



THE INTERIM

June 2011

A monthly newsletter of the Montana Legislative Branch

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Legislative Services Division
Room 110, State Capitol
PO Box 201706
Helena, MT 59620-1706
(406) 444-3064

The Interim, along with up-to-date information about interim committees, is also available on the Legislative Branch website at leg.mt.gov.

Interim Newsletter Resumes Publication

The publication of the Montana Legislative Branch newsletter resumes with this issue and continues each month through December 2012. It is available in both printed and electronic formats. The electronic version includes hot links to committee web pages. These links will provide direct access to interim committee and other legislative committee information, including meeting schedules, agendas, reports, and staff contacts.

Legislative Committees

The Interim is published monthly between legislative sessions. It reports on the interim activities of legislative committees, including the Legislative Council, the Environmental Quality Council, the Legislative Finance Committee, the Legislative Audit Committee, and legislative interim committees staffed by the Legislative Services Division. These committees include the:

- Children, Families, Health, and Human Services Committee;
- Economic Affairs Committee;
- Education and Local Government Committee;
- Energy and Telecommunications Committee;
- Law and Justice Committee;
- Revenue and Transportation Committee;
- State Administration and Veterans' Affairs Committee;
- State-Tribal Relations Committee; and
- Water Policy Committee.

These committees conduct interim studies as assigned by the Legislative Council or as may be determined by a particular committee. The committees are also responsible for state agency monitoring and administrative rule review. They may also recommend legislative changes to improve the operation of a state agency within a committee's jurisdiction. The public is encouraged to participate in the activities of interim committees.

The newsletter will also report on the activities of the Districting and Apportionment Commission. The commission is constitutionally required to submit plans on congressional districts and state legislative districts after each census. The Legislative Services Division provides staff support for the commission.

On pages 9-10 of this issue is a list of the memberships of the interim and permanent committees described above, as well as the legislative membership of other committees, councils, boards, and panels on which legislators serve.

Legislators Entitled to Interim Pay

During the interim, legislators on authorized legislative business are entitled to a mileage allowance, a meal allowance, reimbursement for lodging, and a salary equal to one full day's pay for each 24-hour period of time (from midnight to midnight), or portion of that time, spent away from home. If nonlegislative business lengthens a legislator's stay away from home into an additional 24-hour period, the legislator is not compensated for the additional day.

Legislators should use the mode of travel that provides the lowest overall cost to the state. Make lodging reservations early to get rooms at state rate, and always request state employee rates. Make commercial airline reservations early to get discounted rates; avoid costly schedule changes.

Claim Guidelines

The financial staff in the Legislative Services Division use the following guidelines to determine if a legislator's claim is reasonable and falls within authorized legislative business:

Overnight lodging is reasonable when a legislator would need to leave home earlier than 6:30 a.m. or arrive home later than 6:30 p.m. in order to attend all of a meeting or participate in a legislative activity. An average travel speed (including time for incidental stops) of 50 miles an hour is used to determine whether travel falls within these guidelines. The one-half hour immediately preceding and immediately following a meeting or activity is an in-town travel shift and considered to be part of the total meeting schedule for the purposes of the reasonableness computation.

A legislator is considered necessarily away from home on the day of a meeting or other authorized legislative activity and on any other day when travel described above is required.

Meals falling within reasonable travel times may be claimed.

Special circumstances may be taken into consideration when determining whether a claim is reasonable. Such circumstances may include bad weather, a legislator's health, variables related to flying instead of driving, and schedule conflicts that require a legislator to use a more expensive mode of travel in order to participate in the legislative activity.

Reimbursement Rates for the 2011-12 Interim	
In-state meals (receipts NOT required)	Breakfast \$5.00 Lunch \$6.00 Dinner \$12.00
Mileage (receipts NOT required)	\$.51/mile for first 1,000 miles each month \$.48/mile thereafter
Lodging (receipts ARE required)	\$77/day, plus applicable taxes, total \$83.39 for most Montana locations. \$81/day, plus applicable taxes, total \$87.67 in Helena.
Other lodging (e.g., stay with friends or family)	\$12/day

Submission of Claims

Legislators must complete and sign a claim form to receive salary and reimbursement of expenses. Claim forms are available from committee secretaries and from the Financial and Human Resource Office, Legislative Services Division, Room 154 in the Capitol.

Return the claim to the committee secretary or to the financial office with original receipts as noted on the form. The claim should be completed and signed in ink and should state the number of days of salary, lodging, and meals that are being claimed.

Mitigating or special circumstances related to the determination of reasonableness of the claim, as discussed above, should be clearly noted on the claim form.

Legislators will usually receive two payments for each claim submitted, one for expenses and one for salary. The financial staff will pay expenses within three working days of receiving a claim. They will pay salary every two weeks, along with regular payroll. Claim forms that are incomplete or that do not include required receipts may be returned to the legislator for completion.

Legislators Who Live in Helena

Legislators who live in Helena and attend interim committee meetings in Helena are not entitled to mileage or lodging reimbursement. However, they may claim a midday meal allowance on the day of the meeting regardless of the proximity of the meeting place to the individual's residence. They may claim salary in the same manner as all other legislators.

Timely Submission of Claims

State policy requires that requests for reimbursement of travel costs be submitted within three months of incurring the expense or the right to reimbursement is waived. A claim for reimbursement will not be paid if the claim is submitted after three months.

Contact Information

Financial and Human Resource Office, Legislative Services Division, Room 154, State Capitol

- Karen Berger, financial services manager, kberger@mt.gov, 406-444-3411
- Jennifer Simmons, accounting technician, jsimmons@mt.gov, 406-444-9542

The Back Page

A regular feature of The Interim is the “Back Page,” which presents an in-depth analysis each month on a topic of importance to Montanans. Topics include public education, taxation and budgeting, health care, economic development, energy, natural resources, climate change, transportation, and water policy. Articles may also include topics of professional interest to staff and other themes. This month’s article discusses the assignment of interim studies to the various committees (p. 11).

Calendar

A calendar of legislative events is provided in each issue (p. 15). Be aware that interim committees sometimes have to change meeting dates in response to unforeseen circumstances, so it’s a good idea to check the legislative website for the most up-to-date meeting information. Committees are urged to plan carefully to minimize confusion caused by changing meeting dates.

Subscriptions

Legislators, elected officials, and state agency directors receive copies of The Interim. The newsletter is also available to the public. The annual subscription cost for the printed version is \$27 for the 19 issues that will come out between June 2011 and December 2012. To subscribe, contact the Legislative Services Division, 406-444-3064, PO Box 201701, Helena, MT, 59620-1706.

The newsletter is also available without charge on the legislative branch website at leg.mt.gov. To find previous issues, click on “Publications” in the left menu and follow the link to the interim newsletter. You can also sign up to get notified by email when a new issue has been posted online. We encourage readers to save paper and money by reading the newsletter online.

If you have questions, comments, or suggestions about The Interim, please contact Jeff Martin at 406-444-3595 or jmartin@mt.gov.

Get Email Notification of Meetings

You can be notified by email of interim committee meetings, agendas, reports, minutes, and other information. To sign up, if you have not previously done so, go to leg.mt.gov. Click

on “Between Sessions” and then “Interim Committees.” The sign-up link is near the top of the page. Simply enter your email address, hit the “submit” button and you can sign up for all or any of the following interim committees: Children, Families, Health, and Human Services; Computer System Planning Council; Districting and Apportionment Commission; Economic Affairs; Education and Local Government; Environmental Quality Council; Energy and Telecommunications; Law and Justice; Legislative Council; Revenue and Transportation; State Administration and Veterans’ Affairs; State-Tribal Relations; and Water Policy. You can also sign up for the Legislative Council and the Legislative Finance Committee.

A sign-up link is also available on each interim committee web page.

If you subscribed to email notification last interim, you do not need to sign up again unless you have changed your email address.

For more information about email sign-up, please contact Alysia Eaton, branch webmaster, at aeaton@mt.gov or 406-444-3591.

CFHHS to Monitor Medical Marijuana, Study Childhood Hunger, Trauma

The Children, Families, Health, and Human Services Interim Committee will take on two studies related to children this interim and keep tabs on the new medical marijuana law. The Legislative Council assigned two studies to the committee:

- House Joint Resolution 8 study of childhood hunger in Montana, to look for ways to alleviate childhood hunger and improve access to healthy foods for all Montana children; and
- Senate Joint Resolution 30 study of childhood health trauma, to study promising and evidence-based practices for the prevention of childhood trauma and for reducing its effects on children.

The committee will review and act on draft study plans for each of the studies at its organizational meeting.

Medical Marijuana Remains a Topic

The committee is also charged under Senate Bill 423 with monitoring the implementation of changes to the Medical Marijuana Act. Senate Bill 423 makes substantial changes to the existing law.

The committee’s monitoring duties are likely to include following the legal and political actions that are currently underway to stop the law. Senate Bill 423 has been challenged in Helena District Court, with plaintiffs seeking an injunction that would prevent the law from going into effect as scheduled on July 1 (certain sections of the law became effective May 13).

Opponents also have undertaken an initiative effort to place the law on the November 2012 ballot for approval by voters. They're hoping to gather enough signatures to suspend the law until voters speak in the 2012 election.

The committee will determine the extent to which it will monitor those activities, as well as other matters related to the current law and SB 423. It also may draft bills for introduction next session.

Members Named

House members of the committee are Liz Bangerter (R-Helena), Pat Noonan (D-Ramsay), Carolyn Pease-Lopez (D-Billings), and Don Roberts (R-Billings). Senate members are Mary Caferro (D-Helena), Christine Kaufmann (D-Helena), Jason Priest (R-Red Lodge), and Art Wittich (R-Bozeman). As senior senator, Kaufmann will serve as the presiding officer of the organizational meeting.

Organizational Meeting Set for June 20

The committee will hold its organizational meeting Monday, June 20, in Room 137 of the Capitol. The meeting time will be announced later in June. The committee will:

- elect officers;
- discuss and act on the proposed work plan for the interim;
- review and approve plans for the HJR 8 and SJR 30 studies; and
- receive an update on the status of SB 423 implementation.

Stay Tuned

Interested in receiving committee updates, including notification of meetings? You can sign up for electronic notices on the committee web page, leg.mt.gov/cfhhs. To be put on a list for notification by regular mail, contact Sue O'Connell at 406-444-3597 or soconnell@mt.gov.

Districting and Apportionment Commission Adopts Congressional District

The Montana Districting and Apportionment Commission is an independent five-member commission authorized by the Montana Constitution to draw the boundaries of congressional and legislative districts every 10 years using population data from the most recent U.S. census. Commissioners may not be public officials. Four commissioners are appointed by legislative leadership and have 20 days after appointment to select a fifth member, who serves as the commission's presiding officer. If the commissioners cannot agree upon the fifth member, the Montana Supreme Court makes the appointment. The Court selected Jim Regnier.

The 2009-2013 commissioners are Jim Regnier, presiding officer, Linda Vaughey, Joe Lamson, Pat Smith, and Jon Ben-nion

The commission met May 16 in Helena and formally adopted the state of Montana as the state's only congressional district. Despite growing by more than 87,000 people in the past decade, or by 9.7% since 2000, Montana did not gain a second congressional seat. Instead, several states -- particularly in the southern and western regions of the country -- gained seats at Montana's expense. For more information on how congressional seats are apportioned among the 50 states, visit the U.S. Census Bureau at www.census.gov/population/apportionment/about/index.html.

Mary Craige, bureau chief of the Montana Census and Economic Information Center, discussed the 2010 census results, noting that Montana's rural areas continued to lose population, while urban and suburban areas of the state grew. A copy of her presentation, as well as a map and tables outlining population changes in Montana's current state legislative districts, are available at the commission's website at leg.mt.gov/districting.

The commission will meet July 12 to finalize plans on how to accomplish the task of redrawing the legislative boundaries by early 2013.

You may contact the commission by email, mail, or fax. All correspondence will be copied and provided to each commissioner. It also becomes part of the commission's permanent public record. Send written comments to Districting and Apportionment Commission, Legislative Services Division, PO Box 201706, Helena, MT 59620-1706; by email to districting@mt.gov; or by fax to 406-444-3036.

For more information or if you have questions about the commission and its work, please contact Rachel Weiss at rweiss@mt.gov or 406-444-5367.

Economic Affairs Committee Meets June 3

The Economic Affairs Interim Committee met June 3 to review the work plan for the 2011-12 interim and elect presiding officers. Coverage of the meeting will be in the July issue of the newsletter.

Members of the committee are Sens. Joe Balyeat (R-Bozeman), Tom Facey (D-Missoula), Ed Walker (R-Billings), and Jonathan Windy Boy (D-Rocky Boy, and Reps. Tom Berry (R-Roundup), Chuck Hunter (D-Helena), Carolyn Squires (D-Missoula), and Gordon Vance (R-Bozeman).

Legislative Council assigned the following studies to the committee:

- HB 525: a review of one-half the professional and occupational licensing boards to determine if they remain

necessary for public health and safety and to provide information on the boards' activities.

- HJR 33: a study of the feasibility of a state or a regional health insurance exchange and the potential impacts of either type of exchange, or a federal health insurance exchange, on private insurance markets, buyers, and insurance agents in Montana and possibly on the Medicaid population and the state health plan.
- SJR 15: a white paper on the bonding requirements for agricultural commodities, including who is responsible for providing the insurance coverage and how much coverage is appropriate in global and other markets.

The committee monitors the activities of the Departments of Agriculture, Commerce, Labor and Industry, and Livestock; the Governor's Office of Economic Development, the State Auditor's Office, and the Montana State Fund. Two committee members serve as liaisons to the Montana State Fund.

The Business Standards Division reported information on the HB 525 study of licensing boards and the State Auditor's Office presented an update on work that already has been done on a health insurance exchange. Montana State Fund provided an update on its new workers' compensation rates.

For more information on the committee, to access meeting material, or to sign up for email notices go to leg.mt.gov/eaic. Pat Murdo, committee staff, may be contacted at pmurdo@mt.gov or 406-444-3594. CJ Johnson, committee secretary, can be contacted at cjohnson@mt.gov or 406-444-9541.

Education & Local Government Committee Plans Interim Work

With two assigned studies, a host of new and continuing statutory duties, and a pending review of school funding, members of the Education and Local Government Interim Committee can anticipate a lively interim. On June 13, ELG will meet to organize, elect presiding officers, consider its workload, and set its schedule. Bob Hawks, as senior senator, will chair the meeting until the committee's leadership is selected. The meeting will begin at 10:30 a.m. in Room 102 of the Capitol.

Committee members are Sens. Gary Branae, Tom Facey, Bob Hawks, Llew Jones, Bob Lake, and Frederick (Eric) Moore and Reps. Elsie Arntzen, Kristin Hansen, Robert Mehlhoff, Edith McClafferty, Jean Price, and Matt Rosendale.

Assigned Studies

HJR 39 requests a study of statutes and local regulations governing exemption from subdivision review in cases of rent or lease of property. Legislation proposed during the 2011 session seeking to clarify provisions of the Montana Subdivision and Platting Act commonly known as "subdivision for lease

or rent" failed to become law. HB 629, sponsored by Rep. Austin Knudsen, died in the Senate and HB 494, sponsored by Rep. Champ Edmunds, was vetoed by the governor. Local interpretation of the statutes has been the subject of litigation in Ravalli and Lewis and Clark counties, and an approach to amending these components of the MSPA with which all interested individuals and organizations can agree has proven to be difficult.

SJR 28 proposes a study of performance-based K-12 education funding, looking to models in other states and using resources available from national organizations that have been involved in studying this method of school funding. SJR 28 proposes that the study consider the following elements of a performance-based funding formula:

- a retention component that would set aside a percentage of funds to be distributed to a district or school when the district or school attains performance thresholds;
- a bonus component that would identify a portion of funds to be used to induce a district or school to meet performance goals and objectives and reward having met the goals and objectives; and
- a reduction component to function as a funding penalty for failure to meet performance benchmarks.

SJR 26, although not assigned to ELG, requests ELG's participation through interim monitoring of K12 education and the progress on "(1) implementing state actions to create a culture of effective data use and to improve student performance; and (2) goals and objectives on K12, higher education, and P20, including the role and mission of the Education and Local Government Interim Committee, which absorbed the Joint Committee on Postsecondary Education Policy and Budget that was repealed in 1999."

SJR 26 also requests interim monitoring of the Preservation Review Board as state agencies report to the board on the status and maintenance needs of agency heritage properties in compliance with SB 3.

Statutory Duties

Section 5-5-224, MCA contains most of ELG's specific statutory duties. This section requires the committee to act as the Legislature's liaison with local governments and to monitor the activities of the Office of Public Instruction, the State Board of Education, the Board of Public Education, the Board of Regents of Higher Education, and entities administratively attached to those agencies. In addition, 20-7-101, MCA, requires ELG's involvement in standards of accreditation adopted by the Board of Public Education and 82-2-701, MCA, requires reporting to ELG by the Montana Bureau of Mines and Geology if the bureau conducts an investigation of sand and gravel deposits where conflicts between development and sand and gravel operations are likely to exist.

The 2011 Legislature enacted a number of bills that, when implemented, will require ELG's participation. These include HB 642 (select committee on efficiency in government); HB 142 (review of required agency reports and advisory councils); HB 543 (revise law on administrative rules adopted by reference); and SB 3 (require state agencies to report on heritage properties).

Finally, 20-9-309(5), MCA, states:

At least every 10 years following April 7, 2005, the legislature shall:

- (a) authorize a study to reassess the educational needs and costs relates to the basic system of free quality public elementary and secondary schools; and
- (b) if necessary, incorporate the results of those assessments into the state's funding formula.

If approved by the committee, ELG's 2011-12 interim work plan will include time on each agenda to educate members on school funding (litigation history, previous legislative studies, the evolution of the funding formula, the evolution of policy, and other aspects) to help prepare legislators for the review required in 20-9-309, MCA, which must occur during the 2013-14 interim.

For more information about the committee or to sign up to receive electronic notice of meetings, visit ELG's website at leg.mt.gov/elgic. Leanne Kurtz, ELG staff, may be reached at lekurtz@mt.gov or 406-444-3593.

Energy & Telecommunications Committee to Chart its Own Course

The Energy and Transportation Interim Committee is tentatively scheduled to meet July 15 at 9 a.m. in Room 172 of the Capitol. Committee members will adopt a draft work plan, mapping out their work for the interim, and elect officers.

During the legislative interim, the committee typically takes on assigned studies and monitors the activities and reviews administrative rules of the Department of Public Service Regulation and the Public Service Commission. It also may recommend changes in law that it considers to be in the best interest of the state.

The Legislative Council did not assign the committee any studies this interim. Committee members have been asked to provide staff with potential study topics. Recommendations should be sent to staff by June 17. Using the member suggested topics as a starting point, it will be up to the committee to chart its work for the coming months.

House members are Tony Belcourt (D-Box Elder) Robyn Driscoll (D-Billings), Harry Klock (R-Harlowton) Austin Knudsen (R-Culbertson). Senate members are Verdell Jackson (R-Kalispell), Jim Keane (D-Butte) Cliff Larsen (D-Mis-

soula) and Alan Olson (R-Roundup). Jackson, senior senator of the committee, will serve as acting chair.

A meeting agenda and additional information on the committee and its interim work will soon be available at leg.mt.gov/ etc. Visit the website to sign up for electronic meeting notices. For more information contact Sonja Nowakowski at snowakowski@mt.gov or 406-444-3078.

Law & Justice Committee to Study Restorative Justice

The Law and Justice Interim Committee monitors the activities and reviews administrative rules of the Department of Corrections, the Department of Justice, the Office of State Public Defender, and the judicial branch; examines law and justice policy issues; and makes recommendations to the Legislature.

Senate members of the committee are Shannon Augare (D - Browning), Sen. Chris Gallus (D - Butte), Sen. Greg Hinkle (R - Thompson Falls), Sen. Lynda Moss (D - Billings), Sen. Terry Murphy (R- Cardwell), Sen. Jim Shockley (R - Victor). House members are Rep. Ellie Hill (D - Missoula), Rep. Steve Lavin (R - Kalispell), Rep. Margie MacDonald (D - Billings), Rep. Mike Menahan (D - Helena), Rep. Michael More (R - Gallatin Gateway), Rep. Ken Peterson (R - Billings).

This interim, the committee has been assigned the SJR 29 study of restorative justice. The resolution requests that the committee:

- analyze restorative justice programs in Montana and determine which programs are most effective at rehabilitating offenders and identify any weaknesses or gaps in Montana's programs;
- investigate restorative justice options implemented in other states and nations and identify programs that emphasize restitution and the rehabilitation of nonviolent offenders as an alternative to incarceration;
- gather information from national experts and explore methods of measuring the effectiveness of restorative justice programs in terms of reducing recidivism and return rates of offenders, decreasing the potential for future victimization of Montana citizens, and reducing general fund expenditures related to incarceration; and
- develop recommendations on which programs in Montana should be retained and how restorative justice programs in Montana may be improved.

The committee is also required by HB 142 to review all statutory advisory councils and statutorily-required reports of the Department of Corrections, the Department of Justice, the Judicial Branch, and the Office of State Public Defender.

Officers will be elected at the first meeting, which has not yet been scheduled. Jim Shockley will be the acting presiding officer.

More information about the committee may be found on the committee's web page at leg.mt.gov/ljic. Follow the link on the website to sign up for electronic notices of committee meetings. Sheri Scurr, committee staff, can be reached at 406-444-3596 or sscurr@mt.net.

Legislative Audit Committee Considers Reports in June

The 12-member Legislative Audit Committee met April 7 to consider a financial compliance audit of the Montana State Lottery. Legislative Audit Division auditors identified control issues, including:

- non-compliance with the GAAP law;
- management override of appropriation controls to purchase equipment;
- substantive contract amendments to the major gaming contract without concurrence of the Lottery Commission as required by law; and
- segregation of duties over prize payouts.

The Legislative Audit Committee will meet on June 29 to consider additional audit reports.

Senate members of the committee include Debby Barrett, Gary Branae, Taylor Brown, Frederick Moore, Cliff Larsen, Mitch Tropila. House members are Randy Brodehl, Virginia Court, Tom Burnett, Mary McNally, Trudi Schmidt, and Wayne Stahl.

The Legislative Audit Division provides independent, objective, fact-based evaluations of the stewardship, performance and cost of government policies, programs and operations. For more information, call 406-444-3122 or go to leg.mt.gov/audit.

To report improper acts committed by state agencies, departments, or employees, call our fraud hotline at 800-222-4446 or 444-4446 (in Helena).

Legislative Finance Committee to Meet in June

The Legislative Finance Committee is a permanent, bipartisan committee of the Legislature. During the interim, the committee monitors fiscal activities and programs of state government and oversees the budget analysis and research functions of the Legislative Fiscal Division.

Senate members of the committee this interim are Steve Gallus (D-Butte), Llew Jones (R-Conrad), Dave Lewis (R-Helena), Rick Ripley (R-Wolf Creek), Dave Wanzenried (D-Missoula), and Carol Williams (D-Missoula). House members are Rob Cook (R-Conrad), John Esp (R-Big Timber), Steve Gibson (R-East Helena), Cynthia Hiner (D-Deer Lodge), Galen Hollenbaugh (D-Helena), and Jon Sesso (D-Butte).

The committee will meet Friday, June 10, at 8 a.m. in Room 102 of the Capitol. The agenda and meeting reports will be available on the Legislative Fiscal Division website at leg.mt.gov/lfc. The acting chair for the meeting will be Sen. Llew Jones.

The tentative agenda includes the following items:

- election of committee officers;
- discussion of committee rules and options;
- an update on the "Legislative Fiscal Report: 2013 Biennium";
- description of routine committee reports (operating reports, budget amendments, required reports.)
- an overview of the committee's oversight of information technology management and a report from the state's chief information officer;
- an overview of the role and authority of the committee and the role of the Legislative Fiscal Division;
- discussion of a proposed LFD work plan for the interim.

The "Legislative Fiscal Report: 2013 Biennium" will be available in June, possibly by meeting time. The more than 1,600-page report documents legislative budget and revenue decisions made during the 2011 session. The report includes an analysis of state agency budgets as well as an analysis of revenue estimates and legislation affecting state revenue. The fiscal report will include:

- Volume 1: Statewide Perspectives (budget overview)
- Volume 2: Revenue Estimates
- Volume 3 and 4: Agency Budgets

Regardless of an individual's desired level of detail regarding state fiscal matters, this publication is an excellent source of information for legislators, state agencies, and other interested parties. It will be a reference source for fiscal data for years to come. Printed copies of the report are limited, but it will be available on the LFD website.

Revenue & Transportation Committee Assigned Three Studies

The Revenue and Transportation Interim Committee is scheduled to meet June 15-16 in Room 137 of the Capitol. The meeting will begin Wednesday afternoon and finish by noon Thursday. The primary purpose of the meeting is to elect officers, review a draft work plan and interim study plans, and adopt a meeting schedule for the rest of the interim. An agenda for the meeting will be available early June.

The committee conducts interim studies as assigned, monitors the activities and rulemaking of the Montana Departments of Revenue and Transportation, monitors revenue collections and develops the initial revenue estimates for the next legislative session.

The Legislative Council assigned three interim studies to the committee:

- HJR 13 calls for a study of the state's income tax and options for revision;
- SJR 17 calls for a study on the valuation of centrally assessed property and industrial property; and
- SJR 23 calls for a study of the exemption of nonprofit organizations from property taxation.

House members on the committee are Dick Barrett (D-Missoula), Carlie Boland (D-Great Falls), Roy Hollandsworth (R-Brady), Brian Hoven (R-Great Falls), Sue Malek (D-Missoula), and Mike Miller (R-Helmsville). Senate members are Ron Erickson (D-Missoula), Jeff Essmann (R-Billings), Kim Gillan (D-Billings), Christine Kaufmann (D-Helena), Jim Peterson (R-Butte), and Bruce Tutvedt (R-Kalispell).

Anyone who was not on the committee's mailing list last interim and would like to be added may contact committee staff or sign up for email notices at leg.mt.gov/rtic. Individuals on the electronic mailing list will receive notices of and links to everything that is posted on the committee's website.

For more information about the committee or be put on a list for notification by regular mail, contact Jeff Martin, committee staff, at 406-444-3595 or jmartin@mt.gov or Fong Hom, committee secretary, at 406-444-0502 or fhom@mt.gov.

State Administration & Veterans' Affairs Committee to Set Work Plan

The State Administration and Veterans' Affairs Interim Committee will hold an organizational meeting on Friday, June 24 in Room 137 of the Capitol. The committee will elect officers, review a draft work plan, discuss study topics of interest to members, and adopt a meeting schedule for the interim. Sen. Dave Lewis will act as presiding officer until the committee elects officers.

The committee monitors the public employee retirement plans, the Department of Administration, the Department of Military Affairs, and the Office of the Secretary of State. Legislative Council did not assign any study resolutions to the committee.

Senate members of the committee are Ron Arthun (R-Wilsall), Anders Blewett (D-Great Falls), Larry Jent (D-Bozeman), and Dave Lewis (R-Helena). House members are Bryce Bennett (D-Missoula), Joanne Blyton (R-Joliet), Pat Ingraham (R-Thompson Falls), and Kathy Swanson (D-Anaconda).

Sign up for electronic notifications and find additional information about the committee and its interim work at leg.mt.gov/sava. For more information, contact Megan Moore at memoore@mt.gov or (406) 444-4496.

State-Tribal Committee to Meet Late June

The State-Tribal Relations Interim Committee is tentatively scheduled to meet Tuesday, June 28 in Room 137 of the Capitol. Sen. Shannon Augare, as senior senator, will be acting chair until officers are elected. Committee staff will discuss the committee's duties and responsibilities.

Other agenda items will include law enforcement, economic development, natural resource, and health issues. The committee will decide on its interim work plan including priority of issues, meeting schedule, and possible visits to Indian reservations.

Interested persons can sign up for email notices on the committee's web page at leg.mt.gov/tribal. If you prefer receiving notice by regular mail, contact CJ Johnson, committee secretary, at 406-444-9541 or cjohnson@mt.gov. For more information about the committee, contact Casey Barrs at 406-444-3957 or cbarrs@mt.gov.

Water Policy Committee to Study Exempt Wells

Water wells that are exempt from permitting promise to dominate the work of the Water Policy Interim Committee. The first meeting is tentatively scheduled for June 21 in Helena.

The 2011 Legislature passed House Bill No. 602 directing the WPIC to study wells that pump less than 35 gallons per minute and yield less than 10 acre-feet of water a year. Thousands of these wells exist around the state for various uses, including domestic, stock, and irrigation. However, the wells are controversial because some argue that the cumulative effect of these withdrawals should be measured against more senior water rights.

Montana and other western states manage water on a first come, first served basis. New uses are allowed so long as prior uses are not adversely affected. Larger wells and surface water appropriations may obtain a permit from the state after an analysis shows other water right holders would not be harmed by the new water use.

This issue has been studied by previous interim committees, but the existing law remains unchanged. HB 602 provided the committee with \$15,000 to specifically study exempt wells. It anticipated that there will be up to four meetings around the state to gather public comment and take field tours. In brief, the study would include the effect of exempt wells on existing water rights, including the amount of water consumed, the relationship to land use planning, and the ability of senior water right holders to protect rights against junior exempt well rights through the Prior Appropriation Doctrine.

The regular WPIC meetings in Helena would include policy discussions. Although the committee does not directly over-

see any state agencies, the committee does have jurisdiction to study any water issue. It receives water-related briefings from the Departments of Natural Resources and Conservation and Environmental Quality as well as the Montana Water Court.

Prior WPIC members returning this interim include Sens. Debby Barrett and Brad Hamlett and Reps. Bill McChesney and Walt McNutt. New members are Sens. Sharon

Stewart-Peregoy and Chas Vincent and Reps. Pat Connell and Betsy Hands.

Research analyst Joe Kolman will staff the committee and attorney Helen Thigpen will provide legal research. For more information about the committee, contact Kolman at 406-444-9280 or jkolman@mt.gov. Or visit the committee web page at leg.mt.gov/water.

Legislative Committee Assignments for the 2011-12 Interim

Legislative Council

Rep. Chuck Hunter	Sen. Jeff Essmann
Rep. Margaret MacDonald	Sen. Jim Peterson
Rep. Tom McGillvray	Sen. Mitch Tropila
Rep. Mike Milburn, Vice Chair	Sen. Bruce Tutvedt
Rep. Jon Sesso	Sen. David Wanzenried
Rep. Jesse O'Hara	Sen. Carol Williams, Chair

Staffed by Legislative Services Division

Legislative Audit Committee

Rep. Randy Brodehl	Sen. Debby Barrett
Rep. Wayne Stahl	Sen. Gary Branae
Rep. Tom Burnett	Sen. Taylor Brown
Rep. Mary McNally	Sen. Cliff Larsen
Rep. Virginia Court	Sen. Eric Moore
Rep. Trudi Schmidt	Sen. Mitch Tropila

Staffed by the Legislative Audit Division

Legislative Finance Committee

Rep. John Esp	Sen. Rick Ripley
Rep. Steve Gibson	Sen. Steve Gallus
Rep. Rob Cook	Sen. Dave Lewis
Rep. Galen Hollenbaugh	Sen. Llew Jones
Rep. Jon Sesso	Sen. David Wanzenried
Rep. Cynthia Hiner	Sen. Carol Williams

Staffed by the Legislative Fiscal Division

Children, Families, Health & Human Services Committee

Rep. Liz Bangerter	Sen. Mary Caferro
Rep. Don Roberts	Sen. Christine Kaufmann
Rep. Pat Noonan	Sen. Jason Priest
Rep. Carolyn Pease-Lopez	Sen. Art Wittich

Economic Affairs Committee

Rep. Gordon Vance	Sen. Joe Balyeat
Rep. Tom Berry	Sen. Tom Facey
Rep. Chuck Hunter	Sen. Edward Walker
Rep. Carolyn Squires	Sen. Jonathan Windy Boy

Education & Local Government Committee

Rep. Elsie Arntzen	Sen. Gary Branae
Rep. Matt Rosendale	Sen. Tom Facey
Rep. Kristin Hansen	Sen. Bob Hawks
Rep. Robert Mehlhoff	Sen. Llew Jones
Rep. Edith McClafferty	Sen. Bob Lake
Rep. Jean Price	Sen. Eric Moore

Energy & Telecommunication Committee

Rep. Harry Klock	Sen. Verdell Jackson
Rep. Austin Knudsen	Sen. Jim Keane
Rep. Tony Belcourt	Sen. Cliff Larsen
Rep. Robin Driscoll	Sen. Alan Olson

Environmental Quality Council

Rep. Duane Ankney	Sen. John Brenden
Rep. Cary Smith	Sen. Brad Hamlett
Rep. Jerry Bennett	Sen. Jim Keane
Rep. Michelle Reinhart	Sen. Rick Ripley
Rep. Kathleen Williams	Sen. Chas Vincent
Rep. Mike Phillips	Sen. Gene Vuckovich

Mike Volesky (governor's office)

Public members

John Youngberg	Diane Conradi
Dexter Busby	Mary Fitzpatrick

Law & Justice Committee

Rep. Ken Peterson	Sen. Shannon Augare
Rep. Michael More	Sen. Steve Gallus
Rep. Steve Lavin	Sen. Greg Hinkle
Rep. Mike Menahan	Sen. Lynda Moss
Rep. Margaret MacDonald	Sen. Jim Shockley
Rep. Ellie Boldman Hill	Sen. Art Wittich

Legislative Consumer Committee

Rep. Mike Cuffe	Sen. Terry Murphy
Rep. Pat Noonan	Sen. Mitch Tropila

Staffed by the Consumer Counsel

Revenue & Transportation Committee

Rep. Mike Miller	Sen. Jim Peterson
Rep. Roy Hollandsworth	Sen. Jeff Essmann
Rep. Brian Hoven	Sen. Bruce Tutvedt
Rep. Dick Barrett	Sen. Ron Erickson
Rep. Carlie Boland	Sen. Kim Gillan
Rep. Sue Malek	Sen. Christine Kaufmann

State Administration & Veterans' Affairs Committee

Rep. Pat Ingraham	Sen. Ron Arthun
Rep. Joanne Blyton	Appointment pending
Rep. Kathy Swanson	Sen. Larry Jent
Rep. Bryce Bennett	Sen. Dave Lewis

State-Tribal Relations Committee

Rep. Gordon Hendrick	Sen. Shannon Augare
Rep. Joe Read	Sen. Taylor Brown
Rep. Frank Smith	Sen. Carmine Mowbray
Rep. Carolyn Pease-Lopez	Sen. Sharon Stewart-Peregoy

Water Policy Committee

Rep. Walter McNutt	Sen. Debby Barrett
Rep. Pat Connell	Sen. Brad Hamlett
Rep. Bill McChesney	Sen. Sharon Stewart-Peregoy
Rep. Betsy Hands	Sen. Chas Vincent

ARCO Litigation Oversight Committee

Sen. Jim Keane
Sen. Terry Murphy

Board of Investments Legislative Liaison

Rep. Champ Edmunds

Capitol Complex Advisory Council

Rep. Liz Bangerter	Sen. Lynda Moss
Rep. Diane Sands	Sen. Terry Murphy

Community Health Center Advisory Group

Rep. Gary MacLaren	Sen. Terry Murphy
Rep. Diane Sands	Sen. Kendall Van Dyk

Drinking Water State Revolving Loan Fund

Rep. Kathleen Williams	Sen. Don Steinbeisser
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Economic Development Advisory Council

Rep. Edward Greef	Sen. Edward Buttrey
Rep. Bill McChesney	Sen. Gene Vuckovich

Electronic Government Advisory Council

Rep. Jerry O'Neil	Sen. Jeff Essmann
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Future Fisheries Review Panel

Rep. Kendall Van Dyk	Sen. Edward Walker
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Gaming Advisory Council

Rep. Pat Noonan	Sen. Jon Sonju
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Heritage Preservation and Development Commission

Not available

Information Technology Board

Rep. James Knox	Sen. Llew Jones
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Land Information Advisory Council

Rep. Jon Sesso	Sen. Edward Walker
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Legislative Branch Computer Systems Planning

Rep. Bill Beck	Sen. Edward Buttrey
Beth Cargo	Marilyn Miller
Chief Clerk of the House	Secretary of the Senate

Natural Resource Damages Litigation Oversight

Rep. Ryan Osmundson	Sen. Dave Lewis
Rep. Kathy Swanson	Sen. Jim Keane

Pacific Northwest Economic Region

Rep. Jeff Welborn	Sen. Jim Peterson
(Rep. Dan Salomon - alternate)	(Sen. Rick Ripley - alternate)
Rep. Betsy Hands	Sen. Cliff Larsen
(Rep. Kathleen Williams - alternate)	

Reserved Water Rights Compact Commission

Rep. Dan Salomon	Sen. Debby Barrett
Rep. Dick Barrett	Sen. Carol Williams

Workforce Investment Board

Rep. Kelly Flynn	Sen. Edward Buttrey
Rep. Jean Price	Sen. Kim Gillan

The Back Page

An Overview of 2011-12 Interim Studies and Activities

by Dave Bohyer, Director
Office of Research and Policy Analysis

The Legislative Services Division is required to poll all legislators following the session to measure the relative importance of each study request passed by the Legislature. The Legislative Council has the responsibility to assign the study requests to the various legislative interim committees and uses the poll results as one factor in making the determination. This article describes the results of the poll and the council's assignment of the studies.

The Interim Study Poll

The LSD staff mailed the poll on the first day following adjournment of the Legislature. Sixteen studies were included in the poll, with a return date of May 6. Staff compiled data from the ballots through May 10 and presented the results to the council on May 13.

Poll Results

Of the 150 ballots sent out, 116 were returned in time to be counted--several other ballots were returned too late to be counted in the poll. Overall, about 4 out of 5 legislators (80%) responded to the poll, compared to 66% in 2009, 70% in 2007, 82% in 2005, 78% in 2003, and 84% in 2001.

The Borda voting method was used to rank each study requested. A ranking of "1" is the highest and a ranking of "16" is the lowest; the same method was applied to ranking in between. A study unranked on a ballot received zero points. (The Borda voting method is used by media organizations to rank intercollegiate sports teams.)

The mean average number of points received by the studies was 655 points. The highest ranking study, HJR 13, received 888 points, while the lowest ranked study, SJR 15, received only 411 points. Of the 16 studies in the poll, nine received more than the average number of points and seven received fewer. The median number of points received was 682, meaning that eight studies received more than 682 points and eight studies received fewer.

LSD Staff Recommendations

LSD staff recommended that 12 of the 16 studies requested by resolution be conducted, and the council generally concurred with the staff's advice, assigning 13 of the 16. In making the recommendations for interim studies, staff considered the poll results, committee funding, and committee and staff time commitments.

Because the Legislative Council has the responsibility of assigning interim studies, the staff recommendations are simply

that: recommendations. Nevertheless, they are influenced by a number of factors, including:

- All interim studies are not created equal. Some have considerable breadth, depth, and complexity, while others are narrow and focused.
- The work of interim committees is not equal. Some have more extensive statutory duties and broader jurisdictions than others. Some have more members than others. Some have formed subcommittees that function much the same as full committees in terms of staff time and committee member effort.
- Interim studies are only part of what interim committees do during the interim. Each committee has a variety of statutory duties, including agency monitoring, administrative rule review, and consideration of potential legislation proposed by state agencies within the committee's jurisdiction. Those duties were expanded this past session by the passage of HB 142, HB 543, SB 3, and SB 423, among others.
- Each interim committee has statutory authority to examine policy matters within its purview, which typically extends beyond assigned interim studies. Staff experience suggests that each committee will exercise that authority to a greater or lesser extent. The issues that might arise or the level of involvement cannot be foreseen, but there is a history that these types of projects are likely to occur.
- Resources - staff time, committee time, and funding - are all limited.

The Legislative Council met on May 13 to decide on interim study assignments. Following staff recommendations and testimony from Rep. Pat Connell (HJR 32) and Anita Rossman, representing Disability Rights Montana (SJR 30), the council made the assignments as shown in the table below.

The Legislature also assigned five study bills to legislative interim committees. House Bill 525 directs the Economic Affairs Interim Committee to study business and professional licensing laws to provide termination review. House Bill 602 directs the Water Policy Committee to study exempt water wells. House Bill 615 directs the Children, Families, Health, and Human Services Interim Committee to coordinate with the State Auditor and Insurance Commissioner on a study to advance cancer research and treatment. Senate Bill 423 directs the CFHHS to also monitor the implementation by the Department of Public Health and Human Services of the revised provisions governing medical marijuana. Finally, House Bill 642 establishes a 12-member, Select Committee on Efficiency in Government and directs the committee to study the general areas of health care, technology, and natural resources to the efficiency and effectiveness of various programs and projects.

Preview of Interim Activities

The 2011-12 interim is just beginning to take shape. Except for the Environmental Quality Council, none of the interim committees has met yet. All of the members have been appointed to the committees, except the members of the Select Committee on Efficiency in Government. Staffing assignments for the committees are also taking shape. On page 13 is a list of the staffing and study assignments for each interim committee.

In addition to interim studies, each interim committee has a range of statutory duties and responsibilities, which can be found in Title 5, chapter 5, part 2, MCA, and for the Environmental Quality Council in Title 75, chapter 1, part 3, MCA. The duties and responsibilities for the administrative

committees of the Legislature (Legislative Audit Committee, Legislative Consumer Committee, Legislative Council, and the Legislative Finance Committee) that meet during the interim are contained in various chapters within Title 5, MCA. Other committees on which legislators serve may be found throughout the MCA.

With interim committee meetings being planned for the summer, draft work plans and proposed meeting schedules will soon be available. Stay tuned as more information will be provided in subsequent issues of The Interim. In the meantime, check the legislative website at leg.mt.gov or call the LSD at 406-444-3064 with any questions you may have regarding the poll, a particular study, or any of the interim committees.

**OVERVIEW OF THE 2011 INTERIM STUDY POLL — 62ND LEGISLATURE
Listed by Ranking**

Joint Resolution	May 10 Rank	Total Points	Short Title/Subject of Resolution	Staff Recommendation for Interim Committee Assignment
HJR 13	1	888	Study state income tax and options for revision	Revenue and Transportation
SJR 28	2	827	Study performance-based funding for education	Education and Local Government
HJR 33	3	804	Study state health insurance exchange	Economic Affairs
SJR 20	4	772	Study implementation of privatization of Medicaid administration	HB 642 Select Committee
SJR 23	5	727	Study exemption of nonprofits from property taxes	Revenue and Transportation
HJR 08	6	726	Study on reducing childhood hunger in Montana	Children and Families
SJR 30	7	705	Study ways to reduce childhood trauma	Children and Families
SJR 17	8	688	Study valuing centrally assessed property for tax purposes	Revenue and Transportation
SJR 29	9	675	Study of restorative justice	Law and Justice
SJR 26	10	653	Study to monitor agency activities recommended by Joint Approp. Subcomm.	Legislative Finance Committee
HJR 32	11	631	Study state parks, recreation, heritage programs	Environmental Quality Council
HJR 39	12	527	Study subdivision rent or lease exemption	Education and Local Government
SJR 15	16	411	Study bonding requirement for agricultural commodities and grain industry	Economic Affairs (white paper)
Bill				
HB 525	NA	NA	Revise business and professional licensing laws to provide termination review	Economic Affairs
HB 602	NA	NA	Require interim study of exempt water wells	Water Policy Committee
HB 615	NA	NA	Advance cancer research and treatment	Children & Families (coordination only)
HB 642	NA	NA	Create select committee on efficiency in government — members — duties	Select Committee

Mean Average points = 655 (SJR 29)
Median points = 682 (SJR 17)

BALLOTS = 116 returned as of May 10, 2011. (77%);
114/150 valid (76%)

Children, Families, Health & Human Services Interim Committee

Staffing

Lead: Sue O'Connell, Research Analyst
 Attorney: Julianne Burkhardt
 Secretary: Fong Hom

Interim Study Assignment

HB 615: Coordinate with State Auditor on study to advance cancer research and treatment
 SB 423: Monitor implementation of new provisions governing medical marijuana
 HJR 08: Study on reducing childhood hunger in Montana
 SJR 30: Study ways to reduce childhood trauma

Economic Affairs Interim Committee

Staffing

Lead: Pat Murdo, Research Analyst
 Attorney: Bart Campbell
 Secretary: CJ Johnson

Interim Study Assignment

HB 525: Study business and professional licensing laws to provide termination review
 HJR 33: Study state health insurance exchange

Education and Local Government Interim Committee

Staffing

Lead: Leanne Kurtz, Research Analyst
 Attorney: Dan Whyte
 Secretary: CJ Johnson

Interim Study Assignment

SJR 28: Study performance-based funding for education
 HJR 39: Study subdivision rent or lease exemption

Energy and Telecommunications Interim Committee

Staffing

Lead: Sonja Nowakowski, Research Analyst
 Attorney: Todd Everts
 Secretary: Dawn Field

Interim Study Assignment

SB 65: Review the state energy policy; recommend changes

Law and Justice Interim Committee

Staffing

Lead: Sheri Scurr, Research Analyst
 Attorney: Valencia Lane
 Secretary: Dawn Field

Interim Study Assignment

SJR 29: Study of restorative justice

Revenue and Transportation Interim Committee

Staffing

Lead: Jeff Martin, Research Analyst
 Attorney: Jaret Coles
 Secretary: Fong Hom

Interim Study Assignment

HJR 13: Study state income tax and options for revision
 SJR 17: Study valuing centrally assessed property for tax purposes
 SJR 23: Study exemption of nonprofit organizations from property taxes

State Administration and Veterans' Affairs Interim Committee

Staffing

Lead: Megan Moore, Research Analyst
 Attorney: David Niss
 Secretary: Fong Hom

Interim Study Assignment

None: The Legislative Council did not assign any studies to the Committee

Note: The Committee is required under section 5-5-228, MCA, to 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 and to report on any proposal that the committee considered and that is or has been introduced as a bill during a legislative session.

State/Tribal Relations Interim Committee

Staffing

Lead: Casey Barrs, Research Analyst
 Attorney: Dan Whyte
 Secretary: CJ Johnson

Interim Study Assignment

None: The Legislative Council did not assign any studies to the Committee

Note: The State-Tribal Relations Committee traditionally visits two of Montana's Indian Reservations during the interim. The Committee also serves as a liaison between the Tribes and state government.

Environmental Quality Council**Staffing**

Legislative Environmental

Analyst: Todd Everts

Lead: Hope Stockwell, Research Analyst

Attorney: Helen Thigpen

Secretary: Kevin McCue

Interim Study Assignment

HJR 32: Study state parks, recreation, heritage programs

Water Policy Interim Committee**Staffing**

Lead: Joe Kolman, Research Analyst

Attorney: Helen Thigpen

Secretary: Kevin McCue

Interim Study Assignment

HB 602: Study of exempt water wells

Districting and Apportionment Commission**Staffing**

Lead: Rachel Weiss, Research Analyst

Attorney: Julianne Burkhardt

Secretary: Dawn Field

Interim Study Assignment

Generally prepare for legislative redistricting for presentation to the 63rd Legislature in 2013

Select Committee on Efficiency in Government**Staffing**

Lead: Dave Bohyer, Research Director

Attorney: David Niss

Secretary: Dawn Field

Legislative Council**Staffing**

Lead: Susan Byorth Fox, Executive Director

Attorney: Todd Everts, Acting Legal Director

Secretary: Dawn Field

Interim Study Assignment

None assigned at this time

**Legislative Finance Committee/
Fiscal Division Staff****Staffing**

Lead: Amy Carlson

Attorney: Jaret Coles

Secretary: Diane McDuffie

Interim Study Assignment

SJR 26: Study to monitor agency activities recommended by Joint Appropriation Subcommittees

Calendar of Legislative Events

All interim committee meetings are held in the Capitol in Helena unless otherwise noted.

June						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3 Economic Affairs, Rm 137, Time TBA	4
5	6	7	8	9	10 Legislative Finance Committee, Rm 102, 8 a.m.	11
12	13 Education and Local Government, Rm 102, 10:30 a.m.	14	15 Revenue and Trans- portation, Rm 137, 1 p.m.	16 Revenue and Trans- portation, Rm 137, 8 a.m.	17	18
19	20 Children and Families, Rm 137, Time TBA	21 Water Policy, Rm 172, Time TBA	22	23	24 Legislative Council, Rm 102, Time TBA State Administra- tion and Veterans Affairs, Rm 137, Time TBA	25
26	27	28 State-Tribal Rela- tions, Rm 137, Time TBA	29 Legislative Audit Committee, Rm 172, Time TBA	30		

July						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
10	11	12 Districting and Apportionment, Rm 137, Time TBA	13	14	15 Energy and Tele- communications, Rm 172, 9 a.m.	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Legislative Services Division
PO Box 201706
Helena MT 59620-1706