HOUSE BILL NO. 726

INTRODUCED BY J. READ, T. SMITH

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING WATER COMPACT AUTHORITY TO THE PUBLIC SERVICE COMMISSION; PROVIDING PUBLIC SERVICE COMMISSION ADMINISTRATION OF THE RESERVED WATER RIGHTS COMPACT COMMISSION; AMENDING SECTIONS 2-15-212 AND 69-1-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 2-15-212, MCA, is amended to read:

"2-15-212. Reserved water rights compact commission. (1) There is created a reserved water rights compact commission. In negotiations, the commission is acting on behalf of the governor. (2) Subject to 5-5-234, commissioners are appointed as follows: (a) two members of the house of representatives appointed by the speaker, one from the majority party and one from the minority party; (b) two members of the senate appointed by the president, one from the majority party and one from the minority party; (c) four members designated by the governor; and (d) one member designated by the attorney general. (3) Legislative members of the commission are entitled to receive compensation and expenses as provided in 5-2-301 for each day actually spent on commission business. Other members are entitled to salary and expenses as state employees. (4) The commission is attached to the department of natural resources and conservation department of public service regulation for administrative purposes only, as prescribed in 2-15-121, unless inconsistent with the provisions of Title 85, chapter 2, part 7. A sufficient and appropriate staff must be assigned to serve the commission within the budget established by the legislature. The commission staff is a principal unit within the department, and the commission shall direct and assign the staff."
Members are appointed for 4-year terms and may be reappointed. A legislative member position is vacant if the person no longer serves in the legislature. The position of a member appointed by the governor or attorney general is vacant if that person is elected to the legislature. A vacancy must be filled in the manner of the original appointment."

Section 2. Section 69-1-102, MCA, is amended to read:

"69-1-102. Creation of public service commission. A public service commission is hereby created, whose duty it is to supervise and regulate the operations of public utilities, common carriers, railroads, and other regulated industries listed in this title and manage the state's duties and authorities regarding water compacts under Title 85, chapter 20. Such supervision and regulation shall be in conformity with this title."

NEW SECTION. Section 3. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each federally recognized tribal government in Montana.

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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