



PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

Energy and Telecommunications Interim Committee

64th Montana Legislature

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TODD EVERTS, Staff Attorney
NADINE SPENCER, Secretary

June 25, 2016

TO: Energy and Telecommunications Interim Committee (ETIC) members

FR: ETIC staff

RE: Public Service Commission (PSC) draft legislation

To facilitate the orderly drafting of executive branch bill drafts and to allow legislative oversight of agency bill draft proposals, each agency assigned to the ETIC for oversight purposes is required to present descriptions of proposed legislation to the ETIC. The ETIC has oversight of the Department of Public Service Regulation.

Mid-May through September of each even-numbered year is usually the time period that the ETIC receives the PSC descriptions of its proposed legislation. At your upcoming July meeting, the PSC will present the descriptions of their proposed legislation. The ETIC will be asked to review and discuss the legislative proposals and then make a formal decision as to whether the proposed legislation should be requested.

The ETIC's decision to "request" on behalf of the PSC that a bill be drafted does not mean that the ETIC necessarily endorses the bill draft. It simply gets the requests into the bill drafting system so that the bill drafts can be drafted and pre-introduced prior to the legislative session. The PSC will be responsible for finding a legislator to actually carry the bill during the session.

This also does not mean that the ETIC has to request all of the PSC's bill draft proposals be drafted. In the past, the ETIC has occasionally made the decision not to request that an agency proposal be drafted. If an interim committee does not agree to request the legislation, the agency may still proceed by finding a holdover or unopposed legislator to request the legislation. This is the opportunity for the ETIC to provide its insights, comments, and constructive criticism regarding PSC policy proposals.

The PSC proposals are attached for your review and discussion.

Sonja Nowakowski

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