LC 1147

INTRODUCED BY Himel Chieven, Math 1 2 Fasbende. 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR FISCAL 4 REVIEW OF STATE GOVERNMENT BY THE LEGISLATIVE AUDITOR; 5 REPEALING SECTIONS 43-1101 THROUGH 43-1108, R.C.M. 1947; AND 6

7 8

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

PROVIDING AN EFFECTIVE DATE."

Section 1. There is a new R.C.M. section numbered 79-2316, that reads as follows:

Legislative auditor to provide fiscal 79-2316. 12 analysis. The legislative auditor, under the general 13 14 supervision of the legislative audit committee, shall 15 provide for fiscal analysis of state government and shall 16 accumulate, compile, analyze, and furnish such information bearing upon the financial matters of the state that is 17 relevant to issues of policy and questions of statewide 18 importance, including, but not limited to, investigation and 19 study of the possibilities of effecting economy 20 anđ 21 efficiency in state government.

22 Section 2. There is a new R.C.M. section numbered 23 79-2317, that reads as follows:

79-2317. Fiscal analysis duties. In carrying out his
fiscal analysis duties, the legislative auditor s dl:

LC 1147

1 (1) Estimate revenue from existing and proposed taxes;

(2) Analyze the executive budget and budget requests
 of selected state agencies and institutions, including
 proposals for the construction of capital improvements;

5 (3) Make the reports and recommendations he deems 6 desirable to the legislature and make reports and 7 recommendations as requested by the legislative audit 8 committee and the legislature;

9 (4) Assist committees of the legislature, and
10 individual legislators, in compiling and analyzing financial
11 information.

Section 3. There is a new R.C.M. section numbered
 79-2318, which reads as follows:

14 79-2318. Fiscal analysis information from state 15 agencies. The legislative auditor, in carrying out his 16 fiscal analysis duties, has the authority to investigate and 17 examine into the costs of state government activities and 18 may examine all records, books, and files, confidential or 19 otherwise, of any department, agency, commission, board, or 20 institution of the state of Montana. Every department, 21 agency, commission, board, or institution of the state of 22 Montana shall furnish the legislative auditor with copies of 23 all budget requests, at the time of submission to the budget 24 director as provided by law, and if requested all underlying 25 and supporting documentation. In the year preceding each

INTRODUCED BILL

legislative session, the budget director shall furnish the legislative auditor on a confidential basis: (1) by December 1, a copy of the documents which reflect the anticipated receipts and other means of financing the budget for each fiscal year of the ensuing biennium; and, (2) by December 1. a preliminary budget which shall meet the statutory requirements for submission of the budget to the legislature; and, (3) by December 15, all amendments to the preliminary budget. Section 4. There is a new R.C.M. section numbered 79-2320, which reads as follows: 79-2320. Appointment of fiscal analysis employees and consultants. In carrying out his fiscal analysis duties the legislative auditor may employ, fix the salaries and define the duties of a fiscal analyst and other necessary staff, and such consultants as may be necessary, within the limits of his appropriation.

1

2

3 4

5 6

7

8

9

10

11

12

13

14

15

16

17

18

19

20 Section 5. Repealer. Sections 43-1101 through
21 43-1108, R.C.M. 1947, are repealed.

22 Section 6. Effective date. This act is effective on23 passage and approval.

-End-

-3-

LC 1147

LC 1147

Approved By Comm. on Leg. Admin.

INTRODUCED BY Hime Herren, Mathin 1 2 Fasbende. ٦

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR FISCAL
REVIEW OF STATE GOVERNMENT BY THE LEGISLATIVE AUDITOR;
REPEALING SECTIONS 43-1101 THROUGH 43-1108, R.C.M. 1947; AND
PROVIDING AN EFFECTIVE DATE."

8

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

10 Section 1. There is a new R.C.M. section numbered 11 79-2316, that reads as follows:

79-2316. Legislative auditor to provide fiscal 12 analysis. The legislative auditor, under the general 13 supervision of the legislative audit committee, shall 14 provide for fiscal analysis of state government and shall 15 accumulate, compile, analyze, and furnish such information 16 17 bearing upon the financial matters of the state that is relevant to issues of policy and questions of statewide 18 19 importance, including, but not limited to, investigation and 20 study of the possibilities of effecting economy and 21 efficiency in state government.

22 Section 2. There is a new R.C.M. section numbered 23 79-2317, that reads as follows:

79-2317. Fiscal analysis duties. In carrying out his
fiscal analysis duties, the legislative auditor shall:
SFCOND READING

1 (1) Estimate revenue from existing and proposed taxes; 2 (2) Analyze the executive budget and budget requests 3 of selected state agencies and institutions, including 4 proposals for the construction of capital improvements: 5 (3) Make the reports and recommendations he deems 6 desirable to the legislature and make reports and 7 recommendations as requested by the legislative audit 8 committee and the legislature; 9 (4) Assist committees of the legislature, and 10 individual legislators, in compiling and analyzing financial 11 information. Section 3. There is a new R.C.M. section numbered 12 13 79-2318, which reads as follows: 14 79-2318. Fiscal analysis information from state agencies. The legislative auditor, in carrying out his 15 16 fiscal analysis duties, has the authority to investigate and examine into the costs of state government activities and 17 may examine all records, books, and files, confidential or 18 19 otherwise, of any department, agency, commission, board, or institution of the state of Montana. Every department, 20 21 agency, commission, board, or institution of the state of 22 Montana shall furnish the legislative auditor with copies of all budget requests, at the time of submission to the budget 23 24 director as provided by law, and if requested all underlying and supporting documentation. In the year preceding each 25

-2-

**#** 

legislative session, the budget director shall furnish the
 legislative auditor on a confidential basis:

3 (1) by December 1, a copy of the documents which 4 reflect the anticipated receipts and other means of 5 financing the budget for each fiscal year of the ensuing 6 biennium; and,

7 (2) by December 1, a preliminary budget which shall
8 meet the statutory requirements for submission of the budget
9 to the legislature; and,

10 (3) by December 15, all amendments to the preliminary 11 budget.

Section 4. There is a new R.C.M. section numbered
 79-2320, which reads as follows:

14 79-2320. Appointment of fiscal analysis employees and 15 consultants. In carrying out his fiscal analysis duties the 16 legislative auditor may employ, fix the salaries and define 17 the duties of a fiscal analyst and other necessary staff, 18 and such consultants as may be necessary, within the limits 19 of his appropriation.

20 Section 5. Repealer. Sections 43-1101 through 21 43-1108, R.C.M. 1947, are repealed.

22 Section 6. Effective date. This act is effective on 23 passage and approval.

-End-

-3-

**S**B 0333/02

1	SENATE BILL NO. 333
2	INTRODUCED BY HIMSL, THIESSEN, MATHERS, FASBENDER
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR FISCAL
5	REVIEW OF STATE GOVERNMENT BY THE LEGISLATIVE AUDITOR;
6	REPEALING SECTIONS 43-1101 THROUGH 43-1108, R.C.M. 1947; AND
7	PROVIDING AN EFFECTIVE DATE."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. There is a new R.C.M. section numbered
11	79-2316, that reads as follows:
12	79-2316. Legislative auditor to provide fiscal
13	analysis. The legislative auditor, under the general
14	supervision of the legislative audit committee, shall
15	provide for fiscal analysis of state government and shall
16	accumulate, compile, analyze, and furnish such information
17	bearing upon the financial matters of the state that is
18	relevant to issues of policy and questions of statewide
19	importance, including, but not limited to, investigation and
20	study of the possibilities of effecting economy and
21	efficiency in state government.
22	SECTION 2. THERE IS A NEW R.C.M. SECTION THAT READS AS
23	FOLLOWS:
24	Legislative fiscal advisory committee. There is a
25	legislative fiscal advisory committee that shall advise the

l legislative auditor concerning the scope and direction of 2 fiscal analysis. The committee is composed of:

3 (a) two members of the appropriations committee of the 4 house of representatives appointed by the chairperson of 5 that committee, no more than one (1) of whom shall be of the 6 same political party;

7 (b) two members of the finance and claims committee of 8 the senate appointed by the chairperson of that committee, 9 no more than one (1) of whom shall be of the same political 10 party;

11 (c) two members of the taxation committee of the 12 senate appointed by the chairperson of that committee, no 13 more than one (1) of whom shall be of the same political 14 party; and

15 (d) two members of the taxation committee of the house 16 of representatives appointed by the chairperson of that 17 committee, no more than one (1) of whom shall be of the same 18 political party.

Section <u>3</u>. There is a new R.C.M. section numbered
 79-2317, that reads as follows:

21 79-2317. Fiscal analysis duties. In carrying out his
22 fiscal analysis duties, the legislative auditor shall:
23 (1) Estimate revenue from existing and proposed taxes;

24 (2) Analyze the executive budget and budget requests
 25 of selected state agencies and institutions, including
 -2- SB 333

1 proposals for the construction of capital improvements;

2 (3) Make the reports and recommendations he deems 3 desirable to the legislature and make reports and 4 recommendations as requested by the legislative audit 5 committee and the legislature;

6 (4) Assist committees of the legislature, and
7 individual legislators, in compiling and analyzing financial
8 information.

9 Section <u>4</u>. There is a new R.C.M. section numbered
10 79-2318, which reads as follows:

11 79-2318. Fiscal analysis information from state 12 agencies. The legislative auditor, in carrying out his 13 fiscal analysis duties, has the authority to investigate and 14 examine into the costs of state government activities and 15 may examine all records, books, and files, confidential or 16 otherwise, of any department, agency, commission, board, or 17 institution of the state of Montana. Every department, 18 agency, commission, board, or institution of the state of 19 Montana shall furnish the legislative auditor with copies of 20 all budget requests, at the time of submission to the budget 21 director as provided by law, and if requested all underlying 22 and supporting documentation. In the year preceding each 23 legislative session, the budget director shall furnish the 24 legislative auditor on a confidential basis:

25 (1) by December 1, a copy of the documents which -3- SB 333

reflect the anticipated receipts and other means of 1 2 financing the budget for each fiscal year of the ensuing 3 biennium; and, 4 (2) by December 1, a preliminary budget which shall 5 meet the statutory requirements for submission of the budget to the legislature; and, 6 (3) by December 15, all amendments to the preliminary 7 8 budget. 9 Section 5. There is a new R.C.M. section numbered 10 79-2320, which reads as follows: 11 79-2320. Appointment of fiscal analysis employees and consultants. In carrying out his fiscal analysis duties the 12 legislative auditor may employ, fix the salaries and define 13 the duties of a fiscal analyst and other necessary staff, 14 and such consultants as may be necessary, within the limits 15 16 of his appropriation. 17 Section 6. Repealer. Sections 43-1101 through 43-1108, R.C.M. 1947, are repealed. 18 Section 7. Effective date. This act is effective on 19

20 passage and approval.

-End-

-4-

March 20, 1975

HOUSE COMMITTEE ON APPROPRIATIONS AMENDMENT TO SENATE BILL 333

Be amended in the third reading copy as follows:

1. Amend title, page 1, line 5.

Following: "GOVERNMENT"

Strike: "BY THE LEGISLATIVE AUDITOR"

Insert: "; CREATING A LEGISLATIVE FINANCE COMMITTEE AND SPECIFYING ITS POWER AND DUTIES; CREATING THE OFFICE OF LEGISLATIVE FISCAL ANALYST AND SPECIFYING DUTIES"

2. Amend page 1, follwing line 9.

Strike: the remainder of the bill in its entirety.

Insert: "Section 1. Title and purpose of act. This act may be

March 20, 1975

COMMITTEE ON APPROPRIATIONS AMENDMENT TO SENATE BILL NO. 333 cited as "The Legislative Finance Act". Because the legislature is responsible for appropriating public funds, it must provide for fiscal analysis of state government to accumulate, compile, analyze, and furnish such information bearing upon the financial matters of the state that is relevant to issues of policy and questions of statewide importance.

Section 2. Definitions. In this act:

(1) "State agency" means all offices, departments, boards, commissions, institutions, universities, colleges, and any other person or any other administrative unit of state government that spends or encumbers public moneys by virtue of an appropriation from the legislature, or that handles money on behalf of the state, or that holds any trust or agency moneys from any source.

(2) "Committee" means the legislative finance committee created by this act.

(3) "Budget director" means the budget director appointed pursuant to section 79-1012, R.C.M. 1947.

Section 3. Legislative finance committee and office of legislative fiscal analyst created. There is created a legislative finance committee which shall be a permanent joint committee of the legislature. There is created the office of legislative fiscal analyst. The legislative fiscal analyst shall direct the office in carrying out the provisions of this act.

Section 4. Legislative finance committee--appointment and term of members--officers. The legislative finance committee consists of four (4) members of the senate finance and claims committee and four (4) members of the house of representatives appropriations committee appointed before the end of the first regular session of the biennium by the respective chairmen of the respective committees. No more than two (2) of

-2-

### March 20, 1975

COMMITTEE ON APPROPRIATIONS AMENDMENTS TO SENATE BILL NO. 333 the appointees of each house may be members of the same political party.

A vacancy on the committee occurring when the legislature is not in session shall be filled by the selection of a member of the appropriate political party and appropriate committee as provided in this section by the remaining members of the committee to complete the unexpired term. Appointments are for two (2) years and a member of the committee shall serve until his term of office as a legislator ends or until his successor is appointed, whichever occurs first. The committee shall elect one of its members as chairman and such other officers as it considers necessary. Members of the committee shall be reimbursed for expenses and paid compensation as provided by law for interim standing committees.

Section 5. Powers and duties of the committee. The committee may: (1) Organize, adopt rules to govern its proceedings, and meet as often as necessary, upon the call of the chairman, to advise and consult with the legislative fiscal analyst;

(2) Employ the legislative fiscal analyst who shall serve at the pleasure of and be responsible to the committee, and the committee shall set his salary;

(3) Exercise the investigatory powers of a standing committee under Title 43, chapter 4, R.C.M. 1947.

Section 6. Legislative fiscal analyst's duties. The legislative fiscal analyst shall: (1) provide for fiscal analysis of state government and accumulate, compile, analyze, and furnish such information bearing upon the financial matters of the state that is relevant to issues of policy and questions of statewide importance, including, but not limited to, investigation and study of the possibilities of effecting economy and efficiency in state government;

(2) Estimate revenue from existing and proposed taxes;

-3-

کې بلومېنې کر کړ د د د

# March 20, 1975

COMMITTEE ON APPROPRIATIONS AMENDMENTS TO SENATE BILL NO. 333

(3) Analyze the executive budget and budget requests of selected state agencies and institutions, including proposals for the construction of capital improvements;

(4) Make the reports and recommendations he deems desirable to the legislature and make reports and recommendations as requested by the legislative finance committee and the legislature; and

(5) Assist committees of the legislature, and individual legislators, in compiling and analyzing financial information.

Section 7. Fiscal analysis information from state agencies. The legislative fiscal analyst has the authority to investigate and examine into the costs of state government activities and may examine the records, books, and files of any state agency, including confidential records of executive branch agencies. Every state agency shall furnish the legislative fiscal analyst with copies of all budget requests, at the time of submission to the budget director as provided by law, and if requested, all underlying and supporting documentation. In the year preceding each legislative session, the budget director shall furnish the legislative fiscal analyst on a confidential basis:

(1) by December 1, a copy of the documents which reflect the anticipated receipts and other means of financing the budget for each fiscal year of the ensuing biennium; and,

(2) by December 1, a preliminary budget which shall meet the statutory requirements for submission of the budget to the legislature; and,

(3) by December 15, all amendments to the preliminary budget.

Section 8. Appointment of fiscal analysis employees and consultants. The legislative fiscal analyst may employ, fix the salaries and define the duties of such staff and consultants as may be necessary, within the

-4-

#### March 20, 1975

COMMITTEE ON APPROPRIATIONS AMENDMENTS TO SENATE BILL NO. 333 the limits of his appropriation.

Section 9. Funds transferred. Any unexpended funds appropriated by House Bill No. 1128, Session Laws of 1974, and funds appropriated to the "Fiscal Analysis Program" in House Bill No. 286, Session Laws of 1975, are hereby transferred to the office of the legislative fiscal analyst to carry out the purposes of this act.

Section 10. Repealer. Sections 43-1101 through 43-1108, R.C.M. 1947, are repealed.

Section 11. Effective date. This act is effective on its passage and approval."

# AS SO AMENDED BE CONCURRED IN

FRANCIS BARDANOUVE, Chairman

1

. . ------

1	SENATE BILL NO. 333
2	INTRODUCED BY RIESL, TRIESSEN, MATHERS, PASBENDER
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR FISCAL
5	REVIEW OP STATE GOVERNMENT <del>DV-TRE-LECISLATIVE BUDIFOR</del> :
6	CHEATING & LEGISLATIVE PINANCE COMMITTEE AND SPECIFYING ITS
7	POBERS AND DUTIES: CREATING THE OPPICE OF LEGISLATIVE FISCAL
8	ABALYST AND SPECIFYING DUTIES; REPEALING SECTIONS 43-1101
9	THROUGH 43-1108, R.C.H. 1947; AND PROVIDING AN EPPECTIVE
10	DATE."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	REPER TO THIRD READING COPY
14	(Strike everything after the enacting clause and insert:)
15	<del>Section-1. Title-and-purpose-of-act. This-act-may be</del>
16	<del>cited as "the Legislative Pinance Lot". Because the</del>
17	<del>legislature is responsible for appropriating public funds,</del>
18	itmustprovide-for fiscal analysis of state government to
19	accumulate, compile, analyze, and furnish such - information
20	bearing—apon—the—financial—matters—of-the-state-that is
21	<del>relevant-to-iscnes-ofpolicyandquestionsofstatevido</del>
22	importanco-
23	<del>Scotion-2 betinitions In this acti (1) <sup>#</sup>State</del>
24	agenoy" means all offices, departments, boards, commissions,
25	institutions,-universities,-colleges,-and-anyotherperson

1	oranyotheradministrative-unit-of-state-government-that
2	<del>speads or eaccabers public access by vistue of aa</del>
3	appropriation from the legislature, or that handles money or
4	bohalfofthestate;orthatbolds-any-trust-or-ageney
5	BOBOTS FROM ANY GOUTCON
6	<del>{2}fisese</del>
7	compittee-ereated by this act.
8	<del>{3} "Badget-director" coase the badget director</del>
9	appointed pursuant to section 79-1012, R.C.H. 1947.
10	Scotion-3Legislative finance-committee-and-office-of
11	legislative fiscal analyst orcated. There is created a
12	<del>legiolative finance committee which chall be a permanent</del>
13	joist-committee of the legislatare. There is created the
14	<del>office of legislative fiscal analysts. The legislative</del>
15	<del>fiscal analyst shall direct the office-in-carryingout-the</del>
16	provisions of this act.
17	Section-4. Legislative finance consisted
18	appointment-and term of acabers of ficers. The
19	legislative-finance-committee-consists-of-four-(4)-members
20	of the sepate-finance and olains connittee and four (4)
21	members-ofthehouse-ofrepresentatives-appropriations
22	committee appointed before the end of the first regular
23	session-of-the biennius by the respective chairsen of the
24	respective committees. No more than two (2) of the
25	appointees-ofeach-housemaybemembers-ofthesame

-2-

REFERENCE BILL 4/14/15 Second Printing- Conference Report Included

SB 333

#### SB 0333/04

# 1 political party.

Ę

.

2	1
3	<del>legiclature is not in seccion chall be filled by the</del>
4	selection of a member of the appropriate political party and
5	appropriato-committee-ac-provided-in-thisscotion-by the
6	remaining members of the committee to complete the unexpired
7	tersAppointmentsarefor-two(2)-years-and-a-member-of
8	the cossittee shall-serve astil-his-ters-of-office-as-a
9	legislator
10	whichever-occurs first, The cossittee shall elect, one of
11	its—sembers—as—ohairman—and—such—other—officers-as-it
12	<del>considers necessary, nembers of the committee shall be</del>
13	<del>reinburged for expenses and paid compensation as provided by</del>
14	law for interim standing committees.
15	Section 5. Powers and duties of the connittee. The
16	cossittee says (1)Organizeyadoptrulestogovernits
17	<del>proceedings, and acet as often as accessary, upon the call</del>
18	<del>of the chairsan, to advise and concult with the legislative</del>
19	fiscel acalyst;
20	<del>{2} Bapley the legislative fiscal analyst who shall</del>
21	<del>corvo at the pleasure of and be responsible to the</del>
22	consittee, and the consittee shall get his calary;
23	<del>{}}Bleroisetheinvectigatorypovers-of-a-standing</del>
24	committee-ander-fitle-43, chapter 4, B.C.d. 1947.
25	<del>Scotion 6. Legislative fiscal analyst/s- dutics. Tho</del>
	_3_ SB 333

1	<del>legiclative-ficed-applyst-challt-(1)Provide-for-ficeal</del>
2	essigned clate governacht and accountate, compile,
3	asalysey—and—farnich—such—information—bearing—upon the
4	fisancial satters of the state that is relevant to issues of
5	<del>policy_and_questions_of_statevide_importance,_including,_but</del>
6	not limited to, investigation and study of the possibilities
7	<del>of effecting coonony and efficiency in state governments</del>
8	{2}Bstimate revenue from cmisting-and-proposed-taxes;
9	<del>{3}Asalyse_the_executive_budget_asdbudget_requests</del>
10	<del>of selected ctate agencies and institutions, including</del>
11	proposals for the construction of capital improvements;
12	<del>{4} date the reports and reconnected ions be deeps</del>
13	desirabletothelegislatureaudaukereportsaud
14	<del>recommendations ac-requested by the legislative finance</del>
15	committee and the legislature; and
16	<del>{5} lecist cossittees of the legislature, and</del>
17	individual legislators, in compiling and analysing financial
18	information.
19	Soction 7. Piscal analysis information from state
20	agenciesThe legislative fiscal analyst has the authority
21	<del>to-ibvestigate-and-examine-into-tho-costsofstate</del>
22	goveramentactivitiesandmay-examine-the-recordsy-booksy
23	and files of any state agency, including confidential
24	<del>records of executive branch agenoics. Rvery state ageney</del>
25	shall furnish the legislative ficeal analyst with copies- of
	-4- SB 333

#### SB 0333/04

1	all-budget-reguesto, at the time of submission to the budget
2	director as provided by law, and if requested, all
3	underlying and supporting documentation. In the year
ц.	preseding-each-legislative-section,-the-budget-director
5	<del>shall formich the legislative fiscal analyst on a</del>
6	<del>confidential basis: (1) by December 1, a copy of the</del>
7	documents which reflect the onticipated receipts and other
8	<del>acans of financing the budget for each ficeal year of the</del>
9	encuing-bicanium, and,
10	<del>(2) by Docomber 1, a proliminary budget which shall</del>
11	seet the statutory-requireseats for subsission of the budget
12	to-the-logislature; and
13	(3) by Descaber 15, all amendments to the proliminary
14	<del>budget.</del>
15	Section 8 Appointment of firml analysis - exployees
16	and-consultantsThe-legislative fiscal analyst-may caploy,
17	tix the calaries and define the duties of such staff and
18	consultants as may be becomerry, within the limits of his
19	appropriation.
20	Section 9 Pands - transferred Any - unerpended fands
21	appropriated by House Bill 1128, Session Laws of 1974, - and
22	funds appropriated to the "kissal Analysis Program" in Hense
23	Bill-No285, Seccion Laws of 1975, are hereby transferred
24	to the office of the legislative fiegal analyst to carry out
25	the parpenes of this act.

•

1	Section-10RepeaterSections43-1101through
2	43-11007-R.C.M19477-are-repealed.
3	Section-11EffectivedateThis-act-is-effective-on
4	its-passage-and-approval.
5	SECTION 1. TITLE AND PURPOSE OF ACT. THIS ACT MAY BE
6	CITED AS "THE LEGISLATIVE FINANCE ACT", BECAUSE THE
7	LEGISLATURE IS RESPONSIBLE FOR APPROPRIATING PUBLIC FUNDS,
8	IT MUST PROVIDE FOR FISCAL ANALYSIS OF STATE GOVERNMENT TO
9	ACCUMULATE, COMPILE, ANALYZE, AND FURNISH SUCH INFORMATION
10	BEARING UPON THE FINANCIAL MATTERS OF THE STATE THAT IS
11	RELEVANT TO ISSUES OF POLICY AND QUESTIONS OF STATEWIDE
12	IMPORTANCE.
13	SECTION 2. DEFINITIONS. IN THIS ACT:
14	(1) "STATE AGENCY" MEANS ALL OFFICES, DEPARTMENTS,
15	BOARDS, COMMISSIONS, INSTITUTIONS, UNIVERSITIES, COLLEGES,
16	AND ANY OTHER PERSON OR ANY OTHER ADMINISTRATIVE UNIT OF
17	STATE GOVERNMENT THAT SPENDS OR ENCUMBERS PUBLIC MONEYS BY
98	VIRTUE OF AN APPROPRIATION FROM THE LEGISLATURE, OR THAT
19	HANDLES MONEY ON BEHALF OF THE STATE, OR THAT HOLDS ANY
20	TRUST OR AGENCY MONEYS FROM ANY SOURCE.
21	(2) "COMMITTEE" MEANS THE LEGISLATIVE FINANCE
22	COMMITTEE CREATED BY THIS ACT.
23	(3) "BUDGET DIRECTOR" MEANS THE BUDGET DIRECTOR
24	APPOINTED PURSUANT TO SECTION 79-1012, R.C.M. 1947.
25	SECTION 3. LEGISLATIVE FINANCE COMMITTEE AND OFFICE OF
	-6- SB 333

SB 0333/04

--5---

1	LEGISLATIVE FISCAL ANALYST CREATED. THERE IS CREATED A
2	LEGISLATIVE FINANCE COMMITTEE WHICH SHALL BE A PERMANENT
3	JOINT COMMITTEE OF THE LEGISLATURE. THERE IS CREATED THE
4	OFFICE OF LEGISLATIVE FISCAL ANALYST. THE LEGISLATIVE
5	FISCAL ANALYST SHALL DIRECT THE OFFICE IN CARRYING OUT THE
6	PROVISIONS OF THIS ACT.
7	SECTION 4. LEGISLATIVE FINANCE COMMITTEE
8	APPOINTMENT AND TERM OF MEMBERS OFFICERS. THE
9	LEGISLATIVE FINANCE COMMITTEE CONSISTS OF: (1) FOUR (4)
10	MEMBERS OF THE SENATE FINANCE AND CLAIMS COMMITTEE,
11	APPOINTED BY THE CHAIRMAN; (2) TWO (2) MEMBERS OF THE
12	SENATE APPOINTED, AT LARGE, BY THE COMMITTEE ON COMMITTEES;
13	(3) FOUR (4) MEMBERS OF THE HOUSE OF REPRESENTATIVES
14	APPROPRIATION COMMITTEE, APPOINTED BY THE CHAIRMAN; AND
15	(4) TWO (2) MEMBERS OF THE HOUSE APPOINTED, AT LARGE, BY
16	THE SPEAKER. THESE MEMBERS SHALL BE APPOINTED BEFORE THE
17	END OF THE FIRST REGULAR SESSION OF THE BIENNIUM. NO MORE
18	THAN THREE (3) MEMBERS OF EACH HOUSE, TWO (2) COMMITTEE
19	MEMBERS AND ONE (1) AT LARGE MEMBER, MAY BE FROM THE SAME
20	POLITICAL PARTY.
21	A VACANCY ON THE COMMITTEE OCCURRING WHEN THE
22	LEGISLATURE IS NOT IN SESSION SHALL BE FILLED BY THE
23	SELECTION OF A MEMBER OF THE APPROPRIATE POLITICAL PARTY AND
24	APPROPRIATE COMMITTEE AS PROVIDED IN THIS SECTION BY THE
25	REMAINING MEMBERS OF THE COMMITTEE TO COMPLETE THE UNEXPIRED
	-7- SB 333

٠

1	TERM. APPOINTMENTS ARE FOR TWO (2) YEARS AND A MEMBER OF
2	THE COMMITTEE SHALL SERVE UNTIL HIS TERM OF OFFICE AS A
3	LEGISLATOR ENDS OR UNTIL HIS SUCCESSOR IS APPOINTED,
4	WHICHEVER OCCURS FIRST. THE COMMITTEE SHALL ELECT ONE OF
5	ITS MEMBERS AS CHAIRMAN AND SUCH OTHER OFFICERS AS IT
6	CONSIDERS NECESSARY. MEMBERS OF THE COMMITTEE SHALL BE
7	REIMBURSED FOR EXPENSES AND PAID COMPENSATION AS PROVIDED BY
8	LAW FOR INTERIM STANDING COMMITTEES.
9	SECTION 5. POWERS AND DUTIES OF THE COMMITTEE. THE
10	COMMITTEE MAY: (1) ORGANIZE, ADOPT RULES TO GOVERN ITS
11	PROCEEDINGS, AND MEET AS OFTEN AS NECESSARY, UPON THE CALL
12	OF THE CHAIRMAN, TO ADVISE AND CONSULT WITH THE LEGISLATIVE
13	FISCAL ANALYST;
14	(2) EMPLOY THE LEGISLATIVE FISCAL ANALYST WHO SHALL
15	SERVE AT THE PLEASURE OF AND BE RESPONSIBLE TO THE
16	COMMITTEE, AND THE COMMITTEE SHALL SET HIS SALARY;
17	(3) EXERCISE THE INVESTIGATORY POWERS OF A STANDING
18	COMMITTEE UNDER TITLE 43, CHAPTER 4, R.C.M. 1947.
19	SECTION 6. LEGISLATIVE FISCAL ANALYST'S DUTIES. THE
20	LEGISLATIVE FISCAL ANALYST SHALL: (1) PROVIDE FOR FISCAL
21	ANALYSIS OF STATE GOVERNMENT AND ACCUMULATE, COMPILE,
22	ANALYZE, AND FURNISH SUCH INFORMATION BEARING UPON THE
23	FINANCIAL MATTERS OF THE STATE THAT IS RELEVANT TO ISSUES OF
24	POLICY AND QUESTIONS OF STATEWIDE IMPORTANCE, INCLUDING, BUT
25	NOT LIMITED TO, INVESTIGATION AND STUDY OF THE POSSIBILITIES
	-8- SB 333

1	OF EFFECTING ECONOMY AND EFFICIENCY IN STATE GOVERNMENT;
2	(2) ESTIMATE REVENUE FROM EXISTING AND PROPOSED TAXES;
3	(3) ANALYZE THE EXECUTIVE BUDGET AND BUDGET REQUESTS
4	OF SELECTED STATE AGENCIES AND INSTITUTIONS, INCLUDING
5	PROPOSALS FOR THE CONSTRUCTION OF CAPITAL IMPROVEMENTS;
6	(4) MAKE THE REPORTS AND RECOMMENDATIONS HE DEEMS
7	DESIRABLE TO THE LEGISLATURE AND MAKE REPORTS AND
8	RECOMMENDATIONS AS REQUESTED BY THE LEGISLATIVE FINANCE
9	COMMITTEE AND THE LEGISLATURE; AND
10	(5) ASSIST COMMITTEES OF THE LEGISLATURE, AND
11	INDIVIDUAL LEGISLATORS, IN COMPILING AND ANALYZING FINANCIAL
12	INFORMATION.
13	SECTION 7. FISCAL ANALYSIS INFORMATION FROM STATE
14	AGENCIES. THE LEGISLATIVE FISCAL ANALYST HAS THE AUTHORITY
15	TO INVESTIGATE AND EXAMINE INTO THE COSTS OF STATE
16	GOVERNMENT ACTIVITIES AND MAY EXAMINE THE RECORDS, BOOKS,
17	AND FILES OF ANY STATE AGENCY, INCLUDING CONFIDENTIAL
18	RECORDS OF EXECUTIVE BRANCH AGENCIES. EVERY STATE AGENCY
19	SHALL FURNISH THE LEGISLATIVE FISCAL ANALYST WITH COPIES OF
20	ALL BUDGET REQUESTS, AT THE TIME OF SUBMISSION TO THE BUDGET
21	DIRECTOR AS PROVIDED BY LAW, AND IF REQUESTED, ALL
22	UNDERLYING AND SUPPORTING DOCUMENTATION. IN THE YEAR
23	PRECEDING EACH LEGISLATIVE SESSION, THE BUDGET DIRECTOR
24	SHALL FURNISH THE LEGISLATIVE FISCAL ANALYST ON A
25	CONFIDENTIAL BASIS:

.

C

1	(1) BY DECEMBER 1, A COPY OF THE DOCUMENTS WHICH
2	REFLECT THE ANTICIPATED RECEIPTS AND OTHER MEANS OF
3	FINANCING THE BUDGET FOR EACH FISCAL YEAR OF THE ENSUING
4	BIENNIUM;
5	(2) BY DECEMBER 1, A PRELIMINARY BUDGET WHICH SHALL
6	MEET THE STATUTORY REQUIREMENTS FOR SUBMISSION OF THE BUDGET
7	TO THE LEGISLATURE; AND
8	(3) BY DECEMBER 15, ALL AMENDMENTS TO THE PRELIMINARY
9	BUDGET.
10	SECTION 8. APPOINTMENT OF FISCAL ANALYSIS EMPLOYEES
11	AND CONSULTANTS. THE LEGISLATIVE FISCAL ANALYST MAY EMPLOY,
12	FIX THE SALARIES AND DEFINE THE DUTIES OF SUCH STAFF AND
13	CONSULTANTS AS MAY BE NECESSARY, WITHIN THE LIMITS OF HIS
14	APPROPRIATION.
15	SECTION 9. FUNDS TRANSFERRED. ANY UNEXPENDED FUNDS
16	APPROPRIATED BY HOUSE BILL NO. 1128, SESSION LAWS OF 1974,
17	AND FUNDS APPROPRIATED TO THE "FISCAL ANALYSIS PROGRAM" IN
18	HOUSE BILL NO. 286, SESSION LAWS OF 1975, ARE HEREBY
19	TRANSFERRED TO THE OFFICE OF THE LEGISLATIVE FISCAL ANALYST
20	TO CARRY OUT THE PURPOSES OF THIS ACT.
21	SECTION 10. REPEALER. SECTIONS 43-1101 THROUGH
22	43-1108, R.C.M. 1947, ARE REPEALED.
23	SECTION 11. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
24	ITS PASSAGE AND APPROVAL.
	-End-
	-10- SB 333

-9-