



LIFE
AFTER
SINE DIE

A Legislator's Guide
to Interim Activities



Helena, Montana
2009

CONTENTS



The Interim . . . 5
Interim Studies . . . 6
2009-2010 Interim Studies . . . 7
Interim Committees . . . 9
Membership . . . 10
Officers . . . 11
Duties and Responsibilities . . . 11
Staff . . . 12
Meetings . . . 13
Work Plans . . . 14
Interim Reports . . . 15
Appendix A: Interim Committees . . . 16
Children, Families, Health, and Human Services . . . 16
Economic Affairs . . . 16
Education and Local Government . . . 17
Energy and Telecommunications . . . 19
Law and Justice . . . 19
Revenue and Transportation . . . 19
State Administration and Veterans' Affairs . . . 20



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Appendix B: Statutory Committees . . . 22

Environmental Quality Council . . . 22

State-Tribal Relations Committee . . . 23

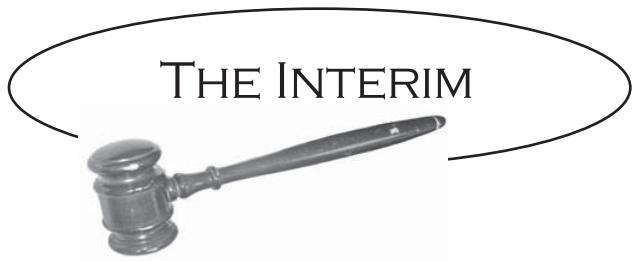
Water Policy Committee . . . 24

Appendix C: Administrative Committees . . . 25

Legislative Council . . . 25

Legislative Finance Committee . . . 26

Legislative Audit Committee . . . 27



THE INTERIM

When the gavel falls for the last time and the Montana Legislature adjourns *sine die*, don't assume your work is done.

The Legislature makes good use of the 18-20 months between biennial sessions – a period known as *the interim*. In the heat of the tightly structured, 90-day session, legislators often identify issues they want to study in more depth. The interim offers you a more measured opportunity to research, meet with subject-matter experts, and listen to the public's perspectives on critical and complex issues. It allows you to define problems, explore alternatives, seek solutions, and propose and test ideas.

You can use what you learn during the interim to make better-informed decisions about what policies and bills to consider during the next session, as well as resolve concerns raised during the past session.

You may also spend the interim visiting with your constituents to hear and address their concerns. You can act as a liaison between your constituents and the state programs and services designed to serve them.

Last but not least, the interim offers you a chance to get to know your colleagues across the aisle and in the other chamber and work with them on issues.

INTERIM STUDIES



During sessions, you may request interim studies through bills or resolutions. Interim study resolutions must be requested by the end of the 75th legislative day (Joint Rules 40-50).

There is a difference between an interim study resolution and a study bill. Study bills must include funding to ensure completion of the project. A fiscal note may be requested if the appropriation in the bill doesn't appear to be sufficient. Studies requested via resolution are subject to available funding.

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The Legislative Council, made up of legislative leaders, decides which studies to assign and to which committee (5-5-217 MCA). Because there is not enough time, staff, or resources to undertake all of the studies, the council relies heavily on the poll results and the

recommendation of the research office to balance study priorities with available resources. The council also invites comments from the public and from sponsors of interim study resolutions that are under consideration. (Legislative Council Rules of Procedure).

The Legislative Council is the clearinghouse for all interim studies.

2009-10 Interim Studies

Studies Required by Statute

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SB 22: Re-established Water Policy Committee and directed it to study issues related to **water quantity, water quality, and water use** in Montana.

Studies Assigned by Legislative Council

SJR 30: Study **worker's compensation rates** and the Montana State Fund. (Economic Affairs Interim Committee)

SJR 35: Study **health care**. (Children, Families, Health, and Human Services Committee)

HJR 1: Study **biomass**. (Environmental Quality Council)

(continued on page 8)

SJR 39: Study laws related to **driving under the influence**, as well as their enforcement. (Law and Justice Committee)

SJR 16: Study cost of **auto insurance** and compliance with mandatory requirements. (Revenue and Transportation Committee)

HJR 30: Study **fire suppression** issues. (Environmental Quality Council)

SJR 28: Study **recycling** and solid-waste recovery. (Environmental Quality Council)

HJR 35: Study state employee **bonus payments**. (State Administration and Veterans' Affairs Committee)

HJR 32: Study impact of **historic preservation** and strategies for preservation. (Education and Local Government Committee)

SJR 29: Study retention of **DNA evidence** by state and local law enforcement agencies. (Law and Justice Committee)

SJR 37: Study **income tax** filing by married taxpayers. (Revenue and Transportation Committee)

HJR 39: Study development of additional community services for people with **developmental disabilities**. (Children, Families, Health, and Human Services Committee)

SJR 14: Study cooperative arrangements between **state laboratories**. (Economic Affairs Committee)

HJR 15: Study funding for a **recreation and tourism** enhancement program. (Environmental Quality Council)

SJR 2: Study the process for establishing **community colleges**. (Education and Local Government Committee)

SJR 9: Study the **student loan** system. (Legislative Finance Committee)

INTERIM COMMITTEES



The Legislature has statutorily created seven interim committees to focus on policy related to:

- Children, families, health, and human services
- Economic affairs
- Education and local government
- Energy and telecommunications
- Law and justice
- Revenue and transportation
- State administration and veterans' affairs

See Appendix A on page 16 for statutory duties of these interim committees.

Three other committees have been established by statute. They aren't technically "interim committees," but they function in much the same way. They are:

- Environmental Quality Council
- State-Tribal Relations Committee
- Water Policy Committee

See Appendix B on page 22 for statutory duties of these committees.

Finally, there are three primary administrative committees that meet during the interim. They oversee the functions and operation of the three permanent legislative branch divisions to prepare for future legislative sessions.

- Legislative Council
- Legislative Finance Committee
- Legislative Audit Committee

See Appendix C on page 25 for statutory duties of these committees.

Membership

All interim committees are bipartisan. By law (5-5-211 MCA), at least half of the legislators appointed to an interim committee must be selected from among the members of standing, or session, committees that consider issues within the jurisdiction of the interim committee. For example, half the members of the Children, Families, Health, and Human Services Interim Committee must be former members of the House Human Services or Appropriations Committees or the Senate Public Health, Welfare, and Safety or Finance and Claims Committees.

Each interim committee must include at least:

- Four House members, two from the majority party and two from the minority, and
- Four Senate members, two from the majority party and two from the minority.

The Law and Justice, Education and Local Government, and Revenue and Transportation interim committees each has 12 members. The Environmental Quality Council has 12 legislative members, 4 public members, and a nonvoting representative from the Governor's Office.

The Senate Committee on Committees appoints Senate members of interim and administrative committees. The Speaker of the House

appoints House members. These appointments are made before the Legislature adjourns.

The Legislative Council may ask the Speaker of the House or the Senate Committee on Committees to appoint additional committee members from each party if the committee is expected to have an especially heavy workload. The presiding officer of an interim committee may also initiate a request for more members (Legislative Council Rules of Procedure).

The Environmental Quality Council includes members of the public among its voting members. Half of these public members are appointed by the Speaker of the House with the consent of the House minority leader and half by the Senate President with the consent of the Senate minority leader.

A legislator may not serve on more than two interim committees unless no one else is willing or able to serve.

Officers

Each interim committee elects its presiding officer and vice presiding officer from among its members. The officers may not be members of the same political party (5-5-213 MCA).

Officers are nominated by the committee members at their first organizational meeting.

Customarily, the political parties take turns presiding over interim committees from interim to interim.

Duties and Responsibilities

According to state law (5-5-215 MCA), each interim committee is responsible for:

- conducting assigned interim studies;
- monitoring executive branch agencies;
- requesting legislation on behalf of the state agencies under the committee's jurisdiction;

- reviewing the administrative rules of executive branch agencies within its jurisdiction;
- preparing bills and resolutions to present to the next regular session of the Legislature; and
- serving as a liaison between the Legislature and the public regarding the state agencies within the committee's jurisdiction.

As a member of an interim committee, you are expected to actively engage in the work of the committee. You are responsible for:

- reading minutes, reports, and other written materials provided by staff before meetings;
- sharing reports and other study documents with your constituents to encourage their participation;
- inviting comments and suggestions from constituents who are knowledgeable or concerned about the issues your committee is addressing;
- being prepared to pose questions and offer suggestions during meetings; and
- helping to make sure the committee, staff, and witnesses stay on topic.

Staff

Each interim committee is assigned a research analyst, attorney, and secretary from among the staff of the Legislative Services Division. At every meeting, the secretary takes minutes to preserve the deliberations and decisions of the committee.

The researcher, working with the presiding officer of the committee:

- plans the meetings and sets the agendas;
- performs project management for each assigned interim study;
- conducts research and analysis of topics the committee wishes to pursue;
- schedules speakers and expert witnesses;
- handles committee correspondence;

- helps to keep the public informed of committee activities through an interim newsletter and the legislative website;
- compiles committee findings and conclusions;
- translates committee recommendations into draft legislation; and
- generally anticipates the logistical needs of the committee.

The attorney assigned to the committee:

- conducts legal research;
- provides legal advice;
- helps to clarify requests for legal opinions;
- prepares research and amendments;
- reviews administrative rules promulgated by state agencies within the committee's jurisdiction for constitutional, statutory, and case law requirements; and
- helps to schedule and coordinate the committee's workload.

Meetings

Like session committee meetings, interim committee meetings are open meetings. The public and committee members must be provided at least 10 days notice before each regular interim committee meeting (Legislative Council Guidelines).

Public participation is encouraged. The committee staff keeps a list of interested parties who wish to be notified of meetings. Anyone may ask to be included on the notification list. Public comment may be taken during meetings at the discretion of the presiding officer. Most meetings are held in the Capitol in Helena. These meetings are recorded, filmed, and broadcast throughout the state over the legislative website and over Television Montana, or TVMT.

Occasionally you may travel to other Montana communities to visit state facilities, access experts, listen to concerns of residents who are unable to come to Helena, and get firsthand experience with issues

your committee is studying. However, committee meetings outside the Capitol are discouraged because of the additional costs they involve and the difficulty with finding adequate facilities.

Interim committee meetings are conducted under established legislative rules as to quorums and parliamentary procedure.

Work Plans

At its organizational meeting, each interim committee typically selects and prioritizes its activities for the interim based on a draft work plan assembled by the committee's research analyst. The committee may also generate its own work plan options.

Once your committee has identified the activities you want to pursue, the staff develops a more detailed draft work plan, as well as a meeting schedule that serves as a blueprint for the committee's work. The committee may appoint subcommittees or working groups to address specific issues contained in the work plan.

As unanticipated issues arise during the interim, interim committees may choose to investigate or analyze them, too, if they have enough time and interest. The work plan and meeting schedule must be revised to maintain the balance between workload and available resources.

INTERIM REPORTS



The Legislative Council has established a guideline setting September 15 of even-numbered years as the deadline by which interim committees should wrap up their work. This gives legislators time to campaign and prepare for the coming session. It gives staff time to draft bills reflecting the interim committees' recommendations.

Interim committees compile the information they gather during the interim and present their findings to the public in interim reports. These summarize the committees' activities, findings, and recommendations, as well as other relevant policy considerations. The reports are prepared by committee staff and are made available to the public in print form and on the legislative website under "Between Sessions."

leg.mt.gov

APPENDIX A



Children, Families, Health, and Human Services Interim Committee

(8 members)

(5-5-225 MCA) The children, families, health, and human services interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the department of public health and human services and the entities attached to the department for administrative purposes.

Economic Affairs Interim Committee

(8 members)

(5-5-223 MCA) The economic affairs interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the following executive branch agencies and the entities attached to agencies for administrative purposes:

- (1) department of agriculture;
- (2) department of commerce;
- (3) department of labor and industry;
- (4) department of livestock;
- (5) office of the state auditor and insurance commissioner; and
- (6) office of economic development.

Education and Local Government Interim Committee (12 members)

(5-5-224 MCA) (1) The education and local government interim committee shall act as a liaison with local governments. The education and local government interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the following executive branch agencies and the entities attached to agencies for administrative purposes:

- (a) state board of education;
 - (b) board of public education;
 - (c) board of regents of higher education; and
 - (d) office of public instruction.
- (2) The committee shall:
- (a) provide information to the board of regents in the following areas:
 - (i) annual budget allocations;
 - (ii) annual goal statement development;
 - (iii) long-range planning;
 - (iv) outcome assessment programs; and
 - (v) any other area that the committee considers to have significant educational or fiscal policy impact;
 - (b) periodically review the success or failure of the university system in meeting its annual goals and long-range plans;
 - (c) periodically review the results of outcome assessment programs;
 - (d) develop mechanisms to ensure strict accountability of the revenue and expenditures of the university system;
 - (e) study and report to the legislature on the advisability of adjustments to the mechanisms used to determine funding for the university system, including criteria for determining appropriate levels of funding;

- (f) act as a liaison between both the legislative and executive branches and the board of regents;
- (g) encourage cooperation between the legislative and executive branches and the board of regents;
- (h) promote and strengthen local government through recognition of the principle that strong communities, with effective, democratic governmental institutions, are one of the best assurances of a strong Montana;
- (i) bring together representatives of state and local government for consideration of common problems;
- (j) provide a forum for discussing state oversight of local functions, realistic local autonomy, and intergovernmental cooperation;
- (k) identify and promote the most desirable allocation of state and local government functions, responsibilities, and revenue;
- (l) promote concise, consistent, and uniform regulation for local government;
- (m) coordinate and simplify laws, rules, and administrative practices in order to achieve more orderly and less competitive fiscal and administrative relationships between and among state and local governments;
- (n) review state mandates to local governments that are subject to 1-2-112 and 1-2-114 through 1-2-116;
- (o) make recommendations to the legislature, executive branch agencies, and local governing bodies concerning:
 - (i) changes in statutes, rules, ordinances, and resolutions that will provide concise, consistent, and uniform guidance and regulations for local government;
 - (ii) changes in tax laws that will achieve more orderly and less competitive fiscal relationships between levels of government;
 - (iii) methods of coordinating and simplifying competitive practices to achieve more orderly administrative relationships among levels of government; and
 - (iv) training programs and technical assistance for local government officers and employees that will promote effectiveness

and efficiency in local government; and

- (p) conduct interim studies as assigned.

Energy and Telecommunications Interim Committee (8 members)

(5-5-230 MCA) The energy and telecommunications interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the department of public service regulation and the public service commission.

Law and Justice Interim Committee (12 members)

(5-5-226 MCA) The law and justice interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the department of corrections and the department of justice and the entities attached to the departments for administrative purposes. The committee shall act as a liaison with the judiciary.

Revenue and Transportation Interim Committee (12 members)

(5-5-227 MCA) (1) The revenue and transportation interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the department of revenue and the department of transportation and the entities attached to the departments for administrative purposes.

(2) (a) The committee must have prepared by December 1 for introduction during each regular session of the legislature in which a revenue bill is under consideration an estimate of the amount of revenue projected to be available for legislative appropriation.

(b) The committee may prepare for introduction during a special

session of the legislature in which a revenue bill or an appropriation bill is under consideration an estimate of the amount of projected revenue. The revenue estimate is considered a subject specified in the call of a special session under 5-3-101.

(3) The committee's estimate, as introduced in the legislature, constitutes the legislature's current revenue estimate until amended or until final adoption of the estimate by both houses. It is intended that the legislature's estimates and the assumptions underlying the estimates will be used by all agencies with responsibilities for estimating revenue or costs, including the preparation of fiscal notes.

(4) The legislative services division shall provide staff assistance to the committee. The committee may request the assistance of the staffs of the office of the legislative fiscal analyst, the legislative auditor, the department of revenue, and any other agency that has information regarding any of the tax or revenue bases of the state.

State Administration and Veterans' Affairs Interim Committee

(8 members)

(5-5-228 MCA) (1) The state administration and veterans' affairs interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the public employee retirement plans and for the following executive branch agencies and the entities attached to the agencies for administrative purposes:

- (a) department of administration;
- (b) department of military affairs; and
- (c) office of the secretary of state.

(2) The committee shall:

(a) consider the actuarial and fiscal soundness of the state's public employee retirement systems, based on reports from the teachers' retirement board, the public employees' retirement board, and the board of investments, and study and evaluate the equity and

benefit structure of the state's public employee retirement systems;

(b) establish principles of sound fiscal and public policy as guidelines;

(c) as necessary, develop legislation to keep the retirement systems consistent with sound policy principles;

(d) solicit and review proposed statutory changes to any of the state's public employee retirement systems;

(e) report to the legislature on each legislative proposal reviewed by the committee. The report must include but is not limited to:

(i) a summary of the fiscal implications of the proposal;

(ii) an analysis of the effect that the proposal may have on other public employee retirement systems;

(iii) an analysis of the soundness of the proposal as a matter of public policy;

(iv) any amendments proposed by the committee; and

(v) the committee's recommendation on whether the proposal should be enacted by the legislature.

(f) attach the committee's report to any proposal that the committee considered and that is or has been introduced as a bill during a legislative session; and

(g) publish, for legislators' use, information on the state's public employee retirement systems.

(3) The committee may:

(a) specify the date by which proposals affecting a retirement system must be submitted to the committee for the review contemplated under subsection (2)(d); and

(b) request personnel from state agencies, including boards, political subdivisions, and the state public employee retirement systems, to furnish any information and render any assistance that the committee may request.



APPENDIX B

Environmental Quality Council (17 members)

(75-1-324 MCA) The environmental quality council shall:

(1) gather timely and authoritative information concerning the conditions and trends in the quality of the environment, both current and prospective, analyze and interpret the information for the purpose of determining whether the conditions and trends are interfering or are likely to interfere with the achievement of the policy set forth in 75-1-103, and compile and submit to the governor and the legislature studies relating to the conditions and trends;

(2) review and appraise the various programs and activities of the state agencies, in the light of the policy set forth in 75-1-103, for the purpose of determining the extent to which the programs and activities are contributing to the achievement of the policy and make recommendations to the governor and the legislature with respect to the policy;

(3) develop and recommend to the governor and the legislature state policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the state;

(4) conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(5) document and define changes in the natural environment, including the plant and animal systems, and accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(6) make and furnish studies, reports on studies, and recommendations with respect to matters of policy and legislation as the legislature requests;

(7) analyze legislative proposals in clearly environmental areas and in other fields in which legislation might have environmental consequences and assist in preparation of reports for use by legislative committees, administrative agencies, and the public;

(8) consult with and assist legislators who are preparing environmental legislation to clarify any deficiencies or potential conflicts with an overall ecologic plan;

(9) review and evaluate operating programs in the environmental field in the several agencies to identify actual or potential conflicts, both among the activities and with a general ecologic perspective, and suggest legislation to remedy the situations; and

(10) perform the administrative rule review, draft legislation review, program evaluation, and monitoring functions of an interim committee for the following executive branch agencies and the entities attached to the agencies for administrative purposes:

- (a) department of environmental quality;
- (b) department of fish, wildlife, and parks; and
- (c) department of natural resources and conservation.

State-Tribal Relations Committee (8 members)

(5-5-229 MCA) There is a state-tribal relations committee. The committee is treated as an interim committee for the purposes of 5-5-211 through 5-5-214. The committee shall:

- (1) act as a liaison with tribal governments;

- (2) encourage state-tribal and local government-tribal cooperation;
- (3) conduct interim studies as assigned pursuant to 5-5-217; and
- (4) report its activities, findings, recommendations, and any proposed legislation as provided in 5-11-210.

Water Policy Committee

(8 members)

(5-5-231 MCA) (1) There is a water policy committee. Except as provided in subsection (2), the committee is treated as an interim committee for the purposes of 5-5-211 through 5-5-214. The committee shall:

- (a) determine which water policy issues it examines;
 - (b) conduct interim studies as assigned pursuant to 5-5-217;
 - (c) subject to the provisions of 5-5-202(4), coordinate with the environmental quality council and other interim committees to avoid duplication of efforts; and
 - (d) report its activities, findings, recommendations, and any proposed legislation as provided in 5-11-210.
- (2) At least two members of the committee must possess experience in agriculture.

APPENDIX C



Legislative Council

(8 members)

(5-11-105 MCA) (1) The legislative council shall:

- (a) employ and, in accordance with the rules for classification and pay established as provided in this section, set the salary of an executive director of the legislative services division, who serves at the pleasure of and is responsible to the legislative council;
- (b) with the concurrence of the legislative audit committee and the legislative finance committee, adopt rules for classification and pay of legislative branch employees, other than those of the office of consumer counsel;
- (c) with the concurrence of the legislative audit committee and the legislative finance committee, adopt rules governing personnel management of branch employees, other than those of the office of consumer counsel;
- (d) adopt procedures to administer legislator claims for reimbursements authorized by law for interim activity;
- (e) establish time schedules and deadlines for the interim committees of the legislature, including dates for requesting bills and completing interim work;
- (f) review proposed legislation for agencies or entities that are not assigned to an interim committee, as provided in 5-5-223 through 5-5-228, or to the environmental quality council, as provided in 75-1-324; and

(g) perform other duties assigned by law.

(2) If a question of statewide importance arises when the legislature is not in session and a legislative interim committee has not been assigned to consider the question, the legislative council shall assign the question to an appropriate interim committee, as provided in 5-5-202, or to the appropriate statutorily created committee.

Legislative Finance Committee

(8 members)

(5-12-205 MCA) The committee:

(1) may organize, adopt rules to govern its proceedings, and meet as often as necessary, upon the call of the presiding officer, to advise and consult with the legislative fiscal analyst;

(2) may employ and, in accordance with the rules for classification and pay adopted by the legislative council, set the salary of the legislative fiscal analyst. The legislative fiscal analyst shall serve at the pleasure of and be responsible for providing services to the committee.

(3) may exercise the investigatory powers of a standing committee under chapter 5, part 1, of this title;

(4) shall monitor the information technology policies of the department of administration with specific attention to:

(a) identification of information technology issues likely to require future legislative attention; and
(b) the evaluation of proposed information technology policy changes and the fiscal implications of the proposed changes and shall provide written responses to the department of administration communicating the committee's positions and concerns on proposed policy changes;

(5) may accumulate, compile, analyze, and provide information

relevant to existing or proposed legislation on how information technology can be used to impact the welfare of the state;

(6) may prepare legislation to implement any proposed changes involving information technology; and

(7) shall, before each regular and special legislative session involving budgetary matters, prepare recommendations to the house appropriations committee and the senate finance and claims committee on the application of certain budget issues. At a minimum, the recommendations must include procedures for the consistent application during each session of inflation factors, the allocation of fixed costs, and the personal services budget. The committee may also make recommendations on other issues of major concern in the budgeting process, such as estimating the cost of implementing particular programs based upon present law.

Legislative Audit Committee

(8 members)

(5-13-201 MCA) The Legislative Audit Committee appoints, consults with, and advises the Legislative Auditor. The Audit Committee reviews the audit reports submitted by the Legislative Auditor, releases the reports to the public, and serves as the conduit between the Legislative Auditor and the Legislature. It generally oversees the duties of the Legislative Audit Division.



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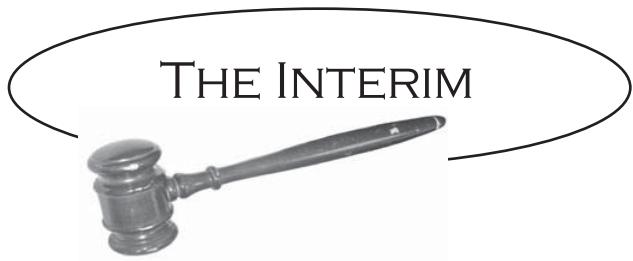
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SJR 30: Study **worker's compensation rates** and the Montana State Fund. (Economic Affairs Interim Committee)

SJR 35: Study **health care**. (Children, Families, Health, and Human Services Committee)

HJR 1: Study **biomass**. (Environmental Quality Council)

(continued on page 8)

- SJR 39: Study laws related to **driving under the influence**, as well as their enforcement. (Law and Justice Committee)
- SJR 16: Study cost of **auto insurance** and compliance with mandatory requirements. (Revenue and Transportation Committee)
- HJR 30: Study **fire suppression** issues. (Environmental Quality Council)
- SJR 28: Study **recycling** and solid-waste recovery. (Environmental Quality Council)
- HJR 35: Study state employee **bonus payments**. (State Administration and Veterans' Affairs Committee)
- HJR 32: Study impact of **historic preservation** and strategies for preservation. (Education and Local Government Committee)
- SJR 29: Study retention of **DNA evidence** by state and local law enforcement agencies. (Law and Justice Committee)
- SJR 37: Study **income tax** filing by married taxpayers. (Revenue and Transportation Committee)
- HJR 39: Study development of additional community services for people with **developmental disabilities**. (Children, Families, Health, and Human Services Committee)
- SJR 14: Study cooperative arrangements between **state laboratories**. (Economic Affairs Committee)
- HJR 15: Study funding for a **recreation and tourism** enhancement program. (Environmental Quality Council)
- SJR 2: Study the process for establishing **community colleges**. (Education and Local Government Committee)
- SJR 9: Study the **student loan** system. (Legislative Finance Committee)

INTERIM COMMITTEES



The Legislature has statutorily created seven interim committees to focus on policy related to:

- Children, families, health, and human services
- Economic affairs
- Education and local government
- Energy and telecommunications
- Law and justice
- Revenue and transportation
- State administration and veterans' affairs

See Appendix A on page 16 for statutory duties of these interim committees.

Three other committees have been established by statute. They aren't technically "interim committees," but they function in much the same way. They are:

- Environmental Quality Council
- State-Tribal Relations Committee
- Water Policy Committee

See Appendix B on page 22 for statutory duties of these committees.

Finally, there are three primary administrative committees that meet during the interim. They oversee the functions and operation of the three permanent legislative branch divisions to prepare for future legislative sessions.

- Legislative Council
- Legislative Finance Committee
- Legislative Audit Committee

See Appendix C on page 25 for statutory duties of these committees.

Membership

All interim committees are bipartisan. By law (5-5-211 MCA), at least half of the legislators appointed to an interim committee must be selected from among the members of standing, or session, committees that consider issues within the jurisdiction of the interim committee. For example, half the members of the Children, Families, Health, and Human Services Interim Committee must be former members of the House Human Services or Appropriations Committees or the Senate Public Health, Welfare, and Safety or Finance and Claims Committees.

Each interim committee must include at least:

- Four House members, two from the majority party and two from the minority, and
- Four Senate members, two from the majority party and two from the minority.

The Law and Justice, Education and Local Government, and Revenue and Transportation interim committees each has 12 members. The Environmental Quality Council has 12 legislative members, 4 public members, and a nonvoting representative from the Governor's Office.

The Senate Committee on Committees appoints Senate members of interim and administrative committees. The Speaker of the House

appoints House members. These appointments are made before the Legislature adjourns.

The Legislative Council may ask the Speaker of the House or the Senate Committee on Committees to appoint additional committee members from each party if the committee is expected to have an especially heavy workload. The presiding officer of an interim committee may also initiate a request for more members (Legislative Council Rules of Procedure).

The Environmental Quality Council includes members of the public among its voting members. Half of these public members are appointed by the Speaker of the House with the consent of the House minority leader and half by the Senate President with the consent of the Senate minority leader.

A legislator may not serve on more than two interim committees unless no one else is willing or able to serve.

Officers

Each interim committee elects its presiding officer and vice presiding officer from among its members. The officers may not be members of the same political party (5-5-213 MCA).

Officers are nominated by the committee members at their first organizational meeting.

Customarily, the political parties take turns presiding over interim committees from interim to interim.

Duties and Responsibilities

According to state law (5-5-215 MCA), each interim committee is responsible for:

- conducting assigned interim studies;
- monitoring executive branch agencies;
- requesting legislation on behalf of the state agencies under the committee's jurisdiction;

- reviewing the administrative rules of executive branch agencies within its jurisdiction;
- preparing bills and resolutions to present to the next regular session of the Legislature; and
- serving as a liaison between the Legislature and the public regarding the state agencies within the committee's jurisdiction.

As a member of an interim committee, you are expected to actively engage in the work of the committee. You are responsible for:

- reading minutes, reports, and other written materials provided by staff before meetings;
- sharing reports and other study documents with your constituents to encourage their participation;
- inviting comments and suggestions from constituents who are knowledgeable or concerned about the issues your committee is addressing;
- being prepared to pose questions and offer suggestions during meetings; and
- helping to make sure the committee, staff, and witnesses stay on topic.

Staff

Each interim committee is assigned a research analyst, attorney, and secretary from among the staff of the Legislative Services Division. At every meeting, the secretary takes minutes to preserve the deliberations and decisions of the committee.

The researcher, working with the presiding officer of the committee:

- plans the meetings and sets the agendas;
- performs project management for each assigned interim study;
- conducts research and analysis of topics the committee wishes to pursue;
- schedules speakers and expert witnesses;
- handles committee correspondence;

- helps to keep the public informed of committee activities through an interim newsletter and the legislative website;
- compiles committee findings and conclusions;
- translates committee recommendations into draft legislation; and
- generally anticipates the logistical needs of the committee.

The attorney assigned to the committee:

- conducts legal research;
- provides legal advice;
- helps to clarify requests for legal opinions;
- prepares research and amendments;
- reviews administrative rules promulgated by state agencies within the committee's jurisdiction for constitutional, statutory, and case law requirements; and
- helps to schedule and coordinate the committee's workload.

Meetings

Like session committee meetings, interim committee meetings are open meetings. The public and committee members must be provided at least 10 days notice before each regular interim committee meeting (Legislative Council Guidelines).

Public participation is encouraged. The committee staff keeps a list of interested parties who wish to be notified of meetings. Anyone may ask to be included on the notification list. Public comment may be taken during meetings at the discretion of the presiding officer. Most meetings are held in the Capitol in Helena. These meetings are recorded, filmed, and broadcast throughout the state over the legislative website and over Television Montana, or TVMT.

Occasionally you may travel to other Montana communities to visit state facilities, access experts, listen to concerns of residents who are unable to come to Helena, and get firsthand experience with issues

your committee is studying. However, committee meetings outside the Capitol are discouraged because of the additional costs they involve and the difficulty with finding adequate facilities.

Interim committee meetings are conducted under established legislative rules as to quorums and parliamentary procedure.

Work Plans

At its organizational meeting, each interim committee typically selects and prioritizes its activities for the interim based on a draft work plan assembled by the committee's research analyst. The committee may also generate its own work plan options.

Once your committee has identified the activities you want to pursue, the staff develops a more detailed draft work plan, as well as a meeting schedule that serves as a blueprint for the committee's work. The committee may appoint subcommittees or working groups to address specific issues contained in the work plan.

As unanticipated issues arise during the interim, interim committees may choose to investigate or analyze them, too, if they have enough time and interest. The work plan and meeting schedule must be revised to maintain the balance between workload and available resources.

INTERIM REPORTS



The Legislative Council has established a guideline setting September 15 of even-numbered years as the deadline by which interim committees should wrap up their work. This gives legislators time to campaign and prepare for the coming session. It gives staff time to draft bills reflecting the interim committees' recommendations.

Interim committees compile the information they gather during the interim and present their findings to the public in interim reports. These summarize the committees' activities, findings, and recommendations, as well as other relevant policy considerations. The reports are prepared by committee staff and are made available to the public in print form and on the legislative website under "Between Sessions."

leg.mt.gov

APPENDIX A



Children, Families, Health, and Human Services Interim Committee

(8 members)

(5-5-225 MCA) The children, families, health, and human services interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the department of public health and human services and the entities attached to the department for administrative purposes.

Economic Affairs Interim Committee

(8 members)

(5-5-223 MCA) The economic affairs interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the following executive branch agencies and the entities attached to agencies for administrative purposes:

- (1) department of agriculture;
- (2) department of commerce;
- (3) department of labor and industry;
- (4) department of livestock;
- (5) office of the state auditor and insurance commissioner; and
- (6) office of economic development.

Education and Local Government Interim Committee (12 members)

(5-5-224 MCA) (1) The education and local government interim committee shall act as a liaison with local governments. The education and local government interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the following executive branch agencies and the entities attached to agencies for administrative purposes:

- (a) state board of education;
 - (b) board of public education;
 - (c) board of regents of higher education; and
 - (d) office of public instruction.
- (2) The committee shall:
- (a) provide information to the board of regents in the following areas:
 - (i) annual budget allocations;
 - (ii) annual goal statement development;
 - (iii) long-range planning;
 - (iv) outcome assessment programs; and
 - (v) any other area that the committee considers to have significant educational or fiscal policy impact;
 - (b) periodically review the success or failure of the university system in meeting its annual goals and long-range plans;
 - (c) periodically review the results of outcome assessment programs;
 - (d) develop mechanisms to ensure strict accountability of the revenue and expenditures of the university system;
 - (e) study and report to the legislature on the advisability of adjustments to the mechanisms used to determine funding for the university system, including criteria for determining appropriate levels of funding;

- (f) act as a liaison between both the legislative and executive branches and the board of regents;
- (g) encourage cooperation between the legislative and executive branches and the board of regents;
- (h) promote and strengthen local government through recognition of the principle that strong communities, with effective, democratic governmental institutions, are one of the best assurances of a strong Montana;
- (i) bring together representatives of state and local government for consideration of common problems;
- (j) provide a forum for discussing state oversight of local functions, realistic local autonomy, and intergovernmental cooperation;
- (k) identify and promote the most desirable allocation of state and local government functions, responsibilities, and revenue;
- (l) promote concise, consistent, and uniform regulation for local government;
- (m) coordinate and simplify laws, rules, and administrative practices in order to achieve more orderly and less competitive fiscal and administrative relationships between and among state and local governments;
- (n) review state mandates to local governments that are subject to 1-2-112 and 1-2-114 through 1-2-116;
- (o) make recommendations to the legislature, executive branch agencies, and local governing bodies concerning:
 - (i) changes in statutes, rules, ordinances, and resolutions that will provide concise, consistent, and uniform guidance and regulations for local government;
 - (ii) changes in tax laws that will achieve more orderly and less competitive fiscal relationships between levels of government;
 - (iii) methods of coordinating and simplifying competitive practices to achieve more orderly administrative relationships among levels of government; and
 - (iv) training programs and technical assistance for local government officers and employees that will promote effectiveness

and efficiency in local government; and

- (p) conduct interim studies as assigned.

Energy and Telecommunications Interim Committee (8 members)

(5-5-230 MCA) The energy and telecommunications interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the department of public service regulation and the public service commission.

Law and Justice Interim Committee (12 members)

(5-5-226 MCA) The law and justice interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the department of corrections and the department of justice and the entities attached to the departments for administrative purposes. The committee shall act as a liaison with the judiciary.

Revenue and Transportation Interim Committee (12 members)

(5-5-227 MCA) (1) The revenue and transportation interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the department of revenue and the department of transportation and the entities attached to the departments for administrative purposes.

(2) (a) The committee must have prepared by December 1 for introduction during each regular session of the legislature in which a revenue bill is under consideration an estimate of the amount of revenue projected to be available for legislative appropriation.

(b) The committee may prepare for introduction during a special

session of the legislature in which a revenue bill or an appropriation bill is under consideration an estimate of the amount of projected revenue. The revenue estimate is considered a subject specified in the call of a special session under 5-3-101.

(3) The committee's estimate, as introduced in the legislature, constitutes the legislature's current revenue estimate until amended or until final adoption of the estimate by both houses. It is intended that the legislature's estimates and the assumptions underlying the estimates will be used by all agencies with responsibilities for estimating revenue or costs, including the preparation of fiscal notes.

(4) The legislative services division shall provide staff assistance to the committee. The committee may request the assistance of the staffs of the office of the legislative fiscal analyst, the legislative auditor, the department of revenue, and any other agency that has information regarding any of the tax or revenue bases of the state.

State Administration and Veterans' Affairs Interim Committee

(8 members)

(5-5-228 MCA) (1) The state administration and veterans' affairs interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the public employee retirement plans and for the following executive branch agencies and the entities attached to the agencies for administrative purposes:

- (a) department of administration;
- (b) department of military affairs; and
- (c) office of the secretary of state.

(2) The committee shall:

(a) consider the actuarial and fiscal soundness of the state's public employee retirement systems, based on reports from the teachers' retirement board, the public employees' retirement board, and the board of investments, and study and evaluate the equity and

benefit structure of the state's public employee retirement systems;

(b) establish principles of sound fiscal and public policy as guidelines;

(c) as necessary, develop legislation to keep the retirement systems consistent with sound policy principles;

(d) solicit and review proposed statutory changes to any of the state's public employee retirement systems;

(e) report to the legislature on each legislative proposal reviewed by the committee. The report must include but is not limited to:

(i) a summary of the fiscal implications of the proposal;

(ii) an analysis of the effect that the proposal may have on other public employee retirement systems;

(iii) an analysis of the soundness of the proposal as a matter of public policy;

(iv) any amendments proposed by the committee; and

(v) the committee's recommendation on whether the proposal should be enacted by the legislature.

(f) attach the committee's report to any proposal that the committee considered and that is or has been introduced as a bill during a legislative session; and

(g) publish, for legislators' use, information on the state's public employee retirement systems.

(3) The committee may:

(a) specify the date by which proposals affecting a retirement system must be submitted to the committee for the review contemplated under subsection (2)(d); and

(b) request personnel from state agencies, including boards, political subdivisions, and the state public employee retirement systems, to furnish any information and render any assistance that the committee may request.



APPENDIX B

Environmental Quality Council (17 members)

(75-1-324 MCA) The environmental quality council shall:

(1) gather timely and authoritative information concerning the conditions and trends in the quality of the environment, both current and prospective, analyze and interpret the information for the purpose of determining whether the conditions and trends are interfering or are likely to interfere with the achievement of the policy set forth in 75-1-103, and compile and submit to the governor and the legislature studies relating to the conditions and trends;

(2) review and appraise the various programs and activities of the state agencies, in the light of the policy set forth in 75-1-103, for the purpose of determining the extent to which the programs and activities are contributing to the achievement of the policy and make recommendations to the governor and the legislature with respect to the policy;

(3) develop and recommend to the governor and the legislature state policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the state;

(4) conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(5) document and define changes in the natural environment, including the plant and animal systems, and accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(6) make and furnish studies, reports on studies, and recommendations with respect to matters of policy and legislation as the legislature requests;

(7) analyze legislative proposals in clearly environmental areas and in other fields in which legislation might have environmental consequences and assist in preparation of reports for use by legislative committees, administrative agencies, and the public;

(8) consult with and assist legislators who are preparing environmental legislation to clarify any deficiencies or potential conflicts with an overall ecologic plan;

(9) review and evaluate operating programs in the environmental field in the several agencies to identify actual or potential conflicts, both among the activities and with a general ecologic perspective, and suggest legislation to remedy the situations; and

(10) perform the administrative rule review, draft legislation review, program evaluation, and monitoring functions of an interim committee for the following executive branch agencies and the entities attached to the agencies for administrative purposes:

- (a) department of environmental quality;
- (b) department of fish, wildlife, and parks; and
- (c) department of natural resources and conservation.

State-Tribal Relations Committee (8 members)

(5-5-229 MCA) There is a state-tribal relations committee. The committee is treated as an interim committee for the purposes of 5-5-211 through 5-5-214. The committee shall:

- (1) act as a liaison with tribal governments;

- (2) encourage state-tribal and local government-tribal cooperation;
- (3) conduct interim studies as assigned pursuant to 5-5-217; and
- (4) report its activities, findings, recommendations, and any proposed legislation as provided in 5-11-210.

Water Policy Committee

(8 members)

(5-5-231 MCA) (1) There is a water policy committee. Except as provided in subsection (2), the committee is treated as an interim committee for the purposes of 5-5-211 through 5-5-214. The committee shall:

- (a) determine which water policy issues it examines;
 - (b) conduct interim studies as assigned pursuant to 5-5-217;
 - (c) subject to the provisions of 5-5-202(4), coordinate with the environmental quality council and other interim committees to avoid duplication of efforts; and
 - (d) report its activities, findings, recommendations, and any proposed legislation as provided in 5-11-210.
- (2) At least two members of the committee must possess experience in agriculture.

APPENDIX C



Legislative Council

(8 members)

(5-11-105 MCA) (1) The legislative council shall:

- (a) employ and, in accordance with the rules for classification and pay established as provided in this section, set the salary of an executive director of the legislative services division, who serves at the pleasure of and is responsible to the legislative council;
- (b) with the concurrence of the legislative audit committee and the legislative finance committee, adopt rules for classification and pay of legislative branch employees, other than those of the office of consumer counsel;
- (c) with the concurrence of the legislative audit committee and the legislative finance committee, adopt rules governing personnel management of branch employees, other than those of the office of consumer counsel;
- (d) adopt procedures to administer legislator claims for reimbursements authorized by law for interim activity;
- (e) establish time schedules and deadlines for the interim committees of the legislature, including dates for requesting bills and completing interim work;
- (f) review proposed legislation for agencies or entities that are not assigned to an interim committee, as provided in 5-5-223 through 5-5-228, or to the environmental quality council, as provided in 75-1-324; and

(g) perform other duties assigned by law.

(2) If a question of statewide importance arises when the legislature is not in session and a legislative interim committee has not been assigned to consider the question, the legislative council shall assign the question to an appropriate interim committee, as provided in 5-5-202, or to the appropriate statutorily created committee.

Legislative Finance Committee

(8 members)

(5-12-205 MCA) The committee:

(1) may organize, adopt rules to govern its proceedings, and meet as often as necessary, upon the call of the presiding officer, to advise and consult with the legislative fiscal analyst;

(2) may employ and, in accordance with the rules for classification and pay adopted by the legislative council, set the salary of the legislative fiscal analyst. The legislative fiscal analyst shall serve at the pleasure of and be responsible for providing services to the committee.

(3) may exercise the investigatory powers of a standing committee under chapter 5, part 1, of this title;

(4) shall monitor the information technology policies of the department of administration with specific attention to:

(a) identification of information technology issues likely to require future legislative attention; and
(b) the evaluation of proposed information technology policy changes and the fiscal implications of the proposed changes and shall provide written responses to the department of administration communicating the committee's positions and concerns on proposed policy changes;

(5) may accumulate, compile, analyze, and provide information

relevant to existing or proposed legislation on how information technology can be used to impact the welfare of the state;

(6) may prepare legislation to implement any proposed changes involving information technology; and

(7) shall, before each regular and special legislative session involving budgetary matters, prepare recommendations to the house appropriations committee and the senate finance and claims committee on the application of certain budget issues. At a minimum, the recommendations must include procedures for the consistent application during each session of inflation factors, the allocation of fixed costs, and the personal services budget. The committee may also make recommendations on other issues of major concern in the budgeting process, such as estimating the cost of implementing particular programs based upon present law.

Legislative Audit Committee

(8 members)

(5-13-201 MCA) The Legislative Audit Committee appoints, consults with, and advises the Legislative Auditor. The Audit Committee reviews the audit reports submitted by the Legislative Auditor, releases the reports to the public, and serves as the conduit between the Legislative Auditor and the Legislature. It generally oversees the duties of the Legislative Audit Division.