

# Proposed Changes to the Legislative Budget Office Uniform Standards and Procedures

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# Page 5. Descriptions, Classified Unofficial.

## Proposed Change:

A classified unofficial fiscal note is ~~a fiscal note~~ an estimate of the fiscal impact to the state budget that is requested and prepared on draft legislation ~~that is not yet in the form of an introduced bill or amendment considered in committee or on the floor, for which the author has requested that the unofficial fiscal note be classified as nonpublic data.~~ has not been introduced or made available by a member of the legislature for consideration by the legislature. Classified unofficial fiscal notes are subject to, and must be requested under Minnesota Statutes, section 13.64, subdivision 3.

# Page 9. Unofficial Fiscal Notes.

## Proposed Change:

A requester of an unofficial fiscal note can choose for the ~~may also provide a directive that the~~ data to be classified as private data on the individual and nonpublic. ~~The~~ ~~and that~~ data on the unofficial classified request, the bill draft, and the unofficial fiscal note is considered private and nonpublic data. ~~individuals or nonpublic data.~~ ~~The requester~~ requesting member may have access to the data and may choose to disclose it.

# Page 18. Fiscal Note Format.

Proposed Change:

Remove image of fiscal note worksheet sample.

# Page 20. Fiscal Notes (Regular), Procedure 4.

## Proposed Change:

A preliminary note is viewable in the FNTS by ~~the LBO analysts analyst,~~ fiscal analysts, the House Ways and Means committee administrator, the Senate Finance Committee administrator, ~~the Senate Finance committee administrator,~~ and MMB executive budget officers, and agency FNTS users. ~~Fiscal analysts and agencies are discouraged from distributing preliminary notes as they have not yet been reviewed by the LBO.~~ A preliminary fiscal note should not distributed without consulting with the LBO first.

# Page 25. Classified Unofficial Fiscal Notes, Standard.

## Proposed Change:

Classified unofficial fiscal notes are considered private data on individuals ~~or~~ and nonpublic data on the note itself., ~~and~~ Classified unofficial fiscal notes are ~~displayed~~ available only to the requester, the LBO, assigned fiscal note coordinator, and agency users with signoff authority.

# Page 25. Classified Unofficial Fiscal Notes, Procedure 1.

## Proposed Change:

A classified unofficial fiscal note may be requested on draft legislation. The request must be made prior to the bill being made publicly available introduced for consideration by the legislature. ~~by selecting “classified” as the note type in the FNTS.~~ The classified designation can be made in the FNTS by the requester.

## Page 26. Classified Unofficial Fiscal Notes, Procedure 12.

### Proposed Change:

Classified unofficial fiscal notes will not be made publicly ~~publically~~ available unless the information is:

a. disclosed by the requester; or

~~Or~~ the identical language for which the classified unofficial fiscal note was based on is subsequently used for an introduced bill, or any legislation, including an amendment or a proposed bill, that any member of the legislature offers for consideration by a legislative committee.

In ~~that~~ either case, the original classified unofficial fiscal note then becomes public information and is available upon a request made to the LBO.

To be considered identical, the public language must be exactly the same as the language used in the classified fiscal note request.

# Page 31. Timeliness, Procedure 11.

## Proposed Change:

In cases where an agency has not provided a complete fiscal note in the timeline requested ~~by the requester~~, the LBO will determine the appropriate steps to take to provide the legislature with an estimate of the fiscal impact of the proposed legislation. ~~This may include, but is not limited to discussions with the agency head, committee chair, or LBO Oversight Commission; as well as an assessment by the LBO to determine alternative methods to provide an estimate of the fiscal impact.~~ The LBO will consult fiscal analysts, agencies, MMB, the committee chair, the LBO Oversight Commission, and other stakeholders as appropriate when making this determination.

# Page 32. Bill Version, Standard.

## Proposed Change:

All fiscal note requests must be made based on a specific version of legislation. This may be in the form of an introduced bill, an official or unofficial engrossed version of a bill, a proposed or adopted amendment to a bill, or draft legislation. A fiscal note request may be made on a portion of proposed legislation such as an article, section, or subdivision.

# Page 37. Assumptions and Estimates, Procedure 9.

Proposed Change:

Fiscal notes show fiscal impacts to the state budget in the cost and savings tables. If an agency identifies a fiscal impact to funds or accounts not in the state budget, that information should be discussed in the fiscal note narrative.

# Page 46. Revisions, Standard.

## Proposed Change:

If new information becomes available that would provide a more accurate fiscal note, the LBO will work with agencies to determine whether it will revise a fiscal note.

# Page 49. Appendix.

## Proposed Changes:

The applicable Minnesota Statutes for the Legislative Budget Office are ~~included~~ listed below for reference. ~~Used by permission of the Revisor of Statutes, State of Minnesota.~~ [Text deleted, links will remain.]

3.8853 LEGISLATIVE BUDGET OFFICE.

3.8854 LEGISLATIVE BUDGET OFFICE OVERSIGHT COMMISSION.

3.98 FISCAL NOTES.

3.986 DEFINITIONS.

3.987 LOCAL IMPACT NOTES FOR STATE-MANDATED ACTIONS.

3.988 EXCEPTIONS TO LOCAL IMPACT NOTES.

13.64 ADMINISTRATION; MANAGEMENT AND BUDGET DATA.

Thank you.