

Senate Bill No. 310

A Study on Strengthening the Legislature and Budget Processes
Prepared for the Legislative Council
August 2019

Senate Bill No. 310 (Ch. 168, L. 2019), directs the Legislative Council in conjunction with the Legislative Finance Committee to study the following, including but not limited to:

- (1) evaluation of other state legislatures' interim policy and budget processes and procedures that encourage development of legislators' understanding of both policy and budget;
- (2) evaluation of the session calendar, schedules, and transition required that would allow for an odd-year session focused on adjusting the policy and statutory changes in 45 days or less;
- (3) evaluation of the session calendar, schedules, and transition required that would allow for an even-year session focused on adopting a biennial budget in 45 days or less; and
- (4) consideration of the best approach to each interim following a policy session in preparation for the budget session and each interim following a budget session in preparation for the policy session.

The Legislative Council is directed to prepare recommendations by November 1, 2020, to provide to the leadership of the next legislative session for the following items:

- (1) budget interim process and procedures;
- (2) policy interim process and procedures;
- (3) legislative calendar, schedule, and processes for a policy session in the odd year;
- (4) legislative calendar, schedule, and process for a budget session in the even year;
- (5) a transition plan necessary to implement the recommendations;
- (6) any constitutional, statutory, rule, or procedural changes necessary to implement recommendations; and
- (7) any changes in staff responsibilities to implement recommendations.

The Legislative Council has studied many of these topics in the 2013-2014 interim so there is considerable background information available which will be posted on the Council's website. NCSL and other states will be researched for the various ways that other state legislatures structure their committees and calendars to accomplish their legislative and budget processes.

Ideas will be gathered through meetings with the Legislative Council and Legislative Finance Committee's SB 310 Steering Committee, joint meetings between the Legislative Council and the Legislative Finance Committee, legislator surveys, and staff research.

SB 310 Steering Committee Members

Legislative Council: Rep. Galt, Sen. Pomnichowski, Rep. Abbott, Sen. MacDonald, Sen. Thomas

Legislative Finance Committee: Rep. Ryan, Sen. Osmundson, Sen. Jacobson, Sen. Sesso (also Legislative Council), Rep. Hopkins, Rep. Holmlund

Parts of the study and study questions

<p>Definition of the study</p>	<p>Study of how policy and budget work together, what are the processes of each, and how can they be improved; i.e., session or interim committee structure, familiarity with the various functions within the branch, branch and staff structure, legislative calendar, term limits, bill drafts, fiscal notes, etc.?</p> <p>May 29, 2019 Joint Meeting prioritized three areas:</p> <ol style="list-style-type: none"> 1. Budget and Policy 2. Timelines 3. Training <p>Including:</p> <ol style="list-style-type: none"> 1. The Secretary of the Senate and the Chief Clerk of the House. 2. The Governor's office, the Office of Budget and Program Planning, and executive branch agencies. 3. The Legislative Audit Committee and the Legislative Auditor. 4. Members of the public and any stakeholders that may be affected by any recommended changes.
<p>Development of possible recommendations:</p> <ol style="list-style-type: none"> 1. Processes and procedures: committee appointments, training, fiscal notes 2. Structure: session committee integration, interim committee 3. Timing: Annual Sessions, session length, interim committee meetings 	<p>Evaluation of other states' legislatures interim policy and budget. Understanding Montana's structure and history, legal considerations.</p> <p>OR, UT, WY, ND, TX, NV</p>
<p>Analysis of Recommendations</p>	<p>How does this affect:</p> <ol style="list-style-type: none"> 1. Legislative calendar and scheduling 2. Constitution, statutes, or rules 3. Legislative Branch impact: LFD, LSD, LAD, House, Senate, session committees, interim committees 4. Executive planning process, LFD budget processes 5. Branch and staff structure
<p>Development of a transition plan for report back to Legislature by November 1, 2020.</p>	

Tentative Work Schedule

1. December 10-11, 2019 - 1/2 Day Steering Committee Meeting, overview of topics, background and history, options for further research:
 - Biennial budget vs. annual budget: budget session/policy session every other year -- NCSL reports and other states' processes and schedules
 - Biennial session vs. annual session: legal considerations, history, other states' transition process
 - Budget process & calendar: use of pre-session time, first weeks of session, Saturdays
 - Session calendar topic ideas: look at start of session first week of January -- is it necessary for floor sessions every day and would we need to decouple salary from floor sessions -- can we arrange daily session calendar differently -- do joint subcommittees need to meet for longer, more members, and how to integrate more with standing committees -- discuss ideas for different session calendar and schedules -- provide directions to staff on options
2. January 15-16, 2020 - Legislative Week. Could present work plan to Legislative Council/Legislative Finance Committee for approval. Depending on schedules, Steering Committee may be able to meet.
3. March 22-23, 2020 - Steering Committee or joint meeting. Look at options for session calendar, begin development of recommendations for analysis based on additional information and other states' information.
 - Session Committee structure - Standing committees and joint subcommittees
 - Committee assignments - session and interim
 - Committee schedules and processes
 - Transition Plans
4. June 9 - 10, 2020 - Steering Committee or joint meeting. Provide additional information on options, develop and refine recommendations, provide legal analysis, rules changes, etc., for recommendations.
 - Interim Committees - duties, responsibilities, study resolutions, and processes
 - Legal analysis of proposed changes, transition plans
5. August 24-25, 2020 - Full Council meeting. Review options, recommendations, bill drafts, etc. Adopt draft report on any recommendations, transition plans, etc.

Note: Steering Committee may meet between meeting dates or in a conference call. Regular reports will be made to Legislative Council and Legislative Finance Committee if there is no joint meeting.

Other topics:

1. Bill draft requests and introduction: limits?
2. Rule issues:
 - a. Number of enrolled bills – Supreme Court doesn't want 3rd copy, records retention (SOS/MHS duties)
 - b. Ethics procedures – House has none, Senate few
 - c. Printing demands and practices (including FN)
 - d. Definition of Revenue Bill (including FN printing)
3. Fiscal note process – especially requests for amended fiscal notes, LFD comments
4. Media policy

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