

SENATE BILL 362

Introduced by Abrams, et al.

2/07	Introduced
2/07	Referred to State Administration
2/08	Fiscal Note Requested
2/14	Hearing
2/14	Fiscal Note Received
2/15	Fiscal Note Printed
	Died in Committee

1 *Senate* BILL NO. 362  
 2 INTRODUCED BY *Thomas Story*  
 3 *George H. Hoffman, J. Anderson, Phillip*  
 4 *Heckman*  
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING THE  
 6 ACCOUNTING FUNCTIONS OF THE DEPARTMENT OF ADMINISTRATION TO  
 7 THE STATE AUDITOR; AMENDING SECTIONS 17-1-121, 17-1-122, AND  
 8 17-8-302, MCA; AND REPEALING SECTION 17-1-101, MCA."

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

10 NEW SECTION. Section 1. Accounting functions of  
 11 department of administration transferred to state auditor.

12 (1) The accounting functions of the department of  
 13 administration cited in the following sections are  
 14 transferred to the state auditor: 17-1-102, 17-1-103,  
 15 17-2-106 through 17-2-111, 17-2-201, 17-2-202, 17-6-202,  
 16 17-8-101, 17-8-102, 17-8-201 through 17-8-203, and 17-8-301.

17 (2) Unless inconsistent with [this act], any reference  
 18 to the "department of administration" or "department" (of  
 19 administration) in the sections listed in subsection (1) is  
 20 changed to "state auditor". The code commissioner shall  
 21 conform internal references and grammar to these changes.

22 (3) The governor may by executive order assign to the  
 23 state auditor in a manner consistent with [this act]  
 24 functions allocated to the department of administration by  
 25 the 51st legislature and not transferred by [this act].

1 NEW SECTION. Section 2. State auditor as general  
 2 accountant. The state auditor is the general accountant of  
 3 the state and shall keep all public accounts, books,  
 4 vouchers, documents, and papers relating to the contracts of  
 5 the state and its debts, revenues, and fiscal affairs that  
 6 are not required by law to be kept in another office or by  
 7 another person.

8 Section 3. Section 17-1-121, MCA, is amended to read:

9 "17-1-121. General fiscal duties of state auditor. It  
 10 is the duty of the state auditor to:

11 (1) superintend the fiscal concerns of the state;

12 (2) give information in writing to either house of the  
 13 legislature relating to the fiscal affairs of the state or  
 14 the duties of his office when requested;

15 (3) suggest plans for the improvement and management  
 16 of the public revenues;

17 (4) keep an account of all warrants drawn upon the  
 18 treasurer and such other account and appropriation records  
 19 that he determines to be essential for the support of the  
 20 accounting records maintained in the his office of--the  
 21 ~~department-of-administration~~;

22 (5) keep an account between the state and the state  
 23 treasurer and therein charge the state treasurer with the  
 24 balance in the treasury when he came into office and with  
 25 all moneys money received by him and credit him with all

1 warrants drawn on and paid by him;

2 (6) keep a register of warrants, showing the fund upon  
3 which they are drawn, the number, in whose favor, and the  
4 date issued;

5 (7) require all persons who have received any moneys  
6 money belonging to the state and have not accounted therefor  
7 for the money to settle their accounts;

8 (8) draw warrants on the state treasurer for the  
9 payment of moneys money directed by law to be paid out of  
10 the treasury, but no a warrant must may not be drawn unless  
11 authorized by law;

12 (9) authenticate with his official seal all warrants  
13 drawn by him and all copies of papers issued from his  
14 office;

15 (10) collect and pay into the state treasury all fees  
16 received by him;

17 (11) maintain the centralized accounting records for  
18 the state, keep the general books of accounts on a  
19 double-entry basis, and maintain accounts that reflect in  
20 detail or in summary all assets, liabilities, reserves,  
21 surpluses, revenues and receipts, appropriations,  
22 allotments, expenditures, and encumbrances except as  
23 otherwise required by law. The accounting records and  
24 procedures must provide complete fiscal control over all  
25 state agencies and over all activities of the agencies and

1 be upon forms, records, and systems specified by the state  
2 auditor.

3 (12) examine each receipt, account, bill, claim,  
4 refund, and demand against the state arising from activities  
5 of state agencies, approve each legal, correct, and proper  
6 claim, designate the account to be charged for the claim,  
7 and issue a warrant in payment of the claim; and

8 +11}(13) perform such other duties as are prescribed by  
9 law."

10 **Section 4.** Section 17-1-122, MCA, is amended to read:

11 **"17-1-122. Discretionary duties of state auditor.** In  
12 his discretion it is the duty of the state auditor to:

13 (1) inspect the books of any persons charged with the  
14 receipt, safekeeping, or disbursement of public moneys  
15 money;

16 (2) require all persons who have received moneys money  
17 or securities or have had the disposition or management of  
18 any property of the state of which an account is kept in his  
19 office to render statements thereof to him, and all such  
20 persons must render statements at such the times and in such  
21 the form as he may require;

22 (3) promulgate rules regarding the distribution and  
23 processing of warrants issued; and

24 (4) establish---under---the---joint---control---of---the  
25 department-of-administration-and-the-state-auditor, a system

1 of filing and storage of the original copy of claims paid by  
2 state warrant."

3 **Section 5.** Section 17-8-302, MCA, is amended to read:

4 "17-8-302. Order in which warrants are drawn. All  
5 warrants for claims which that have been audited by the  
6 ~~department--of-administration~~ state auditor and filed in the  
7 auditor's office must be drawn in the order in which they  
8 are transmitted ~~to-him-by-the-department-of-administration.~~"

9 NEW SECTION. **Section 6.** Repealer. Section 17-1-101,  
10 MCA, is repealed.

11 NEW SECTION. **Section 7.** Extension of authority. Any  
12 existing authority to make rules on the subject of the  
13 provisions of [this act] is extended to the provisions of  
14 [this act].

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB362, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An Act transferring the accounting functions of the Department of Administration to the State Auditor; amending Sections 17-1-121, 17-1-122, and 17-8-302, MCA; and repealing Section 17-1-101, MCA.

ASSUMPTIONS:

1. The Accounting Division would move from the Department of Administration to the State Auditor's office in its entirety except for the data processing coordinator position. This position provides services to the various divisions within the Department of Administration and is not a state-wide service.
2. There will be no relocation costs.

FISCAL IMPACT:

	<u>Current</u>	<u>FY90</u>		<u>Current</u>	<u>FY91</u>	
<u>Department of</u>	<u>Law</u>	<u>Proposed</u>	<u>Difference</u>	<u>Law</u>	<u>Proposed</u>	<u>Difference</u>
<u>Administration</u>		<u>Law</u>			<u>Law</u>	
<u>Expenditures:</u>						
FTE	11.0	1.0	(10.0)	11.0	1.0	(10.0)
Personal Services	\$317,990	\$ 27,573	(\$290,417)	\$318,298	\$ 27,563	(\$290,735)
Operating Costs	<u>351,811</u>	<u>-0-</u>	<u>( 351,811)</u>	<u>318,476</u>	<u>-0-</u>	<u>( 318,476)</u>
Total	\$669,801	\$ 27,573	(\$642,228)	\$636,774	\$ 27,563	(\$609,211)

Funding: General Fund

State Auditor's Office

	<u>Current</u>	<u>FY90</u>		<u>Current</u>	<u>FY91</u>	
<u>Expenditures:</u>		<u>Law</u>	<u>Difference</u>		<u>Law</u>	<u>Difference</u>
FTE	-0-	10.0	10.0	-0-	10.0	10.0
Personal Services	\$ -0-	\$290,417	\$ 290,417	\$ -0-	\$290,735	\$ 290,735
Operating Costs	<u>-0-</u>	<u>351,811</u>	<u>351,811</u>	<u>-0-</u>	<u>318,476</u>	<u>318,476</u>
Total	\$ -0-	\$642,228	\$ 642,228	\$ -0-	\$609,211	\$ 609,211

Funding: General Fund

*Ray Shackleford*

DATE

2/14/89

RAY SHACKLEFORD, BUDGET DIRECTOR  
OFFICE OF BUDGET AND PROGRAM PLANNING

*Hubert J. Abrams*

DATE

2-14-89

HUBERT J. ABRAMS, PRIMARY SPONSOR

Fiscal Note for SB362, as introduced

**SB 362**