

1 SENATE BILL NO. 153

2 INTRODUCED BY THOMAS, BERRY, LARSEN, OLSON

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PUBLIC SERVICE COMMISSION DISTRICTS FOR THE
5 PURPOSE OF POPULATION EQUITY; REQUIRING THE ENERGY AND TELECOMMUNICATIONS INTERIM
6 COMMITTEE TO REVIEW PUBLIC SERVICE COMMISSION DISTRICTS; ESTABLISHING A PROCESS FOR
7 THE REVIEW OF DISTRICTS; AND AMENDING SECTION 69-1-104, MCA."

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

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11 NEW SECTION. **Section 1. Energy and telecommunications interim committee -- redistricting for**
12 **public service commission.** (1) In each interim following the release of county population figures for each
13 federal population census, the energy and telecommunications interim committee provided for in 5-5-230 shall
14 review the public service commission districts provided for in 69-1-104.

15 (2) In developing a plan for revising public service commission districts, the committee shall:

16 (a) comply with the requirements of [section 2];

17 (b) complete its work before September 15 of the year preceding a legislative session; and

18 (c) submit its recommendations to the legislature in the form of draft legislation or in the form of a report
19 if draft legislation is not needed and changes in the district are unnecessary.20 (3) The committee may consult with the public service commission and with the districting and
21 apportionment commission provided for in Title 5, chapter 1, part 1, in preparing the plan.22 (4) (a) Before the committee submits a public service commission redistricting plan to the legislature,
23 it shall hold at least one public hearing on the plan at the state capitol.

24 (b) The committee may hold other hearings as it considers necessary.

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26 NEW SECTION. **Section 2. Redistricting criteria.** (1) In the development of public service commission
27 districts, a plan must provide for five public service commission districts, with one commissioner elected from
28 each district, distributed as follows:

29 (a) The districts must be as equal as practicable based on population.

30 (b) District boundaries must coincide with the boundaries of counties of the state.

- 1 (c) The districts must be contiguous, meaning that the district must be in one piece.
- 2 (2) A district may not be drawn for the purpose of favoring a political party or an incumbent public service
- 3 commissioner. The following data or information may not be considered in the development of a plan:
- 4 (a) addresses of incumbent public service commissioners;
- 5 (b) political affiliations of registered voters;
- 6 (c) partisan political voter lists; and
- 7 (d) previous election results unless required as a remedy by a court.

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9 **Section 3.** Section 69-1-104, MCA, is amended to read:

10 **"69-1-104. Public service commission districts.** In this state there are five public service commission

11 districts, with one commissioner elected from each district, distributed as follows:

12 (1) first district: Blaine, Cascade, Chouteau, Daniels, Dawson, Fergus, Garfield, Glacier, Hill, Judith

13 Basin, Liberty, McCone, Petroleum, Phillips, ~~Pondera~~, PRAIRIE, Richland, Roosevelt, Sheridan, Toole, Valley, and

14 Wibaux Counties;

15 (2) second district: Big Horn, Carbon, Carter, Custer, Fallon, MUSSELSHELL, Powder River, ~~Prairie~~,

16 Rosebud, Treasure, and Yellowstone Counties;

17 (3) third district: Beaverhead, Broadwater, ~~Deer Lodge~~, DEER LODGE, Gallatin, Golden Valley, Jefferson,

18 Madison, Meagher, ~~Musselshell~~, Park, Silver Bow, Stillwater, Sweet Grass, and Wheatland Counties;

19 (4) fourth district: ~~Deer Lodge~~, Granite, Lincoln, Mineral, Missoula, ~~Powell~~, POWELL, Ravalli, and Sanders

20 Counties;

21 (5) fifth district: Flathead, ~~Glacier~~, Lake, Lewis and Clark, ~~Pondera~~, ~~Powell~~, PONDERA, and Teton

22 Counties."

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24 NEW SECTION. **Section 4. Transition.** For the purposes of the 2014 election, the secretary of state

25 shall declare which district a sitting commissioner represents for any public service commissioner whose district

26 is not up for election and shall use as criteria the residence of the respective commissioner on [the effective date

27 of this act].

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29 NEW SECTION. **Section 5. Notification to tribal governments.** The secretary of state shall send a

30 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell

1 Chippewa tribe.

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3 NEW SECTION. **Section 6. Codification instruction.** [Sections 1 and 2] are intended to be codified
4 as an integral part of Title 69, chapter 1, part 1, and the provisions of Title 69, chapter 1, part 1, apply to [sections
5 1 and 2].

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7 NEW SECTION. **Section 7. Saving clause.** [This act] does not affect rights and duties that matured,
8 penalties that were incurred, or proceedings that were begun before [the effective date of this act].

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