

HOUSE BILL NO. 237

INTRODUCED BY MARKS, MOORE, FABREGA, STEPHENS, KOLSTAD, GRAHAM, NORMAN

BY REQUEST OF THE INTERIM SUBCOMMITTEE ON LEGISLATIVE IMPROVEMENT

IN THE HOUSE

January 17, 1979	Introduced and referred to Committee on Rules.
February 13, 1979	Committee recommend bill do pass as amended. Report adopted.
February 16, 1979	Printed and placed on members' desks.
February 17, 1979	Second reading, do pass.
February 19, 1979	Considered correctly engrossed.
	Third reading, passed. Transmitted to second house.
IN	THE SENATE
February 20, 1979	Introduced and referred to Committee on Rules.
March 21, 1979	Committee recommend bill be concurred in as amended. Report adopted.
March 23, 1979	Second reading, concurred in.
March 26, 1979	Third reading, concurred in as amended.
IN	THE HOUSE
March 27, 1979	Returned from second house.

Concurred in as amended.

March 28, 1979	Second reading, amendments rejected.
	On motion, Free Joint Conference Committee requested and appointed.
April 5, 1979	Free Joint Conference Committee reported.
April 6, 1979	Second reading, adopted.
April 7, 1979	Third reading, adopted.
April 11, 1979	Adopted by Senate.
	Sent to enrolling.
	Reported correctly enrolled.

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- BILL NO. 237 Ann Acres Stephens 1 INTRODUCED BY 2 3 ON LEGISLATIVE IMPROVEMENT 4 5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE METHOD BY 6 WHICH INTERIM LEGISLATIVE STUDIES AND STUDY COMMITTEES ARE 7 SELECTED; AMENDING SECTIONS 5-5-211, 5-5-216, AND 5-11-105, 8 MCA; AND REPEALING SECTIONS 5-5-221 AND 5-5-222, MCA; AND 9 PROVIDING AN IMMEDIATE EFFECTIVE DATE." 10 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12 Section 1. Section 5-5-211. MCA, is amended to read: 13 *5-5-211. Appointment and composition of joint 14 subcommittees. (1) The standing-committees speaker of the 15 house and the committee on committees of the senate shall 16 appoint-subcommittees-from recommend members of appropriate 17 standing committees in each body to meet jointly on those 18 bills-and resolutions that are designated to--them by the 19 priorities-committee legislative council for interim study. 20 The legislative council shall appoint subcommittee members 21 from among those members recommended. The composition of 22 each subcommittee shall be as follows: 23 (a) four members of the house standing-committee

appointed-by-the-chairman-of-the-standing-committee, no more

2 (b) four members of the senate--stending-committee appointed-by-the-chairman-of-the-standing-committee, no more 3 4 than two of whom may be of one political party. 5 (2) The-chairman-of-the-standing-compittee-may-appoint 6 hisself--to--the--subconsitteev In the event a member 7 recommended by the speaker or committee on committees 8 declines to server the legislative council may appoint a 9 member of the respective bouse and party to serve in his 10 place." Section 2. Section 5-5-216, NCA, is amended to read: 11 #5-5-216. Recommendations 12 of subcommittees. . subcommittee appointed for the purpose of making a study 13 sssigned--by--the--priorities--committee designated by the 14 15 legislative council may make recommendations for 16 legislation. These recommendations and the study report 17 shall be submitted to the legislature at the next regular 18 session.* Section 3. Section 5-11-105, MCA, is amended to read: 19 20 *5-11-105. Powers and duties of council. (1) If a 21 question of statewide importance arises when the legislature 22 is not in session and a subcommittee has not been appointed to consider the question, the legislative council shally 23 24 with-the-concurrence-of-the-priorities-committee, assign the 25 question to an appropriate subcommittee.

than two of whom may be of one political party; and

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(2) The legislative council shall supervise the
 activities of the council staff.

3 (3) The legislative council shall assist in the
4 preparation and submission of all standing and select
5 committee and subcommittee reports and recommendations to
6 the legislature.

7 (4) This section shall not be construed to permit the
8 council to approve or disapprove of any substantive portions
9 or recommendations of a standing or select committee or
10 subcommittee report."

11 NEW SECTION. Section 4. Selection and assignment of 12 interim studies. (1) Immediately following adjournment sine 13 die, the legislative council shall prepare a list of study requests adopted. A copy of the list shall be distributed 14 15 to each legislator with a request that the legislator rank 16 the study requests in the order of importance he ascribes to 17 them. The lists, with the priorities assigned, shall be 18 returned to the legislative council.

19 (2) The legislative council shall review the priority 20 lists returned by legislators, review estimated costs and 21 staff assistance associated with the requested studies, and 22 designate those studies to be assigned. In designating 23 studies, the legislative council may combine requests as one 24 study when the subject matter of those requests is closely 25 related. The legislative council shall group related studies

together and shall designate the number of committees to be 1 appointed. 2 (3) The legislative council shall inform the speaker 3 of the house and committee on committees of the senate of 4 those studies that have been selected and the number of 5 subcommittees to be appointed. The speaker, committee on 6 committees, and legislative council shall then proceed under 7 5-5-211 to appoint the subcommittees. 8 Section 5. Repealer. Sections 5-5-221 and 5-5-222, 9 MCA, are repeated. 10

- 11 Section 6. Effective date. This act is effective on
- 12 passage and approval.

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Apr	roved	by	Comm.
on	Rules	-	

1	HOUSE BILL NG. 237
2	INTRODUCED BY MARKS, MOORE, FABREGA, STEPHENS,
3	KOLSTAD, GRAHAM, NORMAN
4	BY REQUEST OF THE INTERIM SUBCOMMITTEE
5	ON LEGISLATIVE INPROVEMENT
6	
7	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE METHOD BY
8	WHICH INTERIN LEGISLATIVE STUDIES AND STUDY COMMITTEES ARE
9	SELECTED; AMENDING SECTIONS 5-5-211, 5-5-216, AND 5-11-105,
10	MCA; AND REPEALING SECTIONS 5-5-221 AND 5-5-222, MCA; AND
11	PROVIDING AN IMMEDIATE EFFECTIVE DATE."
12	
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14	Section 1. Section 5-5-211, NCA, is amended to read:
15	#5-5-211 . Appointment and composition of joint
16	subcommittees. (1) The standing committees <u>speaker</u> of the
17	house <u>. IN CONSULIATION WITH THE MINORITY LEADER OF THE</u>
18	HOUSE: and the committee on committees of the senate. IN
19	CONSULTATION_WITH_THE NINORITY LEADER DE THE SENATE, shall
20	appeint-subcommittees-from- <u>recommend-members-ofapproprists</u>
21	<u>stonding=_committees=_in</u> each-body-to-meet-jointly-on-those
22	bills-and-resolutions-that-are-designatedtothembythe
23	prioritiescommittee <u>legisimtivg-council-for-interim-study</u> =
24	The legislative council shall appoint subcommittee members
25	from among those members recommended. The composition of

1	each subcommittee shall be as follows:
2	te)[1] four members of the house standing-committee
3	eppointed-by-the-choirman-of-the-standing-committee, no more
4	than two of whom may be of one political party; and
5	<pre>(b)(2) four sembers of the senate-stonding-committee</pre>
6	appointed-by-the-choirmon-of-the-standing-committee , no more
7	than two of whom may be of one political party.
8	{2}The-chairman-of-the-standing-committee-may-appoint
9	. himselftothesubcommittees<u>in-the</u>eyente-member
10	recommended-thy-the-speaker-or-consittee-on-compittees
11	daciines_to_servex_the_legislative_councilmeyappointe
12	sembaroftherespectivehouse-and party-to-serve-in-his
13	places"
14	Section 2. Section 5-5-216. MCA, is amended to read:
15	#5-5-216. Recommendations of subcommittees. A
16	subcommittee appointed for the purpose of making a study
16 17	
	subcommittee appointed for the purpose of making a study
17	subcommittee appointed for the purpose of making a study
17 18	subcommittee appointed for the purpose of making a study assignedbytheprioritioscommittee <u>designated</u> by the <u>legislative</u> council may make recommendations for
17 18 19	subcommittee appointed for the purpose of making a study assignedbythepriorities-committee <u>designated by the</u> <u>legislative council</u> may make recommendations for legislation. These recommendations and the study report
17 16 19 20	subcommittee appointed for the purpose of making a study assignedbythepriorities-committee designated by the legislative council may make recommendations for legislation. These recommendations and the study report shall be submitted to the legislature at the next regular

23 "5-11-105. Powers and duties of council. (1) If a
 24 question of statewide importance arises when the legislature
 25 is not in session and a subcommittee has not been appointed

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to consider the question, the legislative council shally
 with-tne-concurrence-of-the-priorities-committee, assign the
 question to an appropriate subcommittee.

4 (2) The legislative council shall supervise the
5 activities of the council staff.

6 (3) The registative council shall assist in the
7 preparation and submission of all standing and select
8 committee and subcommittee reports and recommendations to
9 the legislature.

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

NEW_SECTION: Section 4. Selection and assignment of 14 15 interim studies. (1) Immediately following adjournment sine dies the legislative council shall prepare a list of study 15 requests adopted. A copy of the list shall be distributed 17 18 to each legislator with a request that the legislator rank 19 the study requests in the order of importance he ascribes to 20 them. The lists, with the priorities assigned, shall be 21 returned to the legislative council.

(2) The legislative council shall review the priority
lists returned by legislators, review estimated costs and
staff assistance associated with the requested studies, and
designate those studies to be assigned. In designating

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1 studies, the legislative council may combine requests as one 2 study when the subject matter of those requests is closely 3 related. The legislative council shall group related studies 4 together and shall designate the number of committees to be 5 appointed.

6 (3) The legislative council shall inform the speaker 7 of the house and committee on committees of the senate of 8 those studies that have been selected and the number of 9 subcommittees to be appointed. The speakery <u>AND____IHE</u> 10 committee on committeesy-end-legislative-council shall then 11 proceed under 5-5-211 to appoint the subcommittees.

12Section 5. Repeater. Sections 5-5-221 and 5-5-222.13MCA. are repeated.

- 14 Section 6. Effective date. This act is effective on
- 15 passage and approval.

-End-

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1	HOUSE BILL NG. 237	1	each subcommittee shall be as follows:
2	INTRODUCED BY MARKS, MOORE, FABREGA, STEPHENS,	2	tay(1) four members of the house standing-committee
3	KOLSTAD. GRAHAM. NORMAN	3	appointed-by-the-cheirman-of-the-standing-committee: no more
4	BY REQUEST OF THE INTERIM SUBCOMMITTEE	•	than two of whom may be of one political party; and
5	ON LEGISLATIVE INPROVEMENT	5	<pre>tbj[2] four members of the senate-standing-committee</pre>
6		6	oppointed-by-the-chairwan-of-the-standing-committee : no more
7	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE METHOD BY	7	than two of whom may be of one political party-
8	WHICH INTERIM LEGISLATIVE STUDIES AND STUDY COMMITTEES ARE	8	{2}The-chairman-of-the- st anding-committee-may-appoint
9	SELECTED; AMENDING SECTIONS 5-5-211, 5-5-216, AND 5-11-105,	9	himselftothesubcompitteev <u>in-the-examtmember</u>
10	MCA; AND REPEALING SECTIONS 5-5-223 AND 5-5-222, MCA; AND	10	recommendedbytheepeakerorcommitteecommittees
11	PROVIDING AN IMMEDIATE EFFECTIVE DATE."	11	declines_to_server_the_legislative_seemell_meyappoint=_s
12		12	membaroftbac_respectivebenue_end_party_ke_merve_to_him
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	13	placax"
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17	house <u>r IN CONSULTATION WITH THE MINORITY LEADER OF THE</u>	17	assignedbytheprioritiescompittee designated by the
18	HOUSE, and the committee on committees of the senate. IN	18	legislative council may make recommendations for
19	CONSULTATION WITH THE NINORITY LEADER DE THE SENATE, shall	19	legislation. These recommendations and the study report
20	oppoint-subcommittees-from- <u>recommend-members-ofappropriate</u>	20	shall be submitted to the legislature at the next regular
21	<u>standingcommittagsin</u> eac h-body-to-m eet-jointly-on-those	21	sassion."
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24	The legislative council abolt appoint subcommittee gembers	24	question of statewide importance arises when the legislature
25	from among those members recommended. The composition of	25	is not in session and a subcommittee has not been appointed

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12 Section 5. Repealer. Sections 5-5-221 and 5-5-222.

13 HCA+ are repealed.

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14 Section 6. Effective date. This act is effective on

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15 passage and approval.

-End-

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HB 0237/03

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18	HOUSEy and thercommitteerconcommitteerrofinthe senaterrill
19	<u>EBNSULTATIONWITHTHE_NINDRITY_LEADER_DE_IHE_SENATEx</u> shott
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25	from

ı	MEMBERS_SHALL BE_APPOINTED_BY_THE_LEGISLATIVE_COUNCILTHE
Z	CHAIRMEN DE THE APPROPRIATE STANDING COMMITTEES IN EACH BODY
3	SHALLBECOMMENDSUGGESTEDMEMBERSTOSERVEONEACH
4	SUBCOMMITTEE. THE LEGISLATIVE COUNCIL SHALL CONSIDER THE
5	RECOMMENDATIONSBUIISNOTBOUND_IHEREBYNO_LEGISLATOR
6	SHALL_SERVE_ON_NORE_THAN_INDINTERIMJOINTSUBCONMITTEES.
7	The composition of each subcommittee shall be as follows:
8	<pre>fo;[1] four members of the house standing-committee</pre>
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14	f2jThe-choirmon-of-the-standing-committee-may-appoint
15	himselftothesubcommittee= <u>intheeventgenber</u>
16	ceseggendedtythttester_orcestifeseduttest
17	dectinestoservexthetegisistive_councit_may_appoint_s
18	<u>member=ofstha=reapective=house=ond=party==to==aprve==in=zbia</u>
19	places"
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21	#5-5-216. Recommendations of subcommittees. A
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24	legislativecouncil may make recommendations for

25 legislation. These recommendations and the study report

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REFERENCE BILL

1 shall be submitted to the legislature at the next regular
2 session.*

3 Section 3. Section 5-11-105, NCA, is amended to read:
4 "5-11-105. Powers and duties of council. (1) If a
5 question of statewide importance arises when the legislature
6 is not in session and a subcommittee has not been appointed
7 to consider the question, the legislative council shally
8 with-the-concurrence-of-the-priorities-committee,

10 (2) The legislative council shall supervise the 11 activities of the council staff. '

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 or select committee or
19 subcommittee report."

20 <u>NEW_SECTIONs</u> Section 4. Selection and assignment of 21 interim studies. (1) Immediately following adjournment sine 22 die, the legislative council shall prepare a list of study 23 requests adopted. A copy of the list shall be distributed 24 to each legislator with a request that the legislator rank 25 the study requests in the order of importance he ascribes to

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HB 237

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٦ (2) The legislative council shall review the priority lists returned by legislators, review estimated costs and 4 5 staff assistance associated with the requested studies, and 6 designate those studies to be assigned. In designating 7 studies, the legislative council may combine requests as one study when the subject matter of those requests is closely R 9 related. The legislative council shall group related studies together and shall designate the number of committees to be 10 appointed. 11

12 (3) The legislative council shall inform the speaker 13 of--the--house--and--committee--on--committees-of-the-senate 14 CHAIRMEN OF THE APPROPRIATE STANDING COMMITTEES IN EACH BODY 15 of those studies that have been selected, and-the-number--of 16 subcommittees---to---be--appointeds--The--speakers ANB__INE committee-on-committeesy-and-legislative--council FOLLOHING 17 18 SECEIPT OF THE RECOMMENDATIONS FROM THE STANDING COMBITIES 19 CHAIRMEN. THE LEGISLATIVE COUNCIL shall then proceed under 20 5-5-211 to appoint the subcommittees. 21 Section 5. Repealer. Sections 5-5-221 and 5-5-222. 22 MCA, are repealed. 23 Section 6. Effective date. This act is effective on passage and approval. 24

-End-

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HB 237

SENATE STANDING COMMITTEE REPORT (Rules)

That House Bill No. 237, third reading bill, be amended as follows:

1. Page 1, line 16. Following: "subcommittees." Strike: "remainder of line 16 through "recommended." On line 25 Insert: "Joint subcommittee members shall be appointed by the legislative council. The chairmen of the appropriate standing committees in each body shall recommend suggested members to serve on each subcommittee. The legislative council shall consider the recommendations, but is not bound thereby. No legislator shall serve on more than 2 interim joint subcommittees.

2. Page 3, line 6 and 7. Following: "the" Strike: "Speaker of the house and committee on committees of the senate" Insert: "Chairmen of the appropriate standing committees in each body"

3. Page 3, line 8. Following: "selected" Strike: remainder of line 8 through "committees" on line 10 Insert: ". Following receipt of the recommendations from the standing committee chairmen, the legislative council"