

SENATE BILL NO. 235

INTRODUCED BY HAFFEY, DONALDSON, VAN VALKENBURG,
PECK, WINSLOW, MARKS

BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE

IN THE SENATE

January 20, 1983	Introduced and referred to Committee on State Administration.
February 1, 1983	Committee recommend bill do pass as amended. Report adopted.
February 2, 1983	Bill printed and placed on members' desks.
February 3, 1983	Second reading, do pass as amended.
February 4, 1983	Correctly engrossed.
February 5, 1983	Third reading, passed. Ayes, 46; Noes, 0. Transmitted to House.

IN THE HOUSE

February 7, 1983	Introduced and referred to Committee on Appropriations.
March 28, 1983	On motion taken from Committee on Appropriations and referred to second reading. Second reading, concurred in as amended. Third reading, concurred in.

IN THE SENATE

March 29, 1983	Returned to Senate with amendments.
April 8, 1983	Second reading, amendments not concurred in.
April 12, 1983	On motion Conference Committee requested and appointed.
April 15, 1983	Conference Committee dissolved.
	On motion Free Conference Committee requested and appointed.
April 18, 1983	Free Conference Committee reported.
April 19, 1983	Second reading, Free Conference Committee report adopted.
	Free Conference Committee report adopted by House.
April 20, 1983	Third reading, Free Conference Committee report adopted.
	Sent to enrolling.
	Reported correctly enrolled.

1 *Smith* BILL NO. *235*
 2 INTRODUCED BY *Hoffay* *Donaldson* *Van Vleetburg*
 3 BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE *Clark* *Winn*
 4 *Marks*
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE
 6 INFORMATION REQUIRED TO BE SUBMITTED TO THE BUDGET DIRECTOR
 7 AND THE LEGISLATIVE FISCAL ANALYST FOR THE PREPARATION OF
 8 AGENCY BUDGET ESTIMATES; PROVIDING A DATE BY WHICH THE
 9 BUDGET OFFICE WILL PREPARE AN AGENCY REQUEST; AND
 10 SPECIFICALLY INCLUDING THE UNIVERSITY SYSTEM UNDER THE
 11 BUDGET REQUIREMENTS; AMENDING SECTIONS 17-7-111 AND
 12 17-7-112, MCA."

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

15 Section 1. Section 17-7-111, MCA, is amended to read:
 16 "17-7-111. Agency program budgets -- form distribution
 17 and contents. (1) In the preparation of a state budget, the
 18 budget director shall, not later than July 1 in the year
 19 preceding the convening of the legislature, distribute to
 20 all state offices and departments, including the judicial
 21 branch and the legislative branch, the proper ~~blanks~~ forms
 22 necessary for the preparation of budget estimates. These
 23 ~~blanks shall be in such form as~~ forms shall be prescribed by
 24 the budget director to procure ~~such the~~ information ~~as the~~
 25 ~~budget director shall, in his discretion, feel is necessary~~

1 ~~for the preparation of a budget including budget estimates~~
 2 ~~to include estimates of receipts, actual receipts, estimates~~
 3 ~~of disbursements, actual disbursements, and other~~
 4 ~~information classified and grouped as requested by the~~
 5 ~~budget director and covering such period or periods of time~~
 6 ~~as specified by the budget director required by subsection~~
 7 ~~(2).~~

8 (2) The forms when completed must set forth a balanced
 9 financial plan for the entity completing the forms for each
 10 fiscal year of the ensuing biennium. The plan must consist
 11 of:

12 (a) a consolidated budget summary setting forth the
 13 aggregate figures of the full-time equivalent personnel
 14 positions (FTE) and the budget in such manner as to show a
 15 balance between the total proposed disbursements and the
 16 total anticipated receipts, together with the other means of
 17 financing the budget for each fiscal year of the ensuing
 18 biennium, contrasted with the corresponding figures for the
 19 last completed fiscal year and the fiscal year in progress.
 20 The consolidated budget summary must be supported by
 21 explanatory schedules or statements, classifying receipts
 22 and disbursements contained therein by fund and, where
 23 applicable, organizational unit.

24 (b) an analysis of the actual and projected receipts,
 25 disbursements, and solvency of each accounting entity within

each fund for the current and subsequent biennium:

(c) a detailed analysis of receipts, by accounting entity within each fund, indicating classification and source of funds;

(d) a departmental analysis summarizing past and proposed spending plans by agency and the means of financing the proposed plan. Information presented shall include the following:

(i) a statement of departmental goals and objectives and a statement of goals and objectives for each program of the department;

(ii) actual FTE and disbursements for the completed fiscal year of the current biennium, estimated FTE and disbursements for the current fiscal year, and the agency's request for the ensuing biennium, by program; and

(iii) actual disbursements for the completed fiscal year of the current biennium, estimated disbursements for the current fiscal year, and agency's recommendations for the ensuing biennium, by disbursement category;

(e) detailed recommendations for the state long-range building program. Each recommendation shall be presented by department, institution, agency, or branch by funding source, with a description of each proposed project. An appropriation measure shall be presented by project, source of funding, and department, agency, institution, or branch

for which the project is primarily intended,

(f) any other information the budget director feels is necessary for the preparation of a budget."

Section 2. Section 17-7-112, MCA, is amended to read:

"17-7-112. Submission deadline. (1) It shall be the duty of each department, agency, and office, including the Montana university system, to submit the information requested ~~by~~ required under 17-7-111 to the budget director and the legislative fiscal analyst on or before September 1 in the even year preceding the convening of the legislature.

(2) If any department, institution, university unit, or agency shall fail to present such requested information within the time herein specified, the budget director shall note that fact in the budget submitted to the governor and the budget director shall prepare and submit to the legislative fiscal analyst and the governor by October 30 a budget request on behalf of such department, institution, university unit, or agency, based upon his studies of the operations, plans, and needs thereof."

-End-

Approved by Committee
on State Administration

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INTRODUCED BY HAFEEY, DONALDSON, VAN VALKENBURG,

PECK, WINSLOW, MARKS

BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE INFORMATION REQUIRED TO BE SUBMITTED TO THE BUDGET DIRECTOR AND THE LEGISLATIVE FISCAL ANALYST FOR THE PREPARATION OF AGENCY BUDGET ESTIMATES; PROVIDING A DATE BY WHICH THE BUDGET OFFICE WILL PREPARE AN AGENCY REQUEST; AND SPECIFICALLY INCLUDING THE UNIVERSITY SYSTEM UNDER THE BUDGET REQUIREMENTS; AMENDING SECTIONS 17-7-111 AND 17-7-112, MCA."

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~~budget--director--shall--in--his--discretion--feel--is--necessary for--the--preparation--of--a--budget--including--budget--estimates--to--include--estimates--of--receipts--actual--receipts--estimates of--disbursements--actual--disbursements--and--other information--classified--and--grouped--as--requested--by--the budget--director--and--covering--such--period--or--periods--of--time as--specified--by--the--budget--director required by subsection (2).~~

(2) The forms AGENCY BUDGET REQUESTS, when completed BY THE BUDGET OFFICE, must set forth a balanced financial plan for the entity AGENCY completing the forms for each fiscal year of the ensuing biennium. The plan must consist of:

(a) a consolidated AGENCY budget summary FOR CURRENT LEVEL EXPENDITURES AND FOR EACH MODIFICATION REQUEST setting forth the aggregate figures of the full-time equivalent personnel positions (FTE) and the budget in such manner as to show a balance between the total proposed disbursements and the total anticipated receipts, together with the other means of financing the budget for each fiscal year of the ensuing biennium, contrasted with the corresponding figures for the last completed fiscal year and the fiscal year in progress. The consolidated budget summary must be supported by explanatory schedules or statements, classifying receipts and disbursements contained therein by fund and, where

1 applicable organizational unit.

2 (b) ~~an~~ analysis A SCHEDULE of the actual and projected

3 receipts, disbursements, and solvency of each accounting

4 entity within each fund for the current and subsequent

5 biennium;

6 (c) a detailed ~~analysis~~ SCHEDULE of receipts, by

7 accounting entity within each fund, indicating

8 classification and source of funds;

9 (d) ~~a departmental analysis~~ AN AGENCY SCHEDULE

10 summarizing past and proposed spending plans by ~~agency~~ and

11 the means of financing the proposed plans. Information

12 presented shall include the following:

13 (i) a statement of departmental AGENCY goals and

14 objectives and a statement of goals and objectives for each

15 program of the department AGENCY;

16 (ii) actual FIE and disbursements for the completed

17 fiscal year of the current biennium, estimated FIE and

18 disbursements for the current fiscal year, and the agency's

19 request for the ensuing biennium, by program; and

20 (iii) actual disbursements for the completed fiscal

21 year of the current biennium, estimated disbursements for

22 the current fiscal year, and agency's recommendations for

23 the ensuing biennium, by disbursement category;

24 (e) detailed recommendations for the state long-range

25 building program. Each recommendation shall be presented by

1 department, institution, agency, or branch by funding

2 source, with a description of each proposed project. An

3 appropriation ~~measure shall be presented by project, source~~

4 ~~of funding and department, agency, institution, or branch~~

5 ~~for which the project is primarily intended;~~

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10 duty of each department, agency, and office, including the

11 Montana University system, to submit the information

12 requested ~~by~~ required under 17-7-111 to the budget director

13 ~~and the legislative fiscal analyst~~ on or before September 1

14 in the even year preceding the convening of the legislature.

15 (2) BETWEEN AUGUST 15 AND SEPTEMBER 30 IN THE YEAR

16 PRECEDING THE CONVENING OF THE LEGISLATURE, THE DIRECTOR

17 MUST SUBMIT EACH STATE AGENCY'S BUDGET REQUEST REQUIRED

18 UNDER 17-7-111 TO THE LEGISLATIVE FISCAL BUDGET ANALYST. THE

19 TRANSFER OF BUDGET INFORMATION SHALL BE DONE ON A SCHEDULE

20 MUTUALLY AGREED TO BY THE BUDGET DIRECTOR AND THE

21 LEGISLATIVE FISCAL ANALYST IN A MANNER THAT FACILITATES AN

22 EVEN TRANSFER OF BUDGET INFORMATION DURING THE MONTH OF

23 SEPTEMBER AND WHICH ALLOWS EACH OFFICE TO MAINTAIN A

24 REASONABLE STAFF WORKFLOW.

25 (2)(3) If any department, institution, university

1 ~~units~~ or agency shall fail to present such requested
2 information within the time herein specified, the budget
3 director shall note that fact in the budget submitted to the
4 governor and the budget director shall prepare ~~and submit to~~
5 ~~the legislative fiscal analyst and the governor by October~~
6 ~~30~~ a budget request on behalf of such department,
7 institution, ~~university units~~ or agency, based upon his
8 studies of the operations, plans, and needs thereof."

-End-

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3 receipts, disbursements, and solvency of each accounting

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21 year of the current biennium, estimated disbursements for

22 the current fiscal year, and agency's recommendations for

23 the ensuing biennium, by disbursement category;

24 (e) detailed recommendations for the state long-range

25 building program. Each recommendation shall be presented by

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2 source, with a description of each proposed project. An

3 appropriation ~~measure shall be presented by project source~~

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25 (2)(3) If any department, institution, university

1 unit, or agency shall fail to present such requested
2 information within the time herein specified, the budget
3 director shall note that fact in the budget submitted to the
4 governor and the budget director shall prepare and submit to
5 the legislative fiscal analyst and the governor by October
6 30 a budget request on behalf of such department,
7 institution, university unit, or agency, based upon his
8 studies of the operations, plans, and needs thereof."

-End-

HOUSE COMMITTEE OF THE WHOLE

March 28, 1983

Amendments to Senate Bill 235, Third reading blue copy, as follows:

1. Page 3

Following: line 23.

Insert: "(e) a specific pay plan schedule for all executive branch employees
with the specific cost and funding recommendations for each agency:"

Renumber subsequent subsections.

FREE CONFERENCE COMMITTEE
ON SENATE BILL 235
(Report No. 1, April 16, 1983)

MR. PRESIDENT:

We, your Free Conference Committee on Senate Bill 235, met and considered: House Committee of the Whole amendments, Third reading, blue copy, dated March 28, 1983, and recommend as follows:

That the House recede from House Committee of the Whole amendment dated March 28, 1983;

That Senate Bill 235 be further amended as specified in CLERICAL INSTRUCTIONS: and

That this Free Conference Committee Report be adopted.

.....
CLERICAL INSTRUCTIONS

1. Page 3, line 24 through page 4, line 5.

Strike: subsections (E) and (F) in their entirety

Renumber: subsequent subsections accordingly

2. Page 4

Following: line 10.

Insert: "(3) The budget director must also prepare and submit to the legislative fiscal analyst in accordance with 17-7-112:

(a) detailed recommendations for the state long-range building program. Each recommendation shall be presented by department, institution, agency, or branch by funding source, with a description of each proposed project; and

(b) the proposed pay plan schedule for all executive branch employees with the specific cost and funding recommendations for each agency. Submission of a pay plan schedule under this subsection is not an unfair labor practice under 39-31-401."

3. Page 5, line 11.

Following: "."

Insert: "(4) The proposed pay plan schedule required by 17-7-111(3) must be submitted to the legislative fiscal analyst no later than November 15 in the year preceding the convening of the legislature."

4. Page 4, line 21

Following: "17-7-111"

Insert: "(2)"

Ed Smith
Chairman

SENATE BILL 235 Free Conference Committee

.....April 16, 1983..... 19.....

FOR THE SENATE

Eid Smith
SMITH, CHAIR

Jack Haffey
HAFFEY

George McCallum
McCALLUM

FOR THE HOUSE

Waldron
WALDRON, CHAIR

Donaldson
DONALDSON

Roush
ROUSH

Q

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budget--director--shall--in--his--discretion--feel--is--necessary for--the--preparation--of--a--budget--including--budget--estimates--to--include--estimates--of--receipts--actual--receipts--estimates of--disbursements--actual--disbursements--and--other information--classified--and--grouped--as--requested--by--the budget--director--and--covering--such--period--or--periods--of--time as--specified--by--the--budget--director required by subsection (2).

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19 request for the ensuing biennium, by program; and

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21 year of the current biennium, estimated disbursements for

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24 (E) A SPECIFIC PAY PLAN SCHEDULE FOR ALL EXECUTIVE

25 BRANCH EMPLOYEES WITH THE SPECIFIC COST AND FUNDING

1 RECOMMENDATIONS FOR EACH AGENCY;

2 (F) detailed recommendations for the state

3 long-range building program. Each recommendation shall be

4 presented by department, institution, agency, or branch, by

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3 ~~f2,431~~ If any department, institution, university
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22 the current fiscal year, and agency's recommendations for

23 the ensuing biennium, by disbursement category;

24 (f) ~~A SPECIFIC PAY PLAN SCHEDULE FOR ALL EXECUTIVE~~

25 ~~BRANCH EMPLOYEES WITH THE SPECIFIC COST AND FUNDING~~

1 RECOMMENDATIONS FOR EACH AGENCY;

2 (e) ~~detailed recommendations for the state~~

3 ~~long-range building program. Each recommendation shall be~~

4 ~~presented by department, institution, agency, or branch by~~

5 ~~funding source, with a description of each proposed project;~~

6 ~~an appropriation measure shall be presented by project;~~

7 ~~source of funding, and department, agency, institution, or~~

8 ~~branch for which the project is primarily intended;~~

9 (f) ~~any other information the budget director~~

10 ~~feels is necessary for the preparation of a budget.~~

11 (3) THE BUDGET DIRECTOR MUST ALSO PREPARE AND SUBMIT

12 TO THE LEGISLATIVE FISCAL ANALYST IN ACCORDANCE WITH

13 17-7-112:

14 (a) DETAILED RECOMMENDATIONS FOR THE STATE LONG-RANGE

15 BUILDING PROGRAM. EACH RECOMMENDATION SHALL BE PRESENTED BY

16 DEPARTMENT, INSTITUTION, AGENCY, OR BRANCH BY FUNDING

17 SOURCE, WITH A DESCRIPTION OF EACH PROPOSED PROJECT; AND

18 (b) THE PROPOSED PAY PLAN SCHEDULE FOR ALL EXECUTIVE

19 BRANCH EMPLOYEES WITH THE SPECIFIC COST AND FUNDING

20 RECOMMENDATIONS FOR EACH AGENCY. SUBMISSION OF A PAY PLAN

21 SCHEDULE UNDER THIS SUBSECTION IS NOT AN UNFAIR LABOR

22 PRACTICE UNDER 39-31-401."

23 Section 2. Section 17-7-112, MCA, is amended to read:

24 "17-7-112. Submission deadline. (1) It shall be the

25 duty of each department, agency, and office, including the

1 Montana ~~university system~~ to submit the information
 2 requested by required under 17-7-111 to the budget director
 3 ~~and the legislative fiscal analyst~~ on or before September 1
 4 in the even year preceding the convening of the legislature.

5 (2) ~~BETWEEN AUGUST 15 AND SEPTEMBER 30 IN THE YEAR~~
 6 ~~PRECEDING THE CONVENING OF THE LEGISLATURE, THE DIRECTOR~~
 7 ~~MUST SUBMIT EACH STATE AGENCY'S BUDGET REQUEST REQUIRED~~
 8 ~~UNDER 17-7-111(2) TO THE LEGISLATIVE FISCAL BUDGET ANALYST.~~
 9 ~~THE TRANSFER OF BUDGET INFORMATION SHALL BE DONE ON A~~
 10 ~~SCHEDULE MUTUALLY AGREED TO BY THE BUDGET DIRECTOR AND THE~~
 11 ~~LEGISLATIVE FISCAL ANALYST IN A MANNER THAT FACILITATES AN~~
 12 ~~EVEN TRANSFER OF BUDGET INFORMATION DURING THE MONTH OF~~
 13 ~~SEPTEMBER AND WHICH ALLOWS EACH OFFICE TO MAINTAIN A~~
 14 ~~REASONABLE STAFF WORKLOAD.~~

15 (2)(3) If any department, institution, university
 16 unit, or agency shall fail to present such requested
 17 information within the time herein specified, the budget
 18 director shall note that fact in the budget submitted to the
 19 governor and the budget director shall prepare and submit to
 20 the legislative fiscal analyst and the governor by October
 21 30 a budget request on behalf of such department,
 22 institution, university unit, or agency, based upon his
 23 studies of the operations, plans, and needs thereof.

24 (4) ~~THE PROPOSED PAY PLAN SCHEDULE REQUIRED BY~~
 25 ~~17-7-111(3) MUST BE SUBMITTED TO THE LEGISLATIVE FISCAL~~

1 ANALYST NO LATER THAN NOVEMBER 15 IN THE YEAR PRECEDING THE
 2 CONVENING OF THE LEGISLATURE."

-End-