

EXHIBIT NO. 1 January 2005DATE: 1/4/05BILL NO. NA

TO: Members of the Senate Highway and Transportation Committee

FROM: Todd Everts, staff attorney

RE: Services available to Committee members

I will perform the following functions in support of the committee:

1. draft all amendments adopted by the committee during committee action, using the same bill drafting guidelines as were applied to the original bill and, with the presiding officer's authorization, make necessary changes in grammar, punctuation, word choice, and sentence structure, that do not affect the meaning;
2. draft proposed amendments upon request of individual committee members before committee action on a given bill;
3. draft proposed amendments to be moved on Second Reading before the full Senate or House of Representatives upon request of any committee member;
4. draft committee bills;
5. review legislation and advise the committee as to constitutionality, internal consistency, possibility of conflict with existing provisions and other bills, and compliance with other bill drafting provisions, such as grammar, punctuation, word choice, and statutory sentence structure;
6. attend subcommittee meetings to perform the appropriate functions listed above;
7. attend conference committee or free conference committee deliberations as invited to perform the appropriate functions listed above; and
8. assist the committee or an individual committee member in obtaining data or any pertinent information from state or local agencies, the federal government, or other states pertaining to bills under deliberation by the committee.

My office is located on the 1st floor of the Capitol Room 171, and my telephone 444-3747. My regular office hours are Monday - Thursday, 5:30 a.m. - 5:30 p.m and Fridays, 8:00 a.m. - 5:30 p.m. I will be working weekends on an unscheduled basis and Saturday mornings on an alternating schedule. During January, I will have extended hours.

I look forward to working with you this session.

Senate Highways and Transportation Committee - 2005

Amendments:

- (1) Legislative staff will draft amendments only at the request of any legislator. A legislator must be willing to "sponsor" proposed amendments before the legislative services staff (drafter, editor, attorney) will devote time to an amendment.
- (2) Committee members are the only legislators who can move amendments to a bill while the bill is in committee.
- (3) Although legislators who are not on the committee may request that amendments be drafted, they must be able to convince a committee member to move, carry or "sponsor" the amendments while the bill is in committee.
- (4) It is best that requests of staff to draft amendments to a bill while it is in committee come from a member of the committee. Otherwise, if no committee member will agree to move the amendments, staff time will have been spent in drafting "dead" or non-introducible amendments. However, once on the floor of the House ("committee of the whole"), a bill may be amended by any legislator.

Timelines for Submission of Amendments

Amendments should be verbally suggested or submitted in writing to the committee during the first reading hearing, and preferably not during the executive session.

Amendments to be presented to the committee for consideration during executive session must be:

- A) requested by a legislator (see 1 through 4 above); and
- B) submitted in writing to staff for drafting, legal review, function and coordination analysis, and editing by noon of the day prior to executive action on the bill.

This deadline will be even more important as the session progresses and more bills and amendments are up for consideration. Complicated amendments or substantive amendments to complex legislation can require considerable staff time to analyze, cross reference, draft, edit, and prepare accurately. Voting on conceptual amendments is risky in the event that they do not function once they are incorporated into the bill.

Exception:

A minor amendment that requires no detailed analysis or editing (changing a word or date, clerical corrections, etc.) may be considered on shorter notice and/or during executive session at the discretion of the Chair.

Abbreviated Resume of

Mr. Todd M. Everts

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Todd Everts has served the Montana State Legislature for almost 14 years. He is the staff director for the Legislative Environmental Quality Council and staff attorney for the Energy and Telecommunications Interim Committee. His areas of expertise are natural resource, environmental, and energy law. Over the years, Todd has staffed the House and Senate Natural Resource Committees, the Senate Energy and Telecommunications Committee, and the House Agriculture Committee. He also served as legal staff for the Legislative Fiscal Division during the 2003 Legislative Session. He has drafted hundreds of natural resource, environmental, agricultural, appropriations, energy and utility related bills. In addition to working for the Montana Legislature, Todd has worked as an adjunct professor at Montana State University teaching natural resources law to fisheries and wildlife biologists.

Mr. Everts' undergraduate degree from Willamette University is in Biology and Chemistry. He received a Masters of Science degree in Environmental Planning and Management from the University of Oregon. After working with local government, Todd returned to school and received a Juris Doctorate and Masters of Science in Environmental Law with honors from Vermont Law School in 1991. He was admitted to the Montana State and Federal Bars in October of 1992.