

HB 724 INTRODUCED BY MILLER
REQUIRE LEGISLATURE TO DETERMINE VACANCY SAVINGS
RATES FOR CERTAIN AGENCIES

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|------|--|----|----|
| 2/12 | INTRODUCED | | |
| 2/12 | REFERRED TO APPROPRIATIONS | | |
| 2/16 | HEARING | | |
| 2/18 | HEARING | | |
| 2/19 | COMMITTEE REPORT--BILL PASSED AS AMENDED | | |
| 2/21 | 2ND READING PASSED | 68 | 27 |
| 2/23 | 3RD READING PASSED | 67 | 32 |
| | TRANSMITTED TO SENATE | | |
| 3/02 | REFERRED TO FINANCE & CLAIMS | | |
| 3/11 | HEARING | | |
| 3/28 | ADVERSE COMMITTEE REPORT ADOPTED AS AMENDED | 41 | 9 |
| 3/30 | RETURNED TO HOUSE NOT CONCURRED AS AMENDED | | |

1 House BILL NO. 724
2 INTRODUCED BY Milly

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE
5 LEGISLATURE TO DETERMINE FOR CERTAIN AGENCIES' BUDGETS AN
6 APPROPRIATE VACANCY SAVINGS RATE; REQUIRING AN AGENCY'S
7 BUDGET TO BE ADJUSTED ACCORDING TO THIS RATE; CREATING
8 VACANCY SAVINGS POOLS; PERMITTING CERTAIN AGENCIES TO APPLY
9 FOR FUNDS FROM THE POOLS; APPROPRIATING FUNDS TO THE POOLS;
10 AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Vacancy savings defined. For the purposes
14 of [this act], "vacancy savings" means the difference
15 between the full cost and the actual cost of all authorized
16 positions at the grade and step calculated in an agency's
17 appropriation for each fiscal year. For positions exempt
18 from the state pay schedules, the salary base is the amount
19 budgeted by position when the appropriation was calculated.
20 The aggregate amount of vacancy savings includes, without
21 limitation, the funds saved as a result of having a position
22 vacant at any time during the fiscal year and of filling a
23 vacant position with a person whose pay is less than the
24 salary of the employee who was terminated minus funds paid
25 upon termination for unused annual leave under 2-18-617 and

1 sick leave under 2-18-618.

2 Section 2. Determination of vacancy savings rate. (1)
3 During a legislative session, the legislature shall
4 determine for each agency's proposed budget under review an
5 appropriate vacancy savings rate to be applied to the
6 proposed budget. In determining the vacancy savings rate,
7 the legislature shall consider for each agency the number of
8 positions subject to the rate and whether the work performed
9 by employees in those positions is so essential as to
10 require the positions to be filled, regardless of fiscal
11 constraints.

12 (2) The legislature shall adjust the agency's proposed
13 budget for personal services according to the vacancy
14 savings rate determined under subsection (1).

15 Section 3. Establishment of vacancy savings pools --
16 application for funds from the pools. (1) There is a vacancy
17 savings pool administered by the:

- 18 (a) governor or his designee for executive branch
19 agencies;
- 20 (b) legislative finance committee for legislative
21 branch agencies; and
- 22 (c) chief justice of the supreme court or his designee
23 for judicial branch agencies.

24 (2) An agency, other than the Montana university
25 system, a postsecondary vocational-technical center, or a



1 community college, may apply to the appropriate pool
2 administrator for funds to cover personal services costs
3 exceeding the amount appropriated to the agency for personal
4 services if the agency:

5 (a) had a vacancy savings rate applied to its
6 appropriation as provided in [section 2];

7 (b) maintains current and accurate personal services
8 records on the state payroll, personnel, and position
9 control system;

10 (c) during the fiscal year for which the application
11 for funds is made, did not transfer funds or spending
12 authority from personal services to another expenditure
13 category, thus reducing its ability to meet its vacancy
14 savings rate determined under [section 2]; and

15 (d) did not spend personal services funds for
16 upgrades or step increases that were not appropriated for by
17 the legislature.

18 (3) If an applying agency satisfactorily demonstrates
19 to the pool administrator the need for additional funds, the
20 administrator may increase the expenditure authority of the
21 agency for personal services.

22 Section 4. Appropriations -- increased expenditure
23 authority. (1) There is appropriated \$214,633 from the
24 general fund for each year of the biennium ending June 30,
25 1989, to the governor's office to implement this act. In

1 addition, the governor or his designee may increase the
2 expenditure authority of executive branch agencies by
3 \$269,867 for each year of the biennium ending June 30, 1989,
4 from funds other than the general fund that accrue under
5 provisions of law to the agencies, to implement this act.

6 (2) There is appropriated \$6,056 from the general fund
7 for each year of the biennium ending June 30, 1989, to the
8 office of the legislative fiscal analyst to implement this
9 act. In addition, the legislative finance committee may
10 increase the expenditure authority of legislative branch
11 agencies by \$1,949 for each year of the biennium ending June
12 30, 1989, from funds other than the general fund that accrue
13 under provisions of law to the agencies, to implement this
14 act.

15 (3) There is appropriated \$6,532 from the general fund
16 for each year of the biennium ending June 30, 1989, to the
17 supreme court to implement this act. In addition, the chief
18 justice of the supreme court or his designee may increase
19 the expenditure authority of judicial agencies by \$963 for
20 each year of the biennium ending June 30, 1989, from funds
21 other than the general fund that accrue under provisions of
22 law to the agencies, to implement this act.

23 Section 5. Effective dates -- termination date.

24 (1) (a) Sections 1, 2, and 5 are effective on passage and
25 approval.

LC 1763/01

- 1 (b) Sections 3 and 4 are effective July 1, 1987.
- 2 (2) This act terminates July 1, 1989.

-End-

APPROVED BY COMMITTEE
ON APPROPRIATIONS

1 HOUSE BILL NO. 724
2 INTRODUCED BY MILLER
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE
5 LEGISLATURE TO DETERMINE FOR CERTAIN AGENCIES' BUDGETS AN
6 APPROPRIATE VACANCY SAVINGS RATE; REQUIRING AN AGENCY'S
7 BUDGET TO BE ADJUSTED ACCORDING TO THIS RATE; CREATING
8 VACANCY SAVINGS POOLS; PERMITTING CERTAIN AGENCIES TO APPLY
9 FOR FUNDS FROM THE POOLS; APPROPRIATING FUNDS TO THE POOLS;
10 AMENDING SECTION 17-7-111, MCA; AND PROVIDING EFFECTIVE
11 DATES AND A TERMINATION DATE."
12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14 NEW SECTION. Section 1. Vacancy savings defined. For
15 the purposes of [this act], "vacancy savings" means the
16 difference between the full cost and the actual cost of all
17 authorized positions at the grade and step calculated in an
18 agency's appropriation for each fiscal year. For positions
19 exempt from the state pay schedules, the salary base is the
20 amount budgeted by position when the appropriation was
21 calculated. The aggregate amount of vacancy savings
22 includes, without limitation, the funds saved as a result of
23 having a position vacant at any time during the fiscal year
24 and of filling a vacant position with a person whose pay is
25 less than the salary of the employee who was terminated

1 minus funds paid upon termination for unused annual leave
2 under 2-18-617 and sick leave under 2-18-618.
3 NEW SECTION. Section 2. Determination of vacancy
4 savings rate. (1) During a legislative session, the
5 legislature shall determine for each agency's proposed
6 budget under review an appropriate vacancy savings rate to
7 be applied to the proposed budget. In determining the
8 vacancy savings rate, the legislature shall consider for
9 each agency the number of positions subject to the rate and
10 whether the work performed by employees in those positions
11 is so essential as to require the positions to be filled,
12 regardless of fiscal constraints.
13 (2) The legislature shall adjust the agency's proposed
14 budget for personal services according to the vacancy
15 savings rate determined under subsection (1).
16 NEW SECTION. Section 3. Establishment of vacancy
17 savings pools -- application for funds from the pools. (1)
18 There is a vacancy savings pool administered by the:
19 (a) governor or his designee for executive branch
20 agencies;
21 (b) legislative finance committee for legislative
22 branch agencies; and
23 (c) chief justice of the supreme court or his designee
24 for judicial branch agencies.
25 (2) AN AGENCY, OTHER THAN THE MONTANA UNIVERSITY

1 SYSTEM, A POSTSECONDARY VOCATIONAL-TECHNICAL CENTER, OR A
 2 COMMUNITY COLLEGE WILL BY JUNE 30 OF EACH FISCAL YEAR REVERT
 3 TO THE APPROPRIATE VACANCY SAVINGS POOL 50% OF ANY VACANCY
 4 SAVINGS REALIZED IN EXCESS OF THE VACANCY SAVINGS CALCULATED
 5 IN THE APPROPRIATION FOR THE YEAR.

6 (2)(3) An agency, other than the Montana university
 7 system, a postsecondary vocational-technical center, or a
 8 community college, may apply to the appropriate pool
 9 administrator for funds to cover personal services costs
 10 exceeding the amount appropriated to the agency for personal
 11 services if the agency:

12 (a) had a vacancy savings rate applied to its
 13 appropriation as provided in [section 2];

14 (b) maintains current and accurate personal services
 15 records on the state payroll, personnel, and position
 16 control system;

17 (c) during the fiscal year for which the application
 18 for funds is made, did not transfer funds or spending
 19 authority from personal services to another expenditure
 20 category, thus reducing its ability to meet its vacancy
 21 savings rate determined under [section 2]; and

22 (d) did not spend personal services funds for upgrades
 23 or step increases that were not appropriated for by the
 24 legislature. THE COST OF UPGRADES ORDERED BY THE COURT MAY
 25 NOT BE PAID FROM THE VACANCY SAVINGS POOL, BUT THOSE

1 AGENCIES AFFECTED BY COURT-ORDERED UPGRADES ARE NOT EXCLUDED
 2 FROM RECEIVING FUNDS FROM THE POOL FOR VACANCY SAVINGS IF
 3 ALL OTHER CONDITIONS OF [SECTION 3] ARE MET.

4 (3)(4) If an applying agency satisfactorily
 5 demonstrates to the pool administrator the need for
 6 additional funds, the administrator may increase the
 7 expenditure authority of the agency for personal services.

8 NEW SECTION. Section 4. Appropriations -- increased
 9 expenditure authority. (1) ~~There is appropriated \$21,476,333~~
 10 ~~from the general fund for each year of the biennium ending~~
 11 ~~June 30, 1989, to the governor's office to implement this~~
 12 ~~act. In addition, the governor or his designee may increase~~
 13 ~~the expenditure authority of executive branch agencies by~~
 14 ~~\$269,867 for each year of the biennium ending June 30, 1989,~~
 15 ~~from funds other than the general fund that accrue under~~
 16 ~~provisions of law to the agencies, to implement this act.~~

17 (2) ~~There is appropriated \$6,056 from the general fund~~
 18 ~~for each year of the biennium ending June 30, 1989, to the~~
 19 ~~office of the legislative fiscal analyst to implement this~~
 20 ~~act. In addition, the legislative finance committee may~~
 21 ~~increase the expenditure authority of legislative branch~~
 22 ~~agencies by \$1,949 for each year of the biennium ending June~~
 23 ~~30, 1989, from funds other than the general fund that accrue~~
 24 ~~under provisions of law to the agencies, to implement this~~
 25 ~~act.~~

~~(3) There is appropriated \$67,532 from the general fund for each year of the biennium ending June 30, 1989, to the supreme court to implement this act; in addition, the chief justice of the supreme court or his designee may increase the expenditure authority of judicial agencies by \$963 for each year of the biennium ending June 30, 1989, from funds other than the general fund that accrue under provisions of law to the agencies, to implement this act. (1) THE GOVERNOR OR HIS DESIGNEE IS AUTHORIZED TO INCREASE THE EXPENDITURE AUTHORITY OF EXECUTIVE BRANCH AGENCIES FOR FISCAL 1989 FROM THE EXECUTIVE BRANCH VACANCY SAVINGS FUND ONLY IF MONEY EXISTS IN THE VACANCY SAVINGS FUND AND MONEY AND EXPENDITURE AUTHORITY ARE GIVEN TO THE AGENCY AT THE SAME TIME.~~

~~(2) THE LEGISLATIVE FINANCE COMMITTEE IS AUTHORIZED TO INCREASE THE EXPENDITURE AUTHORITY OF LEGISLATIVE BRANCH AGENCIES FOR FISCAL 1989 FROM THE LEGISLATIVE BRANCH VACANCY SAVINGS FUND ONLY IF MONEY EXISTS IN THE VACANCY SAVINGS FUND AND MONEY AND EXPENDITURE AUTHORITY ARE GIVEN TO THE AGENCY AT THE SAME TIME.~~

~~(3) THE CHIEF JUSTICE OF THE SUPREME COURT OR HIS DESIGNEE IS AUTHORIZED TO INCREASE THE EXPENDITURE AUTHORITY OF JUDICIAL BRANCH AGENCIES FOR FISCAL 1989 FROM THE JUDICIAL BRANCH VACANCY SAVINGS FUND ONLY IF MONEY EXISTS IN THE VACANCY SAVINGS FUND AND MONEY AND EXPENDITURE AUTHORITY~~

ARE GIVEN TO THE AGENCY AT THE SAME TIME.

SECTION 5. SECTION 17-7-111, MCA, IS AMENDED TO READ:

"17-7-111. Agency program budgets -- form distribution and contents. (1) In the preparation of a state budget, the budget director shall, not later than July 1 in the year preceding the convening of the legislature, distribute to all state offices and departments, including the judicial branch and the legislative branch, the proper forms necessary for the preparation of budget estimates. These forms shall be prescribed by the budget director to procure the information required by subsection (2).

(2) The agency budget requests, when completed by the budget office, must set forth a balanced financial plan for the 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

1 by schedules classifying receipts and disbursements
2 contained therein by fund and, where applicable,
3 organizational unit.

4 (b) a schedule of the actual and projected receipts,
5 disbursements, and solvency of each accounting entity within
6 each fund for the current and subsequent biennium;

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

10 (d) an agency schedule summarizing past and proposed
11 spending plans and the means of financing the proposed plan.
12 Information presented shall include the following:

13 (i) a statement of agency goals and objectives and a
14 statement of goals and objectives for each program of the
15 agency. Such goals and objectives must include, in a concise
16 form, sufficient specific information and quantifiable
17 information to enable the legislature to formulate an
18 appropriations policy regarding the agency and its programs
19 and to allow a determination, at some future date, on
20 whether the agency has succeeded in attaining its goals and
21 objectives.

22 (ii) actual FTE, and disbursements, and vacancy savings
23 for the completed fiscal year of the current biennium,
24 estimated FTE, and disbursements, and vacancy savings for
25 the current fiscal year, and the agency's request for the

1 ensuing biennium, by program; and

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

6 (e) any other information the budget director feels is
7 necessary for the preparation of a budget.

8 (3) The budget director must also prepare and submit
9 to the legislative fiscal analyst in accordance with
10 17-7-112:

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

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

20 (4) The board of regents shall submit, with its budget
21 request for each university unit in accordance with
22 17-7-112, a report on the university system bonded
23 indebtedness and related finances as provided in this
24 subsection (4). The report must include the following
25 information for each year of the biennium, contrasted with

1 the same information for the last completed fiscal year and
2 the fiscal year in progress:

3 (a) a schedule of estimated total bonded indebtedness
4 for each university unit by bond indenture;

5 (b) a schedule of estimated revenue, expenditures, and
6 fund balances by fiscal year for each outstanding bond
7 indenture, clearly delineating the accounts relating to each
8 indenture and the minimum legal funding requirements for
9 each bond indenture; and

10 (c) a schedule showing the total funds available from
11 each bond indenture and its associated accounts, with a list
12 of commitments and planned expenditures from such accounts,
13 itemized by revenue source and project for each year of the
14 current and ensuing bienniums."

15 NEW SECTION. Section 6. Effective dates --
16 termination date. (1) (a) Sections 1, 2, and 5, AND 6 are
17 effective on passage and approval.

18 (b) Sections 3 and 4 are effective July 1, 1987.

19 (2) This act terminates July 1, ~~1989~~ 1991.

-End-

1 HOUSE BILL NO. 724
 2 INTRODUCED BY MILLER
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE
 5 LEGISLATURE TO DETERMINE FOR CERTAIN AGENCIES' BUDGETS AN
 6 APPROPRIATE VACANCY SAVINGS RATE; REQUIRING AN AGENCY'S
 7 BUDGET TO BE ADJUSTED ACCORDING TO THIS RATE; CREATING
 8 VACANCY SAVINGS POOLS; PERMITTING CERTAIN AGENCIES TO APPLY
 9 FOR FUNDS FROM THE POOLS; APPROPRIATING FUNDS TO THE POOLS;
 10 AMENDING SECTION 17-7-111, MCA; AND PROVIDING EFFECTIVE
 11 DATES AND A TERMINATION DATE."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 14 NEW SECTION. Section 1. Vacancy savings defined. For
 15 the purposes of [this act], "vacancy savings" means the
 16 difference between the full cost and the actual cost of all
 17 authorized positions at the grade and step calculated in an
 18 agency's appropriation for each fiscal year. For positions
 19 exempt from the state pay schedules, the salary base is the
 20 amount budgeted by position when the appropriation was
 21 calculated. The aggregate amount of vacancy savings
 22 includes, without limitation, the funds saved as a result of
 23 having a position vacant at any time during the fiscal year
 24 and of filling a vacant position with a person whose pay is
 25 less than the salary of the employee who was terminated

1 minus funds paid upon termination for unused annual leave
 2 under 2-18-617 and sick leave under 2-18-618.

3 NEW SECTION. Section 2. Determination of vacancy
 4 savings rate. (1) During a legislative session, the
 5 legislature shall determine for each agency's proposed
 6 budget under review an appropriate vacancy savings rate to
 7 be applied to the proposed budget. In determining the
 8 vacancy savings rate, the legislature shall consider for
 9 each agency the number of positions subject to the rate and
 10 whether the work performed by employees in those positions
 11 is so essential as to require the positions to be filled,
 12 regardless of fiscal constraints.

13 (2) The legislature shall adjust the agency's proposed
 14 budget for personal services according to the vacancy
 15 savings rate determined under subsection (1).

16 NEW SECTION. Section 3. Establishment of vacancy
 17 savings pools -- application for funds from the pools. (1)
 18 There is a vacancy savings pool administered by the:

- 19 (a) governor or his designee for executive branch
- 20 agencies;
- 21 (b) legislative finance committee for legislative
- 22 branch agencies; and
- 23 (c) chief justice of the supreme court or his designee
- 24 for judicial branch agencies.

25 (2) AN AGENCY, OTHER THAN THE MONTANA UNIVERSITY



1 SYSTEM, A POSTSECONDARY VOCATIONAL-TECHNICAL CENTER, OR A
 2 COMMUNITY COLLEGE WILL BY JUNE 30 OF EACH FISCAL YEAR REVERT
 3 TO THE APPROPRIATE VACANCY SAVINGS POOL 50% OF ANY VACANCY
 4 SAVINGS REALIZED IN EXCESS OF THE VACANCY SAVINGS CALCULATED
 5 IN THE APPROPRIATION FOR THE YEAR.

6 {2}{3} An agency, other than the Montana university
 7 system, a postsecondary vocational-technical center, or a
 8 community college, may apply to the appropriate pool
 9 administrator for funds to cover personal services costs
 10 exceeding the amount appropriated to the agency for personal
 11 services if the agency:

12 (a) had a vacancy savings rate applied to its
 13 appropriation as provided in [section 2];

14 (b) maintains current and accurate personal services
 15 records on the state payroll, personnel, and position
 16 control system;

17 (c) during the fiscal year for which the application
 18 for funds is made, did not transfer funds or spending
 19 authority from personal services to another expenditure
 20 category, thus reducing its ability to meet its vacancy
 21 savings rate determined under [section 2]; and

22 (d) did not spend personal services funds for upgrades
 23 or step increases that were not appropriated for by the
 24 legislature. THE COST OF UPGRADES ORDERED BY THE COURT MAY
 25 NOT BE PAID FROM THE VACANCY SAVINGS POOL, BUT THOSE

1 AGENCIES AFFECTED BY COURT-ORDERED UPGRADES ARE NOT EXCLUDED
 2 FROM RECEIVING FUNDS FROM THE POOL FOR VACANCY SAVINGS IF
 3 ALL OTHER CONDITIONS OF [SECTION 3] ARE MET.

4 {3}{4} If an applying agency satisfactorily
 5 demonstrates to the pool administrator the need for
 6 additional funds, the administrator may increase the
 7 expenditure authority of the agency for personal services.

8 NEW SECTION. Section 4. Appropriations -- increased
 9 expenditure authority. {1}-There-is-appropriated--\$214,633
 10 from--the--general-fund-for-each-year-of-the-biennium-ending
 11 June-30-1989-to-the-governor's-office-to-implement--this
 12 act--in-addition,--the-governor-or-his-designee-may-increase
 13 the-expenditure-authority-of-executive--branch--agencies--by
 14 \$269,867-for-each-year-of-the-biennium-ending-June-30-1989,
 15 from--funds--other--than--the-general-fund-that-accrue-under
 16 provisions-of-law-to-the-agencies,--to-implement--this-act.

17 {2}-There-is-appropriated-\$6,856-from-the-general-fund
 18 for-each-year-of-the-biennium-ending-June-30-1989--to--the
 19 office--of--the-legislative-fiscal-analyst-to-implement--this
 20 act--in-addition,--the--legislative--finance--committee--may
 21 increase--the--expenditure--authority--of-legislative-branch
 22 agencies-by-\$1,949-for-each-year-of-the-biennium-ending-June
 23 30-1989,--from-funds-other-than-the-general-fund-that-accrue
 24 under-provisions-of-law-to-the-agencies,--to--implement--this
 25 act.

1 ~~(3) There is appropriated \$6,532 from the general fund~~
 2 ~~for each year of the biennium ending June 30, 1989, to the~~
 3 ~~supreme court to implement this act. In addition, the chief~~
 4 ~~justice of the supreme court or his designee may increase~~
 5 ~~the expenditure authority of judicial agencies by \$963 for~~
 6 ~~each year of the biennium ending June 30, 1989, from funds~~
 7 ~~other than the general fund that accrue under provisions of~~
 8 ~~law to the agencies to implement this act. (1) THE~~
 9 GOVERNOR OR HIS DESIGNEE IS AUTHORIZED TO INCREASE THE
 10 EXPENDITURE AUTHORITY OF EXECUTIVE BRANCH AGENCIES FOR
 11 FISCAL 1989 FROM THE EXECUTIVE BRANCH VACANCY SAVINGS FUND
 12 ONLY IF MONEY EXISTS IN THE VACANCY SAVINGS FUND AND MONEY
 13 AND EXPENDITURE AUTHORITY ARE GIVEN TO THE AGENCY AT THE
 14 SAME TIME.

15 (2) THE LEGISLATIVE FINANCE COMMITTEE IS AUTHORIZED TO
 16 INCREASE THE EXPENDITURE AUTHORITY OF LEGISLATIVE BRANCH
 17 AGENCIES FOR FISCAL 1989 FROM THE LEGISLATIVE BRANCH VACANCY
 18 SAVINGS FUND ONLY IF MONEY EXISTS IN THE VACANCY SAVINGS
 19 FUND AND MONEY AND EXPENDITURE AUTHORITY ARE GIVEN TO THE
 20 AGENCY AT THE SAME TIME.

21 (3) THE CHIEF JUSTICE OF THE SUPREME COURT OR HIS
 22 DESIGNEE IS AUTHORIZED TO INCREASE THE EXPENDITURE AUTHORITY
 23 OF JUDICIAL BRANCH AGENCIES FOR FISCAL 1989 FROM THE
 24 JUDICIAL BRANCH VACANCY SAVINGS FUND ONLY IF MONEY EXISTS IN
 25 THE VACANCY SAVINGS FUND AND MONEY AND EXPENDITURE AUTHORITY

1 ARE GIVEN TO THE AGENCY AT THE SAME TIME.

2 SECTION 5. SECTION 17-7-111, MCA, IS AMENDED TO READ:

3 "17-7-111. Agency program budgets -- form distribution
 4 and contents. (1) In the preparation of a state budget, the
 5 budget director shall, not later than July 1 in the year
 6 preceding the convening of the legislature, distribute to
 7 all state offices and departments, including the judicial
 8 branch and the legislative branch, the proper forms
 9 necessary for the preparation of budget estimates. These
 10 forms shall be prescribed by the budget director to procure
 11 the information required by subsection (2).

12 (2) The agency budget requests, when completed by the
 13 budget office, must set forth a balanced financial plan for
 14 the agency completing the forms for each fiscal year of the
 15 ensuing biennium. The plan must consist of:

16 (a) a consolidated agency budget summary for current
 17 level expenditures and for each modification request setting
 18 forth the aggregate figures of the full-time equivalent
 19 personnel positions (FTE) and the budget in such manner as
 20 to show a balance between the total proposed disbursements
 21 and the total anticipated receipts, together with the other
 22 means of financing the budget for each fiscal year of the
 23 ensuing biennium, contrasted with the corresponding figures
 24 for the last completed fiscal year and the fiscal year in
 25 progress. The consolidated budget summary must be supported

1 by schedules classifying receipts and disbursements
2 contained therein by fund and, where applicable,
3 organizational unit.

4 (b) a schedule of the actual and projected receipts,
5 disbursements, and solvency of each accounting entity within
6 each fund for the current and subsequent biennium;

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

10 (d) an agency schedule summarizing past and proposed
11 spending plans and the means of financing the proposed plan.
12 Information presented shall include the following:

13 (i) a statement of agency goals and objectives and a
14 statement of goals and objectives for each program of the
15 agency. Such goals and objectives must include, in a concise
16 form, sufficient specific information and quantifiable
17 information to enable the legislature to formulate an
18 appropriations policy regarding the agency and its programs
19 and to allow a determination, at some future date, on
20 whether the agency has succeeded in attaining its goals and
21 objectives.

22 (ii) actual FTE, and disbursements, and vacancy savings
23 for the completed fiscal year of the current biennium,
24 estimated FTE, and disbursements, and vacancy savings for
25 the current fiscal year, and the agency's request for the

1 ensuing biennium, by program; and

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

6 (e) any other information the budget director feels is
7 necessary for the preparation of a budget.

8 (3) The budget director must also prepare and submit
9 to the legislative fiscal analyst in accordance with
10 17-7-112:

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

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

20 (4) The board of regents shall submit, with its budget
21 request for each university unit in accordance with
22 17-7-112, a report on the university system bonded
23 indebtedness and related finances as provided in this
24 subsection (4). The report must include the following
25 information for each year of the biennium, contrasted with

1 the same information for the last completed fiscal year and
2 the fiscal year in progress:

3 (a) a schedule of estimated total bonded indebtedness
4 for each university unit by bond indenture;

5 (b) a schedule of estimated revenue, expenditures, and
6 fund balances by fiscal year for each outstanding bond
7 indenture, clearly delineating the accounts relating to each
8 indenture and the minimum legal funding requirements for
9 each bond indenture; and

10 (c) a schedule showing the total funds available from
11 each bond indenture and its associated accounts, with a list
12 of commitments and planned expenditures from such accounts,
13 itemized by revenue source and project for each year of the
14 current and ensuing bienniums."

15 NEW SECTION. Section 6. Effective dates --
16 termination date. (1) (a) Sections 1, 2, and 5, AND 6 are
17 effective on passage and approval.

18 (b) Sections 3 and 4 are effective July 1, 1987.

19 (2) This act terminates July 1, ~~1989~~ 1991.

-End-

STANDING COMMITTEE REPORT

SENATE

March 26 1987

MR. PRESIDENT

We, your committee on FINANCE AND CLAIMS

having had under consideration House Bill No. 724

third reading copy (blue)
color

REQUIRE LEGISLATURE TO DETERMINE VACANCY SAVINGS RATES FOR CERTAIN AGENCIES

MILLER (Keating)

Respectfully report as follows: That House Bill No. 724,
be amended as follows:

1. Title, lines 7 through 9.
Following: "RATE;" on line 7
Strike: the remainder of line 7 through line 9
2. Title, line 10.
Following: "PROVIDING"
Insert: "AN IMMEDIATE"
3. Title, line 11.
Strike: "DATES"
Insert: "DATE"
4. Page 2, line 16 through page 6, line 1.
Strike: sections 3 and 4 in their entirety
Re-number: subsequent sections
5. Page 9, line 15.
Strike: "dates"
Insert: "date"
6. Page 9, line 16.
Strike "(a)" through "are"
Insert: "This act is"
7. Page 9, line 18.
Strike: line 18

AND AS AMENDED

~~XXXXXX~~
~~XXXXXX~~ BE CONCURRED IN

~~XXXXXXXXXX~~

Pat Regan
Senator Regan Chairman.

3-26-87
1
2