

OFFICE OF THE GOVERNOR
BUDGET AND PROGRAM PLANNING
STATE OF MONTANA

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'11B – Memo 2
2 attachments

TO: Agency Directors

FROM: David Ewer, Budget Director
Ann Brodsky, Governor's Legal Counsel

Date: January 22, 2008

Subject: **Legislation Proposals for the 2009 Legislative Session**

A. Proposed Legislation -- Deadline April 14, 2008

Please send your proposed legislation to the Office of Budget and Program Planning (OBPP) by April 14, 2008. This includes proposed legislation for administratively attached boards and commissions. With each proposal, describe the legislation and explain the reasons for it. These steps are part of the Executive Planning Process (EPP) for the Sixty First Legislature.

We have forms to help you prepare submissions.

- use "GOV_ADM_001" (see attachment 2 "Connecting to OBPP Server")
- call up "Forms&Memos\Forms"
- copy the "Proposed 2009 Session Legislation" form, named "Memo2-Attach 1 Legform.xls." (NOTE – it is in Excel)

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 April 14, whether or not they have any fiscal impact. If the proposal does have a fiscal impact, a clear description should be included on the form of the impact, its magnitude, and causes. 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. Call Amy Moore at x4915 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 for EPP. 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 Christine Hultin-Brus 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. A copy of this approval notice also will be sent to the Legislative Services Division (LSD).

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, on non-approved bills. The meetings will enable follow-up and final decisions on your proposals.

B. Final Drafts of Legislation -- Deadline September 15, 2008

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 *lengthy* 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.]

New! 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 15 and December 22, 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 "LEG" folder on 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 may affect programs or budgets. 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 22, 2008.