



AN ACT REVISING LAWS RELATED TO PUBLIC SERVICE COMMISSION PERSONNEL; AMENDING SECTIONS 69-1-111, 69-1-112, AND 69-3-327, MCA; AND REPEALING SECTIONS 69-1-108 AND 69-1-109, MCA.

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

Section 1. Commission recordkeeping and employment of personnel. (1) The commission shall keep a full and complete record of all its proceedings and preserve at the office of the commission all books, maps, documents, and papers entrusted to its care.

(2) The commission may appoint secretaries, stenographers, inspectors, experts, and other persons whenever determined necessary by the commission to perform its duties.

Section 2. Section 69-1-111, MCA, is amended to read:

"69-1-111. Reimbursement for expenses. The commission, ~~secretary, and such clerks, experts, and persons as may be employed~~ and its staff shall be ~~are~~ entitled to receive from the state their expenses while ~~traveling on the business of the commission~~ reimbursement for travel expenses, as provided for in 2-18-501 through 2-18-503. ~~Such expenditure shall~~ Expenditures must be sworn to by the person who incurred the expenses and be approved by the ~~chairman~~ presiding officer of the commission or ~~his~~ the presiding officer's designee."

Section 3. Section 69-1-112, MCA, is amended to read:

"69-1-112. Prohibition on acceptance of favors from railroads. (1) ~~A public service commissioner or the secretary~~ Public service commissioners or their staff may not, directly or indirectly, solicit or request from or recommend to any railroad corporation or any officer, attorney, or agent ~~thereof~~ the appointment of any person to any place or position; ~~nor shall,~~ and any railroad corporation or its attorney or agent may not offer any place, appointment, or position or other consideration to ~~such commissioners or to any clerks or employees of the~~

commission; ~~their staff. neither shall the commissioners or~~ Commissioners and their ~~secretary, clerks, agents, employees, or experts~~ staff may not accept, receive, or request any pass from any railroad in this state, for themselves or for any other person, except as ~~herein~~ otherwise provided in 69-1-111, or any present, gift, or gratuity of any kind from any railroad corporation.

(2) ~~The~~ A request or acceptance ~~by them,~~ except as ~~herein~~ specified in 69-1-111, of any ~~such~~ place or position, pass, present, gift, or other gratuity ~~shall work a~~ referred to in subsection (1) results in forfeiture of the office of the commissioner, ~~secretary, clerk, agent, employee, or expert~~ or the staff requesting or accepting the same. ~~Any~~ A person violating any of the provisions of this section is guilty of a misdemeanor."

Section 4. Section 69-3-327, MCA, is amended to read:

"69-3-327. Subpoena of witnesses. If any party ordered to appear before the commission as a witness ~~shall fail~~ fails to obey ~~such~~ the order, the commission or ~~any member or the secretary thereof~~ its staff may apply to the clerk of the nearest district court for a subpoena commanding the attendance of ~~said~~ the witness before the commission. It ~~shall be~~ is the duty of ~~such~~ the clerk to issue ~~such~~ the subpoena and of any peace officer to serve the ~~same~~ subpoena. Disobedience to ~~such~~ the subpoena ~~shall be deemed a~~ is considered contempt of court and ~~punished~~ is punishable accordingly."

Section 5. Repealer. Sections 69-1-108 and 69-1-109, MCA, are repealed.

Section 6. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 69, chapter 1, part 1, and the provisions of Title 69, chapter 1, part 1, apply to [section 1].

- END -

I hereby certify that the within bill,
SB 0072, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2009.

Speaker of the House

Signed this _____ day
of _____, 2009.

SENATE BILL NO. 72
INTRODUCED BY J. LASLOVICH
BY REQUEST OF THE PUBLIC SERVICE COMMISSION

AN ACT REVISING LAWS RELATED TO PUBLIC SERVICE COMMISSION PERSONNEL; AMENDING SECTIONS 69-1-111, 69-1-112, AND 69-3-327, MCA; AND REPEALING SECTIONS 69-1-108 AND 69-1-109, MCA.