

## 1 SENATE BILL NO. 7

2 INTRODUCED BY A. OLSZEWSKI

3 BY REQUEST OF THE CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE EXECUTIVE BUDGET PROPOSAL TO INCLUDE  
6 AN INFLATIONARY INCREASE FOR PROVIDERS OF COMMUNITY-BASED DEVELOPMENTAL DISABILITY  
7 SERVICES; AND AMENDING SECTIONS 17-7-123 AND 53-20-203, MCA."8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:10  
11 **Section 1.** Section 17-7-123, MCA, is amended to read:12 **"17-7-123. Form of executive budget.** (1) The budget submitted must set forth a balanced financial  
13 plan for funds subject to appropriation, as provided in 17-8-101, for each accounting entity and for the state  
14 government for each fiscal year of the ensuing biennium. The budget must consist of:15 (a) a consolidated budget summary setting forth the aggregate figures of the budget in a manner that  
16 shows a balance between the total proposed disbursements and the total anticipated receipts, together with the  
17 other means of financing the budget for each fiscal year of the ensuing biennium, contrasted with the  
18 corresponding figures for the last-completed fiscal year and the fiscal year in progress. The consolidated budget  
19 summary must be supported by explanatory schedules or statements.20 (b) budget and full-time equivalent personnel position comparisons by agency, program, and  
21 appropriated funds for the current and subsequent biennium;

22 (c) the departmental mission and a statement of goals and objectives for the department;

23 (d) base budget disbursements for the completed fiscal year of the current biennium, estimated  
24 comparable disbursements for the current fiscal year, and the proposed present law base budget plus new  
25 proposals, if any, for each department and each program of the department;26 (e) the inflationary increase for providers of community developmental disabilities services submitted by  
27 the department of public health and human services pursuant to 53-20-203;28 ~~(e)~~(f) a statement containing recommendations of the governor for the ensuing biennium by program and  
29 disbursement category, including:

30 (i) explanations of appropriation and revenue measures included in the budget that involve policy

1 changes;

2 (ii) matters not included as a part of the budget bill but included as a part of the executive budget, such  
3 as the state employee pay plan, programs funded through separate appropriations measures, and other matters  
4 considered necessary for comprehensive public and legislative consideration of the state budget; and

5 (iii) a summary of budget requests that include proposed expenditures on information technology  
6 resources. The summary must include funding, program references, and a decision package reference;

7 ~~(f)~~(g) a report on:

8 (i) enterprise funds not subject to the requirements of subsections (1)(a) through ~~(1)(e)~~ (1)(f), including  
9 retained earnings and contributed capital, projected operations and charges, and projected fund balances; and

10 (ii) fees and charges in the internal service fund type, including changes in the level of fees and charges,  
11 projected use of the fees and charges, and projected fund balances. Fees and charges in the internal service fund  
12 type must be approved by the legislature in the general appropriations act. Fees and charges in a biennium may  
13 not exceed the level approved by the legislature in the general appropriations act effective for that biennium.

14 ~~(g)~~(h) energy cost saving information as required by 90-4-616 and energy conservation program  
15 information as required by 90-4-606; and

16 ~~(h)~~(i) any other financial or budgetary material agreed to by the budget director and the legislative fiscal  
17 analyst.

18 (2) The statement of departmental goals and objectives and the schedule as required in 17-7-111(3)(b)  
19 for each fund of the executive budget are not required to be printed but must be available in the office of budget  
20 and program planning and on the internet."

21

22 **Section 2.** Section 53-20-203, MCA, is amended to read:

23 **"53-20-203. Responsibilities of department.** The department shall:

24 (1) take cognizance of matters affecting the citizens of the state who are persons with developmental  
25 disabilities;

26 (2) initiate a preventive developmental disabilities program that must include but not be limited to the  
27 implementation of developmental disabilities care, treatment, prevention, and research as can best be  
28 accomplished by community-centered services. Every means must be used to initiate and operate the service  
29 program in cooperation with local agencies under the provisions of 53-20-205.

30 (3) collect and disseminate information relating to developmental disabilities;

1 (4) prepare an annual comprehensive plan for the initiation and maintenance of developmental  
2 disabilities services in the state. The services must include but not be limited to community comprehensive  
3 developmental disabilities services as ~~referred to~~ listed in 53-20-202(1).

4 (5) submit a biennial budget proposal for consideration by the legislature that includes an inflationary  
5 increase for providers of community developmental disabilities services that is equal to the increase, if any, from  
6 August of the preceding year to August of the year in which the budget is submitted in the consumer price index,  
7 U.S. city average, all urban consumers, for all items, as published by the bureau of labor statistics of the United  
8 States department of labor;

9 (5)(6) provide by rule for the evaluation of:

10 (a) persons who apply for services;

11 (b) persons admitted into a program at a developmental disability facility; and

12 (c) persons residing at or released from the Montana developmental center into a community home, in  
13 accordance with the requirements established in 53-20-225;

14 (6)(7) receive from agencies of the government of the United States and other agencies, persons or  
15 groups of persons, associations, firms, or corporations grants of money, receipts from fees, gifts, supplies,  
16 materials, and contributions to initiate and maintain developmental disabilities services within the state;

17 (7)(8) require that habilitation plans be developed, implemented, and continuously maintained for all  
18 persons with developmental disabilities who are served through a community-based program funded by the state;  
19 and

20 (8)(9) use funds available for cases in which special medical or material assistance is necessary to  
21 rehabilitate children with developmental disabilities or children with physical disabilities if the assistance is not  
22 otherwise provided for by law."

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