

SENATE BILL NO. 137

INTRODUCED BY HIMSL, BLAYLOCK, HAZELBAKER
BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

IN THE SENATE

January 13, 1983	Introduced and referred to Committee on State Administration.
February 2, 1983	Committee recommend bill do pass as amended. Report adopted.
February 3, 1983	Bill printed and placed on members' desks.
February 5, 1983	Second reading, do pass.
February 7, 1983	Correctly engrossed.
February 8, 1983	Third reading, passed. Ayes, 49; Noes, 0. Transmitted to House.

IN THE HOUSE

February 9, 1983	Introduced and referred to Committee on State Administration.
March 19, 1983	Committee recommend bill be concurred in. Report adopted.
March 22, 1983	Second reading, concurred in.
March 23, 1983	Third reading, concurred in.

IN THE SENATE

March 24, 1983	Returned to Senate. Sent to enrolling. Reported correctly enrolled.
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1 *Senate* BILL NO. *139*
2 INTRODUCED BY *Shirley Blaylock*
3 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SUNSET
6 PROVISIONS CONCERNING STATE AGENCIES; ELIMINATING THE 6-YEAR
7 LIMITATION ON REESTABLISHING AGENCIES OR PROGRAMS;
8 ESTABLISHING A PROCEDURE FOR SPECIFYING AGENCIES AND
9 PROGRAMS TO BE REVIEWED; AMENDING SECTIONS 2-8-101, 2-8-102,
10 2-8-111 THROUGH 2-8-113, 2-8-121, AND 2-8-122, MCA;
11 REPEALING SECTIONS 2-8-103 AND 2-8-104, MCA; AND PROVIDING
12 EFFECTIVE DATES."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 NEW SECTION. Section 1. Determination of agencies and
16 programs to be reviewed. (1) Before September 1 of each
17 even-numbered year, the governor may furnish the legislative
18 audit committee with a list of his recommendations for
19 agencies and programs to be terminated and subject to a
20 performance audit during the next biennium pursuant to the
21 provisions of this chapter. The list must be prioritized and
22 must set forth the governor's reasons for recommending each
23 agency or program for review.

24 (2) The legislative audit committee shall review the
25 list submitted by the governor and any other relevant

1 information and compile recommendations of agencies and
2 programs to be terminated and subject to a performance
3 audit. The committee shall submit its recommendations to
4 the next legislature in the form of a bill terminating those
5 designated agencies and programs at the times specified in
6 the bill.

7 Section 2. Section 2-8-101, MCA, is amended to read:

8 "2-8-101. Purpose. (1) The legislature finds state
9 government actions have produced a substantial increase in
10 numbers of agencies, growth of programs, and proliferation
11 of rules. The legislature questions whether conditions
12 causing the establishment of these agencies, programs, and
13 rules have not changed to such an extent as to remove the
14 need for some or all of the agencies, programs, and rules.

15 (2) It is the intent of the legislature, by
16 establishing a system of periodic evaluation of the need for
17 and the performance of agencies ~~or programs~~ preparatory to
18 termination, modification, or reestablishment, to be in a
19 better position to ensure as follows:

20 (a) The executive department is responsive to the
21 needs of all of the people of the state.

22 (b) No agency, program, or rule exists which is not
23 responsive to those needs.

24 (c) No profession, occupation, business, industry, or
25 other endeavor is subject to the state's regulatory power

unless the exercise of such power is necessary to protect the public health, safety, or welfare from significant and discernible harm or damage. The exercise of the state's police power shall be done only to the extent necessary for that purpose.

(d) The state may not regulate a profession, occupation, industry, business, or other endeavor in a manner which will unreasonably adversely affect the competitive market.

(e) There exists a systematic legislative review of the need for and public benefits derived from a program or function ~~which licenses or otherwise regulates a profession, occupation, business, industry, or other endeavor~~ by a periodic review and termination, modification, or reestablishment of such programs and functions."

Section 3. Section 2-8-102, MCA, is amended to read:

"2-8-102. Definitions. As used in this part, the following definitions apply:

(1) "Agency" means an office, position, commission, committee, board, department, council, division, bureau, section, or any other entity or instrumentality of the executive department of state government.

(2) "Performance audit" means an examination of the effectiveness of administration and its efficiency and adequacy in terms of the program of a state agency

authorized by law to be performed and the conformance of expenditures with legislative intent. Audits conducted shall include an analysis of the operation of the agency with special regard to the duplication of efforts between the audited agency ~~or program~~ and other agencies ~~or programs~~ and the quality of service being rendered.

~~(3) "Program" means any legislatively or administratively created function, project, or duty of an agency."~~

Section 4. Section 2-8-111, MCA, is amended to read:

"2-8-111. Prereview agency responsibilities. An agency ~~designated for termination or whose program or programs are designated by 2-8-103 or 2-8-104 for termination~~ shall by 22 months preceding the date set for termination:

(1) delineate ~~the~~ goals of ~~the~~ programs ~~for which it is responsible~~, which goals reflect the state's constitution, statutes, and authoritative judicial, legislative, and executive decisions or pronouncements;

(2) delineate ~~the~~ objectives of ~~the~~ programs and layout clearly enough to be tested, the logic in the assumptions linking expenditures to outcome anticipated, outcome anticipated to objectives, and objectives to impact on problems addressed in goals;

~~(3) furnish to the legislative auditor upon request of the auditor the information necessary to conduct a~~

~~performance audit as required by this chapter."~~

Section 5. Section 2-8-112, MCA, is amended to read:

"2-8-112. Legislative audit committee review and report -- review criteria. (1) The legislative audit committee is responsible for having conducted ~~conducting~~ a review of each agency ~~or program~~ scheduled for termination by 2-8-103. The review shall be completed at least 6 months prior to the date set for termination. ~~If for any reason a review of an agency or program cannot be completed as required by this chapter, the legislative audit committee shall submit a proposed bill for the ensuing legislative session to reestablish the agency or program.~~

(2) The review conducted shall include a performance audit of the agency ~~or program with emphasis on its effect on the public health, safety and welfare, and a thorough examination of the following:~~

~~(a) -- Would the absence of regulation significantly harm or endanger the public health, safety, or welfare?~~

~~(b) -- Is there a reasonable relationship between the exercise of the state's police power and the protection of the public health, safety, or welfare?~~

~~(c) -- Is there another less restrictive method of regulation available which could adequately protect the public?~~

~~(d) -- Does the regulation have the effect of directly or~~

~~indirectly increasing the costs of any goods or services involved and, if so, to what degree?~~

~~(e) -- Is the increase in cost more harmful to the public than the harm which could result from the absence of regulation?~~

~~(f) -- Are all facets of the regulatory process designed solely for the purpose of and have as their primary effect the protection of the public?~~

(3) The legislative audit committee shall assist in the implementation of the provisions of this part and shall establish administrative procedures which facilitate the review and evaluation as required in this part.

(4) Upon completion of its review, the legislative audit committee shall make a report of its recommendations for continuation, modification, or termination and submit a proposed bill for the ensuing legislative session. If termination is recommended, the bill should repeal or otherwise deal with all statutes and parts of statutes ~~for which relating to the agency reviewed is responsible agency's or program's activities."~~

Section 6. Section 2-8-113, MCA, is amended to read:

"2-8-113. Hearings by standing committee -- criteria for termination. (1) Prior to ~~abolishment~~ termination of an agency ~~or program~~ terminated ~~by 2-8-103 or 2-8-104~~, the appropriate standing committee in each house of the

1 legislature or a joint committee of both houses composed of
2 members of the standing committee assigned to conduct the
3 hearing shall hold a public hearing, receiving testimony
4 from the public and the head of the department to which the
5 agency ~~or program~~ involved is attached, the head of the
6 agency involved, and persons who conducted the review.

7 (2) In the event termination ~~of an agency or program~~
8 is recommended by the legislative audit committee, the
9 agency ~~involved in the termination~~ has the burden of
10 demonstrating a public need for its ~~the agency's or~~
11 ~~program's~~ continued existence and the extent to which a
12 change in the composition, structure, and operation of the
13 agency ~~or program~~ would ~~increase the protection of the~~
14 ~~improve~~ public health, safety, or welfare ~~from harm or~~
15 ~~damage or decrease the adverse effect on the competitive~~
16 ~~market.~~

17 (3) In determining whether to reestablish an agency ~~or~~
18 ~~program~~, the legislature shall consider the performance
19 audit and review conducted by the legislative audit
20 committee, the public testimony responsive to the questions
21 set forth in subsection (2) of 2-8-112, and other matters
22 considered relevant by the committee."

23 Section 7. Section 2-8-121, MCA, is amended to read:

24 "2-8-121. Effect of termination. Unless otherwise
25 provided, upon termination, each agency, ~~program~~, or unit

1 shall continue in existence until July 1 of the next
2 succeeding year for the purpose of winding up its affairs.
3 During the windup period, termination does not reduce or
4 otherwise limit the powers or authority of each respective
5 agency ~~or program~~ except that no action may be taken which
6 would continue in effect beyond the 1-year windup period.
7 Upon the expiration of the 1 year after termination, each
8 agency ~~or program~~ not modified or reestablished shall be
9 abolished and all unexpended balances of appropriations,
10 allocations, or other funds shall revert to the fund from
11 which they were appropriated or, if that fund is abolished,
12 to the general fund."

13 Section 8. Section 2-8-122, MCA, is amended to read:

14 "2-8-122. Reestablishment. (1) Any agency ~~or program~~
15 scheduled for termination under this part or any subsequent
16 act may be reestablished by the legislature for ~~any period~~
17 ~~of time specified by law not to exceed 5 years, at the end~~
18 ~~of which time the legislature shall again review the agency~~
19 ~~pursuant to 2-8-112 and may again reestablish, modify or~~
20 ~~allow the termination of the agency pursuant to this~~
21 ~~section.~~

22 (2) No more than one agency ~~or program~~ may be
23 continued or reestablished in any bill for an act, and the
24 agency ~~or program~~ shall be mentioned in the bill's title."

25 ~~NEW SECTION.~~ Section 9. Repealer. (1) Section

1 2-8-103, MCA, is repealed.

2 (2) Section 2-8-104, MCA, is repealed.

3 NEW SECTION. Section 10. Codification instruction.
4 Section 1 is intended to be codified as an integral part of
5 Title 2, chapter 8, and the provisions of Title 2, chapter
6 8, apply to section 1.

7 NEW SECTION. Section 11. Effective dates. (1)
8 Sections 1 through 9, except subsection (1) of section 9,
9 are effective upon passage and approval.

10 (2) Subsection (1) of section 9 is effective July 1,
11 1983.

-End-

Approved by Committee
on State Administration

SENATE BILL NO. 137

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SUNSET PROVISIONS CONCERNING STATE AGENCIES; ELIMINATING THE 6-YEAR LIMITATION ON REESTABLISHING AGENCIES OR PROGRAMS; ESTABLISHING A PROCEDURE FOR SPECIFYING AGENCIES AND PROGRAMS TO BE REVIEWED; AMENDING SECTIONS 2-8-101, 2-8-102, 2-8-111 THROUGH 2-8-113, 2-8-121, AND 2-8-122, MCA; REPEALING SECTIONS 2-8-103 AND 2-8-104, MCA; AND PROVIDING EFFECTIVE DATES."

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(2) The legislative audit committee shall review the list submitted by the governor. ~~SUGGESTIONS FROM LEGISLATORS~~

~~AND LEGISLATIVE COMMITTEES, STAFF RECOMMENDATIONS,~~ and any other relevant information and compile recommendations of agencies and programs to be terminated and subject to a performance audit. The committee shall submit its recommendations to the next legislature in the form of a bill terminating those designated agencies and programs at the times specified in the bill ~~AND REQUIRING A PERFORMANCE AUDIT OF EACH AGENCY AND PROGRAM UNDER THE PROVISIONS OF TITLE 2, CHAPTER 8, WITHIN THE TIME SPECIFIED AND PRIOR TO TERMINATION.~~

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"2-8-101. Purpose. (1) The legislature finds state government actions have produced a substantial increase in numbers of agencies, growth of programs, and proliferation of rules. The legislature questions whether conditions causing the establishment of these agencies, programs, and rules have not changed to such an extent as to remove the need for some or all of the agencies, programs, and rules.

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6 the public health, safety, or welfare from significant and
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 8 from the public and the head of the department to which the
 9 agency ~~or~~ program involved is attached, the head of the
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 20 act may be reestablished by the legislature ~~for--any--period~~
 21 ~~of--time-specified-by-law-not-to-exceed-6-years-at-the-end~~
 22 ~~of-which-time-the-legislature-shall-again-review-the--agency~~
 23 ~~pursuant--to--2-8-112--and-may-again-reestablish--modify--or~~
 24 ~~allow-the-termination--of--the--agency--pursuant--to--this~~
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outcome anticipated to objectives, and objectives to impact on problems addressed in goals;

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9 agency ~~or program~~ involved is attached, the head of the
10 agency involved, and persons who conducted the review.

11 (2) In the event termination ~~of an agency or program~~
12 is recommended by the legislative audit committee, the
13 agency ~~involved in the termination~~ has the burden of
14 demonstrating a public need for ~~its~~ ~~the agency's or~~
15 ~~program's~~ continued existence and the extent to which a
16 change in the composition, structure, and operation of the
17 agency ~~or program~~ would ~~increase--the--protection--of--the~~
18 ~~improve~~ public health, safety, or welfare ~~from--harm--or~~
19 ~~damage--or--decrease--the--adverse--effect--on--the--competitive~~
20 ~~market.~~

21 (3) In determining whether to reestablish an agency ~~or~~
22 ~~program~~, the legislature shall consider the performance
23 audit and review conducted by the legislative audit
24 committee, the public testimony responsive to the questions
25 set forth in subsection (2) of 2-8-112, and other matters

1 considered relevant by the committee."

2 Section 7. Section 2-8-121, MCA, is amended to read:

3 "2-8-121. Effect of termination. Unless otherwise
4 provided, upon termination, each agency, ~~program~~ or unit
5 shall continue in existence until July 1 of the next
6 succeeding year for the purpose of winding up its affairs.
7 During the windup period, termination does not reduce or
8 otherwise limit the powers or authority of each respective
9 agency ~~or program~~ except that no action may be taken which
10 would continue in effect beyond the 1-year windup period.
11 Upon the expiration of the 1 year after termination, each
12 agency ~~or program~~ not modified or reestablished shall be
13 abolished and all unexpended balances of appropriations,
14 allocations, or other funds shall revert to the fund from
15 which they were appropriated or, if that fund is abolished,
16 to the general fund."

17 Section 8. Section 2-8-122, MCA, is amended to read:

18 "2-8-122. Reestablishment. (1) Any agency ~~or program~~
19 scheduled for termination under this part or any subsequent
20 act may be reestablished by the legislature ~~for--any--period~~
21 ~~of--time--specified--by--law--not--to--exceed--6--years--at--the--end~~
22 ~~of--which--time--the--legislature--shall--again--review--the--agency~~
23 ~~pursuant--to--2-8-112--and--may--again--reestablish--modify--or~~
24 ~~allow--the--termination--of--the--agency--pursuant--to--this~~
25 ~~section.~~

1 (2) No more than one agency ~~or program~~ may be
2 continued or reestablished in any bill for an act, and the
3 agency ~~or program~~ shall be mentioned in the bill's title."

4 NEW SECTION. Section 9. Repealer. (1) Section
5 2-8-103, MCA, is repealed.

6 (2) Section 2-8-104, MCA, is repealed.

7 NEW SECTION. Section 10. Codification instruction.
8 Section 1 is intended to be codified as an integral part of
9 Title 2, chapter 8, and the provisions of Title 2, chapter
10 8, apply to section 1.

11 NEW SECTION. Section 11. Effective dates. (1)
12 Sections 1 through 9, except subsection (1) of section 9,
13 are effective upon passage and approval.

14 (2) Subsection (1) of section 9 is effective July 1,
15 1983.

-End-

SENATE BILL NO. 137

INTRODUCED BY HIMSL, BLAYLOCK, HAZELBAKER
BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SUNSET PROVISIONS CONCERNING STATE AGENCIES; ELIMINATING THE 6-YEAR LIMITATION ON REESTABLISHING AGENCIES OR PROGRAMS; ESTABLISHING A PROCEDURE FOR SPECIFYING AGENCIES AND PROGRAMS TO BE REVIEWED; AMENDING SECTIONS 2-8-101, 2-8-102, 2-8-111 THROUGH 2-8-113, 2-8-121, AND 2-8-122, MCA; REPEALING SECTIONS 2-8-103 AND 2-8-104, MCA; AND PROVIDING EFFECTIVE DATES."

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

~~NEW SECTION.~~ Section 1. Determination of agencies and programs to be reviewed. (1) Before September 1 of each even-numbered year, the governor may furnish the legislative audit committee with a list of his recommendations for agencies and programs to be terminated and subject to a performance audit during the next biennium pursuant to the provisions of this chapter. The list must be prioritized and must set forth the governor's reasons for recommending each agency or program for review.

(2) The legislative audit committee shall review the list submitted by the governor. ~~SUGGESTIONS FROM LEGISLATORS~~

~~AND LEGISLATIVE COMMITTEES, STAFF RECOMMENDATIONS,~~ and any other relevant information and compile recommendations of agencies and programs to be terminated and subject to a performance audit. The committee shall submit its recommendations to the next legislature in the form of a bill terminating those designated agencies and programs at the times specified in the bill ~~AND REQUIRING A PERFORMANCE AUDIT OF EACH AGENCY AND PROGRAM UNDER THE PROVISIONS OF TITLE 2, CHAPTER 8, WITHIN THE TIME SPECIFIED AND PRIOR TO TERMINATION.~~

Section 2. Section 2-8-101, MCA, is amended to read:
"2-8-101. Purpose. (1) The legislature finds state government actions have produced a substantial increase in numbers of agencies, growth of programs, and proliferation of rules. The legislature questions whether conditions causing the establishment of these agencies, programs, and rules have not changed to such an extent as to remove the need for some or all of the agencies, programs, and rules.

(2) It is the intent of the legislature, by establishing a system of periodic evaluation of the need for and the performance of agencies ~~or programs~~ preparatory to termination, modification, or reestablishment, to be in a better position to ensure as follows:

(a) The executive department is responsive to the needs of all of the people of the state.

1 (b) No agency, program, or rule exists which is not
2 responsive to those needs.

3 (c) No profession, occupation, business, industry, or
4 other endeavor is subject to the state's regulatory power
5 unless the exercise of such power is necessary to protect
6 the public health, safety, or welfare from significant and
7 discernible harm or damage. The exercise of the state's
8 police power shall be done only to the extent necessary for
9 that purpose.

10 (d) The state may not regulate a profession,
11 occupation, industry, business, or other endeavor in a
12 manner which will unreasonably adversely affect the
13 competitive market.

14 (e) There exists a systematic legislative review of
15 the need for and public benefits derived from a program or
16 function ~~which licenses or otherwise regulates a profession,~~
17 ~~occupational business, industry, or other endeavor~~ by a
18 periodic review and termination, modification, or
19 reestablishment of such programs and functions."

20 Section 3. Section 2-8-102, MCA, is amended to read:

21 "2-8-102. Definitions. As used in this part, the
22 following definitions apply:

23 (1) "Agency" means an office, position, commission,
24 committee, board, department, council, division, bureau,
25 section, or any other entity or instrumentality of the

1 executive department of state government.

2 (2) "Performance audit" means an examination of the
3 effectiveness of administration and its efficiency and
4 adequacy in terms of the program of a state agency
5 authorized by law to be performed and the conformance of
6 expenditures with legislative intent. Audits conducted shall
7 include an analysis of the operation of the agency with
8 special regard to the duplication of efforts between the
9 audited agency or program and other agencies or programs and
10 the quality of service being rendered.

11 (3) ~~"Program" means any legislatively or~~
12 ~~administratively created function, project, or duty of an~~
13 ~~agency."~~

14 Section 4. Section 2-8-111, MCA, is amended to read:

15 "2-8-111. Prereview agency responsibilities. An agency
16 designated for termination or whose program or programs are
17 designated by 2-8-103 or 2-8-104 for termination shall by 22
18 months preceding the date set for termination:

19 (1) delineate ~~the~~ goals of ~~the~~ programs ~~for which it~~
20 ~~is responsible~~, which goals reflect the state's
21 constitution, statutes, and authoritative judicial,
22 legislative, and executive decisions or pronouncements;

23 (2) delineate ~~the~~ objectives of ~~the~~ programs and
24 layout clearly enough to be tested, the logic in the
25 assumptions linking expenditures to outcome anticipated,

outcome anticipated to objectives, and objectives to impact on problems addressed in goals;

(3) furnish to the legislative auditor upon request of the auditor the information necessary to conduct a performance audit as required by this chapter."

Section 5. Section 2-8-112, MCA, is amended to read:

"2-8-112. Legislative audit committee review and report -- review criteria. (1) The legislative audit committee is responsible for having conducted ~~conducting~~ a review of each agency ~~or program~~ scheduled for termination by 2-8-103. The review shall be completed at least 6 months prior to the date set for termination. If for any reason a review of an agency or program cannot be completed as required by this chapter, the legislative audit committee shall submit a proposed bill for the ensuing legislative session to reestablish the agency or program.

(2) The review conducted shall include a performance audit of the agency ~~or program with emphasis on its effect on the public health, safety, and welfare~~ and a thorough examination of the following:

~~(a) Would the absence of regulation significantly harm or endanger the public health, safety, or welfare?~~

~~(b) Is there a reasonable relationship between the exercise of the state's police power and the protection of the public health, safety, or welfare?~~

~~(c) Is there another less restrictive method of regulation available which could adequately protect the public?~~

~~(d) Does the regulation have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?~~

~~(e) Is the increase in cost more harmful to the public than the harm which could result from the absence of regulation?~~

~~(f) Are all facets of the regulatory process designed solely for the purpose of and have as their primary effect the protection of the public?~~

(3) The legislative audit committee shall assist in the implementation of the provisions of this part and shall establish administrative procedures which facilitate the review and evaluation as required in this part.

(4) Upon completion of its review, the legislative audit committee shall make a report of its recommendations for continuation, modification, or termination and submit a proposed bill for the ensuing legislative session. If termination is recommended, the bill should repeal or otherwise deal with all statutes and parts of statutes for which relating to the agency reviewed is responsible agency's or program's activities."

Section 6. Section 2-8-113, MCA, is amended to read:

"2-8-113. Hearings by standing committee -- criteria for termination. (1) Prior to ~~abolishment~~ termination of an agency ~~or program~~ terminated--by--2-8-103-or-2-8-104, the appropriate standing committee in each house of the legislature or a joint committee of both houses composed of members of the standing committee assigned to conduct the hearing shall hold a public hearing, receiving testimony from the public and the head of the department to which the agency ~~or program~~ involved is attached, the head of the agency involved, and persons who conducted the review.

(2) In the event ~~termination of an agency or program~~ is recommended by the legislative audit committee, the agency ~~involved in the termination~~ has the burden of demonstrating a public need for ~~its~~ the agency's or program's continued existence and the extent to which a change in the composition, structure, and operation of the agency ~~or program~~ would ~~increase--the--protection--of--the~~ improve public health, safety, or welfare ~~from-harm-or damage-or-decrease-the-adverse-effect-on--the--competitive~~ market.

(3) In determining whether to reestablish an agency ~~or program~~, the legislature shall consider the performance audit and review conducted by the legislative audit committee, the public testimony responsive to the questions set forth in subsection (2) of 2-8-112, and other matters

considered relevant by the committee."

Section 7. Section 2-8-121, MCA, is amended to read:

"2-8-121. Effect of termination. Unless otherwise provided, upon termination, each agency ~~program~~ or unit shall continue in existence until July 1 of the next succeeding year for the purpose of winding up its affairs. During the windup period, termination does not reduce or otherwise limit the powers or authority of each respective agency ~~or program~~ except that no action may be taken which would continue in effect beyond the 1-year windup period. Upon the expiration of the 1 year after termination, each agency ~~or program~~ not modified or reestablished shall be abolished and all unexpended balances of appropriations, allocations, or other funds shall revert to the fund from which they were appropriated or, if that fund is abolished, to the general fund."

Section 8. Section 2-8-122, MCA, is amended to read:

"2-8-122. Reestablishment. (1) Any agency ~~or program~~ scheduled for termination under this part or any subsequent act may be reestablished by the legislature ~~for--any--period of--time--specified--by--law--not--to--exceed--6--years--at--the--end of--which--time--the--legislature--shall--again--review--the--agency pursuant--to--2-8-112--and--may--again--reestablish--modify--or allow--the--termination--of--the--agency--pursuant--to--this section.~~

(2) No more than one agency ~~or program~~ may be continued or reestablished in any bill for an act, and the agency ~~or program~~ shall be mentioned in the bill's title."

NEW SECTION. Section 9. Repealer. (1) Section 2-8-103, MCA, is repealed.

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NEW SECTION. Section 11. Effective dates. (1) Sections 1 through 9, except subsection (1) of section 9, are effective upon passage and approval.

(2) Subsection (1) of section 9 is effective July 1, 1983.

-End-