



Montana Legislative Services Division

Office of Legislative Information Technology

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TO: Members of the Legislative Council
FROM: Sonja Nowakowski, Research Director
DATE: May 29, 2019

Introduction

- The 66th Legislature directed by bill that five studies be conducted during the interim and requested an additional 27 study resolutions be assigned by the Legislative Council.
- Of the studies directed by bill, three will be conducted by the Legislative Finance Committee (House Bill Nos. 715, 657, and 633).
- House Bill No. 310 will be conducted jointly by the Legislative Finance Committee and Legislative Council.
- House Bill No. 754 establishes a commission to analyze the impacts of restructuring on the efficiency and effectiveness of 2-year education in the university system.
- **Table 1** illustrates the final results of the interim study poll. It also includes the staff's recommendations for assignment to the various interim and statutory committees.

The Interim Study Poll of Legislators

- 27 joint resolutions adopted during the 66th Session request a legislative interim study. (This compares to 20 study resolutions in 2017, 15 study requests in 2015, and 17 study requests in 2013.)
- The poll ballots were mailed to legislators on Tuesday, April 30. The return deadline was Monday, May 13.
- 88 ballots of a possible 150 were returned for a response rate of 59%. The number of ballots returned is less than the past (Usually receive 100 to 110).
- The poll used the Borda method of selection, which awarded points based on the rankings in individual ballots. Each top-ranked study -- rated #1 on an individual ballot -- received 27 points. Each second-ranked study -- rated #2 on a ballot -- received 26 points, and so on through the study ranked 27th, which received 1 point.
- The average number of points received by the 27 studies is 926. 13 studies received more than 926 points; 14 studies received fewer.

Staff Recommendations

- The final column on the right in **Table 1** indicates the staff's recommended disposition for each of the studies requested by resolution. Staff recommends that all 27 studies be assigned to various legislative committees, and that individual interim committees determine how much time be dedicated to each study.
- Interim committee staff will develop work plans allowing members to review the studies in conjunction with statutory duties, other topics of interest, available committee resources, including committee time and budget, and available staff resources.
- The staff's recommendations are advisory only. The Legislative Council has the statutory authority to assign--or not assign--the studies in the ways the Council members believe is most appropriate. (See 5-5-217, MCA.)

Preliminary Study Outlines

LSD research staff prepared a preliminary study outline for each of the 27 studies requested by resolution. Those outlines are posted on the Legislative Council website. A request by the Senate Judiciary Committee Chairman to study revised guardianship and conservator laws, as well as additional background also is part of the packet.

The staff and the committee to which a study is assigned will design a formal study plan and work schedule, including committee meetings and deliverables, for each study assigned. An overview of each committee's workload, with additional committee considerations is included below.

Please contact me, or any of the research analysts in either the Research Office or in the Environmental Policy Office (LEPO) if you have comments or questions regarding the poll or interim studies and activities generally.

Respectfully,

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Table 1

Resolution Number	Rank	Points	Study Short Title	Staff Recommendation for Committee
HJ 35	1	1652	State and Local Tax Policy	Revenue Interim Committee
HJ 12	2	1275	Defense of Utility Infrastructure	Energy and Telecom
HJ 14	3	1210	Future of Water Court	Water Policy
SJ 24	4	1178	Lodging and Facility Use Tax	Economic Affairs
HJ 49	5	1171	Law Enforcement, Courts Role in CPS System	Children and Families
HJ 38	6	1149	Bonding and Decommissioning Energy Sources	Environmental Quality Council
SJ 20	7	1107	Wilderness Study Areas	Environmental Quality Council
HJ 48	8	1047	Supporting Families in CPS System	Children and Families
HJ 50	9	1017	Services for Senior Citizens and Disabled	Children and Families
SJ 19	10	1008	Sex Offender and Violent Offender Registries	Law and Justice
HJ 23	11	1000	Improving MT Veterans' Affairs Division	State Administration
HJ 39	12	981	Performance Audit on TRS/MPERA Combination	Legislative Audit
HJ 43	13	939	Post-Conviction Procedures and DNA Evidence	Law and Justice
HJ 31	14	881	Board of Crime Control	Law and Justice
SJ 18	15	861	Occupational Licensing Barrier for Convicted	Economic Affairs
HJ 36	16	831	Compensation for Wrongly Convicted Persons	Law and Justice
SJ 3	17	814	Optional Septic Drain Fields	Local Government
HJ 29	18	780	Meat Inspection Laws	Economic Affairs
HJ 34	19	774	Passenger Transportation	Transportation
HJ 10	20	753	American Indian Voting	State Tribal Relations
SJ 28	21	725	Traffic Safety Laws	Transportation
HJ 32	22	707	Prevention of Prenatal Drug Use/Mitigation	Children and Families
HJ 3	23	700	Accessibility for Disabled Electors	State Administration
HJ 40	24	695	Weather Modification	Water Policy
HJ 45	25	675	Bicycle and Pedestrian Paths	Transportation
SJ 30	26	636	Fish and Wildlife Data	Environmental Quality Council
HJ 56	27	431	Bullying	Education

**Interim Committee Overviews
Including Staff Recommendations
2019-20 Interim**

Children, Families, Health, and Human Services Interim Committee	
Statutory duties: 5-5-215 and 5-5-225, MCA	
HJ 32	Study Best Practices for Reducing Opioid/Drug Use by Pregnant Women
HJ 48	Study Ways of Supporting Families in Child Protective Services System
HJ 49	Study Law Enforcement and Court Roles in Child Protective Services System
HJ 50	Study Matters Related to Senior and Long-Term Care
<p>Other Considerations:</p> <ul style="list-style-type: none"> • The committee is statutorily charged with monitoring the state’s medical marijuana program to determine whether legislative changes are needed. SB 265 makes significant changes to the program. Many changes will be made through administrative rules that the committee reviews and about which stakeholders may wish to comment. • House Bill 658 continues Medicaid expansion with new community engagement requirements. The bill requires the committee receive quarterly reports on the implementation of those requirements and on other expansion-related information. • The committee may want to continue to monitor how and to what extent DPHHS restores funding to human services following budget cuts that affected mental health, DD, and long-term care services. • The Senate Judiciary Committee asked that an interim committee study the Uniform Guardianship, Conservatorship, and Other Protective Arrangements. If the Council assigns this topic to the committee, it will reduce the time the committee can spend on other topics by at least 4 to 8 hours, or potentially one full meeting day. 	
Economic Affairs Interim Committee	
Statutory duties 5-5-215 and 5-5-223, MCA	
HJ 29	Study Meat Inspection Laws
SJ 18	Study of Occupational Licensing Barriers Faced by Individuals with Criminal Records
SJ 24	Study Revenue and Distribution of the Lodging Facility Use Tax
<p>Other Considerations:</p> <ul style="list-style-type: none"> • HB 586 requires the DOA to develop a plan for a lease that provides an option to purchase a co-located laboratory. Quarterly reports to EAIC are required. • EAIC has 9 agencies to monitor, including within the Department of Labor and Industry all the professional and occupational licensing boards (33). • EAIC members are required to be named as liaisons to Montana State Fund. 	

Education Interim Committee	
Statutory duties: 5-5-215 and 5-5-224, MCA	
HJ 56	Study on Bullying
Other Considerations: <ul style="list-style-type: none"> • Preschool/early learning. • Implementation of HB 351 – Encourage transformational learning and HB 387 – Create Advanced Opportunity Act. • Ongoing ESSA implementation: school report cards and improvement strategies. 	
Energy and Telecommunications Interim Committee	
Statutory duties: 5-5-215 and 5-5-230, MCA	
HJ 12	Study on Defense of State Infrastructure
Other considerations: <ul style="list-style-type: none"> • The committee may want to continue to monitor changes at the Colstrip Generating Station as the 2022 closure date approaches for Units 1 and 2. • Follow-up on the NWE rate case and net metering may also be committee considerations. 	
Environmental Quality Council	
Statutory duties: 5-5-202, 5-5-215, and 5-16-101, et seq., MCA	
SJ 20	Study Wilderness Study Areas
SJ 30	Study Dissemination of Wildlife Location Data
HJ 35	Study Bonding, Decommissioning, and Remediation for Energy Facilities
Other Considerations: <ul style="list-style-type: none"> • It is within the purview of the 17-member EQC to study and investigate anything related to natural resources and the environment. • The Council exercises oversight of the DEQ, DNRC, and FWP through rule review, program evaluations, and investigations into emerging issues. 	

Law and Justice Interim Committee	
Statutory duties: 5-5-215 and 5-5-225, MCA	
HJ 31	Study Montana Board of Crime Control
HJ 36	Study Compensation for Wrongly Convicted
HJ 43	Study Post-Conviction Procedures and DNA Evidence
SJ 19	Study Sex Offender and Violent Offender Registries
Other Considerations:	
<ul style="list-style-type: none"> Members may be interested in examining DUI laws based on bills that came before the 2019 Legislature but were not enacted. 	
Local Government Interim Committee	
Statutory duties: 5-5-232, MCA	
SJ 3	Study on Optional Septic Drain Fields
Other Considerations:	
<ul style="list-style-type: none"> Unlike other interim committees, there are no executive agencies assigned to the committee and there will be no rule review duties. The committee works with cities and counties and the organizations that represent them to fulfill its statutory duties. LGIC members may track the implementation of SB 302, passed and approved by the 2019 Legislature, that addresses local government accounting and budgeting issues. The committee may also track the implementation of SB 300 that addresses homeowners' associations. To date, the committee has expressed interest in examining OPD funding, barriers to mail-in ballots, local property taxes, liquor laws, and the subdivision review process. 	
State-Tribal Relations Committee	
Statutory duties: 5-5-202, 5-5-215, and 5-5-229, MCA	
HJ 10	Study on Barriers to Voting by Montana Native Americans
Other Considerations:	
<ul style="list-style-type: none"> As the legislature's liaison with tribal governments, the STRC typically visits 2-4 reservations per interim. These visits allow for additional tribal input on studies and topics the STRC is researching. 	

Revenue Interim Committee	
Statutory duties: 5-5-215 and 5-5-227, MCA	
HJ 35	Study of State and Local Tax Policy
<p>Other Considerations:</p> <ul style="list-style-type: none"> • The transportation functions were removed. • HB 723 requires the committee to review 6 income tax credits and make. • HB 293 requires the Department of Commerce to contract for a report on film tax credits and provide the report to the committee. DOC is also directed to make recommendations to the committee about whether to request changes to the film tax credits and the caps on the credits. • SB 265 requires the Department of Public Health and Human Services and the Board of Medical Examiners to provide the committee with medical marijuana-related reports. The committee will decide whether to devote time on meeting agendas to receive presentations on the reports. • The Revenue Interim Committee has revenue estimating and monitoring duties. The committee receives revenue reports throughout and will meet in November 2020 to adopt a revenue estimate for introduction to the 2021 Legislature. 	
State Administration and Veterans' Affairs Interim Committee	
Statutory duties: 5-5-215 and 5-5-228, MCA	
HJ 3	Study Accessibility for Electors with Disabilities
HJ 23	Study on Structure and Funding of Montana Veterans' Affairs Division
<p>Other Considerations:</p> <ul style="list-style-type: none"> • Typically, public employee pension oversight requires a minimum of 20% of the committee's time and staff resources. • The Legislative Finance Committee has included pensions in its budget stabilization and modernization studies. How much additional work this will generate for SAVA's research staff is uncertain at this time. • Election security also likely will be an emerging issue of special interest to SAVA. 	
Transportation Interim Committee	
Statutory duties: 5-5-202, MCA and SB 226	
HJ 34	Study on Passenger Transportation
HJ 45	Study on Bicycle and Pedestrian Paths

SJ 28	Study Traffic Safety Systems and Policies
<p>Other Considerations:</p> <ul style="list-style-type: none"> • SB 226 split the existing Revenue and Transportation Interim Committee into two committees. The fiscal note indicated an 8-member TIC could host a total of six meetings. Costs are expected to be absorbed in Program 21. • Efforts will be made to coordinate meeting dates with Transportation Commission and Vision Zero MDT meeting dates in Helena. 	
Water Policy Interim Committee	
<p>Statutory duties: 5-5-215 and 5-5-231, MCA</p>	
HJ 14	Study Water Court
HJ 40	Study of Weather Modification
<p>Other Considerations:</p> <ul style="list-style-type: none"> • WPIC considers issues "where the primary concern is the quality or quantity of water," including oversight of certain programs within the DNRC and DEQ. 	
MUS Restructuring Commission (HB 754)	
<p>Membership: 8 Legislators (4 Senate, 4 House); 2 Board of Regents; 1 member of the Board of Public Education; President of the Montana Associated Students; 2 members appointed by Governor (1 Tribal College); 2 Public Members.</p>	
<p>Appropriation: \$57,000</p>	
HB 754	Establishing the 2-Year Education Restructuring Review Commission
<p>The commission shall:</p> <ol style="list-style-type: none"> (1) review the history and reasons for the Montana university system incorporating vocational-technical institutions in the system; (2) analyze the impacts of the restructuring on the efficiency and effectiveness of 2-year education in the university system; (3) consider how the university system addresses student demand for career and technical education training within its 2-year colleges; (4) examine the potential for restructuring 2-year education in the Montana university system to enhance offerings in career and technical education; (5) review the governance and organizational structures of university systems in other states and consider whether a different structure would lead to a more effective and efficient university system in Montana; and 	

(6) prepare a report of findings and recommendations for submission to the 67th Legislature.	
Administrative Committee Assignments	
Legislative Council	
Authority: Article V, Section 10, Montana Constitution and 5-11-101, MCA	
SB 310	Study Annual Session (Joint Endeavor with Legislative Finance)
Legislative Finance Committee	
Authority: 5-12-201, MCA	
SB 310	Study Annual Session (Joint Endeavor with Legislative Council)
HB 633	Study Natural Resource Information Systems
HB 657	Study Education Topics
HB 715	Study Budget Stabilization/Study Modernization and Risk Analysis
Legislative Audit Committee	
Authority: Article V, Section 10, Montana Constitution and 5-13-201, MCA	
HJ 39	Legislative Performance Audit on Combining Admin of TRS and MPERA