

**Amendment - 2nd Reading/2nd House-tan - Requested by: Tyson Running Wolf - (H)
Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Pad McCracken, 406-444-3595

SB0176.002.002

1 SENATE BILL NO. 176
2 INTRODUCED BY K. REGIER
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE ALLOCATION OF LEGISLATORS APPOINTED
5 TO LEGISLATIVE INTERIM COMMITTEES AND CERTAIN OTHER STATUTORY COMMITTEES TO
6 REFLECT THE MAJORITY AND MINORITY COMPOSITION OF THE LEGISLATURE; REQUIRING A
7 MEMBER OF THE MAJORITY PARTY TO CHAIR; REVISING BILL DRAFT REQUESTING; PROVIDING
8 THAT INTERIM BUDGET COMMITTEE CHAIRS ARE EX OFFICIO NONVOTING MEMBERS OF THE
9 LEGISLATIVE FINANCE COMMITTEE; AMENDING SECTIONS 5-5-211, 5-5-215, 5-5-229, 5-5-234, 5-11-104,
10 5-12-202, 5-12-203, 5-13-202, 5-15-101, AND 5-16-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
11 DATE."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14
15 **Section 1.** Section 5-5-211, MCA, is amended to read:

16 **"5-5-211. Appointment and composition of interim committees.** (1) Senate interim committee
17 members must be appointed by the committee on committees.

18 (2) House interim committee members must be appointed by the speaker of the house.

19 (3) Appointments to interim committees must be made by the time of adjournment of the legislative
20 session.

21 (4) A legislator may not serve on more than two interim committees unless no other legislator is
22 available or is willing to serve.

23 (5) (a) Subject to 5-5-234 and subsection (5)(b) of this section, the composition of each interim
24 committee must be as follows:

25 (i) four members of the house, ~~two~~three from the majority party and ~~two~~one from the minority
26 party; and

27 (ii) ~~two~~ four members of the senate, ~~two~~three from the majority party and ~~two~~one from the minority

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- 1 (ii) opportunities to improve existing law through the analysis of problems experienced with the
2 application of the law by an agency; and
- 3 (iii) experiences of the state's citizens with the operation of an agency that may be amenable to
4 improvement through legislative action;
- 5 (d) review, if requested by any member of the interim committee, the statutorily established
6 advisory councils and required reports of assigned agencies to make recommendations to the next legislature
7 on retention or elimination of any advisory council or required reports pursuant to 5-11-210;
- 8 (e) review proposed legislation of assigned agencies or entities as provided in the joint legislative
9 rules;
- 10 (f) accumulate, compile, analyze, and furnish information bearing upon its assignment and
11 relevant to existing or prospective legislation as it determines, on its own initiative, to be pertinent to the
12 adequate completion of its work; and
- 13 (g) review proposed ballot initiatives within the interim committee's subject area and vote to either
14 support or not support the placement of the text of an initiative on the ballot in accordance with 13-27-202.
- 15 (2) Each interim committee shall prepare bills and resolutions that, in its opinion, the welfare of the
16 state may require for presentation to the next regular session of the legislature. An interim committee may by
17 vote request four bill drafts on a partisan basis and an unlimited number of bill drafts on a bipartisan basis.
- 18 (3) The legislative services division shall keep accurate records of the activities and proceedings of
19 each interim committee.
- 20 (4) As used in this section:
- 21 (a) "bipartisan basis" means a vote in which members from more than one party vote to request a
22 bill draft; and
- 23 (b) "partisan basis" means a vote in which members from only one party vote to request a bill
24 draft."
- 25

26 **Section 3.** Section 5-5-229, MCA, is amended to read:

27 **"5-5-229. State-tribal relations committee.** (1) There is a state-tribal relations committee. ~~The~~

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1 Except as provided in subsection (2), the committee is treated as an interim committee for the purposes of 5-5-
2 211 through 5-5-214. The committee shall:

3 ~~(1)~~(a) act as a liaison with tribal governments;

4 ~~(2)~~(b) encourage state-tribal and local government-tribal cooperation;

5 ~~(3)~~(c) conduct interim studies as assigned pursuant to 5-5-217; and

6 ~~(4)~~(d) provide recommendations and a report, if one is written, in accordance with 5-5-216 for studies
7 completed by the committee.

8 (2) The composition of the state-tribal relations committee must be as follows:

9 (a) six members of the house, three from the majority party and three from the minority party; and

10 (b) four members of the senate, two from the majority party and two from the minority party."

11
12 **Section 4.** Section 5-5-234, MCA, is amended to read:

13 **"5-5-234. Appointments.** (1) (a) Whenever a legislative appointing authority is required or authorized
14 to appoint more than one legislative member of the majority party to a committee, subcommittee, or other
15 statutorily recognized or authorized entity, the appointing authority may appoint a member of a party other than
16 the majority party.

17 (b) Whenever a legislative appointing authority is required or authorized to appoint more than one
18 legislative member of the minority party to a committee, subcommittee, other statutorily recognized or
19 authorized entity, the appointing authority may, if requested by the minority leader, appoint a member of a party
20 other than the minority party or majority party instead of a member of the minority party.

21 (2) (a) Whenever an elected state official, as defined in 5-7-102, is required or authorized to
22 appoint more than one legislative member of the majority party to a statutorily recognized or authorized entity,
23 the elected state official may, if requested by the senate president for a senate appointee or if requested by the
24 speaker of the house for a house appointee, appoint a member of a party other than the majority party instead
25 of a member of the majority party.

26 (b) Whenever an elected state official, as defined in 5-7-102, is required or authorized to appoint
27 more than one legislative member of the minority party to a statutorily recognized or authorized entity, the