

SENATE BILL NO. 180

INTRODUCED BY VAN VALKENBURG, RAPP-SVRCEK

IN THE SENATE

January 22, 1985	Introduced and referred to Committee on Local Government.
February 8, 1985	Committee recommend bill do pass. Report adopted.
February 9, 1985	Bill printed and placed on members' desks.
February 11, 1985	Second reading, do pass.
February 12, 1985	Considered correctly engrossed.
February 13, 1985	Third reading, passed. Ayes, 50; Noes, 0.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Local Government.
March 15, 1985	Committee recommend bill be concurrred in. Report adopted.
March 19, 1985	Second reading, concurred in.
March 21, 1985	Third reading, concurred in. Returned to Senate.

IN THE SENATE

March 21, 1985	Received from House. Sent to enrolling. Reported correctly enrolled.
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1 *Senate* BILL NO. 180
 2 INTRODUCED BY *Van Valkenburg Kapp-Sonick*
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4 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE NAME OF
 5 THE COUNTY PRELIMINARY BUDGET TO THE COUNTY PROPOSED BUDGET;
 6 CHANGING THE DATES FOR PREPARATION OF A COUNTY PROPOSED
 7 BUDGET; INCREASING THE NUMBER OF TIMES IT MUST BE PUBLISHED;
 8 DELETING THE REQUIREMENT THAT IT MUST BE TRANSMITTED TO THE
 9 DEPARTMENTS OF COMMERCE AND REVENUE; AMENDING SECTIONS
 10 7-6-2315, 7-6-2316, 7-6-2351, AND 53-2-322, MCA; AND
 11 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

14 Section 1. Section 7-6-2315, MCA, is amended to read:
 15 "7-6-2315. Consideration of tabulation by county
 16 commissioners ~~---preparation-of-preliminary-budget.~~ (1) The
 17 tabulation shall be submitted to the county commissioners by
 18 the county clerk and recorder on or before the first third
 19 Monday of July.

20 (2) Upon receipt thereof, the board of county
 21 commissioners shall immediately consider the budget in
 22 detail and shall, on or before the second fourth Monday of
 23 July, make any revisions, reductions, additions, or changes
 24 that they consider advisable. The tabulation, with any
 25 revisions, reductions, additions, or changes, is the

1 preliminary county proposed budget for the fiscal year which
 2 it is intended to cover.

3 ~~(3) Upon completion of the budget, the county clerk~~
 4 ~~shall immediately transmit one copy of it to the department~~
 5 ~~of commerce and one copy to the department of revenue."~~

6 Section 2. Section 7-6-2316, MCA, is amended to read:
 7 "7-6-2316. Notice of hearing on preliminary county
 8 proposed budget. (1) The board of county commissioners shall
 9 then have a notice published stating that:

10 (a) the board has completed its preliminary county
 11 proposed budget for the current fiscal year;

12 (b) the budget is open to inspection in the office of
 13 the county clerk and recorder;

14 (c) the board will meet on the Wednesday before the
 15 second Monday in August to fix the final budget and make
 16 appropriations, stating the time and place of the meeting;
 17 and

18 (d) any taxpayer or resident of the county may appear
 19 and be heard for or against any part of the budget.

20 (2) The notice shall be published ~~at least one time~~
 21 two times, once each week, in a newspaper of general
 22 circulation in the county."

23 Section 3. Section 7-6-2351, MCA, is amended to read:

24 "7-6-2351. District court budget. (1) As soon as the
 25 preliminary county proposed budget provided for in 7-6-2315

1 has been agreed upon by the governing body, a copy shall be
 2 transmitted to the district court. At any time before the
 3 final adoption of the budget, the district court may make
 4 recommendations for changes in any part of the budget
 5 relating to the court considered necessary for the court to
 6 discharge its obligations under the law.

7 (2) No part of the district court fund may be used for
 8 any purpose other than the costs and expenses described in
 9 7-6-2511, and no part may be used for the construction or
 10 improvement of any county building."

11 Section 4. Section 53-2-322, MCA, is amended to read:

12 "53-2-322. County to levy taxes, budget, and make
 13 expenditures for public assistance activities. (1) The board
 14 of county commissioners in each county shall levy 13.5 mills
 15 for the county poor fund as provided by law or so much
 16 thereof as may be necessary. Counties transferring public
 17 assistance and protective services responsibilities to the
 18 department of social and rehabilitation services under part
 19 8 of this chapter may not levy more than the difference
 20 between 13.5 mills and the state levy pursuant to 53-2-813.

21 (2) The board shall budget and expend so much of the
 22 funds in the county poor fund for public assistance purposes
 23 as will enable the county welfare department to pay the
 24 general relief activities of the county and to reimburse the
 25 department of social and rehabilitation services for the

1 county's proportionate share of the administrative costs of
 2 the county welfare department and of all public assistance
 3 and its proportionate share of any other public assistance
 4 activity that may be carried on jointly by the state and the
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6 (3) The amounts set up in the budget for the
 7 reimbursements to the department of social and
 8 rehabilitation services shall be sufficient to make all of
 9 these reimbursements in full. The budget shall make separate
 10 provision for each one of these public assistance
 11 activities, and proper accounts shall be established for the
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13 (4) As soon as the preliminary county proposed budget
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 15 thereof shall without delay be mailed to the department of
 16 social and rehabilitation services, and at any time before
 17 the final adoption of the budget, the department shall make
 18 such recommendations with regard to changes in any part of
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 20 necessary in order to enable the county to discharge its
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22 (5) The department of social and rehabilitation
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 24 proposed budget in order to ascertain if the amounts
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 4 that the county will be able to make the reimbursements in
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6 (6) The board of county commissioners may not make any
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 8 department of social and rehabilitation services without
 9 having first obtained a statement in writing from the
 10 department to the effect that the amount to be transferred
 11 will not be required during the fiscal year for the purposes
 12 for which the amounts were provided in the budget.

13 (7) No part of the county poor fund, irrespective of
 14 the source of any part thereof, may be used directly or
 15 indirectly for the erection or improvement of any county
 16 building so long as the fund is needed for general relief
 17 expenditures by the county or is needed for paying the
 18 county's proportionate share of public assistance or its
 19 proportionate share of any other public assistance activity
 20 that may be carried on jointly by the state and the county.
 21 Expenditures for improvement of any county buildings used
 22 directly for care of the poor, except a county hospital or
 23 county nursing home, may be made out of any moneys in the
 24 county poor fund, whether such moneys are produced by the
 25 13.5-mill levy provided for in subsection (1) of this

1 section or from any additional levy authorized or to be
 2 authorized by law. Such expenditure shall be authorized only
 3 when any county building used for the care of the poor must
 4 be improved in order to meet legal standards required for
 5 such buildings by the department of health and environmental
 6 sciences and when such expenditure has been approved by the
 7 department of social and rehabilitation services."

8 NEW SECTION. Section 5. Effective date. This act is
 9 effective on passage and approval.

-End-

APPROVED BY COMM.
ON LOCAL GOVERNMENT

1 *Senate* BILL NO. 180
2 INTRODUCED BY *Van Valkenburg Kapp Smith*
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18 the county clerk and recorder on or before the first third
19 Monday of July.

20 (2) Upon receipt thereof, the board of county
21 commissioners shall immediately consider the budget in
22 detail and shall, on or before the second fourth Monday of
23 July, make any revisions, reductions, additions, or changes
24 that they consider advisable. The tabulation, with any
25 revisions, reductions, additions, or changes, is the

1 preliminary county proposed budget for the fiscal year which
2 it is intended to cover.

3 ~~(3) Upon completion of the budget, the county clerk~~
4 ~~shall immediately transmit one copy of it to the department~~
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6 Section 2. Section 7-6-2316, MCA, is amended to read:
7 "7-6-2316. Notice of hearing on preliminary county
8 proposed budget. (1) The board of county commissioners shall
9 then have a notice published stating that:

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11 proposed budget for the current fiscal year;

12 (b) the budget is open to inspection in the office of
13 the county clerk and recorder;

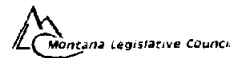
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15 second Monday in August to fix the final budget and make
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18 (d) any taxpayer or resident of the county may appear
19 and be heard for or against any part of the budget.

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21 two times, once each week, in a newspaper of general
22 circulation in the county."

23 Section 3. Section 7-6-2351, MCA, is amended to read:

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25 preliminary county proposed budget provided for in 7-6-2315



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 2 transmitted to the district court. At any time before the
 3 final adoption of the budget, the district court may make
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 10 improvement of any county building."

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 17 assistance and protective services responsibilities to the
 18 department of social and rehabilitation services under part
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 20 between 13.5 mills and the state levy pursuant to 53-2-813.

21 (2) The board shall budget and expend so much of the
 22 funds in the county poor fund for public assistance purposes
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 25 department of social and rehabilitation services for the

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