SENATE BILL NO. 12

INTRODUCED BY HAFFEY

BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE

IN THE SENATE

| January 7, 1985 | Introduced and referred to Committee on State Administration. |
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| January 8, 1985 | Committee recommend bill do pass. Report adopted. |
| January 9, 1985 | Bill printed and placed on members' desks. |
| January 10, 1985 | Second reading, do pass. |
| January 11, 1985 | Considered correctly engrossed. |
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| January 12, 1985 | Third reading, passed. Ayes, 46; Noes, 1. |

IN THE HOUSE

| January 14, 1985 | Introduced and referred to Committee on Appropriations. |
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| March 25, 1985 | Committee recommend bill be concurred in. Report adopted. |
| March 30, 1985 | Second reading, concurred in. |
| April 1, 1985 | Third reading, concurred in. |
| | Returned to Senate. |

IN THE SENATE

April 1, 1985

Received from House.

Sent to enrolling.

Reported correctly enrolled.

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| 3 | BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE |
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| 5 | A BILL FOR AN ACT ENTITLED: "AN ACT TO INCLUDE THE |
| 6 | UNIVERSITY SYSTEM AND THE LEGISLATIVE AND JUDICIAL BRANCHES |
| 7 | OF STATE GOVERNMENT IN BUDGET AMENDMENT PROCEDURES; AMENDING |
| 8 | SECTION 17-7-404, MCA; AND PROVIDING AN EFFECTIVE DATE." |
| 9 | |
| L O | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: |
| 1 | Section 1. Section 17-7-404, MCA, is amended to read: |
| . 2 | "17-7-404. Executivebranchbudget Budget amendment |
| 1.3 | procedures. (1) Upon receiving a proposed budget amendment |
| 4 | fromarequestingagency, the executive-branch approving |
| L 5 | authority shall immediately forward a copy of the entire |
| ۱6 | budget amendment to the legislative fiscal analyst. |
| ١7 | (2) If the executive-branch approving authority denies |
| .8 | the request for a budget amendment, he shall immediately |
| .9 | forward a notice of denial to the legislative fiscal |
| 20 | analyst. |
| 21 | (3) If the executivebranch approving authority |
| 2 2 | intends to make certification of the budget amendment, |
| 23 | immediately upon his completion of the certification he |
| 24 | shall forward the certification and all supporting |
| | described to the locistation fines, and well man |

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| executive-branch approving authority may not approve the |
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| budget amendment until he receives the legislative finance |
| committee's written report for that budget amendment unless |
| (a) the report is not received within 90 calendar day |

- from the date the certification and supporting documentation were forwarded to the finance committee, in which case the approving authority may approve the budget amendment; or
- (b) there has been a waiver of review and report as provided in subsection (6).
- (4) The legislative fiscal analyst shall review each proposed budget amendment that has been certified by the executive-branch approving authority for compliance with statutory budget amendment requirements and standards and shall present a written report of this review to the Within 10 days after the legislative finance committee. meeting of the legislative finance committee that considered the budget amendment, the legislative fiscal analyst shall submit the committee's report to the executive--branch approving authority.
- (5) Upon receipt of the legislative finance committee's written report, the executive-branch approving authority may approve or deny the budget amendment or may return the budget amendment to the requesting agency for further information. If the executive--branch approving authority has returned the budget amendment to the

- requesting agency and the requesting agency resubmits the budget amendment to the executive--branch approving authority, all procedures set out in this section apply to the resubmitted budget amendment.
- (6) If an emergency occurs that poses a serious threat 5 the life, health, or safety of the public, the legislative fiscal analyst may waive his written review and the legislative finance committee's written report required by this section. Upon receipt of such waiver, the executive 9 branch approving authority may approve the budget amendment 10 on completion of his certification. Such a waiver, however, 11 affects only the legislative fiscal analyst's written review 12 and the legislative finance committee's written report on 13 the budget amendment, and all other budget amendment 14 requirements and standards remain in effect. After such a 15 waiver, the legislative fiscal analyst may complete the 16 written review. 17
- 18 (7) Nothing in this part confers any authority on the 19 legislative finance committee to approve or deny budget 20 amendments."
- 21 <u>NEW SECTION.</u> Section 2. Effective date. This act is 22 effective July 1, 1985.

APPROVED BY COMMITTEE ON STATE ADMINISTRATION

| SENATE BILL NO. 12 |
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| BY HAFFEY |
| QUEST OF THE LEGISLATIVE FINANCE COMMITTEE |
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| 7-404, MCA; AND PROVIDING AN EFFECTIVE DATE." |
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- executive-branch approving authority may not approve the budget amendment until he receives the legislative finance committee's written report for that budget amendment unless:
- (a) the report is not received within 90 calendar days from the date the certification and supporting documentation were forwarded to the finance committee, in which case the approving authority may approve the budget amendment; or
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- (4) The legislative fiscal analyst shall review each proposed budget amendment that has been certified by the executive-branch approving authority for compliance with statutory budget amendment requirements and standards and shall present a written report of this review to the legislative finance committee. Within 10 days after the meeting of the legislative finance committee that considered the budget amendment, the legislative fiscal analyst shall submit the committee's report to the executive--branch approving authority.
- (5) Upon receipt of the legislative finance committee's written report, the executive-branch approving authority may approve or deny the budget amendment or may return the budget amendment to the requesting agency for further information. If the executive--branch approving authority has returned the budget amendment to the

- requesting agency and the requesting agency resubmits the budget amendment to the executive--branch approving authority, all procedures set out in this section apply to the resubmitted budget amendment.
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- 5 (6) If an emergency occurs that poses a serious threat 6 to the life, health, or safety of the public, the 7 legislative fiscal analyst may waive his written review and 8 the legislative finance committee's written report required 9 by this section. Upon receipt of such waiver, the executive 10 branch approving authority may approve the budget amendment 11 on completion of his certification. Such a waiver, however, 12 affects only the legislative fiscal analyst's written review 13 and the legislative finance committee's written report on the budget amendment, and all other budget amendment 14 15 requirements and standards remain in effect. After such a 16 waiver, the legislative fiscal analyst may complete the written review. 17
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