

1 *Senate* BILL NO. *401*
 2 INTRODUCED BY *STEPHENS* ~~Thompson~~ *Platt* *LYNCH*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A
 5 PERMANENT JOINT LEGISLATIVE COMMITTEE KNOWN AS THE BUDGET
 6 REVIEW COMMITTEE; GRANTING THE COMMITTEE REVIEW AND APPROVAL
 7 POWER OVER BUDGET AMENDMENTS."
 8

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

10 Section 1. Title and purpose of act. This act may be
 11 cited as "The Legislative Budget Review Act". Because the
 12 legislature is responsible for appropriating public funds,
 13 thereby limiting the level of public expenditures, the
 14 legislature must permit expenditures to exceed the level
 15 authorized only upon approval by a legislative committee.

16 Section 2. Definitions. In this act:

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

24 (2) "Committee" means the legislative budget review
 25 committee.

1 Section 3. Legislative budget review committee
 2 created. (1) There is created a legislative budget review
 3 committee which shall be a permanent joint committee of the
 4 legislature.

5 Section 4. Legislative budget review committee--
 6 appointment and term of members--officers. The legislative
 7 budget review committee consists of four (4) members of the
 8 senate and four (4) members of the house of representatives
 9 appointed before the sixtieth legislative day of the regular
 10 session of the biennium in the same manner as standing
 11 committees of the respective houses are appointed; except
 12 that the senate members shall be selected from the senate
 13 committee on finance and claims and the house members shall
 14 be selected from the house committee on appropriations.

15 A vacancy on the committee occurring when the
 16 legislature is not in session shall be filled by the
 17 selection of a member of the legislature by the remaining
 18 members of the committee. No more than two (2) of the
 19 appointees of each house may be members of the same
 20 political party. A member of the committee shall serve
 21 until his term of office as a legislator ends or until his
 22 successor is appointed, whichever occurs first. The
 23 committee shall elect one of its members as chairman and
 24 such other officers as it considers necessary.

25 Section 5. Powers of the committee. The committee

1 may: (1) Organize, adopt rules to govern its proceedings,
2 and meet as often as necessary upon the call of the
3 chairman;

4 (2) Exercise the investigatory powers of a standing
5 committee under Title 43, chapter 4;

6 (3) Employ such staff and consultants as it considers
7 necessary, within the limits of legislative appropriations;
8 and

9 (4) Approve, with or without modification, or
10 disapprove, requests of any state agency to expend funds
11 from any source whatsoever in excess of the levels
12 authorized in appropriation acts except from funds deposited
13 in the federal and private grant clearance fund, the sinking
14 fund, the bond proceeds and insurance clearance fund, the
15 trust and legacy fund, the agency fund, and federal funds
16 which are not matched directly or indirectly with
17 non-federal funds in the custody of a state agency.

-End-

Approved by Committee
on State Administration

1 *Senate* BILL NO. 401
2 INTRODUCED BY STEPHENS *Thompson* *Robert* LYNCH

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-End-

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Senate BILL NO. 401
INTRODUCED BY STEPHENS *Thompson* *Robert* LYNCH

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A PERMANENT JOINT LEGISLATIVE COMMITTEE KNOWN AS THE BUDGET REVIEW COMMITTEE; GRANTING THE COMMITTEE REVIEW AND APPROVAL POWER OVER BUDGET AMENDMENTS."

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Section 1. Title and purpose of act. This act may be cited as "The Legislative Budget Review Act". Because the legislature is responsible for appropriating public funds, thereby limiting the level of public expenditures, the legislature must permit expenditures to exceed the level authorized only upon approval by a legislative committee.

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.

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Section 3. Legislative budget review committee created. (1) There is created a legislative budget review committee which shall be a permanent joint committee of the legislature.

Section 4. Legislative budget review committee-- appointment and term of members--officers. The legislative budget review committee consists of four (4) members of the senate and four (4) members of the house of representatives appointed before the sixtieth legislative day of the regular session of the biennium in the same manner as standing committees of the respective houses are appointed; except that the senate members shall be selected from the senate committee on finance and claims and the house members shall be selected from the house committee on appropriations.

A vacancy on the committee occurring when the legislature is not in session shall be filled by the selection of a member of the legislature by the remaining members of the committee. No more than two (2) of the appointees of each house may be members of the same political party. 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.

Section 5. Powers of the committee. The committee

SB 401

1 may: (1) Organize, adopt rules to govern its proceedings,
2 and meet as often as necessary upon the call of the
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4 (2) Exercise the investigatory powers of a standing
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7 necessary, within the limits of legislative appropriations;
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9 (4) Approve, with or without modification, or
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17 non-federal funds in the custody of a state agency.

-End-

COMMITTEE ON APPROPRIATIONS AMENDMENTS TO SENATE BILL NO. 401

Be amended in the third reading copy as follows:

1. Amend title, page 1, lines 4 through 6.

Following: "ACT"

Strike: "ESTABLISHING A PERMANENT JOINT LEGISLATIVE COMMITTEE
KNOWN AS THE BUDGET REVIEW COMMITTEE;"

2. Amend title, page 1, line 6.

Following: "THE"

Strike: "LEGISLATIVE FINANCE"

3. Amend page 1, following line 9.

Strike: the remainder of the bill in its entirety.

Insert: "Section 1. Definitions. In this act:

(1) The definitions contained in the Legislative Finance Act shall apply.

(2) "Budget amendment" means a request submitted through the budget director to the committee for executive branch agencies to expend funds in excess of those appropriated by the legislature.

Section 2. Approval of budget amendments. All budget amendments for state agencies must be submitted through the budget director to the committee. No state agency shall expend in excess of the appropriation except under authority of a budget amendment approved by the committee. The committee shall approve, with or without modification, or disapprove, each proposed budget amendment of any state agency.

Section 3. Legislative fiscal analyst to review budget amendments. The legislative fiscal analyst shall review proposed budget amendments submitted to the committee from the budget director and make recommendations to the committee concerning proposed budget amendments."

Corrected
3/21/75

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Be amended in the third reading copy as follows:

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Strike: "ESTABLISHING A PERMANENT JOINT LEGISLATIVE COMMITTEE
KNOWN AS THE BUDGET REVIEW COMMITTEE;"

- 2. Amend title, page 1, line 6.

Following: "THE"

Insert: "LEGISLATIVE FINANCE"

- 3. Amend page 1, following line 9.

Strike: the remainder of the bill in its entirety.

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AS SO AMENDED BE CONCURRED IN

1 SENATE BILL NO. 401
 2 INTRODUCED BY STEPHENS, THIESSEN, HAZELBAKER,
 3 KOLSTAD, LYNCH
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 5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING--A
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 7 ~~REVIEW--COMMITTEE~~, GRANTING THE LEGISLATIVE FINANCE COMMITTEE
 8 REVIEW AND APPROVAL POWER OVER BUDGET AMENDMENTS."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 11 REFER TO THIRD READING

12 (Strike everything after the enacting clause and insert:)

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 14 (1) The definitions contained in the Legislative
 15 Finance Act shall apply.

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 17 through the budget director to the committee for executive
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 5 proposed budget amendments submitted to the committee from
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