

OFFICE OF THE GOVERNOR
BUDGET AND PROGRAM PLANNING
STATE OF MONTANA

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'23B – Memo 2
1 attachment

TO: Agency Directors

FROM: Tom Livers, Budget Director

Date: February 14, 2020

Subject: **Legislation Proposals for the 2021 Legislative Session**

A. Proposed Legislation -- Deadline May 4, 2020

The 2023 biennium will continue to require diligence, efficiency, and financial accountability on the part of all state government programs. As agencies develop legislation for the Governor's and legislature's consideration, everyone involved in preparation of the Executive Budget needs to be mindful of fiscal limitations.

We have forms to help you prepare submissions.

- use "GOV_ADM_001"
- call up "Forms&Memos\Forms"
- copy the "Proposed 2021 Session Legislation" Excel form, named "Memo2 – 2023 Biennium Attach 1 Legform.xls."

Please complete a form for EACH piece of proposed legislation, recognizing that your forms will be public documents used by both the executive and legislative branch.

You should submit *all legislative proposals (concepts)* by May 4. We don't need complete drafts of the legislation at this point. If you do have a draft on any proposal, you may submit it along with the request form. Please note these important points:

1. Prioritize all proposed legislation 1 through XXX for the entire agency, with 001 as the highest priority. These numbers will help us track your proposals throughout planning and bill drafting. We will return any proposals that lack priority numbering.
2. Save your completed legislation forms as Excel documents in the "LEG" folder on the OBPP server. Use this format to name them: \XXXX\YY-ZZZ.xls
 - XXXX is your four-digit agency code
 - YY is the two-digit program code
 - ZZZ is the **agency-wide priority number** the agency assigned to the proposed legislation.

E-mail or call Jeanne Nevins at x3616 when you have saved your proposals in the file. Email Jeanne Nevins for technical help with retrieving or transmitting documents. To obtain access for additional or new agency personnel, contact your assigned OBPP Budget Analyst.

3. Don't send biennial appropriation bills at this time. Examples include HB 5 for long-range building or HB 9 for cultural and aesthetic grants. Please send final drafts of these bills directly to Jason Harlow and Amy Sassano as HB XX whenever they are ready.

After OBPP and the Governor's staff review your legislative proposals, we will notify agencies electronically when they are approved to draft specific bills.

The notification will include a listing of those bills that are approved for drafting and those that are not approved. Non-approved bills may fit another category, such as:

- the need for more information
- the need to coordinate with other agencies
- interest of the Governor in requesting the bill
- or other actions

Call Jeanne Nevins at x3616 to schedule agency conferences, if needed. The meetings will enable follow-up and final decisions on your proposals.

B. Final Drafts of Legislation -- Deadline September 14, 2020

Whenever your agency completes a final draft of approved legislation,

- **save** the final draft in the "Leg" folder on the OBPP server with the file name "XXXX\YY-ZZZF.doc"
 - XXXX is your four-digit agency code
 - YY is the two-digit program code
 - ZZZ is the *same priority number* assigned April 16
 - F indicates final draft.
- **send** an e-mail to Jeanne Nevins at OBPP.

[Changing the ZZZ number from the number we have approved will cause confusion and delays in reviewing your legislation. If we combine two requested bills during the summer, the ZZZ number will be the **lower** of the original numbers that the agency assigns in April.]

Note! Agencies MUST identify both the file name described above AND the LSD assigned LC number (if available) on top of the first page of the bill draft for all bill drafts submitted for review and approval.

Note: At the same time the agency submits the final draft of the bill, agencies will be required to submit a draft fiscal note for the bill to OBPP.

We urge all agency staff involved in drafting legislation to attend the LSD "Bill Drafting Workshop." It likely will be presented several times in June. Call the LSD at 3064 for further information.

OBPP and Governor's policy and legal staff will review your final bill drafts and seek more information as needed.

Between September 14 and December 15, OBPP and Governor's staff will work with you to secure legislators who will request and sponsor appropriations bills, significant pieces of agency legislation, and other bills as necessary.

Most housekeeping, federal compliance, and other bills from your agency may be requested by the legislative committee that has monitoring responsibility for your agency under 5-5-215(1)(c), MCA, and that will have reviewed your legislative concepts. The appropriate interim committee will be the official requestor of these bills. The LSD will be responsible for this procedure and it will be copying your final bill drafts directly from the OBPP server for drafting. Since these LSD bill drafting rules may affect executive branch legislation, the Governor's Office expects you will, at a minimum, keep us informed whenever changes occur that have a legal, programmatic, or budgetary effect. The LSD draft bills won't need a legislative requestor, but you will be required to secure a bill sponsor and have the sponsor pre-introduce the bill prior to December 15, 2020.