

## HOUSE BILL NO. 371

INTRODUCED BY J. BALYEAT

A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING THE REQUIREMENT THAT THE LEGISLATIVE MEMBERS OF INTERIM COMMITTEES, THE LEGISLATIVE COUNCIL, THE LEGISLATIVE FINANCE COMMITTEE, AND THE ENVIRONMENTAL QUALITY COUNCIL BE APPOINTED EQUALLY FROM POLITICAL PARTIES; AMENDING SECTIONS 5-5-211, 5-11-101, 5-12-202, 5-12-204, AND 5-16-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 5-5-211, MCA, is amended to read:

**"5-5-211. Appointment and composition of interim committees.** (1) Senate interim committee members must be appointed by the committee on committees.

(2) House interim committee members must be appointed by the speaker of the house.

(3) Appointments to interim committees must be made by the time of adjournment of the legislative session.

(4) A legislator may not serve on more than two interim committees unless no other legislator is available or is willing to serve.

(5) (a) Subject to subsection (5)(b), the composition of each interim committee must be as follows:

(i) four members of the house, ~~no more than two of whom may be of one political party~~; and

(ii) four members of the senate, ~~no more than two of whom may be of one political party~~.

(b) If the committee workload requires, the legislative council may request the appointing authority to appoint one or two additional interim committee members ~~from each political party~~.

(6) The membership of the interim committees must be provided for by legislative rules. The rules must identify the committees from which members are selected, and the appointing authority shall attempt to select not less than 50% of the members from the standing committees that consider issues within the jurisdiction of the interim committee. In making the appointments, the appointing authority shall take into account term limits of members so that committee members will be available to follow through on committee activities and recommendations in the next legislative session.

(7) An interim committee may create subcommittees. Nonlegislative members may serve on a subcommittee. Unless the person is a full-time salaried officer or employee of the state or a political subdivision of the state, a nonlegislative member appointed to a subcommittee is entitled to salary and expenses to the same extent as a legislative member. If the appointee is a full-time salaried officer or employee of the state or of a political subdivision of the state, the appointee is entitled to reimbursement for travel expenses as provided for in 2-18-501 through 2-18-503."

**Section 2.** Section 5-11-101, MCA, is amended to read:

**"5-11-101. Appointment and composition of council.** (1) There is a legislative council. Subject to subsection (3), the legislative council consists of:

(a) the speaker of the house, the minority leader of the house, and four members chosen by the speaker of the house, ~~no more than two of whom may be of the same political party;~~ and

(b) the president of the senate, the minority leader of the senate, and four members chosen by the committee on committees, ~~no more than two of whom may be of the same political party.~~

~~(2) No more than three members of each house may be of the same political party.~~

~~(3)~~ (2) If a legislator is or would be a member of the legislative council by virtue of a legislative leadership position and the legislator will not serve in the following legislative session because of term limits, the legislator may designate another member of the same house and the same political party to serve on the legislative council in the legislator's place."

**Section 3.** Section 5-12-202, MCA, is amended to read:

**"5-12-202. Appointment of members.** (1) The legislative finance committee consists of:

(a) four members of the senate finance and claims committee appointed by the ~~chairman~~ presiding officer;

(b) two members of the senate appointed at large by the committee on committees;

(c) four members of the house of representatives appropriations committee appointed by the ~~chairman~~ presiding officer; and

(d) two members of the house appointed at large by the speaker.

(2) ~~These~~ The members ~~shall~~ must be appointed before the end of each legislative session. ~~No more than three members of each house, two committee members and one at-large member, may be from the same~~

1 ~~political party."~~

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3 **Section 4.** Section 5-12-204, MCA, is amended to read:

4 **"5-12-204. Vacancies.** If a vacancy occurs on the committee when the legislature is not in session, the  
5 remaining members shall select a member of the ~~appropriate~~ political party of the former member and  
6 appropriate committee, as provided in 5-12-202, to complete the unexpired term. If there is a vacancy on the  
7 committee at the beginning of a legislative session because a member's term of office as a legislator has ended,  
8 a member of the same political party must be appointed in the same manner as the original appointment, no later  
9 than the 10th legislative day, to serve until a successor is appointed under 5-12-202."

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11 **Section 5.** Section 5-16-101, MCA, is amended to read:

12 **"5-16-101. Appointment and composition.** The environmental quality council consists of 17 members  
13 as follows:

14 (1) the governor or the governor's designated representative is an ex officio member of the council and  
15 shall participate in council meetings as a nonvoting member;

16 (2) six members of the senate and six members of the house of representatives appointed before the  
17 50th legislative day in the same manner as standing committees of the respective houses are appointed; and  
18 ~~No more than three of the appointees of each house may be members of the same political party.~~

19 (3) four members of the general public. Two public members must be appointed by the speaker of the  
20 house with the consent of the house minority leader, and two must be appointed by the president of the senate  
21 with the consent of the senate minority leader."

22  
23 NEW SECTION. **Section 6. Effective date.** [This act] is effective on passage and approval.

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