



# Children, Families, Health, and Human Services Interim Committee

67th Montana Legislature

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**TO:** Economic Affairs Interim Committee

**FROM:** Rep. Ed Stafman, Presiding Officer  
Children, Families, Health, and Human Services Interim Committee

**RE:** Medical Marijuana Monitoring

**DATE:** July 7, 2021

I'm writing on behalf of the Children, Families, Health, and Human Services Interim Committee to request that the Economic Affairs Interim Committee begin its monitoring of the medical marijuana program effective immediately, rather than as scheduled on January 1, 2022.

Under 5-5-202(3), an interim committee "may refer an issue to another committee that the referring committee determines to be more appropriate for the consideration of the issue." The statute further states that "the accepting committee shall consider the issue as if the issue were originally in its jurisdiction."

Through passage of House Bill 701, the 2021 Legislature made the Economic Affairs Interim Committee responsible for monitoring the new recreational marijuana program. The bill also transferred most monitoring duties for the existing medical marijuana program from the Children and Families Committee to EAIC, effective January 1, 2022.

The Children and Families Committee believes it makes sense for the Economic Affairs Committee to begin receiving the reports required for the medical marijuana program immediately, rather than in the midst of the interim. Committee members agreed at their June 16 meeting that continuous monitoring by one interim committee will provide for more consistent and effective oversight.

Under 5-5-202, the Economic Affairs Committee may decline to accept this issue. If that occurs, the Children and Families Committee would retain jurisdiction of the issue until the change required by HB 701 takes effect on January 1. Please let me know if the committee decides to accept or decline the referral of this matter.

A copy of 5-5-202 is attached for the committee's review. Thanks in advance for your consideration of this matter.

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

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

- (a) economic affairs committee;
- (b) education committee;
- (c) children, families, health, and human services committee;
- (d) law and justice committee;
- (e) energy and telecommunications committee;
- (f) revenue committee;
- (g) state administration and veterans' affairs committee;
- (h) transportation committee; and
- (i) water policy committee.

(3) An interim committee, the local government committee, or the environmental quality council may refer an issue to another committee that the referring committee determines to be more appropriate for the consideration of the issue. Upon the acceptance of the referred issue, the accepting committee shall consider the issue as if the issue were originally within its jurisdiction. If the committee that is referred an issue declines to accept the issue, the original committee retains jurisdiction.

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