

## HOUSE BILL NO. 331

INTRODUCED BY N. WILSON

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A BILL FOR AN ACT ENTITLED: "AN ACT EXPANDING THE TRANSPORTATION COMMISSION TO NINE MEMBERS; REQUIRING THE COMMISSION TO INCLUDE ONE MEMBER OF THE POLICY COMMITTEE OF EACH METROPOLITAN PLANNING ORGANIZATION IN THE STATE; REQUIRING ONE MEMBER TO BE KNOWLEDGEABLE ABOUT MULTIPLE MODES OF TRANSPORTATION; AND AMENDING SECTION 2-15-2502, MCA."

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

**Section 1.** Section 2-15-2502, MCA, is amended to read:

**"2-15-2502. Transportation commission.** (1) (a) There is a transportation commission composed of ~~five~~ nine members, ~~five of whom are appointed by district~~. One member must be a resident of and appointed from each of these districts, each composed of the counties named:

~~(a)~~(i) District 1. Lincoln, Flathead, Sanders, Lake, Mineral, Missoula, Ravalli, Granite, Powell;

~~(b)~~(ii) District 2. Deer Lodge, Silver Bow, Beaverhead, Madison, Gallatin, Meagher, Broadwater, Jefferson, Park;

~~(c)~~(iii) District 3. Glacier, Toole, Liberty, Hill, Blaine, Pondera, Teton, Chouteau, Cascade, Lewis and Clark;

~~(d)~~(iv) District 4. Carter, Powder River, Fallon, Custer, Rosebud, Garfield, Phillips, Valley, McCone, Prairie, Dawson, Wibaux, Richland, Roosevelt, Daniels, Sheridan; and

~~(e)~~(v) District 5. Golden Valley, Stillwater, Carbon, Big Horn, Yellowstone, Musselshell, Judith Basin, Fergus, Petroleum, Treasure, Wheatland, Sweet Grass.

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

(c) One member must be appointed that is knowledgeable about multiple modes of transportation including nonmotorized methods of transit.

(2) Of the members appointed from districts 1, 3, 4, and 5, at least one must have specific knowledge of Indian culture and tribal transportation needs. The member provided for under this subsection must be selected

1 by the governor after consultation with the Montana members of the Montana-Wyoming tribal leaders council.

2 (3) Two members appointed by district pursuant to subsection (1)(a) may not be residents of the same  
3 district at the time of appointment or during their respective terms of office.

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

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

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

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

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

15 (9) The commission may adopt rules necessary for its government.

16 (10) The director of transportation or the director's designee shall act as liaison between the commission  
17 and the department."

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