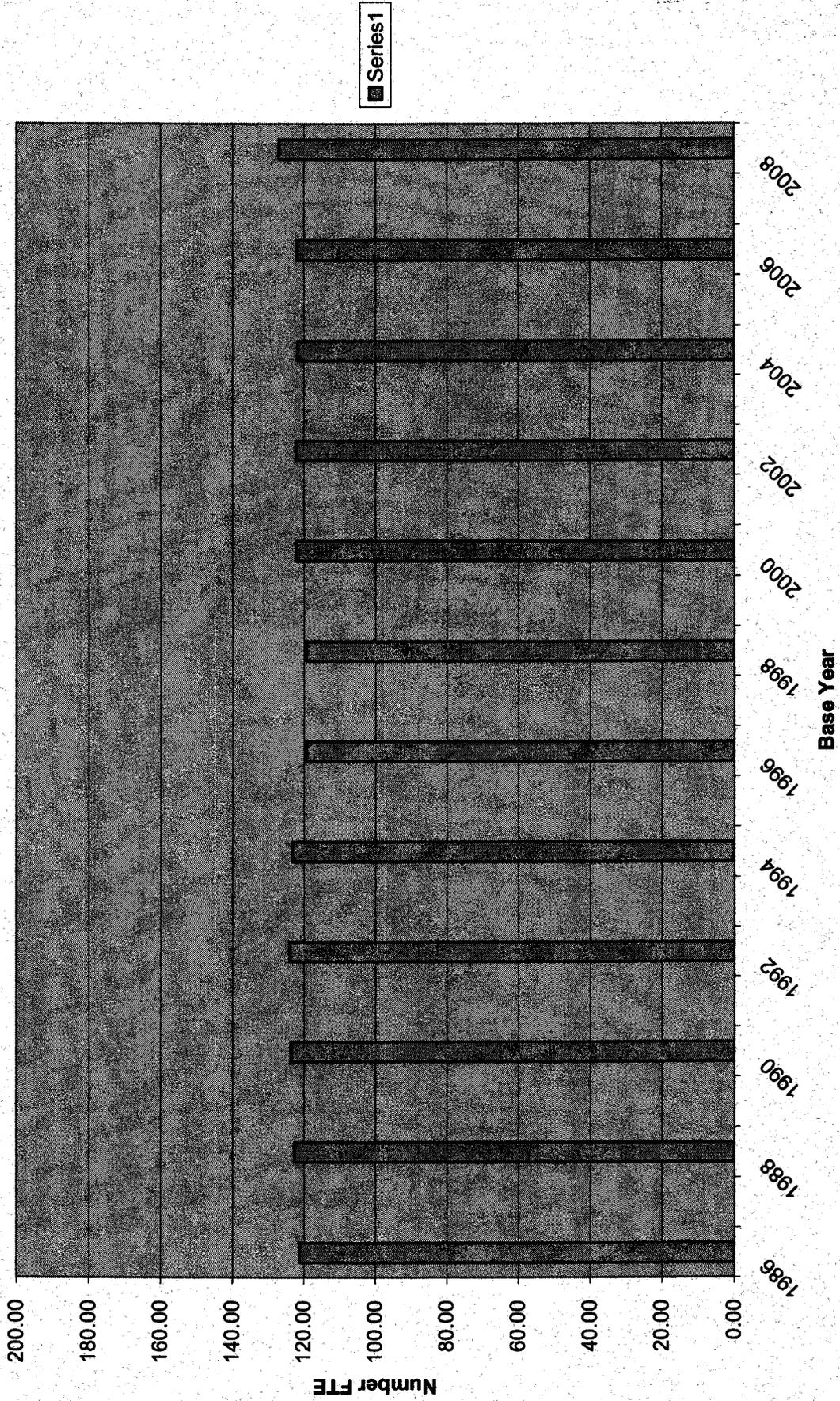


EXHIBIT 4
DATE 1/19/09
HB 2

22-Year History, Legislative Branch FTE



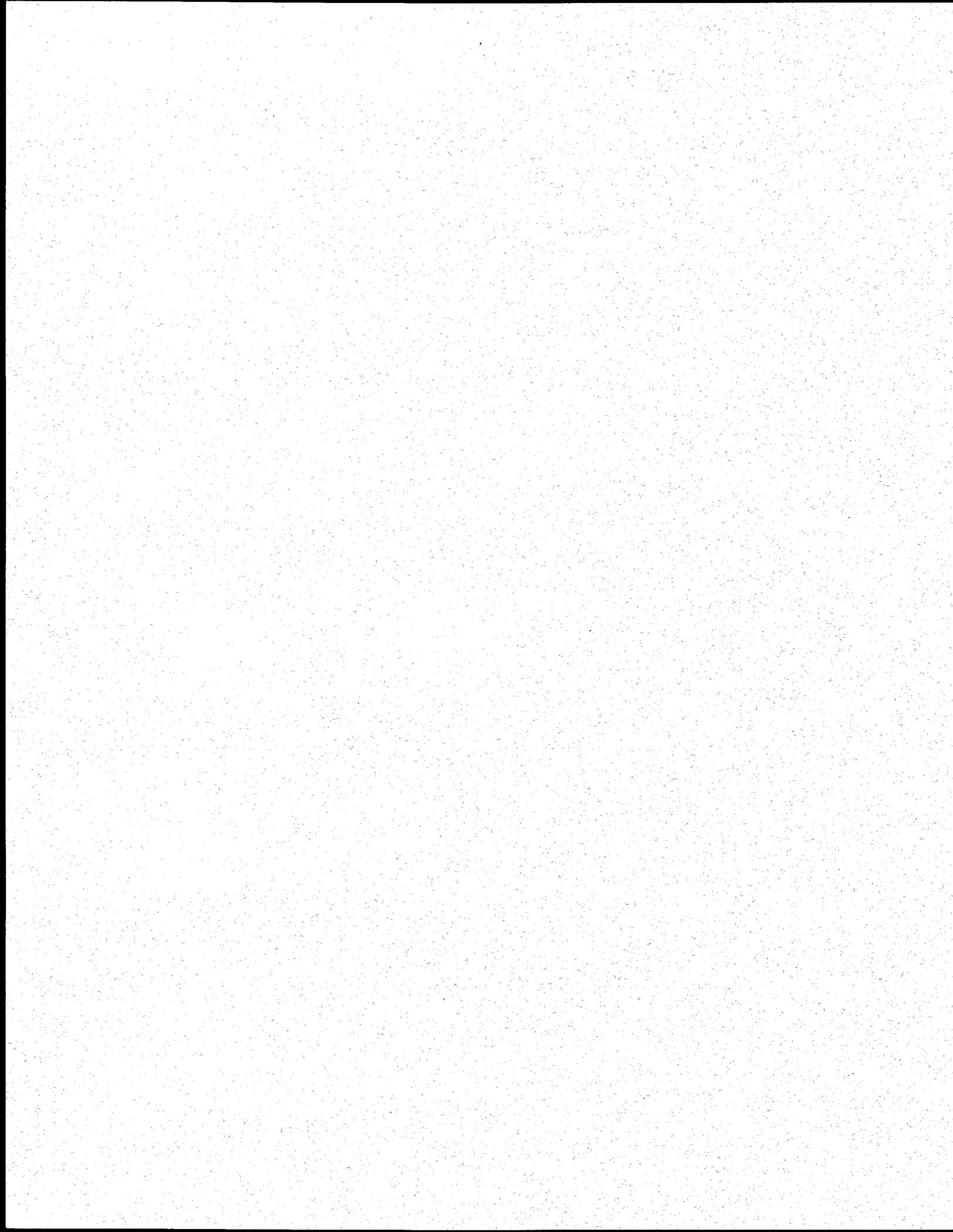


EXHIBIT 4
DATE 1/19/09
HB 2

Legislative Branch Biennium Budget Comparison Actuals/Appropriated (2009 Bien.) to Requested* (2011 Bien.)

Present Law Budget (PL) - HB2

Legislative Services: Operations - PL (Program 20)					1
	Fiscal 2008 Actual	Fiscal 2009 Approp.	Fiscal 2010 Request	Fiscal 2011 Request	PL Biennial Inc, Act/App to Request
FTE	56.00	61.17	56.00	61.17	0.00
Personal Svcs	3,978,079	4,801,677	4,729,243	4,796,390	8.5%
Operating Exp	1,886,980	1,919,104	2,676,898	2,279,177	30.2%
Equipment	<u>69,801</u>	<u>139,699</u>	<u>75,000</u>	<u>75,000</u>	-28.4%
Total Costs	\$5,934,860	\$6,860,480	\$7,481,141	\$7,150,567	14.4%
Fund Sources					
General Fund	5,059,302	6,508,221	6,549,370	6,800,861	15.4%
State Special	<u>875,558</u>	<u>352,259</u>	<u>931,771</u>	<u>349,706</u>	4.4%
Total Funds	\$5,934,860	\$6,860,480	\$7,481,141	\$7,150,567	14.4%

Legislative Services: Interim Committees - PL (Program 21)					2
	Fiscal 2008 Actual	Fiscal 2009 Approp.	Fiscal 2010 Request	Fiscal 2011 Request	PL Biennial Inc, Act/App to Request
FTE	0.97	0.97	0.97	0.97	0.00
Personal Svcs	79,884	88,921	135,189	34,129	0.3%
Operating Exp	393,579	432,098	730,439	380,048	34.5%
Equipment	0	0	0	0	
Total Costs	\$473,463	\$521,019	\$865,628	\$414,177	28.7%
Fund Sources					
General Fund	473,463	521,019	865,628	414,177	28.7%
State Special	0	0	0	0	-
Total Funds	\$473,463	\$521,019	\$865,628	\$414,177	28.7%

Legislative Fiscal Division - PL					3
	Fiscal 2008 Actual	Fiscal 2009 Approp.	Fiscal 2010 Request	Fiscal 2011 Request	PL Biennial Inc, Act/App to Request
FTE	18.50	18.50	18.50	18.50	0.00
Personal Svcs	1,457,907	1,545,574	1,660,877	1,663,189	10.7%
Operating Exp	41,284	87,110	41,394	84,919	-1.6%
Equipment	0	0	0	0	
Total Costs	\$1,499,191	\$1,632,684	\$1,702,271	\$1,748,108	10.2%
Fund Sources					
General Fund	1,499,191	1,632,684	1,702,271	1,748,108	10.2%
State Special	0	0	0	0	0.0%
Total Funds	\$1,499,191	\$1,632,684	\$1,702,271	\$1,748,108	10.2%

Legislative Audit Division - PL					4
	Fiscal 2008 Actual	Fiscal 2009 Approp.	Fiscal 2010 Request	Fiscal 2011 Request	PL Biennial Inc, Act/App to Request
FTE	54.50	54.50	54.50	54.50	0.00
Personal Svcs	3,303,886	4,345,223	3,816,594	3,832,998	0.0%
Operating Exp	162,760	225,303	223,616	230,501	17.0%
Equipment	0	0	0	0	
Total Costs	\$3,466,646	\$4,570,526	\$4,040,210	\$4,063,499	0.8%
Fund Sources					
General Fund	2,084,111	2,588,012	2,283,350	2,386,443	0.0%
State Special	<u>1,382,535</u>	<u>1,982,514</u>	<u>1,756,860</u>	<u>1,677,056</u>	2.0%
Total Funds	\$3,466,646	\$4,570,526	\$4,040,210	\$4,063,499	0.8%

Branch Summary - Present Law					5
	Fiscal 2008 Actual	Fiscal 2009 Approp.	Fiscal 2010 Request	Fiscal 2011 Request	PL Biennial Inc, Act/App to Request
FTE	129.97	135.14	129.97	135.14	0.00
Personal Svcs	8,819,756	10,781,395	10,341,903	10,326,706	5.4%
Operating Exp	2,484,603	2,663,615	3,672,347	2,974,645	29.1%
Equipment	<u>69,801</u>	<u>139,699</u>	<u>75,000</u>	<u>75,000</u>	-28.4%
Total Costs	\$11,374,160	\$13,584,709	\$14,089,250	\$13,376,351	10.0%
Fund Sources					
General Fund	9,116,067	11,249,936	11,400,619	11,349,589	11.7%
State Special	<u>2,258,093</u>	<u>2,334,773</u>	<u>2,688,631</u>	<u>2,026,762</u>	2.7%
Total Funds	\$11,374,160	\$13,584,709	\$14,089,250	\$13,376,351	10.0%

New Proposals - Branchwide					6
	Fiscal 2008 Actual	Fiscal 2009 Approp.	Fiscal 2010 Request	Fiscal 2011 Request	Inc. Act/App to Request
FTE	0.00	0.00	1.00	1.00	1.00
Sys. Analyst FTE	0	0	(41,362)	77,665	LSD
TVMT Consol./Trans	0	0	528,288	666,876	LSD
Fixed Cost WC Alloc	0	0	8,150	8,171	LSD
Total Costs	\$0	\$0	\$495,076	\$752,712	5.0%
Fund Sources					
General Fund	0	0	495,076	752,712	6.1%
State Special	0	0	0	0	
Total Funds	\$0	\$0	\$495,076	\$752,712	

*Committee Requests

Branch Summary - Total Budget					7
					PL Biennial Inc. Act/App to Request
FTE	129.97	135.14	130.97	136.14	1.00
Personal Svcs	8,819,756	10,781,395	10,419,541	10,404,371	6.2%
Operating Exp	2,484,603	2,663,615	4,089,785	3,649,692	50.3%
Equipment	69,801	139,699	75,000	75,000	-28.4%
Transfers	0	0	0	0	100.0%
Total Costs	\$11,374,160	\$13,584,709	\$14,584,326	\$14,129,063	15.0%
Fund Sources					
General Fund	9,116,067	11,249,936	11,895,695	12,102,301	17.8%
State Special	2,258,093	2,334,773	2,688,631	2,026,762	2.7%
Total Funds	\$11,374,160	\$13,584,709	\$14,584,326	\$14,129,063	15.0%

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18-Jan-09

**Legislative Branch
 Budget Discussion Items
 Joint Appropriations Subcommittee on General Government**

Description	Amount	
(pg 2, 7, 15, 18) Goals and Objectives		
Present Law Adjustments (excluding SWPLA)		
DP1 (pg 9) Program Operations, LSD	\$ 896,799	
DP2 (pg 13) Program Operations, Comm. & Activities Pgm	\$ 322,812	
DP6 (pg 16) Program Operations, LFD	\$ 45,000	
DP7 (pg 20) Program Operations, LAD	\$ 27,738	
Branch Policy (New Proposals - HB2)		
DP2 (pg 10) LSD - Systems Analyst FTE/Reduce Contract Svcs	\$ 36,303	
DP3 (pg 3) TVMT - Funding Consolidation/Stabilization Costs	\$ 283,570	
- Transmission Costs - 2011 Session	\$ 119,162	
- Transmission Costs - Interim	\$ 792,432	
(pg 5) Merit Pay Funding (LC/LFC) (Not in executive budget)	\$ 300,000	
Non-HB2 Committee Policy Recommendations (Fund transfers - Require Cat & Dog Bill)		
DP4 (pg 10) Reserve Funds for Obsolete Systems (CSPC/LC)	\$ 5,000,000	OTO
(pg 5) Retirement Termination Pay Funding (LFC/LC)	\$ 70,000	
Other Budget Policy Considerations		
(pg 3) Staffing Levels/Legislative Expectations?		
(pg 9,12,17) Interim Committee Structure Expansion?		
Apply Vacancy Savings?		
Staff Retirements/Succession Planning?		

Legislative Branch Budget Presentation
Joint Appropriations Subcommittee on General Government
January 19, 2009

Goals and Objectives

Goals and Objectives:

State law requires state agencies to submit agency and program goals and objectives to be specific and quantifiable to enable the legislature to establish appropriations policy. The Legislative Branch divisions report to three separate standing legislative committees as follows:

- Legislative Services Division – Legislative Council
- Legislative Fiscal Division (LFD) – Legislative Finance Committee (LFC)
- Legislative Audit Division – Legislative Audit Committee

To set an example and improve its products, the Branch divisions revised their goals and measurable objectives. The LFD and the LFC recommends that the legislature adopt specific goals and corresponding objectives for monitoring during the interim. The three divisions propose that the Legislative Council, Legislative Finance Committee, and Legislative Audit Committee use the recommended goals and objectives to monitor their respective divisions' successes in the 2011 biennium.

Legislative Services Division

Goal – Provide information and notices to the public about the Legislature, the legislative process, state law, and state government.

Objectives

- The state broadcasting service (TVMT) provides citizen access required by Title 5, chapter 11, part 11, MCA, through a public affairs television and internet broadcasting service
- The Interim newsletter reports legislative activities and is published and distributed each month of the interim between regular legislative sessions
- Legislative workflow (beginning with the drafting of legislation and ending with the publication of law) is managed by automated systems which provide user-friendly public access to information throughout the process
- Information, as provided, complies with the right-of-participation and right-to-know requirements of Article II and Article V of the Montana Constitution and Title 5, MCA

Legislative Fiscal Division

Goal – The goal of the Legislative Fiscal Division is that every legislator be able to make every legislative/fiscal decision with the most accurate and updated fiscal data, information, and analysis that is available. This involves using division resources to achieve the following:

- Assist the Legislature in the budget process by: 1) analyzing the executive budget and state fiscal condition prior to each regular and special legislative session; 2) providing assistance to the Legislature throughout the appropriations process and on all matters of fiscal policy, including generating the general appropriations act; and 3) maintaining implementation and historical records of legislative budget action, including the publishing of the post-session Legislative Fiscal Report

Objectives

- The Budget Analysis Report is the primary working document of the appropriations process and facilitates formulations of effective budget policy. The report is to be completed and available to the legislature approximately 2 weeks prior to the start of the legislative session
- Effective staffing of committees and completion of each phase of the appropriations process. Deadlines are driven by the legislative calendar but generally allow subcommittees until about the 40th day of the session. Other deadlines are established in consultation with leadership but, once set, must be adhered to
- The general fund status report is timely and provides concise and clear information on the status of the budget process throughout the session. These are typically delivered on a weekly basis, starting near the end of January and based upon the occurrence of a meaningful amount of executive action in the budget subcommittees

- By June following the regular session, a Legislative Fiscal Report is prepared and published, providing a complete, concise summary of legislative budget action is taken by the Legislature
- Satisfactory evaluations are received from leadership of both appropriations committees and each joint appropriation subcommittee staffed by the LFD, at the conclusion of committee or subcommittee work but before the end of the session, indicating effective support and maintenance of committee needs

Goal - Estimate revenue from existing and proposed taxes by: 1) providing data and recommendations concerning revenue estimates to the Revenue and Taxation Interim Committee as required by law; 2) providing assistance in the revenue estimation process and tax policy analysis during legislative session; and 3) monitoring and reporting on revenue collections, trends, and forecasts throughout the biennium

Objectives

- Revenue estimation data and recommendations are available, by November 15 prior to the regular session, in an effective working document for development of session revenue estimations by the Revenue and Taxation Interim Committee

Legislative Audit Division

Goal - The goal of the Legislative Audit Division is to conduct independent audits and provide factual and objective information to the legislature and executive managers of the public trust.

Objectives

- All audits are completed in accordance with applicable auditing standards within one year of the end of the fiscal year under audit as required in 5-13-304, MCA
- The statewide audit is completed by December 31 of each year and the Single Audit is issued within nine month of the end of the audit period
- The Legislative Audit Division will follow up on all recommendations made in reports for implementation status

Branch Policy Issues (New Proposals)

New Proposal - Systems Analyst FTE and Contracted Services Reduction

This proposal includes a biennial general fund decrease of \$119,000 in present law contracted services from the branch computer network budget and a biennial increase of \$155,303 in personal services for the 1.00 FTE systems analyst position. The net biennial increase is \$36,303. The analyst would document Legislative Fiscal Division (LFD) business processes and existing computer systems (currently supported by LFD staff who are anticipating retirement) and support and maintain those systems in the branch network environment.

New Proposal - TVMT Consolidation of Funding & Transmission

The council proposes \$283,570 over the biennium to consolidate the funding for TVMT. TVMT has been previously from a variety of funding sources, the majority of which were not included in the base budget for LSD. In addition, the council proposes \$911,594 over the biennium to increase transmission efforts to reach Montana communities not previously included in the TVMT viewing area and to continue the same transmission effort during the legislative interim as during a legislative session.

Merit Pay Funding

The Legislative Council and the Legislative Finance Committee request a biennial increase of \$300,000 general fund in the 2011 biennium to fund merit pay adjustments in the Legislative Services and Fiscal Divisions.

In 2006, the Legislative Branch adopted a broadband pay plan that uses competency and performance based merit pay at the direction of the Legislative Council, Finance, and Audit Committees. This was the next step of a previous branch committees' directive to evolve to a merit based pay plan.

A consistent and reliable funding source for merit pay adjustments is essential to the successful implementation of a merit based pay plan. With the small size of the divisions under separate approving authorities and even the small size of the branch as a whole, funding through vacancy savings is not an option.

This request would provide sufficient funding for an average merit increase of two percent per employee in the Legislative Services and Fiscal Divisions in addition to any pay plan approved by the legislature.

Non-HB2 Policy Issues

Reserve Funds for Obsolete Systems – OTO

Section 5-11-407, MCA, created the legislative branch reserve account to set aside funds for major legislative branch information technology projects. Funds in the reserve account are invested pursuant to Title 17, chapter 6, and are statutorily appropriated subject to the approval of the Legislative Council. The estimated reserve balance at the July 2009 is estimated to be \$650,000 following replacement of the House and Senate voting systems and boards and fiscal year-end 2009 reversions. The council proposes to transfer \$5 million general fund into the reserve account to provide funding for the replacement of the Legislative Automated Workflow System (LAWS) and appurtenant systems for bill drafting, engrossing, enrolling, committee minutes, journal, bill status and code update. The replacement process is projected to take four years beginning in FY 2010 and ending in FY 2013. Timing of the replacement is an issue as senior staff who are most familiar with the system are also nearing retirement.

Retirement Termination Funding

The Legislative Council and the Legislative Finance Committee recommend a biennial increase of \$70,000 general fund in the 2011 biennium in the Legislative Services Division budget to replenish the branch retirement fund.

The 2007 Legislature passed a bill creating a legislative branch retirement account to fund pending retirements, due to concern that over 25 percent of staff are eligible to retire in the next 5 years, creating large unfunded liability and a potential loss of institutional knowledge. The legislature approved an initial funding level of \$400,000.

Statute (5-11-120, MCA) requires the liability for the cost of eligible retirements be calculated each biennium based on an analysis of staff eligible to retire within the biennium. The analysis determined that the liability through the 2011 biennium is nearly \$700,000, and this proposal recommends enough to replenish the fund to \$400,000. This amount would provide funding for 57 percent of the total liability.

Other Budget Policy Considerations

Issue - Staffing Levels

The Legislature May Want to More Clearly Define Staff Workload Expectations and Revise Staffing Levels to Meet That Expectation.

The legislature has leveraged the cyclical nature of biennial session and interim work to minimize the amount of permanent legislative support staff by significantly understaffing for session and session preparation, i.e., expecting staff to put in significant overtime hours for session activities in the form of compensatory time, and then allowing staff to use the compensatory time earned in the interim period between sessions. In prior decades, this has been an effective tool for minimizing staff resources required to support the legislature (particularly since overtime hours are on an hour-for-hour basis – the legislature does not fall under the Fair Labor Standards Act and does not have to compensate at time-and-a-half for overtime hours), but has been an issue for over a decade as staff finds it difficult to find the time to use the hours earned. While overtime hours vary, they can be as high as 500 hours per staff member in the session cycle, which then must be used in a 16 month time period prior to the start of the next session cycle. While staff has been able to use the earned hours in all but a few cases where earned time was either lost or extended, it has meant that legislative projects have had to be reduced in scope or foregone in order to allow the earned time to be used.

The problem can be largely attributed to a significant change in the cyclical work pattern in the form of significantly more demand for staff services in the interim. Staff resources are no longer being managed predominantly on a session basis. Interim work expectations and work plans have become more extensive, and there is no longer a significant “down time” so that staff can utilize the earned time off. Staff has had to decline or negotiate cutbacks in priority work plan items to reach legislative deadlines for use of earned time off. Legislators and interim committees have expressed frustrations with non-availability of staff to respond to their needs, as well as a desire to expand legislative interim work based on evolving policy issues.

The products and services that staff provide have grown significantly in the past 20 years, yet staffing levels have remained nearly static over that same period. For the three staff divisions of the branch, allowed FTE in total is approximately equal to 1980. While a significant part of the ability to increase services in response to greater demand can be attributed to a wise investment in information technology over increased staffing, the pressure to expand

services to meet the needs of the state's legislative body are becoming more difficult to attain. This is further exacerbated by the implementation of term limits.

The legislature must rely more heavily on staff as a result of less experience to provide continuity of institutional knowledge and to provide more services.

Of significant concern to staff directors and legislators is that over 25 percent of legislative staff is eligible to retire in the next 5 years, and significant "brain drain" will occur that will make it very difficult to maintain the current level of services with existing staff levels.

The level of resources that the legislature considers necessary to function effectively is directly related to legislative expectations, and is a policy issue for the legislative body to decide. There is a dual issue that the legislature should consider during budget and policy decisions of the 2011 legislative session:

- What level of staff services is the legislature willing to accept? Is the level of services currently provided adequate, or are priority projects being set aside due to a lack of sufficient staff resources?
- Are workload demands on existing staff realistic? In view of the increased level of service demands while retaining static staff resource levels for over 20 years, is it time to review the current legislative staffing levels to achieve a more realistic and equitable level of workload expectation from staff?

Issue - Proposed Changes to the Legislative Interim Committee Structure Could Increase the Proposed Budget

During the 2009 biennium interim several changes to the current legislative interim committee structure were proposed through 11 committee bill requests. See the attached list of these bills. (gray sheet)

Each additional committee requires leadership or the presiding officer of the committee to appoint members and provide funding support for travel and per diem costs while meeting. If the committee determines out-of-Helena meetings are appropriate, staff travel time and costs increase. It also places additional demands on Legislative Services or Fiscal Division staff to provide research, legal advice, and/or secretarial support. Current staff workloads would need to be considered to determine if FTE for the divisions is adequate to support current staffing responsibilities and staff additional committees during the interim and as part of the 2011 legislative session.

Option: The Joint Appropriations Subcommittee on General Government may wish to request that sponsors of the proposed bills discuss the proposals with the subcommittee to allow for input on the legislative committee structure and the resulting Legislative Branch budget support required for the 2011 interim should changes be approved.

Issue - Vacancy Savings (see attached issue sheet)

Vacancy Savings Assessment Options

Vacancy Savings Options	Biennial	Staff* Equivalent	Exclude LFD	Staff* Equivalent
2%	\$413,372	8	\$346,889	6.9
4%	\$826,744	16.5	\$693,804	13.8
7%	\$1,446,803	28.9	\$1,214,114	24.2
Contingency Fund Options (@25%)				
2%	(\$100,000)		(\$85,000)	
4%	(\$100,000)		(\$175,000)	
7%	(\$350,000)		(\$300,000)	
Net - Vac. Svgs. Less Contingency				
2%	\$313,372	6.1	\$261,889	5.2
4%	\$726,744	14.5	\$518,804	10.3
7%	\$1,096,803	21.9	\$914,114	18.2

* Number of staff positions that would be unfunded (at risk), assuming no vacancy savings

Excludes upper two pay bands (management), salary only, doesn't include impact of termination pay
LegislativeBranch.doc

Legislative Branch Information Technology Reserve Account

5-11-407. Legislative branch reserve account. (1) There is a legislative branch reserve account in the state special revenue fund. Money may be deposited in the account through an allocation of money to the account or as provided in 17-7-304.

(2) (a) The money in the account is statutorily appropriated, as provided in 17-7-502, to the legislative services division to be used only for major legislative branch information technology projects, including the purchase of hardware, software, and consulting services for new initiatives and replacement and upgrading of existing systems.

(b) The money in the account may be expended only with the approval of the legislative council. The legislative branch computer system planning council may make recommendations to the legislative council for the use of the money in the account.

(3) The money in the account must be invested pursuant to Title 17, chapter 6. The income and earnings on the account must be deposited in the account.

Legislative Branch Retirement Termination Reserve Account

5-11-120. Legislative branch retirement termination reserve account. (1) There is a legislative branch retirement termination reserve account in the state special revenue fund. Money may be deposited in the account through an allocation of money to the account or as provided in 17-7-304.

(2) (a) The money in the account is statutorily appropriated, as provided in 17-7-502, to the legislative services division to be used only for staff retirement termination pay in the legislative branch.

(b) The money in the account may be expended only with the approval of the appropriate branch division director for eligible termination pay expenditures for division staff.

(3) The account is limited to an amount to be calculated at the beginning of each biennium based on an analysis by branch division directors of the staff eligible for retirement within the biennium. For the 2009 biennium, the limit is set at \$400,000.

(4) The money in the account must be invested pursuant to Title 17, chapter 6. The income and earnings on the account must be deposited in the account.

Proposed legislation that could affect LSD and LFD staff numbers

1. SB 4 appoint a water subcommittee as part of the Environmental Quality Council
2. SB 22 create a new water interim committee
3. SB 44 create a legislative health policy council
4. HB 81 create a new demographic, economic, and government trend analysis interim committee
5. HB 134 create a new local government interim committee
6. HB 164 create a new fire suppression interim committee
7. HB 117 create an administrative rule revision program
8. LC 99 create a new administrative code interim committee

Cumulative effect could be a need for 1 fiscal analyst (LFD), 2 research analysts, 2 attorneys, and 1 secretary (LSD) plus legislator costs, and other operational costs.

Legislative Branch Budget Presentation

Issues re: Vacancy Savings

Background – Executive Budget Vacancy Savings

Executive Budget – most at 7%, some at 4%, Judiciary at 2%, some at 0% (24/7 positions, security positions, other)

- Agencies under 20 FTE are exempted

LFD Issue re: Vacancy Savings at 7 percent (statewide issue)

- Is likely in excess of actual vacancy savings
 - Forced vacancy savings (gapped hiring/layoffs) will make delivery of all services challenging
 - In economic recession, employees less likely to move, reducing actual vacancy savings
 - Exacerbates ability to meet increased vacancy savings assessment
- Effectively an across the board reduction
 - Will impact programs and services in widely varying ways
 - Does not prioritize value of services provided
 - Programs have varying levels of impact/flexibility to mitigate impact of vacancy savings assessment

Legislative Branch Vacancy Savings Issues

Risk Management/Impact on legislative services

- Executive Branch – over 12,000 employees – most under one approving authority
- Legislative Branch – 130 employees – under 3 different approving authorities
- Ability to mitigate impacts of vacancy savings is significantly different – much higher risk level
- Legislative Branch operating cost resources are over 77% of total budget, executive is 47%
 - Less flexibility to absorb impacts by reductions in other operating costs
- Legislative Branch is direct staffing to the legislature, mandated audit function
- Legislative Branch has minimized staffing levels, has no “cushion” for vacancy savings
 - Position growth in past 22 years is less than 3 (2%), executive growth is in excess of 15%
 - Positions are minimum number to meet needs of session/audits, won't be left vacant
 - Legislature under-staffs for session, using cyclical workload tool of comp time
 - “glass house” effect (Setting an example)
 - Legislative requirement for merit based pay system, but is unfunded
 - Use of achieved vacancy savings is only method of funding this system to date
 - Growth in statutory obligations of staff is significant from session to session
 - Legislative demand for expansion of staff services is strong – to date has been absorbed, can't continue
- More concentrated impact of inclusion of legislative salaries – likely have to be absorbed by staff
- Includes session staff that must be filled
 - Increases effective vacancy savings level on staff
- Retirement risks/succession planning
 - Over 25% of legislative staff are eligible to retire within five years
 - Termination payments are partially unfunded, would exacerbate vacancy savings pressures
 - Succession planning is essential, but places increased pressure on staffing levels

Bottom line – Will directly impact ability to provide services to the legislature

- Limited flexibility to absorb vacancy savings due to scale/staffing structure
- Higher risk assumption
- Increased legislative demand for services
- Retirement/succession planning issues
- High likelihood of direct impact on services to legislature, inability to meet needs of legislators
- Risk of layoffs

TVMT - Television Montana

5-11-1101. Legislative findings and purpose. The legislature finds and declares that:

(1) the purpose of a state-funded public affairs broadcasting program is to provide Montana citizens with increased access to unbiased information about state government deliberations and public policy events through unedited television coverage and other communications technologies; and

(2) the most efficient and effective means of establishing a state-funded public affairs broadcasting program is to assign the enabling responsibilities to the legislative council and require the division to contract with a qualified operator through a competitive bidding process.

5-11-1111. State government broadcasting -- structure and governance. (1) There is a state government broadcasting service administered by the division. The division shall:

(a) develop and issue a request for proposals for the provision of gavel-to-gavel coverage of legislative and administrative proceedings as well as other public affairs programming that is approved by the legislative council;

(b) evaluate proposals and, on the basis of selection criteria established by the division, execute a contract for services with the most qualified operator; and

(c) cooperate with executive branch and judicial branch officials to facilitate broadcast coverage of state government activities and events that are pertinent to the purpose set forth in 5-11-1101.

(2) The legislative council shall assist the division in exercising oversight of the contract with the operator to ensure that broadcasts conform with the following principles of good conduct:

(a) Programming must be fair, accurate, and balanced without regard to partisanship or ideology.

(b) Programming must be scheduled in a manner that acknowledges the importance of timeliness in the delivery of information.

(c) Issue coverage and the scheduling of broadcasts must reflect a thoughtful balance of subject areas, geographic sensitivities, and attention to the various committees and other deliberative bodies engaged in the legislative process.

(d) Programming must always be intended to increase public understanding of both the substantive issues and the processes by which the legislature and other bodies seek to resolve problems, address challenges, and seize opportunities for the public good.

(e) Programming must reflect the importance of each branch of government.

(f) Production values must be of the highest attainable quality to accurately convey the genuine pace and tenor of governmental activity.

(g) Camera angles, shot selection, graphic subtitling, and other aspects of broadcast style and audiovisual content must be subject to guidance and monitoring by the division to ensure impartiality and respect for the decorum of the legislature and other governmental institutions.

(3) The division is responsible for ensuring that the audio components of the broadcasting service are maintained in good working order.

(4) Operations and maintenance of the cameras, cabling, wiring, electronics, recording equipment, and associated computer technology in the capitol and the adjacent broadcast production facility are the responsibility of the operator that the division selects, as provided in subsection (1)(b). However, the division and the department of administration shall cooperate with the operator to ensure broadcast system reliability.

(5) The operator and the division shall develop and implement a plan to provide the maximum attainable distribution of broadcasts, and the contract between the operator and the division may require the operator to enter into agreements with one or more Montana public television organizations, telecommunications firms, nonprofit organizations, or state telecommunications networks.

Require Additional Duties of Legislative Auditor

- SB60 Annual market conduct exams and 5-year financial exams for state fund
- SB183 Revise wolf policy
- LC949 Statewide health insurance pool for schools

Current Legislation Directly Implementing Audit Recommendations/Amending Area of Audit Review (not all inclusive)

- HB 34 Revise retirement statutes to address return to work issues and funding concerns
- SB 189 Revise consumer protection laws and settlement proceeds
- SB 132 Clarify taxpayer confidentiality and exchange of info laws among state agencies
- HB 141 Accounting for certain post-retirement benefits
- HB 136 Clarify appointment process for Board of Personnel Appeals
- SB 65 Revise trust land funding laws
- SB 71 Revise Orphan Share and environmental quality protection laws
- SB 164 Good neighbor policy
- LC 858 Implement conservation easement audit recommendations
- HB 93 Clarify EMS medical direction and handling of complaints
- HB19 Revise and clarify state election laws
- SB 155 Require post-election audits of vote-counting machines
- HB10 Long range information technology funding bill
- HB82 Revise deposit of stranded 911 revenue
- HB118 Revise distribution of 911 funds
- HB77 Notification requirement for proposed gravel pit operations
- LC0819 Require proof of other permit applications for opencut mining
- LC0938 Require signs on opencut operations
- LC0937 Revise opencut mining laws
- HB153 Revise the Voluntary Cleanup and Redevelopment Act (VCRA)
- LC1048 Increase administrative budget for upland game bird program
- LC2002 Continue pheasant enhancement funding

SUMMARY OF STATE BROADCASTING EXPENDITURES

FY2002 through FY2009

	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009 Est thru 06/30/09	Totals
1/16/2009 19:15										
Total Expenditures	24,195.24	215,936.61	179,402.75	37,156.93	516,740.93	164,381.45	355,341.44	199,599.84	537,511.00	2,227,235.89
General Fund, 01100:										
Program 21 LSD, 1999 Carryforward, Subclass 005F3	6,960.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6,960.00
Program 21 LSD, GF Operating Appropriation, Subclass 005H1	17,235.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	17,235.24
Program 20 LSD, 2000 Carryforward, Subclass 001F1	0.00	15,886.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	15,886.70
Program 20 LSD, 2001 Carryforward, Subclass 001F2	0.00	0.00	30,975.00	0.00	0.00	0.00	0.00	0.00	0.00	30,975.00
Program 20 LSD, 2003 Carryforward, Subclass 001F5	0.00	0.00	0.00	0.00	223,304.85	0.00	0.00	0.00	0.00	223,304.85
Program 20 LSD, GF Operating Appropriation, Subclass 001H1	0.00	198,989.02	68.00	10,747.94	209,847.34	114,010.14	194,984.14	109,627.00	29,308.00	867,581.58
Program 22 LSD, Feed Bills, Subclass 010I2, 010I5, 010I1, 010I9	0.00	0.00	68,000.00	0.00	80,300.00	3,300.00	135,919.00	0.00	302,310.00	589,829.00
Program 20, LSD, 2007 Carryforward, Subclass 001F1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	18,400.00	6,100.00	24,500.00
Program 20 LSD, HB2 OTO 2007 Session								26,623.00	173,079.00	199,702.00
Special Revenue Fund, 02985:										
Subclass 001H1, State Govt Broadcasting, 02985	0.00	1,060.89	80,359.75	0.00	0.00	0.00	0.00	0.00	0.00	81,420.64
Program 20 LSD, State Govt Broadcasting Oper Approp, Subclass 001H1	0.00	0.00	0.00	26,408.99	3,288.44	47,071.31	24,438.30	41,919.84	26,714.00	169,840.88
Total Funding	24,195.24	215,936.61	179,402.75	37,156.93	516,740.93	164,381.45	355,341.44	199,599.84	537,511.00	2,227,235.89



Uniting People
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Through the Power
of Television



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EXHIBIT _____
DATE 1/13/09
HB 2

Television Montana

Watch Montana
Legislature at Work
Over TVMT Network



January 2009

Watch Legislature in Action Over These Cable Channels*

Anaconda	Ch 63	Jordan	Ch 37
Baker	Ch 97	Kalispell	Ch 67
Billings	Ch 8, 71	Lavina	Ch 97
Bozeman	Ch 63	Lewistown	Ch 59
Butte	Ch 61	Libby	Ch 17
Choteau	Ch 15	Lincoln	Ch 46
Circle	Ch 62	Livingston	Ch 22
Conrad	Ch 15	Miles City	Ch 64
Cut Bank	Ch 15	Missoula	Ch 67
Deer Lodge	Ch 63	Pablo	Ch 97
Dillon	Ch 63	Polson	Ch 97
Ekalaka	Ch 97	Ronan	Ch 97
Eureka	Ch 46	Roundup	Ch 97
Fairview	Ch 62	Ryegate	Ch 97
Ft. Benton	Ch 15	Savage	Ch 62
Glasgow	Ch 65	Shelby	Ch 13
Glendive	Ch 62	Sidney	Ch 62
Great Falls	Ch 70	Stevensville	Ch 37
Hamilton	Ch 17	Terry	Ch 62
Harlowton	Ch 97	Townsend	Ch 95
Havre	Ch 43	Wilbaux	Ch 62
Helena	Ch 19	Wolf Point	Ch 15

TVMT coverage includes daily public hearings, House and Senate floor sessions, news conferences, and other special government events.

* More channels may be added. Please call your local cable TV or video service provider to find out whether TVMT is available in your community.



TVMT: Expanding Democracy

Television Montana (TVMT) is a statewide government broadcasting service that provides gavel-to-gavel, unedited television coverage of legislative proceedings, both during and between sessions of the Legislature. TVMT also covers select activities of other agencies of state government.

The Montana Legislature established TVMT in 2001. The service is provided by the Montana Legislative Services Division through a contract with Helena Civic Television (HCTV).

The purpose of TVMT is to provide Montanans with increased and unfiltered access to unbiased information about state government deliberations.

HCTV will work in partnership with Bresnan Communications, Mid-Rivers Cable, 3 Rivers Communications, and members of the Montana Cable Television Association to offer live and same day delayed coverage of the 2009 legislative session to cable TV viewers in more than 50 communities across the state.

Coverage will include daily public hearings, House and Senate floor sessions, news conferences, and other special events.