

HOUSE BILL NO. 576

INTRODUCED BY J. HAMILTON

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A LEGISLATIVE SESSION CHANGE
5 COMMITTEE TO STUDY THE LEGISLATURE FOR THE PURPOSES OF SPLITTING THE LEGISLATIVE
6 SESSION BETWEEN THE ODD-NUMBERED AND EVEN-NUMBERED YEARS OF A BIENNIUM AND
7 HOLDING THE MAJORITY OF THE SESSION IN THE EVEN-NUMBERED YEAR; PROVIDING AN
8 APPROPRIATION; PROVIDING A CONTINGENT VOIDNESS; AND PROVIDING AN EFFECTIVE DATE AND
9 A TERMINATION DATE."

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11 WHEREAS, term limits and shifting political preferences have created higher turnover of experienced
12 representatives and senators than has historically occurred, causing a greater proportion of inexperienced
13 legislators; and

14 WHEREAS, it is in the interest of the legislative body that newly elected legislators function effectively
15 and efficiently, and the proximity of the initiation of the legislative session to the election leaves little time for
16 preparation; and

17 WHEREAS, in order to solve this issue it would be desirable to allow newly elected legislators time to
18 build relationships and work through thoughtful bill creation while working to understand the parts and processes
19 of establishing a budget, of setting revenue estimates, and of the appropriations process; and

20 WHEREAS, thoughtful study of this issue by a committee would allow time to develop a new session
21 schedule that would provide for an initial short meeting period, preferably 6 to 10 legislative days, and an interim
22 recess before the legislature would reconvene in the even-numbered year; and

23 WHEREAS, the study committee would be charged with organizing a schedule for the legislature to
24 spend a recess interim period in committees for new legislators to come to know their fellow legislators, while
25 learning through both observation as well as participation, and the process and procedures of effective, efficient
26 committee work; and

27 WHEREAS, the study committee will discuss which standing committees may need to meet to accomplish
28 the work for a single fiscal transition year; and

29 WHEREAS, thoughtful study of the intricacies of the transition is needed with the many stakeholders who
30 participate in a legislative session.

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

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4 **NEW SECTION. Section 1. Legislative session change committee.** (1) There is a legislative session
5 change committee. It is composed of:

6 (a) eight legislators, four from the house of representatives appointed by the speaker and four from the
7 senate appointed by the committee on committees. The speaker and the committee on committees shall appoint
8 membership in equal numbers from the majority and minority parties as provided in 5-5-211.

9 (b) four members appointed by the governor to include a representative of the public, a representative
10 of the governor's office, and two representatives from state agencies that would be most affected by the change;
11 and

12 (c) the executive director of the legislative services division, who shall be a nonvoting, ex officio member.

13 (2) The appointments must be made by July 1, 2017. The appointments are made for a term ending
14 December 31, 2018. A vacancy must be filled in the same manner as the original appointment.

15 (3) The committee members shall elect a presiding officer who must be a legislator.

16 (4) Legislators who are members of the committee shall be reimbursed for expenses by the legislative
17 services division as provided in 5-2-302. The public member is entitled to reimbursement for expenses by the
18 legislative services division, as provided in 2-18-501 through 2-18-503. Members who are state employees may
19 be reimbursed for expenses by their respective agency as provided in 2-18-501 through 2-18-503.

20 (5) The legislative services division shall provide staffing and administrative services for the committee.

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22 **NEW SECTION. Section 2. Study of revising legislative session.** (1) The legislative session change
23 committee shall study the possibility of splitting the legislative session between the odd and even year.

24 (2) The committee must study and develop recommendations for:

25 (a) the legislature to meet in the odd year, as provided in law, for a limited time to organize, adopt rules
26 and a budget for the legislative session, make standing committee appointments, confirm gubernatorial
27 appointments, provide for training and mentorship, and organize for recess work;

28 (b) the adoption of the revenue-estimating resolution and adopting a balanced budget for a transition
29 fiscal year;

30 (c) meeting early each even-numbered year, within the remaining number of session days, to consider

1 general legislation and a biennial budget for the next 2 fiscal years;

2 (d) the most beneficial use of the interim in recess between sessions by either interim or standing
3 committees and the period following sine die of the legislature in the even-numbered year; and

4 (e) the potential legal implications of splitting the legislative session between the odd and even year.

5 (3) The committee must consult with affected stakeholders such as the public, legislative leadership, the
6 secretary of the senate and chief clerk of the house, the governor's office, the office of budget and program
7 planning, state agencies, and lobbyists. The committee must dedicate some of its meeting time on public hearings
8 to hear from Montana citizens.

9 (4) The committee is authorized to include in its study other areas that are related to legislative sessions
10 and improving the efficiency and effectiveness of the legislature.

11 (5) The committee shall:

12 (a) complete its work by September 15, 2018;

13 (b) report the results of its study to the legislative council, the legislative finance committee, and to the
14 66th regular session of the legislature; and

15 (c) draft proposed legislation and changes to legislative rules to accomplish the split session.

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17 **NEW SECTION. Section 3. Study of revising budget process.** (1) The legislative finance committee
18 shall study the budgeting process provided in Title 17, for the purpose of identifying the changes necessary to
19 transition the budget cycle to accommodate the revised legislative calendar.

20 (2) The legislative finance committee shall meet with the legislative session change committee, keep the
21 committee informed of its progress, and consult with the legislative council on other procedural or rule changes
22 necessary to implement the transition. The legislative finance committee must make recommendations to the
23 legislative session change committee on what is necessary to effect the change by August 15, 2018.

24 (3) The legislative council and the interim committees provided for in Title 5, chapter 5, part 2, shall
25 review related statutory obligations and legislative processes and provide recommendations by August 15, 2018,
26 for a complete transition.

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28 **NEW SECTION. Section 4. Appropriation.** There is appropriated \$30,000 for the biennium beginning
29 July 1, 2017, from the general fund to the legislative services division for the purposes of conducting the study
30 in [sections 1 through 3].

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

4 (2) If the appropriation in [section 4] is vetoed and the veto is not overridden by the legislature, then [this
5 act] is void.

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7 NEW SECTION. **Section 6. Effective date.** [This act] is effective July 1, 2017.

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9 NEW SECTION. **Section 7. Termination.** [This act] terminates December 31, 2018.

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