:</pre>
21	(a) hold a public hearing on the proposed amendments
55	at least I 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.
8	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
4	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 assended as provided
9	in_1=6=2320 by said board of county commissioners, shell
10	constitute the appropriations for the county for the fiscal
11	year intended to be commend 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 courts shall be
15	limited in the making of expenditures or incurring of
16	liabilities to the amount of such detailed appropriations
1,7	and classifications, respectively."
1.8	Section 3. Section 7-6-4231, MCA, is amended to read;
19	"7-6-4231. Final budget approvals and adoptions 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 funds

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	(a) the amount necessary to be raised for each fund by
7	tax levy during the current fiscal year.
Ą	(2) The council shall them by resolution approve and
9	adout the budget as finally determined, and the clark 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 audget when:
14	tite manticipation comments are manifest
1.5	titill shortfalls in anticipated and budgeted
16	cavanues occur that unless reductions in appropriations ac-
17	made, will result in expenditures for the year exceeding
1.8	actual revenues and cash balances available therefor: or
19	tilitilly savings result from unanticinated adjustments
20	in projected expenditures.
5-1	fat Amended appropriations must be classified as:
22	<u>fil_salaries_and_wages:</u>
23	(iii) maintenance and operation:
24	(iii) capital outlay:
25	(Av) interest and debt redemptions or

(b) the cash balance in excess of outstanding unpaid

нВ 715

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1 111 miscellaneous. 2 141 Prior to amending a final budget, the council 3 shalli (a) hold a public hearing on the proposed amendments at least 7 days prior to a vote on the resolution amending the budget: and (o) publish notice at least once in a newspaper of 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 in\_\_7-6-4231 by said council, shall constitute the 17 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.\*

1 effective July 1, 1983.

-End-

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

25