

1 HOUSE BILL NO. 90

2 INTRODUCED BY B. BENNETT

3 BY REQUEST OF THE LEGISLATIVE COUNCIL

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5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING INTERIM COMMITTEES AND THE ENVIRONMENTAL
6 QUALITY COUNCIL TO ADOPT RULES THAT ALLOW COMMITTEE OR COUNCIL MEMBERS TO VOTE BY
7 PROXY; AMENDING SECTION 5-5-202, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

12 **"5-5-202. Interim committees.** (1) During an interim when the legislature is not in session, the
13 committees listed in subsection (2) are the interim committees of the legislature. They are empowered to sit as
14 committees and may act in their respective areas of responsibility. The functions of the legislative council,
15 legislative audit committee, legislative finance committee, environmental quality council, and state-tribal relations
16 committee are provided for in the statutes governing those committees.

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

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

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

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

7 (5) Each interim committee and the environmental quality council shall adopt a rule that allows an interim
8 committee member or a council member to vote by proxy."

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10 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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