

Amendment - 2nd Reading-yellow - Requested by: Mike Hopkins - (H) Committee of the Whole

- 2023

68th Legislature 2023

Drafter: Todd Everts, 406-444-4023

HB0271.002.001

1 HOUSE BILL NO. 271
2 INTRODUCED BY P. TUSS, C. KEOGH, J. HAMILTON, E. KERR-CARPENTER, A. BUCKLEY, M. THANE, P.
3 GREEN, J. FITZPATRICK, J. ETCHART, J. KARLEN, B. CARTER, M. ROMANO, D. BAUM, E. MATTHEWS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT MEMBERS OF THE MONTANA
6 LEGISLATURE MUST BE SEATED IN ALPHABETICAL ORDER IN THE RESPECTIVE HOUSE AND
7 SENATE CHAMBERS; PROVIDING EXEMPTIONS; AND AMENDING SECTIONS 5-2-212 AND 5-2-213,
8 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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12 **Section 1.** Section 5-2-212, MCA, is amended to read:

13 **"5-2-212. Organization of senate.** (1) At 12 noon on the day appointed for the meeting of any regular
14 session of the legislature, the senior member present must take the chair, call the senators and senators-elect
15 to order, call over the senators from the certified roster prepared by the secretary of state, and then, from the
16 certified roster prepared by the secretary of state, call over the senatorial districts and counties, in their order,
17 from which members have been elected at the preceding election. After the same are called, the members-
18 elect must take the constitutional oath of office and assume their seats as provided in subsection (2). The
19 senate may ~~thereupon~~ at that time, if a quorum is present, proceed to elect its officers.

20 (2) ~~Members~~ EXCEPT AS PROVIDED IN SUBSECTION (3), MEMBERS of the senate must be seated in
21 alphabetical order by the member's last name in the senate chambers for the duration of a regular or special
22 session.

23 (3) THE PROVISIONS OF SUBSECTION (2) DO NOT APPLY TO:

24 (A) ARRANGEMENTS NECESSARY TO COMPLY WITH ACCESSIBILITY STANDARDS IN THE AMERICANS WITH
25 DISABILITIES ACT OF 1990, 42 U.S.C. 12101, ET SEQ.;

26 (B) ASSIGNMENT OF SEATS FOR LEADERSHIP POSITIONS; AND

27 (C) THE GOVERNOR'S STATE OF THE STATE ADDRESS."

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Section 2. Section 5-2-213, MCA, is amended to read:

"5-2-213. Organization of house of representatives. (1) At the time specified in 5-2-212, the secretary of state or, in case of the secretary of state's absence or inability, the senior member-elect present shall take the chair, call the members-elect of the house of representatives to order, and then, from the certified roster prepared by the secretary of state, call over the roll of counties and districts. After the names are called, the members-elect shall take the constitutional oath of office and assume their seats as provided in subsection (2). The house of representatives may at that time, if a quorum is present, proceed to elect its officers.

(2) (a) Members EXCEPT AS PROVIDED IN SUBSECTION (3), MEMBERS of the house of representatives must be seated in alphabetical order by the member's last name in the house chambers for the duration of a regular or special session.

(b) House members who are university of Montana grizzly fans must be seated in alphabetical order in the seats on the left side of the aisle facing the front of the chambers. House members who are Montana state university bobcat fans must be seated in alphabetical order in the seats on the right side of the aisle facing the front of the chambers.

(c) A house member shall choose a fan affiliation for only one university provided for in subsection (2)(b).

(3) THE PROVISIONS OF SUBJECTION (2) DO NOT APPLY TO:

(A) ARRANGEMENTS NECESSARY TO COMPLY WITH ACCESSIBILITY STANDARDS IN THE AMERICANS WITH DISABILITIES ACT OF 1990, 42 U.S.C. 12101, ET SEQ.;

(B) ASSIGNMENT OF SEATS FOR LEADERSHIP POSITIONS; AND

(C) THE GOVERNOR'S STATE OF THE STATE ADDRESS."

NEW SECTION. Section 3. — Effective date. [This act] is effective on passage and approval.

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