

TITLE 1: GOVERNMENT
DIVISION 7: PLANNING, BUDGETING AND AUDITING

§ 7604. Changes in Revenue Estimate.

(a) Whenever the Director of Finance determines with reasonable certainty that the actual revenues which the Commonwealth will receive during a fiscal year will differ by more than \$200,000 or by more than three percent from the revenue estimates in the budget resolution(s), the director shall promptly inform the Governor.

(b) In the case of a \$200,000 or three percent or more increase in revenues, the Governor shall transmit within 15 calendar days a special budget message to the legislature proposing to:

- (1) Increase the reserve for the fiscal year; or
- (2) Provide additional budget authority for the fiscal year.

(c) In the case of a \$200,000 or three percent or more decrease in revenues, the Governor shall within 15 calendar days:

- (1) Transmit a special budget message proposing to reduce the reserve for the fiscal year;
- (2) Transmit a special message under 1 CMC § 7601, proposing the rescission of budget authority for such year;
- (3) Transmit a special message under 1 CMC § 7602, proposing a deferral of budget authority until the close of the fiscal year; or
- (4) Transmit a special message under 1 CMC § 7204(e), mandating an immediate proportionate reduction in the allotment authority of all branches, offices, departments, agencies, and instrumentalities of the Commonwealth which are subject to appropriations.

(d) Any message transmitted under this section shall include a detailed explanation of the changes in revenues, including the specific accounts affected and the reasons for such changes.

(e) Any increases in revenues shall be held in reserve, unless appropriated by the legislature. Any decrease in revenues less than \$200,000 or three percent shall be offset against the reserve, if any, or shall be dealt with by the Governor in accordance with the procedures established by subsection (c) of this section if the Governor deems such action is necessary to prevent a deficit budget for the fiscal year.

Source: PL 3-68, § 604.

Commission Comment: With respect to the reference to the “Director of Finance,” see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001.