

1 H BILL NO. 515  
 2 INTRODUCED BY Marsha S. Gunderson  
 3 Spuch

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS  
 5 43-709 AND 43-710, R.C.M. 1947, INCREASING THE SIZE OF THE  
 6 LEGISLATIVE COUNCIL AND OUTLINING ITS SUPERVISORY DUTIES  
 7 OVER THE COUNCIL STAFF."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 43-709, R.C.M. 1947, is amended to  
 11 read as follows:

12 "43-709. Legislative council -- members -- term --  
 13 vacancies. There is hereby created a legislative council  
 14 which consists of ~~four-(4)~~ eight members of the house of  
 15 representatives who shall be appointed by the speaker of the  
 16 house of representatives, with the advice of the majority  
 17 and minority leaders of the house no more than ~~two-(2)~~ four  
 18 of whom shall be of the same political party, and ~~four-(4)~~  
 19 eight members of the state senate who shall be appointed by  
 20 the committee on committees of the state senate, no more  
 21 than ~~two-(2)~~ four of whom shall be of the same political  
 22 party. The committee on committees of the senate and the  
 23 speaker of the house of representatives shall prepare their  
 24 lists of appointees so that the lists of appointees may be  
 25 subject to confirmation as to the senate members by the

1 ~~senate and as to the house members by the house of~~  
 2 ~~representatives. Membership on the council shall be for two~~  
 3 ~~(2) years and terminates with appointment of a new council~~  
 4 ~~or on the fiftieth legislative day of the first regular~~  
 5 ~~session following the biennium in which the appointment was~~  
 6 ~~made, whichever event occurs first. A new council shall be~~  
 7 ~~appointed no later than the fiftieth day of each succeeding~~  
 8 ~~first regular session. In the event of a failure to appoint~~  
 9 ~~council members within the time above stated or in the event~~  
 10 ~~of a refusal by either the senate or the house of~~  
 11 ~~representatives to confirm appointments on the council, then~~  
 12 ~~the members on the council from either house in which there~~  
 13 ~~is a failure to appoint or confirm shall be elected~~  
 14 ~~forthwith by the members of such house. Any vacancy on said~~  
 15 ~~legislative council occurring when the legislature is not in~~  
 16 ~~session shall be filled by the selection of another member~~  
 17 ~~by the same method as the original appointment and confirmed~~  
 18 ~~by the remaining members of the council."~~

19 Section 2. Section 43-710, R.C.M. 1947, is amended to  
 20 read as follows:

21 "43-710. Powers and duties. (1) If a question of  
 22 state-wide importance arises when the legislature is not in  
 23 session and a subcommittee has not been appointed to  
 24 consider the question, the legislative council shall, with  
 25 the concurrence of the priorities committee, assign such

*HB 515*

1 question to an appropriate subcommittee.

2 (2) The legislative council shall supervise the  
3 activities of the council staff, and shall yearly review:

4 (a) the positions of the council director and the  
5 staff and make recommendations to the legislative  
6 administration committee for the employment of new  
7 personnel, as well as promotions and terminations of  
8 employees; and

9 (b) the expenses of the council staff and make  
10 recommendations to the legislative administration committee  
11 where costs may be cut.

12 (3) The legislative council shall assist in the  
13 preparation and submission of all standing and select  
14 committee and subcommittee reports and recommendations to  
15 the legislature.

16 (4) This section shall not be construed to permit the  
17 council to approve or disapprove of any substantive portions  
18 or recommendations of a standing and select committee and  
19 subcommittee report."

-End-

STATE OF MONTANA

REQUEST NO. 211-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 26, 1977, there is hereby submitted a Fiscal Note for House Bill 515 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 515 increases the Legislative Council from 8 to 16.

FISCAL IMPACT:

The following alternatives are presented in interpreting HB 515 for purposes of determining possible fiscal impact:

No. 1 - - Assumptions

- a) HB 515 is effective July 1, 1977.
b) The expanded (16-member) Council would be appointed during 1979 session.
c) Only cost involved would be for expenses between adjournment, 1979, and June 30, 1979.

Estimate:

Table with 2 columns: Description and Amount. Row 1: Travel, 8 additional Council members, April 15 - June 30, 1979 (2 meetings) \$ 3,200. Row 2: Travel, 13 Legislative Admin. members, for receiving recommendations from Council on Council staff salaries. (2 meetings) 5,200. Row 3: Additional postage, supplies, printing 300. Total: \$ 8,700.

No. 2 - - Assumptions

- a) HB 515 is effective July 1, 1977.
b) The expanded (16 member) Council would be appointed during 1977 session.
c) Eight members would serve through June 30, 1977.
d) Expanded (additional 8 members) would serve during 1977-79 biennium.
e) Council would make recommendations to Legislative Administration Committees by mail.
f) No responsibility or action designated to Legislative Administration.

Estimate:

Table with 2 columns: Description and Amount. Row 1: Travel, 8 additional Council members, 1977-79 biennium (12 meetings) \$19,200. Row 2: Additional postage, supplies, printing 2,500. Total: \$21,700.

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BUDGET DIRECTOR
Office of Budget and Program Planning
Date:

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FISCAL IMPACT: (continued)

No. 3 - Assumptions

- a) HB 515 is effective July 1, 1977.
- b) Appointment and services of Council and Legislative Administration Committees would be the same as Alternative No. 2 above.
- c) Council would make recommendations to Legislative Administration Committees in person, requiring additional travel for Legislative Administration Committee members (13).

Estimate:

(1) Travel, 8 additional Council members, 1977-79 biennium (12 meetings)	\$19,200
(2) Travel, 13 Leg. Admin. members 1977-79 biennium (12 meeting days)	31,200
(3) Travel, 16 Council members, to meet with Leg. Admin. members (2 meetings)	6,400
(4) Additional postage, supplies, printing	<u>3,500</u>
	<u>\$60,300</u>

*Richard L. Strong for*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-1-77