



Montana Legislative Services Division
Office of Research and Policy Analysis

SENATE HIGHWAYS AND TRANSPORTATION	PO BOX 201706
	Helena, MT 59620-1706
EXHIBIT NO. <u>1</u>	(406) 444-3064
	FAX (406) 444-3036
DATE: <u>1-7-2011</u>	
BILL NO. <u>Organizational needs</u>	

Memorandum

TO: Members of the Senate Highways and Transportation Committee

FROM: Rachel Weiss, Legislative Services Division staff

DATE: January 2011

RE: Services available to committee members

My duties as the staff researcher assigned to this committee include:

1. drafting all amendments upon request of individual committee members before committee executive action on a bill.
2. drafting proposed amendments adopted by the committee, and making necessary changes in grammar, punctuation, word choice, and sentence structure not affecting the meaning of the bill or amendment;
3. drafting proposed amendments to be moved on Second Reading upon request of a committee member;
4. drafting committee bills;
5. reviewing in advance proposed legislation before the committee and advising the committee as to constitutionality, internal consistency, possibility of conflict with or duplication of existing provisions, and compliance with other bill drafting provisions, such as grammar, punctuation, word choice, and statutory sentence structure;
6. attending subcommittee, conference committee, or free conference committee meetings as necessary to perform the appropriate functions listed above;
7. advising the committee and the chair on committee rules when asked.

My office is located at the east end of the Capitol on the first floor in Room 111-E. My telephone number is 444-5367 and my email is rweiss@mt.gov. My regular office hours are 8:00 a.m. to 5:00 p.m. but I will likely be in the office earlier in the morning and later in the evening during January and February.

I look forward to working with you this session.

Senate Highways and Transportation Committee – 2011

Amendments:

1. Legislative services staff will draft amendments only at the request of a legislator. A legislator must be willing to “sponsor” the 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, the legislators 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 to draft amendments to a bill that is still 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 drafting “dead” or non-introducible amendments. However, once on the floor of the Senate (“committee of the whole”), a bill may be amended by any legislator.

Timelines for Submissions of Amendments:

1. Amendments to be considered by the committee during executive session must be:
 - a. Requested by a legislator (see 1 through 4 above); and
 - b. Submitted in writing to legislative services staff for drafting, legal review, function and coordination analysis, and editing **by noon on the day prior to executive action on the bill.**
2. This deadline will become 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 highly discouraged and even risky in the event that the amendments don’t function once they are incorporated in the bill. Conceptual amendments are not allowed to amend a bill during second reading on the Senate floor.

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.