

# ***Economic Affairs Interim Committee Proposed Work Plan for the 2019-2020 Interim***

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*draft as of 6/4/2019*

## **Summary**

This draft work plan for the 2019-2020 Economic Affairs Interim Committee (EAIC or Committee) contains:

- an introduction regarding EAIC duties;
- details related to the EAIC's statutory duties;
- brief information on studies that may be assigned;
- a proposed schedule; and
- topics that EAIC members or staff have suggested pursuing.

This work plan may be revised periodically, taking into consideration budget, emerging issues, and timing.

## **I. *Introduction***

The statutory duties of all interim committees include monitoring assigned agencies and conducting studies assigned by the Legislative Council. See Table 1 for the assigned agencies and entities to be monitored. In addition, the interim committees traditionally have taken the initiative to address areas of concern that may lead to legislation in their areas of influence.

Monitoring includes:

- reviewing rules;
- responding to questions about or issues raised regarding any of the monitored entities or their programs and reports;
- identifying issues from the past session or other issues that may lead to legislation in the next session; and
- providing a preliminary review of the monitored entities' draft legislation.

Other responsibilities include:

- studying and reporting to the 2021 Legislature on assigned studies; and
- naming (by the EAIC presiding officer) two EAIC members as liaisons to the Montana State Fund, a state entity that provides a guaranteed market for workers' compensation.

## **Budget/Meeting Dates**

~ \$42,200 - EAIC      The EAIC budget for the 2019-2020 biennium is about \$42,200, higher than in past interims with the addition of 2 more House members. For the first meeting, the EAIC can tap money left over from the last interim, which means the budgeted amount for the FY2019-FY2020 biennium is able to cover 9 proposed meeting days, with additional funds for travel, conferences, or a subcommittee if needed. If the members decide

to have a subcommittee, the staffing and budget for subcommittee meetings reduce the main EAIC staffing and budget proportionately.

The bulk of the budget is for members' travel and per diem costs for meetings but allows for additional expenditures, such as the use of remote meeting technologies, meetings out of Helena, conferences, or other meetings related to the EAIC's work. Table 2 has meeting options.

~ \$7,738 for  
MSF liaisons

The cost for two EAIC members to serve as liaisons to the Montana State Fund, separately identified in the Legislative Services Division budget, is about \$7,700. Liaisons submit their claims separately to the Legislative Services Division.

Next MSF meeting:  
June 7

Liaisons can count on attending approximately four Montana State Fund meetings a year. The remaining meetings for 2019 are June 7, Sept. 13, and Dec. 13. For 2020, quarterly meetings are anticipated in March, June, September, and December.

The study resolutions require that interim committee work, including final reports, recommendations, and any proposals for legislation, be completed by Sept. 15, 2020.

## **II. *Statutory Obligations and Review of Duties***

The Montana Code Annotated describes the statutory duties of interim committees as follows:

**"5-5-215. Duties of interim committees.** (1) Each interim committee shall:

- (a) review administrative rules within its jurisdiction;
- (b) subject to 5-5-217(3), conduct interim studies as assigned;
- (c) monitor the operation of assigned executive branch agencies [see Table 1] with specific attention to the following:
  - (i) identification of issues likely to require future legislative attention;
  - (ii) opportunities to improve existing law through the analysis of problems experienced with the application of the law by an agency; and
  - (iii) experiences of the state's citizens with the operation of an agency that may be amenable to improvement through legislative action;
- (d) review, if requested by any member of the interim committee, the statutorily established advisory councils and required reports of assigned agencies to make recommendations to the next legislature on retention or elimination of any advisory council or required reports pursuant to 5-11-210;
- (e) review proposed legislation of assigned agencies or entities as provided in the joint legislative rules; and
- (f) accumulate, compile, analyze, and furnish information bearing upon its assignment and relevant to existing or prospective legislation as it determines, on its own initiative, to be pertinent to the adequate completion of its work.

**Table 1: Agencies Assigned to the EAIC and Areas of Interest**

<b>Department of Agriculture</b> <ul style="list-style-type: none"> <li>• Agricultural Development Division</li> <li>• Agricultural Sciences Division</li> <li>• Central Services</li> <li>• State Grain Laboratory</li> </ul>	MT Wheat & Barley Committee	Hail Insurance Board
	Noxious weed-related advisory councils (2)	
	Alfalfa Seed Committee	Organic Advisory Committee
	Cherry Advisory Committee	Potato Advisory Committee
		MT Pulse Crop Committee
<b>Department of Commerce</b> <ul style="list-style-type: none"> <li>• Director's Office</li> <li>• Community Development Division</li> <li>• Housing Division</li> <li>• Office of Tourism and Business Development</li> </ul>	Board of Housing	MT Facility Finance Authority
	Board of Investments	MT Heritage Commission
	Board of Research and Commercialization	Small Business Development Center Advisory Council
	Economic Development Advisory Council	State Tribal Economic Development Commission
	Coal Board	Tourism Advisory Council
	Hard-rock Mining Impact Board	Board of Horseracing
<b>Department of Labor &amp; Industry</b> <ul style="list-style-type: none"> <li>• Business Standards Division</li> <li>• Centralized Services Division</li> <li>• Employment Relations Division</li> <li>• Unemployment Insurance Division</li> <li>• Workforce Services Division</li> <li>• Workers' Compensation Court</li> </ul>	Professional and Occupational Licensing Boards (33)	
	Building Codes Bureau	Occupational Safety / Health
	Weights and Measures Bureau	Apprenticeship / Training
	Montana Human Rights Commission	Incumbent Worker Training Program
	Board - Personnel Appeals	Foreign Labor Certification
	Unemployment Insurance Appeals Board	MT State Employers Council
	Labor-Management Advisory Cncl	Workforce Innovation Board
<b>Department of Livestock</b> <ul style="list-style-type: none"> <li>• Animal Health Division</li> <li>• Brands Enforcement Division</li> <li>• Centralized Services Division</li> <li>• Diagnostic Laboratory</li> <li>• Meat and Milk Inspection Division</li> </ul>	Livestock Loss Board	Board of Milk Control
	Meat and Poultry Bureau	Milk and Egg Bureau
<b>State Auditor's Office</b> <ul style="list-style-type: none"> <li>• Insurance Division</li> <li>• Securities Division</li> </ul>	Statutory duties	
<b>Governor's Office of Economic Development</b>	Statutory duties	
<b>Banking/Financial Institutions Division</b>	Statutory duties	
<b>Alcohol Control Division</b>	Statutory duties	
<b>Montana State Fund</b>	Statutory duties, including budget review per SB 379 (2015)	

(2) Each interim committee shall prepare bills and resolutions that, in its opinion, the welfare of the state may require for presentation to the next regular session of the legislature.

(3) The legislative services division shall keep accurate records of the activities and proceedings of each interim committee."

## **Duties Required in Statute**

### **A. Rule Review**

Under 5-5-215, MCA, an interim committee "shall review administrative rules within its jurisdiction." There are different ways of doing the review ranging from in-depth analysis to general oversight, depending on the Committee's choice. In the past, EAIC legal staff typically reviewed rulemaking notices from all of the agencies that the EAIC monitors and provided information to the Committee on generally significant rules but only raised flags on a rule if the attorney considered the rule to be noncompliant with legislative intent or otherwise not meeting the Montana Administrative Procedure Act (MAPA). The EAIC could request the Committee attorney to pay particular attention to rules affecting constituent concerns, if any. According to MAPA, the committee charged with reviewing agency rules may:

- request agency rulemaking records for ensuring compliance with MAPA;
- submit recommendations regarding the adoption, amendment, or rejection of a rule;
- require that a hearing be conducted;
- participate in proceedings; or
- review the conduct of administrative proceedings.

### **B. Program Monitoring**

Pursuant to 5-5-215, MCA, the Committee shall monitor the operation of assigned agencies with specific attention paid to:

- identifying issues likely to require future legislative attention;
- improving existing law; and
- seeking the input of citizens regarding the operation of agencies.

The EAIC monitors the following (see Table 1 for more detail):

- Department of Agriculture;
- Department of Commerce;
- Department of Labor and Industry;
- Department of Livestock;
- Office of the State Auditor and Commissioner of Insurance and Securities;
- Governor's Office of Economic Development;
- Division of Banking and Financial Institutions;
- Alcoholic Beverage Control Division; and
- Montana State Fund.

### C. Draft Legislation Review

Draft legislation review is intended both for an interim committee's suggested legislation and for legislation to be proposed by agencies monitored by the committee. When the interim committee is proposing its own legislation, it is listed under both "requester" and "requested by." A requester must be a legislative entity. The "requested by" entity may be a state agency.

The requester role sometimes is seen by the public as the committee endorsing the bill, when in fact the requester is just enabling drafting of the legislation and is not taking a stand on the contents of the bill. However, an interim committee may choose not to request drafting of a particular bill requested by an agency, which means only that the agency must find a legislator who will introduce the bill (and the committee then, perhaps, generates some unnecessary ill will). Early review by legislators also allows for outside suggestions that agencies may or may not take under consideration.

Two reasons for review of agency legislation by interim committees are:

- to provide early drafting for agencies, which presumably know in advance which policies they are seeking to amend, remove, or establish; and
- to improve the workflow so that staff can begin drafting legislation before the elections and handle agency legislation before the onslaught of newly elected legislators' bill requests.

Because agencies are expected to have submitted their proposals to the Governor's Office by June in the year preceding the legislative session, interim legislative committees can begin as early as that June to review the legislation. The EAIC often has reviewed agency legislation at its last meeting of the interim. According to Joint Rule 40-40(5)(a): "Unless requested by an individual member, a bill draft request submitted at the request of an agency must be submitted to, reviewed by, and requested by the appropriate interim or statutory committee." Typically, agency draft legislation is not ready by September, so the agencies present only the concepts.

### D. Maintain Adequate Records of Activities

Under 2-3-212, MCA, if an audio recording is designated as the official record, written records of meetings must also be kept to provide assistance to the public in accessing the relevant portion of the meeting. The Legislative Council has decided that the audio recording stands as the official record. Unless otherwise requested by the Committee, the written material regarding minutes will be a log or guideline to topics, the times that they were addressed, and the names of those who spoke on the subject. For this type of record, there is no need for the Committee to approve the minutes log. The audio recording serves as the official record.

As for other records of activities, staff relies on communication with EAIC members using both e-mail and letters. If an EAIC member prefers communication in one form only, please let staff know and they will adjust to match preferences. Information will be sent to the EAIC members approximately 2 weeks prior to a meeting by mail and will be posted on the Committee website, unless the EAIC member directs electronic notification only. Material may be sent in more than one mailing. Legislators may refer constituents or interested parties to the website for information or to sign up for electronic notification of EAIC activities. The website is:

<https://leg.mt.gov/committees/interim/2019eaic/> or simply <http://leg.mt.gov/eaic>.

**E. Additional Statutory Duties**

• **Reports from Department of Administration on Advisory Council on Co-Located Laboratory for Facilities that Conduct Animal Testing for Pathogens.**

House Bill No. 586 requires the Department of Administration to develop a plan for a lease that provides an option to purchase a co-located laboratory and requires an advisory council consisting of legislators and representatives of the Department of Livestock, the Department of Fish, Wildlife, and Parks, the Department of Agriculture, and two members representing Montana State University, one from the President's Office and one for MSU extension. Reports to EAIC are to be made quarterly.

**\*New in 2019-2020**

- Advisory Council on Co-Located Laboratories
- Reports on Pesticide Applicator Training
- Report on Reinsurance Operations/Finances
- Last report of the Rail Service Competition Council
- Report from Board of Horseracing on historical races video betting

• **Reports from the Department of Agriculture regarding Pesticide Applicator Recertification Training and Online Recertification.**

Under HB 221, the Department of Agriculture is to report by Sept. 1, 2020, to the Economic Affairs Interim Committee on pesticide recertification requirements and online training efforts.

• **Information from the Board of Horseracing as to historical horseracing options**

Under SB 183, the Board of Horseracing is specifically authorized to conduct public hearings and rulemaking, contract with the Department of Justice for a memorandum of understanding regarding parimutuel gambling, and otherwise develop legislation to present to the Economic Affairs Interim Committee regarding implementation of historical horseracing in Montana. The bill does not authorized historical horseracing.

• **Licensing Board or Program Review.**

As part of its monitoring duties related to the Department of Labor and Industry, to which professional and occupational licensing boards are administratively attached, the EAIC is responsible for deciding:

- if any particular licensing board or program is not needed; or
- if the financial solvency of the board or program is questionable. Under 2-8-404, MCA, the EAIC is required to notify the department if the Committee itself wants to review boards or programs for the purpose of sunseting them or combining them with another board.

• **Monitoring of Anticompetitive Behavior of Licensing Boards.**

House Bill No. 141 in the 2017 session required monitoring of the Department of Labor and Industry's determinations as to whether any board actions are considered by the Commissioner of Labor and Industry to be anticompetitive. The Commissioner of Labor

and Industry has the responsibility to determine if any board actions violate antitrust laws. The EAIC may initiate further hearings, backstop the Commissioner of Labor and Industry, or provide an alternative process for those alleging possible antitrust activities by boards or licensees. The active supervision statute terminates July 1, 2021.

- **Review of Indirect Administrative Rate Negotiated with Department of Commerce**  
Under 22-3-1002(1), MCA, the EAIC is required to review the administrative fee negotiated between the Montana Heritage Preservation and Development Commission and the Department of Commerce.
- **Review of the Distressed Wood Products Industry Loan Account**  
Under 90-1-503, MCA, the Department of Commerce is to report to the EAIC about the status of the distressed wood products industry loan account.
- **Report by the Rail Service Competition Council (RSCC)**  
Under 2-15-2511(3), MCA, the Rail Service Competition Council is to "report to any standing or interim legislative committee that is assigned to study or has oversight duties for rail service competition issues." A report from June 2019 will be the last report, based on passage of HB 59, requested by the EAIC, to terminate the RSCC.
- **Review of Advisory Councils and Reports**  
Each interim committee, at the request of any member of the interim committee, shall review advisory councils and reports that must be provided to the Legislature to determine whether they are serving their purpose or are no longer necessary. Among advisory councils eligible for EAIC review are:
  - ▶ Tourism Advisory Council (Commerce) created under 2-15-1816, MCA;
  - ▶ Advisory Council on Continuing Education for Insurance Licensees (SAO) created under 33-17-1204, MCA;
  - ▶ Advisory Council on Risk Management Activities (SAO), related to medical malpractice concerns, created under 33-23-520, MCA;
  - ▶ Noxious Weed Management Advisory Council (Agriculture) created under 80-7-805, MCA;
  - ▶ Montana Noxious Weed Seed Free Forage Advisory Council (Agriculture) created under 80-7-904, MCA;
  - ▶ Organic Commodity Advisory Council (Agriculture) created under 80-11-601, MCA; and
  - ▶ Vertebrate Pest Management Advisory Council (Agriculture) established under 80-7-1104, MCA.

The following required reports are under EAIC auspices, whether because they say specifically that the EAIC is to receive the report or the report is under an agency for which the EAIC is responsible:

- ▶ State Agency and County Weed District Biennial Noxious Weed Report (Agriculture), 7-22-2151, MCA;

- ▶ Montana Board of Investments Annual Report (Commerce), 17-5-1650, MCA;
- ▶ Apprenticeship and Training Program Biennial Report (Labor and Industry), 39-6-101 and 5-11-210, MCA;
- ▶ Business and Industrial Development Corp. report if a BIDCO is created.
- ▶ Livestock Loss Reduction Report (to be made to the Legislature and the Board of Livestock), 2-15-3113, MCA;
- ▶ Distressed Wood Industry Report (Commerce), 90-1-503 and 5-11-210, MCA;
- ▶ Unemployment benefits for victims of domestic violence, sexual assault, or stalking (to be made to the Legislature), 39-51-2111, MCA;
- ▶ Montana State Fund, which is to provide a report on its approved budget to the EAIC (this happens annually after budget approval in the spring); and
- ▶ Reinsurance operations and finance annual report due to EAIC by June each year, starting in 2020 (pursuant to SB 125 in the 2019 session).

The following boards, committees, or other entities may contain an advisory function but are not specifically termed advisory councils or are not created statutorily. None of the following has had a review since at least 2014. The 2019-2020 EAIC may choose to review one, none, or many.

- ▶ Montana Agriculture Development Council (Agriculture) provided for in 2-15-3015 and 90-9-103, MCA;
- ▶ Montana Alfalfa Seed Committee (Agriculture) under 2-15-3004, MCA;
- ▶ Montana Cherry Advisory Committee (Agriculture) under 80-11-510, MCA (a statute giving the department general creation authority);
- ▶ Montana Potato Advisory Committee (Agriculture);
- ▶ Montana Pulse Crop Committee (Agriculture) under 2-15-3007, MCA;
- ▶ Montana Wheat and Barley Committee (Agriculture) under 2-15-3002, MCA;
- ▶ Board of Hail Insurance (Agriculture) created under 2-15-3003 and Title 80, ch. 2, part 2, MCA;
- ▶ Montana State Workforce Innovation Board (Labor and Industry) under 53-2-1203, MCA;
- ▶ Board of Personnel Appeals (Labor and Industry) under 2-15-1705, MCA;
- ▶ Unemployment Insurance Appeals Board (Labor and Industry) under 2-15-1704, MCA;
- ▶ Board of Housing (Commerce) under 2-15-1814, MCA;
- ▶ Coal Board (Commerce) under 2-15-1821, MCA;
- ▶ Board of Research and Commercialization Technology (Commerce) under 2-15-1819, MCA -- repealed as of June 30, 2019;
- ▶ Hard-rock Mining Impact Board (Commerce) under 2-15-1822, MCA;
- ▶ State Tribal Economic Development Commission (Commerce) under 90-1-131, MCA;
- ▶ SBDC (Small Business Development Center) Advisory Council (Commerce);
- ▶ Montana Heritage Preservation and Development Commission (Commerce) under 22-3-1002, MCA;
- ▶ Montana Facility Finance Authority (Commerce) under 2-15-1815, MCA;
- ▶ Board of Investments (Commerce) under 2-15-1808, MCA; and
- ▶ Montana Council on Developmental Disabilities (Commerce) under 2-15-1869, MCA.



### **III. Study Activities**

Legislative Council assigns studies to each of the interim committees. Possible studies for the Economic Affairs Interim Committee are:

- ▶ HJ 29, a study of meat inspection laws and activities in Montana;
- ▶ SJ 18, a study of occupational licensing barriers faced by those with criminal records; and
- ▶ SJ 24, a study of the uses of the lodging and facilities use tax.

### **IV. Other Interim Activities**

The EAIC's opportunity to "accumulate, compile, analyze, and furnish information" (as related to its assigned duties or existing or prospective legislation) means that guest speakers may be scheduled to provide information on relevant topics. Members may propose investigation of emerging issues at any time during the interim. Agencies also may request that the Committee study an emerging issue that has resulted from court decisions, federal actions, or another cause. Emerging issues are not necessarily member issues and may be raised by an agency or by staff. However, to be on the agenda, the issue must be requested by the presiding officer or other EAIC members. Staff resources are limited, so additions to a work plan must be accompanied by deletions to maintain balance.

### **V. Member Issues**

EAIC members have an opportunity to put more or less emphasis on subjects under their purview as a way of making time for EAIC-relevant member issues. EAIC members and staff have recommended various topics for possible consideration this interim (see Appendix F).

### **VI. Staff Recommendations for Additional Activities**

If additional issues arise, staff will ask members to determine whether further background information or action is desired.

### **VII. Interim Calendar**

The schedule in Table 2 provides an overall road map for accomplishing required duties.

**Table 2: Meeting Dates and Proposed Topics and Tasks**

Date	Phase	Research Tasks/Policy Issues
June 6, 2019	Organizational  Rule Review  Studies	*Elect officers *Appoint liaisons to Montana State Fund  *Review work plan (involvement in rule review, extent of agency monitoring, member issues, meeting times)  Work plans related to assigned studies
September 11, 2019	Work Plan  Agency Monitoring  Rule Review  Legislative Fiscal	*Determine final work plan: level of Intensity for studies, Advisory Council/Committees to review, number of meetings.  *Overviews from: State Auditor's Office (confirmed) Department of Labor and Industry Dept. of Livestock Montana State Fund 2019 budget  Presentation by Amy Carlson, Legislative Fiscal Analyst
November 7, 2019	Studies  Agency Monitoring  Rule Review  Member Issues	*Overviews from: Financial Institutions Division (confirmed) Department of Agriculture Governor's Office of Economic Development  *Quarterly Labs Report
Possible mid-January 2020	"Legislative Week"	Proposed joint meeting with Law and Justice Interim Committee on SJ 24 study or meet with fiscal if interim committees are required to meet the week of Jan. 13-17, 2020.
February 12-13, 2020	Studies  Agency Monitoring  Rule Review  Member Issues	*Overviews from: Department of Commerce (confirmed) Liquor Control Division Montana State Fund 2020 budget

Date	Phase	Research Tasks/Policy Issues
April 28, 2020	Studies Agency Monitoring Rule Review Member Issues	*Follow-up on agency presentations? *Quarterly Labs Report
June 30-July 1, 2020	Studies Agency Monitoring Rule Review Member Issues	*Possible early legislation presentation? *Quarterly Labs Report
Sept. 9, 2020	Studies Agency Monitoring Legislative Review Member Issues Rule Review	*Wrap-up: *Last meeting usually involves presentation of required reports -- in part because they are not completed earlier *Quarterly Labs Report *Committee bills? *All monitored agencies' bill drafts

### VIII. *Web Resources*

Information about the Committee is available through the legislative website at:

<http://leg.mt.gov/eaic>

At that site, staff will post information regarding Committee activities, minutes, agendas, study reports, and relevant information. The site also provides links to the websites of agencies for which the Committee is responsible.

**IX. Matrix for Prioritizing the Focus of Meetings**

Table 3 provides a brief description of the Committee's involvement over the course of the interim. The columns provide members with options for allocating their time. It is anticipated that choosing the most involvement for each activity will seriously tax the EAIC's time, staff resources, and budget. The table is intended to be flexible yet help the Committee members recognize that only a limited amount of Committee time is available for activities that are not mandated.

**Table 3: EAIC Matrix for Setting Priorities for Interim Committee Activities**

<b>ACTIVITY</b>	<b>Most Involvement</b>	<b>Moderate Involvement</b>	<b>Minimal Involvement</b>
<p><i>RULE REVIEW</i></p> <p><i>Minimum of 10 minutes per meeting</i></p> <p><i>= minimum 1 hr committee time</i></p> <p><i>Chosen option</i></p>	<ul style="list-style-type: none"> <li>▶ Request written or oral reports, including analysis by legal staff at each meeting on all proposed rules or adoption notices for each agency monitored.</li> <li>▶ Request copies of rules from agencies for legislators' personal review.</li> <li>▶ Seek public comment on rules of concern.</li> </ul> <p>~ 0.3 FTE</p>	<ul style="list-style-type: none"> <li>▶ Request brief written description of all rules prior to Committee meetings (from this meeting).</li> <li>▶ Review only topics in Committee that:               <ol style="list-style-type: none"> <li>1) legislators flag as important or of concern; or</li> <li>2) a member of the Committee asks be placed on the EAIC agenda.</li> </ol> </li> </ul> <p>~ 0.2 FTE</p>	<ul style="list-style-type: none"> <li>▶ Hear information only on issues that Committee legal staff considers to be out of compliance with statutes or legislative intent.</li> </ul> <p>~ 0.1 FTE</p>
<p><i>ACTIVE SUPERVISION REVIEW</i></p> <p><i>~ 0.5-1 hr - min</i></p> <p><i>~ 2-4.5 hrs - med</i></p> <p><i>~ 6-7 hrs - max</i></p> <p><i>Chosen option</i></p>	<ul style="list-style-type: none"> <li>▶ Incorporate options to the right and decide if polling of the Legislature is needed to determine legislative intent for issues under consideration.</li> <li>▶ Conduct more than one public comment. opportunity at more than one meeting.</li> </ul> <p>~ 0.25 FTE depending on # of issues and degree of interest</p>	<ul style="list-style-type: none"> <li>▶ Incorporate options to the right and decide if briefing paper or more information is needed, including comparisons with other states.</li> <li>▶ Require reports back to the committee.</li> </ul> <p>~ 0.15 FTE depending on number of issues</p>	<ul style="list-style-type: none"> <li>▶ Hear information only on issues that Commissioner of Labor and Industry considers to be anticompetitive.</li> <li>▶ Decide if letters need to be written.</li> <li>▶ Hold public comment.</li> <li>▶</li> </ul> <p>~.05 FTE</p>

<b>ACTIVITY</b>	<b>Most Involvement</b>	<b>Moderate Involvement</b>	<b>Minimal Involvement</b>
<p><b>DRAFT LEGISLATION REVIEW</b></p> <p><i>Minimum of 0 to 15 mins to 1 hr for each agency</i></p> <p><i>~ 3 hours - min</i></p> <p><i>Chosen option</i></p>	<ul style="list-style-type: none"> <li>Request reports from agencies on legislative proposals submitted in early 2020 to the Office of Budget and Program Planning. Include panel presentations to familiarize Committee with issues.</li> </ul> <p>~ 0.02 FTE</p>	<ul style="list-style-type: none"> <li>Provide time at June and September 2020 meetings, one for initial concept review and the other for follow-up briefings for complex legislation.</li> </ul> <p>~ 0.015 FTE</p>	<ul style="list-style-type: none"> <li>Overview of concepts on each item of legislation at final meeting.</li> </ul> <p>NOTE: Some agencies do not propose legislation.</p> <p>~ 0.01 FTE</p>
<i>Subtotal</i>			
<b>ACTIVITY</b>	<b>Most Involvement</b>	<b>Basic Involvement Needed</b>	
<p><b>AGENCY MONITORING</b></p> <p><i>~ 9 hours (more if follow-ups needed)</i></p> <p><i>Chosen option</i></p>	<ul style="list-style-type: none"> <li>Each agency division would give an initial overview presentation.</li> <li>Any agency with further statutory reporting requirements would give an oral report to the EAIC.</li> <li>EAIC members specify follow-up reports on program specifics.</li> </ul> <p>~0.3 FTE</p>	<ul style="list-style-type: none"> <li>Each agency head would provide a brief overview of activities.</li> <li>Any agency with further statutory reporting requirement would give an oral report.</li> </ul> <p>~ 0.2 FTE</p>	
<b>ACTIVITY</b>	<b>Most Involvement</b>	<b>Moderate Involvement</b>	<b>Minimal Involvement</b>
<p><b>HB 142 REVIEWS</b></p> <p><i>A review of the necessity of advisory councils, etc., or reports linked to agencies that EAIC monitors.</i></p> <p><i>~ .05 hrs - min</i> <i>~ 1 - 9 - med</i> <i>~ 10-17 - max</i></p> <p><i>Chosen option</i></p>	<ul style="list-style-type: none"> <li>Review the 35 advisory councils/reports and advisory groups of all types. Some would just be monitored; others would include a "sunset" review with public comment followed by a vote by the Committee on whether to retain.</li> </ul> <p>~ 0.2 FTE</p>	<ul style="list-style-type: none"> <li>Have presentations on the 13 statutory advisory councils and reports required for review, public comment, and votes by the Committee on each along with up to 4 other advisory committees from the list on pp. 7-8.</li> </ul> <p>~ 0.15 FTE</p>	<ul style="list-style-type: none"> <li>Provide a briefing paper for each of the 13 statutory advisory councils and reports, with the committee deciding if any need a review. If a review is needed, there would be public comment and a vote of the Committee.</li> </ul> <p>~ 0.1 FTE</p>

ACTIVITY	Most Involvement	Moderate Involvement	Minimum Involvement
<p><b>MONITORING IMPORTANT ACTIVITIES</b> (<i>may be based on member issues -- see below</i>)</p> <p>~ 0.5-1 hr - min ~ 4.5 hrs - med ~ 6 hrs - max</p> <p><i>Chosen option</i></p>	<ul style="list-style-type: none"> <li>• Outline up to 5 topics chosen at the first meeting to be addressed at subsequent meetings.</li> <li>• Include staff-prepared "white papers" on each topic.</li> <li>• Panel presentations on selected topics.</li> <li>• Discussion by EAIC.</li> </ul> <p>~ 0.25 FTE</p>	<ul style="list-style-type: none"> <li>▶ Outline up to 3 topics chosen at the first meeting to be addressed at subsequent meetings.</li> <li>▶ Staff briefing papers on topics of interest.</li> <li>▶ Discussion by EAIC.</li> </ul> <p>~ 0.1 FTE</p>	<ul style="list-style-type: none"> <li>▶ Topics limited to those presented by interested persons who ask to be on agenda.</li> <li>▶ Copies of relevant reports provided to Committee.</li> <li>▶ No staff briefing or "white papers."</li> </ul> <p>~ 0.001 FTE</p>
<p><i>Subtotal</i></p>			
<p><b>MEMBER ISSUES</b> (see also Monitoring Important Activities above)</p> <p>~ 0.5-1 hr - min ~ 2-4 hrs - med ~ 5-6 hrs - max</p> <p><i>Chosen option</i></p>	<ul style="list-style-type: none"> <li>▶ Each meeting would have 1 member issue on the agenda, with presentation by an identified expert (6 or 7 topics in total).</li> <li>▶ Provide a white paper on designated issues.</li> <li>▶ Draft related legislation.</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>▶ Committee as a whole could choose an issue to explore in-depth at 3 or 4 meetings.</li> </ul> <p>~ 0.25 FTE</p>	<ul style="list-style-type: none"> <li>▶ 4 or 5 member issues would be addressed, with a presentation by an identified expert.</li> <li>▶ Staff to prepare briefing papers or draft legislation as issues arise.</li> </ul> <p>~ 0.1 FTE</p>	<ul style="list-style-type: none"> <li>▶ Address no more than 2 member issues as time allows, with staff providing copies of relevant outside reports to EAIC.</li> <li>▶ No staff briefing or white papers.</li> <li>▶ 1 or 2 presentations, if any.</li> </ul> <p>~ 0.001 FTE</p>
<p><b>ASSIGNED STUDY:</b></p> <p><b>HJ29</b> - Study of Meat Inspection Laws</p> <p><b>Committee time:</b> 1-2 hrs min. 2-3 hrs med. 3-4 hrs max.</p> <p><i>Chosen option</i></p>	<ul style="list-style-type: none"> <li>▶ Overview</li> <li>▶ Briefing paper</li> <li>▶ 2-3 presentations of which: <ul style="list-style-type: none"> <li>▶ 1 panel presentation from stakeholders regarding their views and concerns.</li> <li>▶ 1 on custom butchers</li> <li>▶ 1 on wild game issues</li> </ul> </li> <li>▶ Legislation</li> <li>▶ Public comment opportunity.</li> </ul> <p>~ 0.5 FTE (1,400 hrs)</p>	<ul style="list-style-type: none"> <li>▶ Overview</li> <li>▶ Briefing paper</li> <li>▶ 1 panel presentation from stakeholders regarding their views and concerns.</li> <li>▶ Public comment opportunity.</li> </ul> <p>~ 0.25 FTE (720 hrs)</p>	<ul style="list-style-type: none"> <li>▶ Overview of issues behind the study</li> <li>▶ Briefing paper on federal laws followed by state meat inspectors.</li> <li>▶ Public comment opportunity.</li> </ul> <p>~ 0.1 FTE (288 hrs)</p>

ACTIVITY	Most Involvement	Moderate Involvement	Minimum Involvement
<p><i>ASSIGNED STUDY :</i></p> <p><b>SJ 18</b> - Study of occupational licensing barriers for those with criminal convictions</p> <p><i>Committee time</i>  1-2 hrs - min  2-4 hrs - med  5-8 hrs- max</p> <p><i>Chosen option</i></p>	<ul style="list-style-type: none"> <li>▶ Overview</li> <li>▶ Briefing papers listed at right (restoration of rights, legislative efforts, and what other states are doing).</li> <li>▶ 2 to 3 panel or individual presentations on suggested changes in laws to help those with criminal convictions get evaluated on skills and merits. Include model legislation or guidelines for licensing boards to use in evaluating applicants.</li> <li>▶ Determine if legislation is to be introduced and, if so, convene related presentations.</li> <li>▶ Public comment opportunity.</li> </ul> <p>~ 0.25 FTE (720 hrs)</p>	<ul style="list-style-type: none"> <li>▶ Overview</li> <li>▶ Briefing papers listed at right plus briefing paper on what other states are doing to address employment of those with criminal records.</li> <li>▶ Panel presentation from stakeholders, including applicants with criminal convictions and board members.</li> <li>▶ Determine if legislation is to be introduced and, if so, have presentations related to bill drafts.</li> <li>▶ Public comment opportunity.</li> </ul> <p>~ 0.1 FTE (288 hrs)</p>	<ul style="list-style-type: none"> <li>▶ Overview.</li> <li>▶ Briefing paper on legal issues regarding restoration of rights</li> <li>▶ Briefing paper on past legislative efforts regarding criminal convictions and employment.</li> <li>▶ Determine if legislation is to be introduced and, if so, have presentations related to bill drafts.</li> <li>▶ Public comment opportunity.</li> </ul> <p>~ 0.05 FTE (144 hrs)</p>
<i>Subtotal</i>			
<p><i>ASSIGNED STUDY :</i></p> <p><b>SJ 24</b> - Study of the distribution of lodging facility use taxes</p> <p><i>Committee time</i>  2-4 hrs - min  5-6 hrs - med  7-8 hrs - max</p> <p><i>Chosen option</i></p>	<ul style="list-style-type: none"> <li>▶ Overview</li> <li>▶ More in-depth briefing papers on Tourism Advisory Council and local tourism commissions' recommendations related to distributions.</li> <li>▶ Fiscal overview of all tourism-related funding and unmet tourism needs</li> <li>▶ Determine if legislation is to be introduced</li> <li>▶ 2-3 presentations related to bill drafts if any are proposed.</li> <li>▶ Public comment opportunity.</li> </ul> <p>~ 0.2 FTE (576 hrs)</p>	<ul style="list-style-type: none"> <li>▶ Overview</li> <li>▶ Grant briefing paper</li> <li>▶ More in-depth briefing papers on Tourism Advisory Council and local tourism commissions' recommendations related to distributions.</li> <li>▶ Determine if legislation is to be introduced</li> <li>▶ 1-2 presentations related to bill drafts if any are proposed.</li> <li>▶ Public comment.</li> </ul> <p>~ 0.15 FTE (432 hrs)</p>	<ul style="list-style-type: none"> <li>▶ Overview</li> <li>▶ Briefing paper on grant process</li> <li>▶ Briefing paper related to Tourism Advisory Council and local tourism commissions' recommendations as related to distributions.</li> <li>▶ 1 panel presentation on ways to improve distributions</li> <li>▶ Public comment opportunity.</li> </ul> <p>~ 0.1 FTE (288 hrs)</p>
<i>Subtotal</i>			

<b>Summary =</b>			
Total Committee Time = 9 days 2 two-day meets 5 one-day ~ 60 hrs	about 7 hours per meeting	Staff time = Approximately 1 FTE (includes JW+PM time) 0.05 = 144 hrs 0.1 = 288 hrs 0.25 = 720 hrs 0.5 = 1,440 hrs. 1 FTE = 2880 hours	All Pat's time + half of Jameson's time minus comp, vacation, and hours spent on other research and division duties.

In calculating the EAIC's allocation of its meeting time, the following table may be helpful.

<b>Responsibilities</b>	<b>Time Needed</b>	<b>Total Meeting Hours</b>								
Administrative & statutory duties ▶ Rule review ▶ Agency monitoring ▶ Agency legislation review	▶ 10 minutes for rule review at each meeting unless there's a concern ▶ Up to 1 hour for each agency monitored ▶ Varies from 15 minutes for 1 agency to ~ an hour	1 hour rule review 9 hours possible for agency monitoring 3 hours for legislation review ~ 13 hours (depending on rule review contention and monitoring level)								
▶ HB 142 reviews	▶ 20 minutes to 45 minutes for each (approximately)	Depends on number of reviews chosen, including final report review at last meeting. 0.5 hr if only briefing papers are reviewed.								
• Review of active guidance on board antitrust issues.	• 5 minutes to 10 minutes for each issue	30 minutes to about an hour (with public comment) .								
Studies	As determined for work plan	TBD								
Member issues	As determined for work plan	TBD								
		Total?								
Total - Approximately 63 hours (9 days x 7)	Required activities..13 hours Advisory Councils .. Studies ..... Member issues .....	Budget allows ~ \$3,000 for 1-day meeting (an average)  1 meeting is on 2018 budget  <table border="0"> <tr> <td><u>Mileage</u></td> <td><u>Salary</u></td> <td><u>Lodging</u></td> <td><u>Meals</u></td> </tr> <tr> <td>\$1,406</td> <td>\$90.64</td> <td>\$103</td> <td></td> </tr> </table>  Salary, Lodging, Meals x 10 legislators x # of meeting days + extra day salary for some legislators on 2-day meetings + extra lodging if 1st day starts early.	<u>Mileage</u>	<u>Salary</u>	<u>Lodging</u>	<u>Meals</u>	\$1,406	\$90.64	\$103	
<u>Mileage</u>	<u>Salary</u>	<u>Lodging</u>	<u>Meals</u>							
\$1,406	\$90.64	\$103								



**APPENDIX A**

<b>Study:</b> <u>HJ 29</u> <b>Interim Study Poll Rank:</b> <u>18</u>
<b>Short Title:</b> <u>Study of meat inspection laws</u>
<b>Staff Recommendation:</b> <u>Assign to Economic Affairs Interim Committee</u>

**Preliminary Analysis**

**Issue(s) as listed in legislation:**

- Federal meat packing laws form the basis for inspections of Montana meatpackers.
- Federal inspectors regulate meatpackers that sell products across state lines. State inspectors regulate those who don't sell outside of Montana. Custom butchers are exempt from certain inspection provisions.
- A study of the relationship between federal, state, and exempt regulations is warranted to answer questions posed by some in the meatpacking industry.

**Preliminary study approach:**

- Review relevant state and federal laws and rules.
- Review state and federal inspection practices and processes.
- Seek input from meatpackers, custom butchers, consumers, inspectors, public health officials, and others.

**Deliverables; end products:**

- Report, including findings, recommendations, and draft legislation.

**Role for LFD or LAD staff?**     **Yes**     **No**

**Role for Executive agency?** Yes – Input from the Department of Livestock

**Additional costs, over meetings?**     **Yes**     **No**

**Estimated LSD staff time:** 288 hours (Interim FTE Equivalents 1 Interim FTE = 16.5 months)

## Appendix B

<b>Study:</b> <u>SJ 18</u>	<b>Interim Study Poll Rank:</b> <u>15</u>
<b>Short Title:</b> <u>Study occupational licensing barriers for those with criminal convictions</u>	
<b>Staff Recommendation:</b> <u>Assign to Economic Affairs Interim Committee</u>	

### Preliminary Analysis

#### **Issue(s) as listed in legislation:**

- 1) As many as 1 in 3 American adults has a criminal record.
- 2) Finding and retaining employment after release from prison is difficult for many reasons, including lack of relevant skills and stigmas regarding a criminal record.
- 3) Employment of a person with a criminal record is seen as a way to further the principles outlined in the Montana Constitution in which crimes are to be punished in light of “prevention, reformation, public safety, and restitution for victims”.
- 4) The application process for professional licensure can create additional barriers for a person with a criminal record and may keep someone with a criminal record from accessing higher-paying employment, which means fewer potentially eligible employees in the hiring pool.
- 5) A balance is needed between protecting public safety and enabling an individual with a criminal record to achieve the goals of prevention, restitution, and avoiding recidivism.
- 6) A legislative interim committee is well-positioned to weigh the balance for appropriate occupational licensing practices, preservation of public safety, health, and well-being, and enabling those with a criminal record to succeed in a job.

#### **Preliminary study approach:**

- Review:
  - the Montana Constitution regarding restoration of rights after a criminal conviction and related statutes, for licensing boards and for crimes monitored after the convicted individual has paid a debt to society. Review case law, if any.
  - Montana legislative efforts regarding criminal convictions and employment.
  - licensing boards’ use of sex-offender registries or other information not on license applications to determine if applicants have criminal records.
  - actions taken in other states to handle applications for professional licensing from those with a criminal conviction and federal requirements for compliance with re-entry provisions.
- Request data for all professional and occupational licensing boards as to:
  - applicants with criminal records compared with those who receive licenses; and
  - the number of licensees with criminal records who have had licenses revoked because of new crimes.
- Compile practices of licensing boards for considering an applicant with a criminal history, including use of criminal background reports and reasons for denying licenses.

**Deliverables; end products:**

- Briefing paper detailing the number of individuals with a criminal record who apply for an occupational or professional license, the number denied, the number granted, the number of licenses revoked because of a subsequent offense or the finding of an application with discrepancies as to criminal records.
- Briefing paper regarding actions in other states and federal compliance requirements related to licensing of those with criminal records.
- Panel discussions or presentations regarding constitutional and statutory aspects of restoration of rights after a criminal conviction.
- Panel discussion by selected board members to describe how they weigh public safety with restoration of rights to a person with a criminal conviction, including whether any analysis is done of system requirements for an applicant licensed in another state who may have a criminal record.
- Legislation, if recommended by the committee, to set guidelines for licensing boards to use in balancing public safety and the restored rights of individuals with criminal records.
- Legislation on other issues determined by the committee to improve appropriate hiring or licensing of those with criminal backgrounds, including a review of the appropriate use of registries or publications and time frames for which posting or consideration of the record is appropriate.

**Role for LFD or LAD staff?**             Yes        xx   No

**Role for Executive agency?** Yes – The Business Standards Division of the Department of Labor and Industry, which handles licensing boards. Possible role for the Department of Justice and the Department of Corrections.

**Additional costs, over meetings?**             Yes        xx   No

**Estimated LSD staff time:**   144   hours

**Other comments:** This study has a split focus. One aspect relates to what licensing boards do when faced with applicants with a criminal record. The other relates to what the justice community consider as barriers to employment. The Economic Affairs Interim Committee deals with licensing boards. The Law and Justice Committee deals with reentry concerns and sex offender registries. Regardless of committee assignment the study may not achieve both.

**Interim FTE Equivalent**      1 Interim FTE = 16.5 months = 2880 hrs.

.05 FTE = 144 hrs = 18 days

.10 FTE = 288 hrs = 36 days

.25 FTE = 720 hrs = 90 days

.50 FTE = 1440 hrs = 180 days

.75 FTE = 2160 hrs = 270 days

1.0 FTE = 2880 hrs = 360 days

**Appendix C**

<b>Study:</b> <u>SJ 24</u>	<b>Interim Study Poll Rank:</b> <u>4</u>
<b>Short Title:</b> <u>Requesting an interim study of the revenue and distribution of the lodging facility use tax</u>	
<b>Staff Recommendation:</b> <u>Assign to Economic Affairs Interim Committee</u>	

**Preliminary Analysis**

**Issue(s) as listed in legislation:**

- 1) The lodging facility use tax of 4% of the accommodation charge has been in effect since enacted in 1987 and preceded the 3% lodging sales tax imposed in 2003 along with a 4% rental car sales tax. The 3% lodging sales tax will increase as of January 1, 2020, by 1% under Senate Bill No. 338. The distribution of each lodging tax differs by statute.
- 2) Collection of both accommodation taxes is handled by the lodging facilities.
- 3) There is a broad distribution of the lodging facility use tax, minus certain deductions, to the Department of Commerce for tourism promotion and promotion of the state as a location for motion pictures and television commercials as well as to regional nonprofit tourism corporations and local nonprofit convention and visitors bureaus.
- 4) The resolution suggests the importance of periodic legislative review to determine if the public-private partnership continues to benefit the state from various stakeholders' views.

**Preliminary study approach:**

- Obtain and review recommendations for expenditures from the Tourism Advisory Council and from local heritage preservation and cultural tourism commissions and obtain information on expenditures to see alignment with recommendations.
- Request input from stakeholders in the tourism industry on whether changes are necessary in how the 22.5% of funding that goes to regional nonprofit tourism corporations or to nonprofit convention and visitors bureaus is being spent.
- Compile information on the grant-making process from the Department of Commerce and others who make grants from the accommodations tax to determine if the playing field is level, made unnecessarily complicated, or equitable.

**Deliverables; end products:**

- Briefing paper regarding grants made under the accommodations tax.
- Briefing paper regarding processes used to make grants.
- Presentations from stakeholders about the key uses of the accommodations tax.
- Panel discussion from stakeholders about proposed changes in accommodation tax uses.
- Legislation, if recommended by the committee, to implement changes.

**Role for LFD or LAD staff?** xx **Yes (LFD help in determining grants)**      **No**

**Role for Executive agency?** Yes – The Department of Commerce regarding its grants and grant processes.

Additional costs, over meetings? \_\_\_\_\_ Yes      xx No

Estimated LSD staff time: 288 hours

**Other comments:** This study is primarily aimed at the portion of the lodging facility accommodations tax that is distributed by the Department of Commerce, although discussions may include the 3% (soon to be 4%) tax that goes to the general fund.

**Interim FTE Equivalents**      1 Interim FTE = 16.5 months = 2880 hrs.

.05 FTE = 144 hrs = 18 days

.10 FTE = 288 hrs = 36 days

.25 FTE = 720 hrs = 90 days

.50 FTE = 1440 hrs = 180 days

.75 FTE = 2160 hrs = 270 days

1.0 FTE = 2880 hrs = 360 days

## APPENDIX D

### Member Issues and Possible Emerging Issues

The following table includes suggestions from EAIC members (and staff) and provides space for you to include suggestions for "other" topics of consideration. Dates TBD.

Topic	Possible Activity	Date
<b>Agriculture</b>		
Population declines in rural communities and options for jobs, income	1) Review federal programs like the conservation reserve program, H2-1B Visas, regarding links to population declines and workarounds. Examine changes in technology, including broadband, that help ag jobs.	
Genetically modified or engineered organisms -- current status in Montana	2) Although a proposed study of GMO impacts on Montana agriculture crops did not pass, some people are concerned about GMO impacts on agricultural trade. A panel discussion on the pros/cons and concerns may be informative.	
Trade issues	3) Congressional approval of the United States, Mexico, Canada Agreement is pending. Trade with Canada and Mexico has impacts on Montana agriculture in particular. A panel on trade with Canada and Mexico might shed light on the importance of these countries in Montana trade.	
Other?		
<b>Alcohol</b>		
Montana's quota system	4) Review Dept. of Revenue implementation of <a href="#">HB 35</a> and <a href="#">SB 5</a> from the 2017 special session regarding license auctions.	
All alcohol licensing in general	5) <a href="#">HJ 54</a> (2019) was a liquor study resolution that might provide some components that EAIC members could incorporate into member issues either in part or in total.	
Montana's 3-tiered system	6) Changes have occurred in the alcohol industry since 1999 when the legislature allowed small brewers to have tasting rooms and charge. These changes may be among the reasons for the lines being blurred between the 3 tiers of manufacturing, distribution, and retail of liquor in Montana. Are the laws equitable among the 3 tiers? Is there a need to explore changes in the statutes?	
Examine education and related programs intended to reduce driving under the influence.	7) Alcohol laws are intended to protect public health, welfare, and safety. What measures can the industry take to help reduce the number of driving under the influence charges that occur each year?	
Other?		

<b>Economic Development</b>		
<p>Broadband, Cellular and Satellite Uses</p> <p>For map - see p. 3 of data from the Montana State Library <a href="https://mslservices.mt.gov/legislative_snapshot/Broadband/Default.aspx#Maps">website</a>:  <a href="https://mslservices.mt.gov/legislative_snapshot/Broadband/Default.aspx#Maps">https://mslservices.mt.gov/legislative_snapshot/Broadband/Default.aspx#Maps</a></p>	<p>8) Federal money is available to states that have a broadband plan. Montana's plan was compiled by key industry leaders as part of the Main Street Montana Program prior to 2019. The Montana Telecommunications Association publishes a map showing wide variation in access. In looking at options for broadband assistance:</p> <ul style="list-style-type: none"> <li>● Could the state lead coordination to improve siting of cell towers, fiber distribution, etc.?</li> <li>● What are the impacts on businesses, students, government, and others if Montana's broadband access lags other states? Will Montana be disadvantaged if download speeds are lower than in other states?</li> <li>● Is broadband access a question of: less regulation or more funding?</li> <li>● What can legislators do to boost access/affordability?</li> </ul>	
Other?		
<b>Employment/Unemployment/Labor</b>		
Workforce development	<p>9) Reports on:</p> <ul style="list-style-type: none"> <li>● the imbalance between supply and demand in various Montana labor markets;</li> <li>● incumbent worker training;</li> <li>● foreign labor certification program.</li> </ul>	
Ban the box options for employment applications	<p>10) This subject area may be part of the SJ18 study on occupational licensing and barriers to those with criminal convictions. But the issue is greater than licensing. In both the 2017 and 2019 sessions bills sought to change the way job applications ask for information. Other states also are looking at:</p> <ul style="list-style-type: none"> <li>● banning questions about how much an employee made in previous jobs;</li> <li>● banning a requirement to put a first name on a job application or a box regarding gender; and</li> <li>● banning a question as to whether an applicant has a criminal record.</li> </ul> <p>What, if anything, should the state do to facilitate employment and public safety? Panel presentations?</p>	
<b>Gambling</b>		
Implementation of SB183 regarding public hearings and possible rulemaking for historical horseracing	<p>11) SB183 says the Board of Horseracing is to present the findings of its public hearings and any proposed legislation regarding historical horseracing to the Economic Affairs Interim Committee.</p>	

Implementation of gambling laws enacted in 2019	12) Gambling falls under the purview of the Dept. of Justice, which is monitored by the Law and Justice Interim Committee. The gambling bills enacted in 2019 went before the House/Senate Business and Labor Committees. Two questions: <ul style="list-style-type: none"> <li>• Does EAIC want to be apprised of implementation?</li> <li>• Does EAIC want the gambling division moved in statute to its duties (as happened with the Alcohol Division)? This would require a committee or legislator bill draft.</li> </ul>	
Other?		
<b>Housing/Finance/Investments</b>		
Housing affordability in Montana	13) Two studies were proposed in 2019 but did not pass both houses. Both looked at affordability, with one seeking to formulate regulations to ease use of tiny homes and the other looking at both rent and purchase of affordable homes in general. The issue is particularly problematic in certain areas of the state.	
Successor liability -- for unpaid water bills, etc.	14) A 2017 bill to allow liens for unpaid water bills failed due to some technical concerns, which remain unaddressed. Although this is probably a local government issue, the use of liens often is a business/labor issue. This also relates to real estate sales. Possible panel discussion.	
Landlord-tenant laws	15) As a real estate business, home rentals and property management are an area that come under the EAIC's purview. Various changes in the landlord-tenant act were made in the 2017 and 2019 Legislatures. What have the impacts of these changes been on the balance of landlord-tenant rights and adequate rental housing supply? What is the role of government, if any, related to rentals of private property? Possible panel discussion.	
Montana's Board of Housing and the Veterans Home Loan Program - How are they working?	16) The Board of Housing in the Department of Commerce is under the EAIC oversight/monitoring umbrella. Is the Board of Housing fulfilling its responsibilities? Are changes needed in legislation to improve its success? Are veteran home loans being made statewide? Possible presentation.	
How investments in cows, liquor licenses, or other nontraditional items affect business developments in Montana	17) How lending works outside the normal boxes would involve a discussion among panelists from the State Auditor's Securities Office and the Commissioner of Banking and Financial Institutions. Possible discussion would include loans or investments based on a tangible commodity other than land, like an all-beverage license.	
Other?		
<b>Insurance</b>		
Health insurance changes	18) What impacts are expected in Montana's health insurance market from Congressional actions and from bills passed in 2019? Updates from the State Auditor's Office on this subject once or twice or more?	



Insurance competition	19) The committee may want to examine competition in the insurance industry, whether related to workers' compensation insurance, medical malpractice insurance, health insurance, or other types of insurance. Would changes in law be needed to encourage competition or is lack of population a driving factor?	
Other?		
<b>Livestock</b>		
Budget issues	20) Review the Dept. of Livestock budget and structural balances to determine whether the department is on solid footing. This was an issue in 2016 and remains a concern.	
Per Capita Fee issues	21) Review how the Dept. of Livestock and Dept. of Revenue conduct the per capita fee notification and collection. Determine if large groups are not responding.	
Brucellosis and the Designated Surveillance Area	22) Follow up on work of the 2009-2010 EAIC regarding the Board of Livestock and the Department of Livestock actions related to brucellosis in the areas near Yellowstone National Park. Among issues are: <ul style="list-style-type: none"> <li>• Are veterinarians paid too much, too little for brucellosis checks/vaccinations?</li> <li>• What action is the Interagency Bison Management group taking to limit the spread of brucellosis in elk?</li> </ul> Schedule at least one presentation regarding the Interagency Management Plan and the work of multiple agencies related to bison.	
Veterinary Diagnostic Laboratory and other laboratories	23) Quarterly reports are due to the EAIC from an advisory council on co-located labs. Additional followup on the issue may be of interest.	
Other?		
<b>Professional/Occupational Licensing</b>		
Monitor use of active supervision (as allowed under HB 141)	24) Determine the Commissioner of Labor's workload under HB 141, the active supervision bill. The active supervision law expires July 1, 2021. Has the law been effective in answering questions about anticompetitiveness within licensing boards?	
Monitor boards, including solvency and whether funding for boards should be part of the main state budget or offline, like an enterprise fund.	25) Determine which boards need additional oversight or monitoring based on budget, numbers of complaints, etc.? 26) Look at the Board of Public Accountants' approach to budgeting and determine if that is a model for other boards. 27) A 2017 <a href="#">federal law</a> allows over-the-counter sales of hearing aids. Will hearing aid dispensers still need licensing?	
Other?		
<b>Workers' Compensation</b>		

Presumptive illness for firefighters	28) Monitor SB 160 implementation regarding presumptive illness for firefighters, to determine if volunteer firefighters have dropped workers' compensation coverage or if premiums went up. Presentation by insurers, firefighters, state auditor's office regarding whether premiums are discriminatory, excessive, or inadequate as provided in 33-16-201, MCA.	
Drug formulary development	29) Monitor implementation now that a drug formulary is in effect. Presentation from the Department of Labor and Industry	
Workplace safety	30) Follow up on the work of WorkSafeMT and reports from OSHA regarding private-sector contacts, whether for citations or recommended changes.	
Authorization to share medical information	31) Is there an approach to sharing medical information that protects injured workers' privacy (particularly related to medical conditions that may impact healing of a work-related injury) and that satisfies the need-to-know about return-to-work by the employer but still protects private medical information? What do other states allow?	
Examine the use of mod factors, subrogation, and no fault in work comp in light of pooled insurance risk	32) Even if an employer is not at fault for an injury, the employer's premiums may go up based on claims, which affect the employer's mod factor for 3 years. Is there a way of distinguishing for no-fault situations, including 3rd party cases that are difficult to subrogate, so that the no-fault employer is held harmless or harmed for less time? Panel discussion.	
Other?		

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