

OCT 15 1992

STATE OF MONTANA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NO. E-92

OF MONTANA

EXECUTIVE ORDER CONTINUING
THE CAPITAL FINANCE ADVISORY COUNCIL

WHEREAS, the Governor is authorized pursuant to Section 2-15-122, MCA, to create an Advisory Council; and

WHEREAS, the Montana State Legislature has authorized state agencies to incur indebtedness through the issuance of notes, bonds, and certificates to the public to support a wide variety of activities in furtherance of various public purposes; and

WHEREAS, a coordinated approach to scheduling the issuance of obligations is expected to enhance marketing of such obligations by the State of Montana; and

WHEREAS, it is necessary to present a coordinated strategy to finance Montana's capital investment to the rating agencies to enhance the credit ratings of obligations issued by the state and its agencies; and

WHEREAS, it is desirable to communicate to investors, underwriters, and credit analysts the state's debt management policies and financial plans so that these market participants understand the state's management and control of debt issuance practices; and

WHEREAS, it is desirable to create a council whose purpose is to review, analyze, coordinate, and harmonize the borrowing patterns of the state.

NOW, THEREFORE, I, STAN STEPHENS, Governor of the State of Montana, by virtue of the authority vested in me in accordance with Section 2-15-122, MCA, do hereby continue the Capital Finance Advisory Council.

I. Definitions

As used in this Order, the following terms shall have the following meaning:

1. "Council" shall mean the Capital Finance Advisory Council.

1. "Issuer" shall mean any state agency which issues obligations authorized by state law.
2. "Agency" shall mean any state agency under the authority of the Governor as enumerated in Title 2, Chapter 13, MCA.
4. "Obligations" shall mean notes, bonds, or certificates issued or to be issued by any state agency to finance or fund one or more activity, program, or project, including obligations issued in anticipation of taxes, income, or revenues derived from any source or to redeem or refinance outstanding obligations.

II. Obligations

This Council shall have 14 members consisting of the following persons or their designees:

<u>Council Member</u>	<u>Representing</u>
Mr. Bob Marks, Director Department of Administration Sam W. Mitchell Building Helena, MT 59620	Department of Administration
Mr. Steve Yeakel, Director Office of Budget & Program Planning State Capitol Helena, MT 59620	Office of Budget & Program Planning
Mr. Everett Snortland, Director Department of Agriculture Scott Hart Building Helena, MT 59620	Department of Agriculture & Agriculture Loan Authority
Mr. Dennis Iverson, Director Department of Health & Environmental Sciences Cogswell Building Helena, MT 59620	Department of Health & Environmental Sciences
Mr. John Rothwell, Director Department of Transportation 2701 Prospect Avenue Helena, MT 59620	Department of Transportation
Mr. Chuck Brooke, Director Department of Commerce 1424 9th Avenue Helena, MT 59620	Department of Commerce and Montana Science and Technology Alliance
Ms. Karen Barclay Fagg, Director Department of Natural Resources & Conservation 1520 East 6th Avenue Helena, MT 59620	Department of Natural Resources & Conservation

Mr. Warren Vaughn, Chairperson Board of Investments 555 Fuller Avenue Helena, MT 59620-0125	Board of Investments
Amos R. Little, M.D., Chairperson Montana Health Facilities Authority 555 Fuller Avenue Helena, MT 59620-0125	Health Facilities Authority
Mr. William Mathers, Chairperson Montana Higher Education Student Assistance Corporation 33 S. Last Chance Gulch Helena, MT 59620-3101	Montana Higher Education Student Assistance Corporation
Mr. William Mathers, Chairperson Board of Regents 33 S. Last Chance Gulch Helena, MT 59620-3101	Board of Regents
Mr. Tom Mather, Chairperson Montana Board of Housing 2001 11th Avenue Helena, MT 59620-0528	Montana Board of Housing
Sen. Delwyn Gage P.O. Box 787 Cut Bank, MT 59427	Montana Legislature
Rep. Francis Bardanouve P.O. Box 367 Harlem, MT 59526	Montana Legislature

The Council shall be chaired by the Director of the Department of Administration and shall be attached to the department for administrative purposes. Employees of the Department of Administration shall serve as staff to the Council as directed by the chairperson.

III. Duties of the Advisory Council

The Council shall:

1. Provide continued oversight of state obligations, and review the form of obligations to ensure consistency with authorizing legislation and state financial policies.
2. Prepare a state debt management plan and review, analyze, and monitor the trends in state obligations to provide information to issuers to make informed decisions about financing methods and the structuring and timing of obligations.
3. Compile and continually update a statewide master debt issuance schedule from agency financing plans to facilitate coordination of debt issues.

4. Furnish, advise, gather information, and make recommendations to the Governor as it deems appropriate.
5. Notify the members of the Board of Examiners of all meetings, invite Board participants, and keep the Board informed about Council activities.
6. The Department of Administration shall consult with the Council in employing and establishing the duties of a statewide financial advisor.
7. The Council shall not supersede the activities or authority of independent agencies, but shall serve as a coordinating council to provide a formal linkage of information among and between state obligation issuers thereby serving as an effective mechanism to promote fiscal management.

IV. Duties of State Agencies

1. To assist the Council in preparation of a master obligation schedule, each issuer shall submit, as requested, a financing plan identifying the amounts to be borrowed, the approximate time of debt issuance, description of the projects or programs to be financed, an explanation of the security structure supporting the proposed obligation and provide an explanation of the purpose of the financing, along with the key features to the extent known.
2. All agencies shall cooperate with and provide such assistance as the Council may request.

V. Compensation

Members will be compensated as provided in Section 2-15-122(5), MCA. Each board, authority, corporation, or agency is responsible for the expenses incurred by its representative on the Council. The Department of Administration is responsible for the expenses incurred by legislative representatives.

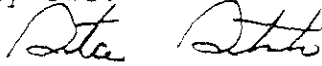
VI. Duration

This Advisory Council shall remain in existence for a period of two years from the effective date of this order unless extended

or terminated by executive order.


This Order is effective immediately.

Given under my hand and the GREAT
SEAL of the State of Montana, this
11 day of March, in the year of our
Lord, One Thousand Nine Hundred and
Ninety Two.



STAN STEPHENS
Governor

ATTEST:



MIKE COONEY, Secretary of State