

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2031

Introduced by

Legislative Council

(Budget Committee on Government Finance)

1 A BILL for an Act to create and enact two new sections to chapter 54-35 of the North Dakota
2 Century Code, relating to a legislative agency review committee; and to amend and reenact
3 sections 54-03.1-03 and 54-35-14 of the North Dakota Century Code, relating to the
4 organizational session and the legislative budget analyst and auditor.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 54-35 of the North Dakota Century Code is
7 created and enacted as follows:

8 **Legislative agency review committee and other review committees - Creation.**

9 For the purpose of providing for greater involvement by the legislative assembly and involving
10 more members of the legislative assembly in the agency review process, the legislative council
11 shall create a legislative agency review committee to coordinate and direct activities involved in
12 the development of recommendations to assist the legislative assembly as it develops policy
13 and provides appropriations for the operations of state government. With the advice of the
14 legislative agency review committee, the legislative council shall create additional committees
15 to assist the legislative agency review committee in performing its duties and responsibilities. If
16 a member of the legislative agency review committee is unable to serve on the committee, the
17 legislative council chairman shall appoint another member of the legislative assembly to fill the
18 vacancy.

19 **SECTION 2.** A new section to chapter 54-35 of the North Dakota Century Code is
20 created and enacted as follows:

21 **Legislative agency review committee - Duties and responsibilities.** The legislative
22 agency review committee, with the assistance of the legislative budget analyst and auditor,
23 shall:

- 1 1. Develop by June first of the year preceding the regular session of the legislative
- 2 assembly a preliminary legislative budget report, subject to legislative council
- 3 approval. The report must include goals for revenues, major appropriations, and
- 4 the ending general fund balance for the next biennium.
- 5 2. Develop guidelines and parameters, subject to legislative council approval, for
- 6 other interim review committees to utilize in the development of their
- 7 recommendations.
- 8 3. Advise the legislative council on the interim review committee structure needed for
- 9 addressing agency issues.
- 10 4. Assign agency-related studies and program reviews to other interim review
- 11 committees within limitations of time and legislative appropriations.
- 12 5. Review, analyze, and evaluate budgets, budget requests, programs, and activities
- 13 of state agencies, institutions, and departments.
- 14 6. Monitor agency performance by utilizing performance measures, when
- 15 appropriate.
- 16 7. Conduct hearings it determines necessary to perform the duties of this section.
- 17 Hearings may be held jointly with budget hearings of the executive budget officer.
- 18 8. Review and approve reports and recommendations of other interim review
- 19 committees.
- 20 9. Develop recommendations to assist the legislative assembly as it develops policy
- 21 and provides appropriations for the operations of state government.
- 22 10. Present a report on its recommendations to the legislative council in November of
- 23 the year preceding the regular session of the legislative assembly and to the
- 24 legislative assembly.
- 25 11. Provide assistance during the legislative session as requested by legislative
- 26 leadership.
- 27 Each agency, institution, or department shall furnish the records and information requested by
- 28 legislative committees in the performance of the duties of this section. The tax commissioner
- 29 and the office of management and budget shall provide economic and revenue forecasting
- 30 information and services as requested by legislative committees carrying out the duties of this
- 31 section.

1 **SECTION 3. AMENDMENT.** Section 54-03.1-03 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **54-03.1-03. Agenda.** The agenda of the organizational session must include, ~~but is~~
4 ~~not limited to~~, the following:

- 5 1. Orientation classes upon legislative rules and procedure for new legislators;
- 6 2. Presentation of reports by legislative interim boards or committees;
- 7 3. Party caucuses to determine which party has a majority in each house of the
8 legislative assembly and thereafter proceed to select party nominees for officers of
9 each body;
- 10 4. Appointment of employment committees to process applications for positions of
11 employment with the legislative assembly and make recommendation for hiring the
12 selected employees;
- 13 5. Appointment of a senate committee on committees;
- 14 6. Each legislator shall present the legislator's committee appointment preferences to
15 the speaker of the majority party or the chairman of the interim senate committee
16 on committees;
- 17 7. Presentation of legislative agency review committee proposals recommended by
18 the legislative council;
- 19 8. Presentation of the budget and revenue proposals recommended by the governor
20 as provided in section 54-44.1-07; and
- 21 ~~8.~~ 9. All other similar matters, in order that the legislative assembly be fully organized
22 and ready to begin its business by the first day of the regular session.

23 **SECTION 4. AMENDMENT.** Section 54-35-14 of the North Dakota Century Code is
24 amended and reenacted as follows:

25 **54-35-14. Powers and duties of legislative budget analyst and auditor.** The
26 legislative budget analyst and auditor shall assist the legislative council and any committees
27 created by the council in the review, analysis, and evaluation of budgets, budget requests,
28 programs, and activities of state agencies, institutions, and departments and in the
29 development of recommendations. The legislative budget analyst and auditor ~~shall~~ may attend
30 all budget hearings carried on by the executive budget officer and shall have access to all
31 budget material submitted to the executive budget officer and all studies carried on by ~~him~~ the

1 executive budget officer; he the legislative budget analyst and auditor shall analyze the
2 executive budget when prepared, with special reference to sources of revenue, trends in
3 governmental spending and finance, policies followed and inconsistencies in such policies, and
4 proposed new or substantially expanded or reduced areas of spending and prepare a report of
5 ~~his~~ the legislative budget analyst and auditor's analysis for the legislative assembly. ~~He~~ The
6 legislative budget analyst and auditor shall report thereon to the appropriations committees of
7 the senate and house of representatives ~~in joint meeting~~ and shall perform such services for
8 such committees during the legislative session as they shall reasonably request. At the close
9 of each regular session of the legislative assembly, the legislative budget analyst and auditor
10 shall prepare a report on the budget as approved by the legislative assembly. The legislative
11 audit and fiscal review committee may call upon the legislative budget analyst and auditor for
12 such assistance as it may deem necessary in the analysis of any audit submitted to such
13 committee. Each department, institution, and agency shall furnish such records and
14 information to the legislative budget analyst and auditor as ~~he may request~~ be requested in the
15 performance of ~~his~~ official duties.