

HOUSE BILL NO. 377

INTRODUCED BY M. REINHART

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4 A BILL FOR AN ACT ENTITLED: "AN ACT EXPANDING THE TRANSPORTATION COMMISSION TO NINE
5 MEMBERS; REQUIRING THE COMMISSION TO INCLUDE ONE MEMBER OF THE POLICY COMMITTEE OF
6 EACH METROPOLITAN PLANNING ORGANIZATION IN THE STATE; REQUIRING ONE MEMBER TO BE AN
7 ENROLLED MEMBER OF A MONTANA INDIAN TRIBE; AND AMENDING SECTION 2-15-2502, MCA."

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

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11 **Section 1.** Section 2-15-2502, MCA, is amended to read:
12 **"2-15-2502. Transportation commission.** (1) There is a transportation commission composed of ~~five~~
13 nine members. ~~One~~ Five members of the commission must be appointed by district. Of the five district members,
14 one member must be a resident of and appointed from each of these districts, each composed of the counties
15 named:

- 16 (a) District 1. Lincoln, Flathead, Sanders, Lake, Mineral, Missoula, Ravalli, Granite, Powell;
17 (b) District 2. Deer Lodge, Silver Bow, Beaverhead, Madison, Gallatin, Meagher, Broadwater, Jefferson,
18 Park;
19 (c) District 3. Glacier, Toole, Liberty, Hill, Blaine, Pondera, Teton, Chouteau, Cascade, Lewis and Clark;
20 (d) District 4. Carter, Powder River, Fallon, Custer, Rosebud, Garfield, Phillips, Valley, McCone, Prairie,
21 Dawson, Wibaux, Richland, Roosevelt, Daniels, Sheridan;
22 (e) District 5. Golden Valley, Stillwater, Carbon, Big Horn, Yellowstone, Musselshell, Judith Basin,
23 Fergus, Petroleum, Treasure, Wheatland, Sweet Grass.

24 (2) One member must be appointed from the policy committee of each of the metropolitan planning
25 organizations in Montana, as defined in 23 U.S.C. 134.

26 ~~(2)(3) Of the members appointed from districts 1, 3, 4, and 5, at least one must have specific knowledge~~
27 ~~of Indian culture and tribal transportation needs. The member provided for under this subsection~~ One member
28 must be an enrolled member of a Montana Indian tribe and must be selected by the governor after consultation
29 with the Montana members of the Montana-Wyoming tribal leaders council.

30 ~~(3)(4)~~ (4) Two members appointed by district pursuant to subsection (1) may not be residents of the same

1 district at the time of appointment or during their respective terms of office.

2 ~~(4)(5)~~ Not more than ~~three~~ five members may at the time of appointment or during their respective terms
3 be members of the same political party.

4 ~~(5)(6)~~ An elective state official or state officer, during the term of office to which elected or appointed,
5 or a state employee may not be a member of the commission.

6 ~~(6)(7)~~ A resolution, motion, or other decision of the commission may not be adopted or passed without
7 the favorable vote of at least ~~three~~ five members.

8 ~~(7)(8)~~ The commission is allocated to the department of transportation for administrative purposes only
9 as prescribed in 2-15-121.

10 ~~(8)(9)~~ The commission is designated as a quasi-judicial board for purposes of 2-15-124; however, the
11 provision of 2-15-124(1) that at least one member of a quasi-judicial board be an attorney does not apply to the
12 commission.

13 ~~(9)(10)~~ The commission may adopt rules necessary for its government.

14 ~~(10)(11)~~ The director of transportation or the director's designee shall act as liaison between the
15 commission and the department."

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