

1 HOUSE BILL NO. 8888①

2 INTRODUCED BY SMITH②

3 BY REQUEST OF THE MONTANA ARTS COUNCIL③

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5 ④ A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE POSITION OF STATE TROUBADOUR;
6 PROVIDING FOR THE NOMINATION, APPOINTMENT, AND TERM OF THE STATE TROUBADOUR;
7 AMENDING SECTION 22-1-206, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
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9 ⑤ BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 ⑥ **Section 1.** Section 22-1-206, MCA, is amended to read:

12 **22-2-106. Council duties.** The council shall:

13 (1) encourage the study and presentation of the arts and stimulate public participation in the arts;

14 (2) cooperate with public and private institutions engaged within the state in artistic and cultural activities,
15 including but not limited to ~~music, theater, dance~~ the performing arts, painting, sculpture, architecture, and allied
16 arts and crafts, and make recommendations concerning methods to encourage participation in and appreciation
17 of the arts to meet the legitimate needs and aspirations of persons in all parts of the state;

18 (3) as required under 2-15-242, nominate three individuals to serve as the state poet laureate and provide
19 the list of nominees to the governor; and

20 (4) as required under [section 2], nominate three individuals to serve as the state troubadour and provide
21 the list of nominees to the governor."

22 ⑦ **NEW SECTION. Section 2. State troubadour.** (1) There is a state troubadour.

23 (2) Within 30 days prior to the expiration of the state troubadour's term of appointment or within 30 days
24 after a vacancy in the position occurs, the Montana arts council established in 22-2-101 shall nominate three
25 individuals to be the state troubadour. The Montana arts council shall provide the list of nominees to the governor
26 who shall, within 30 days after receiving the list of nominees, appoint the state troubadour from among the
27 individuals named on the list.

28 (3) The individual named by the governor as the state troubadour shall serve for a term of 2 years.

29 ⑧ **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

30 - END -

A bill is a proposed law as introduced in the Legislature. The bill does not become a law (an "act" or "statute") until passed by the Legislature and signed by the Governor or passed over the Governor's veto. If the Governor does not sign or veto a bill within 10 days after receiving it, it becomes a law without signature.

A bill that has become a law is delivered to the Secretary of State, who assigns a chapter number to it in the order that the bill is received by that office. All laws that pass in any one legislative session are first published in the order of passage in a publication entitled *Laws of Montana* (Year). This publication is referred to as the Session Laws. All permanent new provisions are assigned Code section numbers by the Code Commissioner's staff and are incorporated into the Montana Code Annotated (MCA).

The proper form and arrangement of a bill have been defined primarily by custom. The Montana Constitution speaks of bill titles in Article V, section 11; section 5-4-101, MCA, prescribes the form of the enacting clause. None of the other bill parts are mandated by law or rule. By legislative rule, however, all bills, before they are introduced, must comply with the format, style, and legal form prescribed by the Legislative Services Division.

The following explanations provides a basic guide to reading a bill. The numbered references are to the mock bill opposite:

① **Bill Number:** reflects whether a bill originated in the House (House Bill) or Senate (Senate Bill) as well as the numerical order in which the bill was introduced. Bill numbers do not change as a bill is transmitted from one chamber to the other. The bill number also appears in an abbreviated form in the top right-hand and bottom right-hand sides of the bill.

② **Sponsor(s):** the legislator who introduces a bill.

③ **By Request Line:** by rule, a bill that is proposed by a legislative committee or is introduced by request of a state agency must include a "by request" line.

④ **Title:** must clearly summarize the contents of the bill. Also, must list all amended or repealed MCA sections.

⑤ **Enacting Clause:** prescribed by law.

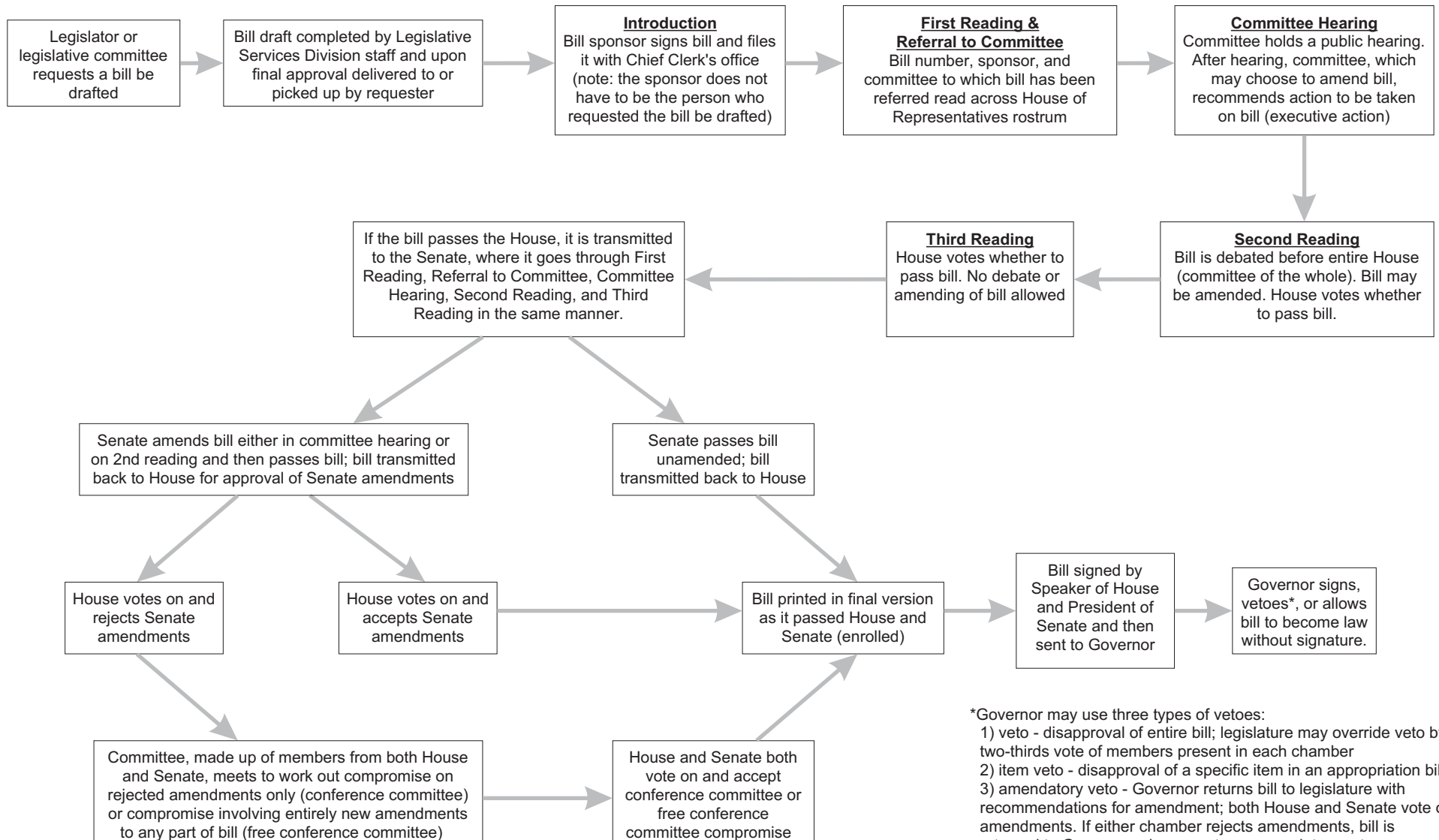
⑥ **Amendatory Material:** a section of a bill that amends current law. In an amendatory material section, material proposed to be deleted is shown as stricken through (e.g., ~~music, theater, dance~~) while material proposed to be added is shown as underlined (e.g., the performing arts). Material shown as underlined and in all capital letters (with the exception of the phrase **NEW SECTION**) reflects amendments to a bill made by a standing committee or on a chamber floor during a second reading hearing.

⑦ **New Material:** if a bill includes amendatory material as described above, any section of that bill that does not amend the MCA, Session Laws, the Constitution, or Administrative Rules of Montana must be designated a "NEW SECTION". A "NEW SECTION" may be proposing to create new law in an area not covered by present statutes.

⑧ **Effective Date:** by law, unless an effective date section is included that states otherwise, every statute passed and approved during a regular legislative session takes effect on the following October 1; exceptions include appropriation for public funds for public purposes, which takes effect on the following July 1, and taxation of or imposition of a fee on motor vehicles, which takes effect on the following January 1. Any proposed effective date that falls outside of these dates must be included in the bill.

Steps in How a Bill Becomes a Law in the Montana Legislature

This diagram illustrates the passage of a bill originating in the House of Representatives. For a Senate Bill, the process would begin on the Senate side but would involve the same basic steps.



*Governor may use three types of vetoes:
 1) veto - disapproval of entire bill; legislature may override veto by two-thirds vote of members present in each chamber
 2) item veto - disapproval of a specific item in an appropriation bill
 3) amendatory veto - Governor returns bill to legislature with recommendations for amendment; both House and Senate vote on amendments. If either chamber rejects amendments, bill is returned to Governor, who cannot use amendatory veto power a second time.