_____ BILL NO. _____

INTRODUCED BY _____

BY REQUEST OF THE ECONOMIC AFFAIRS INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THE ECONOMIC AFFAIRS INTERIM COMMITTEE WITH ADMINISTRATIVE RULE REVIEW AUTHORITY OVER THE STATE LOTTERY AND SPORTS WAGERING COMMISSION, THE STATE LOTTERY AND SPORTS WAGERING AGENCY, AND THE DEPARTMENT OF JUSTICE GAMBLING CONTROL DIVISION; AMENDING SECTIONS 5-5-223, 5-5-226, AND 5-5-228, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, the regulation of gambling, required under Article III, section 9, of the Montana Constitution, consists of parimutuel horseracing gambling through the Board of Horseracing, lottery and sports wagering through the State Lottery and Sports Wagering Commission, and general gambling, including but not limited to video gambling machines, card games, and amusement games, through the Department of Justice; and

WHEREAS, during the interim, administrative oversight of these forms of gambling is distributed to three interim committees; and

WHEREAS, the Economic Affairs Interim Committee oversees the Board of Horseracing, which is under the supervision of the Department of Commerce; and

WHEREAS, the State Administration and Veterans' Affairs Interim Committee oversees the State Lottery and Sports Wagering Commission, which is under the administrative supervision of the Department of Administration; and

WHEREAS, the Law and Justice Interim Committee oversees the Gambling Control Division of the Department of Justice; and

WHEREAS, during the legislative session and under legislative rules, the House Business and Labor Committee and the Senate Business, Labor, and Economic Affairs Committee have the expertise to consider legislation relating to all types of gambling.

THEREFORE, this act seeks to consolidate interim committee review of all forms of gambling within the

Economic Affairs Interim Committee.

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

Section 1. Section 5-5-223, MCA, is amended to read:

"**5-5-223. Economic affairs interim committee.** (1) The economic affairs interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the following executive branch agencies and the entities attached to agencies for administrative purposes:

(a) department of agriculture;

(b) department of commerce;

(c) department of labor and industry;

(d) department of livestock;

(e) office of the state auditor and insurance commissioner;

(f) office of economic development;

(g) the state compensation insurance fund provided for in 39-71-2313, including the board of directors of the state compensation insurance fund established in 2-15-1019;

(h) the division of banking and financial institutions provided for in 32-1-211; ~~and~~

(i) the state lottery and sports wagering commission and the state lottery and sports wagering agency provided for in Title 23, chapter 7;

(j) the divisions of the department of revenue that administer the Montana Alcoholic Beverage Code and the Montana Marijuana Regulation and Taxation Act; and

(k) the division of the department of justice that administers gambling and gambling control under Title 23.

(2) The state compensation insurance fund shall annually provide to the committee a report in accordance with 5-11-210 on its budget as approved by the state compensation insurance fund board of directors."

Section 2. Section 5-5-226, MCA, is amended to read:

"**5-5-226. Law and justice interim committee.** The law and justice interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the office of state public defender, the department of corrections, the department of justice except for the motor vehicle division pursuant to 5-5-233 and for the division that oversees gambling and gambling control under Title 23, and the entities attached to the departments for administrative purposes. The committee shall act as a liaison with the judiciary."

Section 3. Section 5-5-228, MCA, is amended to read:

"**5-5-228. State administration and veterans' affairs interim committee.** (1) The state administration and veterans' affairs interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the public employee retirement plans and for the following executive branch agencies and, unless otherwise assigned by law, the entities attached to the agencies for administrative purposes:

(a) department of administration, except:

(i) the state compensation insurance fund provided for in 39-71-2313, including the board of directors of the state compensation insurance fund established in 2-15-1019;

(ii) the Montana tax appeal board established in 2-15-1015;

(iii) the division of banking and financial institutions; ~~and~~

(iv) the state lottery and sports wagering commission and the state lottery and sports wagering agency provided for in Title 23, chapter 7; and

(v) the office of state public defender;

(b) department of military affairs; and

(c) office of the secretary of state.

(2) The committee shall:

(a) consider the actuarial and fiscal soundness of the state's public employee retirement systems, based on reports from the teachers' retirement board, the public employees' retirement board, and the board of investments, and study and evaluate the equity and benefit structure of the state's public employee retirement systems;

(b) establish principles of sound fiscal and public policy as guidelines;

(c) as necessary, develop legislation to keep the retirement systems consistent with sound policy principles; and

(d) publish, for legislators' use, information on the public employee retirement systems that the committee considers will be valuable to legislators when considering retirement legislation.

(3) The committee may:

(a) specify the date by which retirement board proposals affecting a retirement system must be submitted to the committee for the review pursuant to subsection (1); and

(b) request personnel from state agencies, including boards, political subdivisions, and the state public employee retirement systems, to furnish any information and render any assistance that the committee may request."

NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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