

1 SENATE BILL NO. 34

2 INTRODUCED BY J. ESSMANN

3 BY REQUEST OF THE LEGISLATIVE COUNCIL

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS RELATING TO LEGISLATIVE INTERIM
6 COMMITTEES; PROVIDING THAT THE LEGISLATIVE COUNCIL MAY ASSIGN AN ENTITY THAT IS
7 ADMINISTRATIVELY ATTACHED TO AN AGENCY TO A DIFFERENT INTERIM COMMITTEE UPON
8 PETITION; PROVIDING THAT APPOINTING AUTHORITIES ATTEMPT TO APPOINT TO EACH INTERIM
9 COMMITTEE A MEMBER OF THE JOINT SUBCOMMITTEE CONSIDERING RELATED AGENCY BUDGETS;
10 AMENDING SECTIONS 5-5-202 AND 5-5-211, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
11

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13

14 **Section 1.** Section 5-5-202, MCA, is amended to read:

15 **"5-5-202. Interim committees.** (1) During an interim when the legislature is not in session, the
16 committees listed in subsection (2) are the interim committees of the legislature. They are empowered to sit as
17 committees and may act in their respective areas of responsibility. The functions of the legislative council,
18 legislative audit committee, legislative finance committee, environmental quality council, water policy committee,
19 and state-tribal relations committee are provided for in the statutes governing those committees.

20 (2) The following are the interim committees of the legislature:

- 21 (a) economic affairs committee;
22 (b) education and local government committee;
23 (c) children, families, health, and human services committee;
24 (d) law and justice committee;
25 (e) energy and telecommunications committee;
26 (f) revenue and transportation committee; and
27 (g) state administration and veterans' affairs committee.

28 (3) An interim committee or the environmental quality council may refer an issue to another committee
29 that the referring committee determines to be more appropriate for the consideration of the issue. Upon the
30 acceptance of the referred issue, the accepting committee shall consider the issue as if the issue were originally

1 within its jurisdiction. If the committee that is referred an issue declines to accept the issue, the original committee
2 retains jurisdiction.

3 (4) If there is a dispute between committees as to which committee has proper jurisdiction over a subject,
4 the legislative council shall determine the most appropriate committee and assign the subject to that committee.
5 If there is an entity that is attached to an agency for administrative purposes under the jurisdiction of an interim
6 committee and another interim committee has a justification to seek jurisdiction and petitions the legislative
7 council, the legislative council may assign that entity to the interim committee seeking jurisdiction unless
8 otherwise provided by law."

9

10 **Section 2.** Section 5-5-211, MCA, is amended to read:

11 **"5-5-211. Appointment and composition of interim committees.** (1) Senate interim committee
12 members must be appointed by the committee on committees.

13 (2) House interim committee members must be appointed by the speaker of the house.

14 (3) Appointments to interim committees must be made by the time of adjournment of the legislative
15 session.

16 (4) A legislator may not serve on more than two interim committees unless no other legislator is available
17 or is willing to serve.

18 (5) (a) Subject to 5-5-234 and subsection (5)(b) of this section, the composition of each interim
19 committee must be as follows:

20 (i) four members of the house, two from the majority party and two from the minority party; and

21 (ii) four members of the senate, two from the majority party and two from the minority party.

22 (b) If the committee workload requires, the legislative council may request the appointing authority to
23 appoint one or two additional interim committee members from the majority party and the minority party.

24 (6) The membership of the interim committees must be provided for by legislative rules. The rules must
25 identify the committees from which members are selected, and the appointing authority shall attempt to select
26 not less than 50% of the members from the standing committees that consider issues within the jurisdiction of
27 the interim committee and at least one member from the joint subcommittee that considers the related agency
28 budgets. In making the appointments, the appointing authority shall take into account term limits of members so
29 that committee members will be available to follow through on committee activities and recommendations in the
30 next legislative session.

1 (7) An interim committee or the environmental quality council may create subcommittees. Nonlegislative
2 members may serve on a subcommittee. Unless the person is a full-time salaried officer or employee of the state
3 or a political subdivision of the state, a nonlegislative member appointed to a subcommittee is entitled to salary
4 and expenses to the same extent as a legislative member. If the appointee is a full-time salaried officer or
5 employee of the state or of a political subdivision of the state, the appointee is entitled to reimbursement for travel
6 expenses as provided for in 2-18-501 through 2-18-503."

7

8 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

9

- END -