

SENATE BILL NO. 151

INTRODUCED BY D. BROWN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING INTERIM COMMITTEES; CREATING A LOCAL  
5 GOVERNMENT COMMITTEE AND ESTABLISHING THE DUTIES OF THE COMMITTEE; ELIMINATING THE  
6 STATE-TRIBAL RELATIONS COMMITTEE AND CREATING THE EDUCATION AND STATE-TRIBAL  
7 RELATIONS INTERIM COMMITTEE; REASSIGNING INTERIM COMMITTEE FUNCTIONS; AMENDING  
8 SECTIONS 5-5-202 AND 5-5-224, MCA; REPEALING SECTION 5-5-229, MCA; AND PROVIDING AN  
9 IMMEDIATE EFFECTIVE DATE."

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

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13 NEW SECTION. **Section 1. Local government committee.** There is a local government committee.  
14 The committee is treated as an interim committee for the purposes of 5-5-211 through 5-5-214. The local  
15 government committee shall:

- 16 (1) act as a liaison with local governments;
- 17 (2) promote and strengthen local government through recognition of the principle that strong  
18 communities with effective, democratic governmental institutions are one of the best assurances of a strong  
19 Montana;
- 20 (3) bring together representatives of state and local government for consideration of common problems;
- 21 (4) provide a forum for discussing state oversight of local functions, realistic local autonomy, and  
22 intergovernmental cooperation;
- 23 (5) identify and promote the most desirable allocation of state and local government functions,  
24 responsibilities, and revenue;
- 25 (6) promote concise, consistent, and uniform regulation for local government;
- 26 (7) coordinate and simplify laws, rules, and administrative practices in order to achieve more orderly and  
27 less competitive fiscal and administrative relationships between and among state and local governments;
- 28 (8) review state mandates to local governments that are subject to 1-2-112 and 1-2-114 through 1-2-116;
- 29 (9) make recommendations to the legislature, executive branch agencies, and local governing bodies  
30 concerning:



1 (a) changes in statutes, rules, ordinances, and resolutions that will provide concise, consistent, and  
 2 uniform guidance and regulations for local government;

3 (b) changes in tax laws that will achieve more orderly and less competitive fiscal relationships between  
 4 levels of government;

5 (c) methods of coordinating and simplifying competitive practices to achieve more orderly administrative  
 6 relationships among levels of government; and

7 (d) training programs and technical assistance for local government officers and employees that will  
 8 promote effectiveness and efficiency in local government;

9 (10) conduct interim studies as assigned pursuant to 5-5-217; and

10 (11) report its activities, findings, recommendations, and any proposed legislation as provided in  
 11 5-11-210.

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13 **Section 2.** Section 5-5-202, MCA, is amended to read:

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

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

20 (a) economic affairs committee;

21 (b) education and ~~local government~~ state-tribal relations committee;

22 (c) children, families, health, and human services committee;

23 (d) law and justice committee;

24 (e) energy and telecommunications committee;

25 (f) revenue and transportation committee;

26 (g) state administration and veterans' affairs committee; and

27 (h) water policy committee.

28 (3) An interim committee, the local government committee, or the environmental quality council may refer  
 29 an issue to another committee that the referring committee determines to be more appropriate for the  
 30 consideration of the issue. Upon the acceptance of the referred issue, the accepting committee shall consider

1 the issue as if the issue were originally within its jurisdiction. If the committee that is referred an issue declines  
2 to accept the issue, the original committee retains jurisdiction.

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

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10 **Section 3.** Section 5-5-224, MCA, is amended to read:

11 **"5-5-224. Education and ~~local government~~ state-tribal relations interim committee.** (1) The  
12 education and ~~local government~~ state-tribal relations interim committee shall act as a liaison with ~~local tribal~~  
13 governments and encourage state-tribal and local government-tribal cooperation. The education and ~~local~~  
14 ~~government~~ state-tribal relations interim committee has administrative rule review, draft legislation review,  
15 program evaluation, and monitoring functions for the following executive branch agencies and the entities  
16 attached to agencies for administrative purposes:

- 17 (a) state board of education;  
18 (b) board of public education;  
19 (c) board of regents of higher education; and  
20 (d) office of public instruction.

21 (2) The committee shall:

- 22 (a) provide information to the board of regents in the following areas:  
23 (i) annual budget allocations;  
24 (ii) annual goal statement development;  
25 (iii) long-range planning;  
26 (iv) outcome assessment programs; and  
27 (v) any other area that the committee considers to have significant educational or fiscal policy impact;  
28 (b) periodically review the success or failure of the university system in meeting its annual goals and  
29 long-range plans;  
30 (c) periodically review the results of outcome assessment programs;

- 1 (d) develop mechanisms to ensure strict accountability of the revenue and expenditures of the university  
2 system;
- 3 (e) study and report to the legislature on the advisability of adjustments to the mechanisms used to  
4 determine funding for the university system, including criteria for determining appropriate levels of funding;
- 5 (f) act as a liaison between both the legislative and executive branches and the board of regents; and
- 6 (g) encourage cooperation between the legislative and executive branches and the board of regents;
- 7 ~~(h) promote and strengthen local government through recognition of the principle that strong~~  
8 ~~communities, with effective, democratic governmental institutions, are one of the best assurances of a strong~~  
9 ~~Montana;~~
- 10 ~~—— (i) bring together representatives of state and local government for consideration of common problems;~~
- 11 ~~—— (j) provide a forum for discussing state oversight of local functions, realistic local autonomy, and~~  
12 ~~intergovernmental cooperation;~~
- 13 ~~—— (k) identify and promote the most desirable allocation of state and local government functions,~~  
14 ~~responsibilities, and revenue;~~
- 15 ~~—— (l) promote concise, consistent, and uniform regulation for local government;~~
- 16 ~~—— (m) coordinate and simplify laws, rules, and administrative practices in order to achieve more orderly and~~  
17 ~~less competitive fiscal and administrative relationships between and among state and local governments;~~
- 18 ~~—— (n) review state mandates to local governments that are subject to 1-2-112 and 1-2-114 through 1-2-116;~~
- 19 ~~—— (o) make recommendations to the legislature, executive branch agencies, and local governing bodies~~  
20 ~~concerning:~~
- 21 ~~—— (i) changes in statutes, rules, ordinances, and resolutions that will provide concise, consistent, and~~  
22 ~~uniform guidance and regulations for local government;~~
- 23 ~~—— (ii) changes in tax laws that will achieve more orderly and less competitive fiscal relationships between~~  
24 ~~levels of government;~~
- 25 ~~—— (iii) methods of coordinating and simplifying competitive practices to achieve more orderly administrative~~  
26 ~~relationships among levels of government; and~~
- 27 ~~—— (iv) training programs and technical assistance for local government officers and employees that will~~  
28 ~~promote effectiveness and efficiency in local government; and~~
- 29 ~~—— (p) conduct interim studies as assigned."~~
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