



## Education and Local Government Interim Committee

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### 60th Montana Legislature

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## History and Rationale for the Creation of an Education *and* Local Government Interim Committee

In the context of possibly adopting *Shared Policy Goals and Accountability Measures* and bringing a deeper and more integrated mandate to education interim committee work, staff has been asked to revisit the history and rationale for having created a combined Education and Local Government Interim Committee.

Prior to 1999 there were few regular interim committees. Most committees were instead formed in response to study resolutions and bills emerging from the preceding session. This arrangement was increasingly seen to be problematic and deficient. (1) There was a proliferation of interim committees without the commensurate resources to adequately staff them. (2) State agencies would, as they do now, generate ideas for legislation over the interim, but they did not have corresponding interim committees on hand to begin bipartisan discussion and the drafting process. (3) The agency oversight roles that are now common to our interim committees were undertaken only on a limited scale before 1999.

New interim committees were thus created by statute. An effort was made to restructure the interim committee system around general topics, to some extent paralleling the standing committees of the session. Another guiding consideration was to keep committees at a manageable number given the finite availability of legal, research, and secretarial staff. Some issue areas that did not appear expansive enough to stand alone were merged with others.

### Reasons why education and local government matters were combined in one committee:

- School districts and local governments are both political subdivisions.
- Both have a common, overlapping tax base.
- Counties have duties related to school districts.
- The issue area of “local government” does not entail a state agency oversight role.

### Reasons subsequently raised as to why education and local government matters should comprise two separate committees:

In Fall 2006, action was initiated to break the ELG into two separate interim committees. The ELG 2005-2006 Interim Committee recommended\* to the Legislative Council that either the ELG be broken into two committees or membership and staff resources be increased to adequately handle the ELG’s increasing scope of work. Emerging from this was HB-80 (Rep.

Hamilton) by request of the Legislative Council, which would, among other things, create a Local Government interim committee. HB-80 died in the House Appropriations Committee.

Varied reasons cited for splitting up education and local government issues have included:

- If the ELG is to become more involved in the budgeting process of the MUS, then separating out local government issues would be advisable. [ELG minutes, 6/13/06]
- The challenges facing legislators in the education and local government arenas are only going to become more numerous and complex, perhaps too much so for one committee to handle. If both subject areas remain under one committee, then local government liaison responsibilities and local government-related studies may not receive the attention they warrant. [ELG Chairman memo to the Legislative Council, 8/18/06]
- Since the current interim committee structure was adopted there appears to have been substantially less time, energy, and resources devoted to local government issues than education issues. Moreover, education issues historically have been, and in the future likely will be, sufficiently broad in nature and scope to occupy an interim committee solely devoted to those issues. [LSD Research Director memo to the Legislative Council, 9/15/06]
- Local government matters encompass the large Title 7 (Local Government) and, increasingly, Title 76 (Land Resources and Use). In the past several years, many land use issues that historically had been addressed by natural resource committee have been increasingly sent to local government committees. [LSD Director, 5/30/08]

\* Memo August 18, 2006: Chairman Mangan to the Legislative Council

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