

**MEMORANDUM OF UNDERSTANDING FOR
COMMITTEE REVIEW OF ADMINISTRATIVE RULES
REGARDING MARIJUANA**

**BETWEEN THE REVENUE INTERIM COMMITTEE AND
THE ECONOMIC AFFAIRS INTERIM COMMITTEE**

I. PURPOSE

The purpose of this Agreement is to facilitate the review of proposed administrative rules from the Department of Revenue regarding adult use and medical marijuana.

II. POLICY REASON FOR MEMORANDUM

Voters approved Initiative Measure 190 (I-190), allowing for adult use of marijuana, in November 2020. The initiative language assigns oversight of the program to the Revenue Interim Committee (RIC) in section 16-12-110, MCA.

The 2021 Legislature enacted House Bill 701 to revise provisions of the adult-use and medical marijuana programs, including moving administration of the medical marijuana program to the Department of Revenue. The bill amends sections 16-12-110 and 16-12-210, MCA, to require the Economic Affairs Interim Committee (EAIC) to monitor both marijuana programs beginning January 1, 2022.

Because HB 701 clearly intended for the EAIC to monitor adult-use and medical marijuana, the staff of both committees recommend that the EAIC begin agency monitoring and rule review duties immediately to provide consistency. Staff also recommends that both the RIC and the EAIC formalize this understanding through votes of each committee and the execution of this agreement by the chairs and vice chairs of each committee.

III. TERMS OF AGREEMENT

The EAIC will perform agency monitoring and rule review duties regarding adult-use and medical marijuana.

In the event the EAIC has an objection to a proposed or adopted rule or desires to follow a provision of the Montana Administrative Procedures Act (MAPA) in Title 2, Chapter 4, MCA, it will vote on a motion recommending that the RIC pursue the specific remedy or remedies.

In the event the EAIC motion passes, staff for the EAIC will provide the information to staff of the RIC. The members of the RIC will vote on the motion requested by the EAIC.

IV. DURATION OF AGREEMENT

This agreement terminates December 31, 2021. Either committee may propose revisions at any time.

 7/15/2021

Chair date

Revenue Interim Committee

 7/15/2021

Vice Chair date

Revenue Interim Committee

 9/22/21

Chair date

Economic Affairs Interim Committee

 9/22/2021

Vice Chair date

Economic Affairs Interim Committee