

1 SENATE BILL NO. 307

2 INTRODUCED BY B. TUTVEDT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING LEGISLATIVE INTERIM COMMITTEES TO SOLICIT
5 PUBLIC INPUT ON TERMINATING OR PRIVATIZING PROGRAMS; REQUIRING THE LEGISLATIVE AUDITOR
6 TO REVIEW THE RECOMMENDATIONS AND REPORT TO THE LEGISLATURE ON THE ADVANTAGES OR
7 DISADVANTAGES OF TERMINATING OR PRIVATIZING A PROGRAM AND TO PROVIDE THE GOVERNOR
8 WITH A COPY OF THE REPORT; AMENDING SECTION 2-8-105, MCA; AND PROVIDING AN IMMEDIATE
9 EFFECTIVE DATE."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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13 **NEW SECTION. Section 1. Termination or privatization review by legislative interim committees.**

14 (1) During the first year of a biennium, each interim committee shall, in at least one of its public meetings, provide
15 an opportunity for members of the public to recommend terminating or privatizing any program administered by
16 an executive branch agency or entity subject to the committee's oversight as provided in Title 5, chapter 5, part
17 2.

18 (2) (a) The interim committee shall submit any recommendations for the termination or privatization of
19 any programs to the legislative auditor, and the legislative auditor shall review and report to the next legislature
20 on the recommendations.

21 (b) The interim committee may submit recommendations for the termination or privatization of a program
22 to the governor.

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24 **Section 2.** Section 2-8-105, MCA, is amended to read:

25 **"2-8-105. Determination of agencies and programs to be reviewed.** (1) Before September 1 of each
26 even-numbered year, the governor may furnish the legislative audit committee with a list of recommendations for
27 agencies and programs to be terminated and subject to a performance audit during the next biennium pursuant
28 to the provisions of this chapter. The list must be prioritized and must set forth the governor's reasons for
29 recommending each agency or program for review.

30 (2) (a) The legislative audit committee shall review the list submitted by the governor, suggestions from

1 legislators and legislative committees, staff recommendations, and any other relevant information and compile
2 recommendations of agencies and programs to be terminated and subject to a performance audit. The committee
3 shall submit its recommendations to the next legislature in the form of a bill terminating those designated
4 agencies and programs at the times specified in the bill and requiring a performance audit of each agency and
5 program under the provisions of Title 2, chapter 8, within the time specified and prior to termination.

6 (b) The legislative auditor shall review any recommendations made by a legislative interim committee
7 for the termination or privatization of a program. The legislative auditor shall submit recommendations to the
8 legislative audit committee and to the next legislature in the form of a report containing the legislative auditor's
9 findings with respect to the advantages or disadvantages of terminating or privatizing the program. The legislative
10 auditor shall provide the governor with a copy of the report."

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12 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an
13 integral part of Title 2, chapter 8, part 1, and the provisions of Title 2, chapter 8, part 1, apply to [section 1].

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15 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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