

SENATE BILL NO. 141

INTRODUCED BY S. MALEK

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A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A CITIZEN COMMISSION TO STUDY AND MAKE RECOMMENDATIONS FOR THE MONTANA LEGISLATURE; REQUIRING THE COMMISSION TO STUDY LEGISLATIVE COMPENSATION, BENEFITS, ALLOWANCES, TERM LIMITS, AND SESSION FREQUENCY; PROVIDING CONTINGENT VOIDNESS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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

NEW SECTION. **Section 1. Legislative compensation and conduct study commission -- membership -- staff.** (1) There is a legislative compensation and conduct study commission. The commission shall perform the duties required by [section 2].

(2) The commission consists of 15 members who are state residents appointed by the governor, as follows:

(a) two members appointed from a list of three or more candidates submitted by the president of the senate;

(b) two members appointed from a list of three or more candidates submitted by the speaker of the house of representatives;

(c) two members appointed from a list of three or more candidates submitted by the minority leader of the senate;

(d) two members appointed from a list of three or more candidates submitted by the minority leader of the house; and

(e) seven members selected to provide for geographic diversity and to include at least one member of a federally recognized or state-recognized Indian tribe located within the boundaries of the state of Montana.

(3) (a) While serving on the commission, a member of the commission may not:

(i) serve as a member of another state board, commission, council, or similar entity; or

(ii) hold an elected state, district, or local office.

(b) A member of the commission may not have served as a legislator within the 8 years preceding the



1 member's appointment.

2 (4) The commission shall elect a presiding officer from its members. A majority of the commission  
3 constitutes a quorum to transact business. The affirmative vote of a majority of the commission members is  
4 required to approve any commission decision.

5 (5) The legislative services division shall provide staff services to the commission. The legislative fiscal  
6 division and the legislative audit division shall provide information as requested by the commission.

7 (6) Members serve until December 31, 2018. A vacancy must be filled for the remainder of the unexpired  
8 term in the same manner as the original appointment.

9 (7) Members of the commission serve without compensation but are entitled to reimbursement for  
10 expenses, as provided in 2-18-501 through 2-18-503.

11 (8) Within 30 days after [the effective date of this act], the legislative leaders shall submit lists to the  
12 governor as provided in subsection (2)(a) through (2)(d). All initial appointments to the commission must be made  
13 by June 30, 2017.

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15 **NEW SECTION. Section 2. Duties -- recommendations.** Starting July 1, 2017, the legislative  
16 compensation and conduct study commission shall:

17 (1) review the salaries, benefits, and allowances for members of the legislature and make  
18 recommendations that ensure legislative compensation is reasonable and equitable. The review must examine  
19 legislative compensation and methods to set compensation in other states, including the compensation  
20 commission in Alaska.

21 (2) study legislative term limits;

22 (3) examine whether the legislature should meet annually or biennially;

23 (4) meet at least every other month at the call of the presiding officer;

24 (5) give reasonable public notice of its preliminary findings and recommendations, solicit public  
25 comments, and give due regard to the public comments before submitting a final report pursuant to subsection  
26 (6); and

27 (6) finalize its findings and recommendations by September 15, 2018, and submit its final report to the  
28 presiding officers and minority leaders of each house of the legislature, the legislative council, and the governor  
29 by December 1, 2018.

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1            NEW SECTION. **Section 3. Notification to tribal governments.** The secretary of state shall send a  
2 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell  
3 Chippewa tribe.

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5            NEW SECTION. **Section 4. Contingent voidness.** (1) Pursuant to Joint Rule 40-65, if [this act] does  
6 not include an appropriation prior to being transmitted to the governor, then [this act] is void.

7            (2) If the appropriation in [this act] is vetoed, then [this act] is void.

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9            NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval.

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11            NEW SECTION. **Section 6. Termination.** [This act] terminates December 31, 2018.

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