

HB 357 INTRODUCED BY BARDANOUE  
REQUIRING STATE AGENCY TO MAKE EXPENDITURES  
ACCORDING TO OPERATING BUDGET  
BY REQUEST OF LEGISLATIVE FINANCE COMMITTEE

1/21 INTRODUCED  
1/21 REFERRED TO APPROPRIATIONS  
1/27 HEARING  
1/27 COMMITTEE REPORT--BILL PASSED  
1/31 REREFERRED TO APPROPRIATIONS  
2/02 HEARING  
2/04 COMMITTEE REPORT--BILL PASSED AS AMENDED  
2/06 2ND READING PASSED 70 30  
2/07 3RD READING PASSED 70 29  
  
TRANSMITTED TO SENATE  
2/10 REFERRED TO FINANCE & CLAIMS  
3/11 HEARING  
3/28 ADVERSE COMMITTEE REPORT ADOPTED  
AS AMENDED 48 1  
3/28 RETURNED TO HOUSE NOT CONCURRED  
AS AMENDED

1 House BILL NO. 357  
 2 INTRODUCED BY Badanone  
 3 BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE  
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT  
 6 EXPENDITURES BY A STATE AGENCY BE MADE IN ACCORDANCE WITH AN  
 7 APPROVED OPERATING BUDGET; REQUIRING THAT THE OPERATING  
 8 BUDGET AND CHANGES TO THE BUDGET MEET CERTAIN CONDITIONS;  
 9 AND PROVIDING AN EFFECTIVE DATE."  
 10

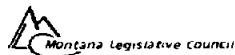
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Operating budget. (1) Expenditures by a  
 13 state agency may be made only in accordance with an  
 14 operating budget approved by an approving authority as  
 15 defined in 17-7-401. Appropriations are contingent upon  
 16 approval of the operating budget by August 1 of each fiscal  
 17 year. An approved operating budget must comply with  
 18 legislative intent as expressed in state law and legislative  
 19 statements of intent.

20 (2) Each operating budget must include expenditures  
 21 for each agency program, detailed at least by personal  
 22 services, operating expenses, equipment, benefits and  
 23 claims, grants, transfers, and local assistance. Each agency  
 24 shall record its operating budget and any approved changes  
 25 on the statewide budget and accounting system. Forms used

1 for changing an operating budget must reference the current  
 2 fully completed and approved operational plan, show the  
 3 proposed changes to the operating budget, and reference any  
 4 other pending documents to change the operating budget.  
 5 Section 2. Effective date. This act is effective July  
 6 1, 1987.

-End-



50th Legislature

HB 0357/si

RE-REFERRED AND  
APPROVED BY COMMITTEE  
ON APPROPRIATIONS  
AS AMENDED

1 STATEMENT OF INTENT

2 HOUSE BILL 357

3

4 A statement of intent is not required for this bill but  
5 is included to clarify certain issues regarding the  
6 implementation of the bill.

7 It is not the intent of this bill that the department  
8 of administration put controls into the statewide budgeting  
9 and accounting system (SBAS) that would preclude a state  
10 agency from expending funds differently than as provided in  
11 its approved operational plan.

SECOND READING

SECOND PRINTING

HB 357

1 HOUSE BILL NO. 357  
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 8 REQUIRING THAT THE OPERATING BUDGET AND CHANGES TO THE  
 9 BUDGET MEET CERTAIN CONDITIONS; AND PROVIDING AN EFFECTIVE  
 10 DATE."

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 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 13 Section 1. Operating budget. (1) Expenditures by a  
 14 state agency may MUST be made only--in--accordance IN  
 15 SUBSTANTIAL COMPLIANCE with an operating budget approved by  
 16 an approving authority as defined in 17-7-401. SUBSTANTIAL  
 17 COMPLIANCE MEANS THAT NO CATEGORY IN THE APPROVED OPERATING  
 18 BUDGET MAY BE EXCEEDED BY 5%. Appropriations are contingent  
 19 upon approval of the operating budget by August 1 of each  
 20 fiscal year. An approved operating budget must comply with  
 21 legislative intent as expressed in state law and legislative  
 22 statements of intent. LEGISLATIVE INTENT FOR THE GENERAL  
 23 APPROPRIATIONS ACT INCLUDES A FORMALLY ADOPTED NARRATIVE  
 24 THAT ACCOMPANIES THE ACT.  
 25 (2) Each operating budget must include expenditures

1 for each agency program, detailed at least by THE CATEGORIES  
 2 OF personal services, operating expenses, equipment,  
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 7 budget must reference the current fully completed and  
 8 approved ~~operational--plan~~ OPERATING BUDGET, show the  
 9 proposed changes to the operating budget, and reference any  
 10 other pending documents to change the operating budget.

11 (3) A PERSON AUTHORIZING AN EXPENDITURE IN VIOLATION  
 12 OF THIS SECTION IS GUILTY OF MISFEASANCE IN OFFICE AND SHALL  
 13 BE SUBJECT TO REMOVAL FROM OFFICE OR FROM EMPLOYMENT. AN  
 14 ACTION UNDER THIS SUBSECTION MAY BE BROUGHT UPON COMPLAINT  
 15 OF THE ATTORNEY GENERAL OR THE LEGISLATURE BY JOINT  
 16 RESOLUTION.

17 Section 2. Effective date. This act is effective July  
 18 1, 1987.

-End-



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STATEMENT OF INTENT  
HOUSE BILL 357

A statement of intent is not required for this bill but is included to clarify certain issues regarding the implementation of the bill.

It is not the intent of this bill that the department of administration put controls into the statewide budgeting and accounting system (SBAS) that would preclude a state agency from expending funds differently than as provided in its approved operational plan.



THIRD READING

HB 357

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3 BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE

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17 Section 2. Effective date. This act is effective July  
18 1, 1987.

-End-

# STANDING COMMITTEE REPORT

## SENATE

SCRHB357

..... March 26, ..... 19 87.....

MR. PRESIDENT

Finance and Claims

We, your committee on.....

House Bill

357

having had under consideration..... No.....

third reading copy ( blue )  
color

### REQUIRING STATE AGENCY TO MAKE EXPENDITURES ACCORDING TO OPERATING BUDGET

Respectfully report as follows: That..... House Bill..... No..... 357.....  
BE AMENDED AS FOLLOWS:

1. Title, line 7.

Strike: "SUBSTANTIAL COMPLIANCE"

Insert: "ACCORDANCE"

2. Page 1, line 14.

Strike: "MUST"

Insert "may"

3. Page 1, lines 14 and 15.

Strike: "IN SUBSTANTIAL COMPLIANCE"

Insert: "only in accordance"

4. Page 1, lines 16, 17 and 18.

Strike: "SUBSTANTIAL COMPLIANCE MEANS THAT NO CATEGORY IN THE APPROVED OPERATING BUDGET MAY BE EXCEEDED BY 5%."

5. Page 1, lines 22 through 24.

Strike: "LEGISLATIVE" on line 22 through "ACT." on line 24

6. Page 2, lines 1 and 2.

Strike: "THE CATEGORIES OR"

7. Page 2, line 8.

Strike: "OPERATING BUDGET"

Insert: "operational plan"

8. Page 2, lines 11 through 16.

Strike: subsection 3 in its entirety.

~~SECRET~~

DON'T PASS  
BE CONCURRED IN

Senator Regan

Chairman.

3-26-87  
3:00