

SENATE BILL NO. 40  
INTRODUCED BY KEATING

IN THE SENATE

JANUARY 2, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
January 20, 1989	ON MOTION BY SENATOR BISHOP, SENATOR KEATING REPLACED HIM AS CHIEF SPONSOR OF SB 40.
FEBRUARY 3, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 6, 1989	PRINTING REPORT.
	SECOND READING, DO PASS.
FEBRUARY 7, 1989	ENGROSSING REPORT.
FEBRUARY 8, 1989	THIRD READING, PASSED. AYES, 41; NOES, 7.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 8, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
FEBRUARY 20, 1989	FIRST READING.
MARCH 1, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 4, 1989	SECOND READING, CONCURRED IN.
MARCH 6, 1989	THIRD READING, CONCURRED IN. AYES, 84; NOES, 9.
	RETURNED TO SENATE.

MARCH 7, 1989

IN THE SENATE

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1                    SENATE    BILL NO. 40  
2    INTRODUCED BY BISHOP  
3  
4    A BILL FOR AN ACT ENTITLED:    "AN ACT PROVIDING OPTIONAL  
5    PUBLICATION REQUIREMENTS FOR THE ANNUAL STATEMENT OF THE  
6    FINANCIAL CONDITION OF A COUNTY; AMENDING SECTION 7-5-2123,  
7    MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."  
8  
9    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
10        **Section 1.** Section 7-5-2123, MCA, is amended to read:  
11        "7-5-2123. Publication of board proceedings and annual  
12    financial statement. (1) The board of county commissioners  
13    has jurisdiction and power, under such limitations and  
14    restrictions as are prescribed by law, to cause to be  
15    published in a newspaper:  
16        (a) at the adjournment of each session of the board,  
17    in full and complete detail or in summary form or by  
18    reference, with the full and complete text made available on  
19    request, a complete list of all claims ordered paid for all  
20    purposes, showing the name, purpose, and amount, and a fair  
21    summary of the minutes and records of all of its  
22    proceedings;  
23        (b) annually, the county clerk's annual statement of  
24    the financial condition of the county, in full and complete  
25    detail, in summary form, or by reference.

1            (2) Publication in full, in summary, or by reference  
2    of such minutes and records of proceedings must be made  
3    within 21 days after the adjournment of the session.  
4    Publication of the financial statement must be made within  
5    30 days after the presentation of the same to the board. The  
6    board shall not allow or order paid any claim for any such  
7    publication of minutes and records of proceedings or annual  
8    financial statement unless made within the time herein  
9    prescribed therefor."  
10        **Section 2.** Effective date. [This act] is effective on  
11    passage and approval.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB040, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

SB040 provides optional publication requirements for the annual statement of the financial condition of a county by allowing publication in detail, in summary form, or by reference.

ASSUMPTIONS:

1. The county clerk's annual statement of the financial condition of a county is the same as the County Annual Financial Report prescribed by the Department of Commerce. This report contains between 70 to 120 pages, depending upon the number of funds maintained by the reporting county, and includes combined and combining financial statements, supplemental statements and schedules required by federal governmental accounting standards, and information required by the U.S. Bureau of the Census Government's Division.
2. Publication "in summary form" would require publication of only the combined balance sheet portion of the county financial report, which would be between five and seven pages in length.
3. Publication "by reference" would require publication of notice that the financial report is available, which would be less than one folio (100 words) in length.
4. Statewide legal publication rates are as contained in the current county printing contract, i.e., \$6.00 per folio for first insertion.
5. One page of a County Annual Financial Report comprises 17 folios.
6. No statewide information is available on the publication costs of annual financial statements by the 56 counties.

EFFECT ON PROPOSED LEGISLATION:

Based on the above assumptions, HB040 would create the following publication alternatives and related annual costs:

	<u>Publication in Detail</u>	<u>Publication in Summary</u>	<u>Publication by Reference</u>
No. of folios	1190 to 2040@ \$6	85 to 119@ \$6	1@ \$6
Cost Per County \$	7,140 to \$ 12,240	\$ 510 to \$714	\$6
Statewide Cost \$	399,840 to \$685,440	\$28,560 to \$39,984	\$336



RAY SHACKLEFORD, BUDGET DIRECTOR  
Office of Budget and Program Planning

11/9/89

DATE



AL BISHOP, PRIMARY SPONSOR

1-10-89

DATE

Fiscal Note for SB040, as introduced

SB 40

APPROVED BY COMM.  
ON LOCAL GOVERNMENTSENATE BILL NO. 40  
INTRODUCED BY KEATING

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING OPTIONAL  
PUBLICATION REQUIREMENTS FOR THE ANNUAL STATEMENT OF THE  
FINANCIAL CONDITION OF A COUNTY; AND AMENDING SECTION  
7-5-2123, MCA; ~~AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.~~"

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

**Section 1.** Section 7-5-2123, MCA, is amended to read:

"7-5-2123. Publication of board proceedings and annual  
financial statement. (1) The board of county commissioners  
has jurisdiction and power, under such limitations and  
restrictions as are prescribed by law, to cause to be  
published in a newspaper:

(a) at the adjournment of each session of the board,  
in full and complete detail or in summary form or by  
reference, with the full and complete text made available on  
request, a complete list of all claims ordered paid for all  
purposes, showing the name, purpose, and amount, and a fair  
summary of the minutes and records of all of its  
proceedings;

(b) annually, the county clerk's annual statement of  
the financial condition of the county, in full and complete  
detail, OR in summary form, or by reference.

(2) Publication in full, in summary, or by reference  
of such minutes and records of proceedings must be made  
within 21 days after the adjournment of the session.  
Publication of the financial statement must be made within  
30 days after the presentation of the same to the board. The  
board shall not allow or order paid any claim for any such  
publication of minutes and records of proceedings or annual  
financial statement unless made within the time herein  
prescribed therefor."

~~NEW SECTION: Section 2. Effective date. [This act]~~  
~~is effective on passage and approval.~~

-End-

## SENATE BILL NO. 40

INTRODUCED BY KEATING

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING OPTIONAL PUBLICATION REQUIREMENTS FOR THE ANNUAL STATEMENT OF THE FINANCIAL CONDITION OF A COUNTY; AND AMENDING SECTION 7-5-2123, MCA; ~~---AND-PROVIDING-AN-IMMEDIATE-EFFECTIVE-DATE.~~"

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(a) at the adjournment of each session of the board, in full and complete detail or in summary form or by reference, with the full and complete text made available on request, a complete list of all claims ordered paid for all purposes, showing the name, purpose, and amount, and a fair summary of the minutes and records of all of its proceedings;

(b) annually, the county clerk's annual statement of the financial condition of the county, in full and complete detail, OR in summary form, or by reference.

(2) Publication in full, in summary, or by reference of such minutes and records of proceedings must be made within 21 days after the adjournment of the session. Publication of the financial statement must be made within 30 days after the presentation of the same to the board. The board shall not allow or order paid any claim for any such publication of minutes and records of proceedings or annual financial statement unless made within the time herein prescribed therefor."

~~NEW-SECTION:--Section-2--Effective-date---(This-act)-~~  
~~is-effective-on-passage-and-approval-~~

-End-

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING OPTIONAL PUBLICATION REQUIREMENTS FOR THE ANNUAL STATEMENT OF THE FINANCIAL CONDITION OF A COUNTY; AND AMENDING SECTION 7-5-2123, MCA, ~~AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.~~"

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~~NEW SECTION. Section 2. Effective date. (This act) is effective on passage and approval.~~

-End-