

CHAPTER NO. 596

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.

1 *House* BILL NO. *237*
 2 INTRODUCED BY *Mark Norman* STEPHENS
 3 *Nustal Stephens* BY REQUEST OF THE INTERIM SUBCOMMITTEE *Norman*

4 ON LEGISLATIVE IMPROVEMENT

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE METHOD BY
 7 WHICH INTERIM LEGISLATIVE STUDIES AND STUDY COMMITTEES ARE
 8 SELECTED; AMENDING SECTIONS 5-5-211, 5-5-216, AND 5-11-105,
 9 MCA; AND REPEALING SECTIONS 5-5-221 AND 5-5-222, MCA; AND
 10 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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 ~~bits 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~~
 24 ~~appointed by the chairman of the standing committee,~~ no more
 25

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

2 (b) four members of the senate ~~standing committee~~
 3 ~~appointed by the chairman of the standing committee,~~ no more
 4 than two of whom may be of one political party.

5 (2) ~~The chairman of the standing committee may appoint~~
 6 ~~himself to the subcommittee.~~ In the event a member
 7 recommended by the speaker or committee on committees
 8 declines to serve, the legislative council may appoint a
 9 member of the respective house and party to serve in his
 10 place."

11 Section 2. Section 5-5-216, MCA, is amended to read:

12 "5-5-216. Recommendations of subcommittees. A
 13 subcommittee appointed for the purpose of making a study
 14 ~~assigned by the priorities committee~~ designated by the
 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."

19 Section 3. Section 5-11-105, MCA, is amended to read:

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
 23 to consider the question, the legislative council shall
 24 ~~with the concurrence of the priorities committee,~~ assign the
 25 question to an appropriate subcommittee.

1 (2) The legislative council shall supervise the
2 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
14 requests adopted. A copy of the list shall be distributed
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

1 together and shall designate the number of committees to be
2 appointed.

3 (3) The legislative council shall inform the speaker
4 of the house and committee on committees of the senate of
5 those studies that have been selected and the number of
6 subcommittees to be appointed. The speaker, committee on
7 committees, and legislative council shall then proceed under
8 5-5-211 to appoint the subcommittees.

9 Section 5. Repealer. Sections 5-5-221 and 5-5-222,
10 MCA, are repealed.

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

-End-

Approved by Comm.
on Rules

HOUSE BILL NO. 237

INTRODUCED BY MARKS, MOORE, FABREGA, STEPHENS,
KOLSTAD, GRAHAM, NORMAN
BY REQUEST OF THE INTERIM SUBCOMMITTEE
ON LEGISLATIVE IMPROVEMENT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE METHOD BY WHICH INTERIM LEGISLATIVE STUDIES AND STUDY COMMITTEES ARE SELECTED; AMENDING SECTIONS 5-5-211, 5-5-216, AND 5-11-105, MCA; AND REPEALING SECTIONS 5-5-221 AND 5-5-222, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

"5-5-211. Appointment and composition of joint subcommittees. ~~(1) The standing committees speaker of the house, IN CONSULTATION WITH THE MINORITY LEADER OF THE HOUSE, and the committee on committees of the senate, IN CONSULTATION WITH THE MINORITY LEADER OF THE SENATE, shall appoint subcommittees from recommend members of appropriate standing committees in each body to meet jointly on those bills and resolutions that are designated to them by the priorities committee legislative council for interim study. The legislative council shall appoint subcommittee members from among those members recommended.~~ The composition of

each subcommittee shall be as follows:

~~(a)(1) four members of the house standing committee appointed by the chairman of the standing committee, no more than two of whom may be of one political party; and~~

~~(b)(2) four members of the senate standing committee appointed by the chairman of the standing committee, no more than two of whom may be of one political party.~~

~~(2) The chairman of the standing committee may appoint himself to the subcommittee. In the event a member recommended by the speaker or committee on committees declines to serve, the legislative council may appoint a member of the respective house and party to serve in his place."~~

Section 2. Section 5-5-216, MCA, is amended to read:

"5-5-216. Recommendations of subcommittees. A subcommittee appointed for the purpose of making a study assigned by the priorities 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 session."

Section 3. Section 5-11-105, MCA, is amended to read:

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

1 to consider the question, the legislative council shall
 2 ~~with the concurrence of the priorities committee~~ assign the
 3 question to an appropriate subcommittee.

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

6 (3) The legislative 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.

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

14 NEW SECTION. Section 4. Selection and assignment of
 15 interim studies. (1) Immediately following adjournment sine
 16 die, the legislative council shall prepare a list of study
 17 requests adopted. A copy of the list shall be distributed
 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.

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

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 speaker ~~AND THE~~
 10 ~~committee on committees and legislative council~~ shall then
 11 proceed under 5-5-211 to appoint the subcommittees.

12 Section 5. Repealer. Sections 5-5-221 and 5-5-222,
 13 MCA, are repealed.

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

-End-

HOUSE BILL NO. 237

INTRODUCED BY MARKS, MOORE, FABREGA, STEPHENS,

KOLSTAD, GRAHAM, NORMAN

BY REQUEST OF THE INTERIM SUBCOMMITTEE

ON LEGISLATIVE IMPROVEMENT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE METHOD BY WHICH INTERIM LEGISLATIVE STUDIES AND STUDY COMMITTEES ARE SELECTED; AMENDING SECTIONS 5-5-211, 5-5-216, AND 5-11-105, MCA; AND REPEALING SECTIONS 5-5-221 AND 5-5-222, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

"5-5-211. Appointment and composition of joint subcommittees. ~~(1) The standing committees speaker of the house, IN CONSULTATION WITH THE MINORITY LEADER OF THE HOUSE, and the committee on committees of the senate, IN CONSULTATION WITH THE MINORITY LEADER OF THE SENATE, shall appoint subcommittees from recommend members of appropriate standing committees in each body to meet jointly on those bills and resolutions that are designated to them by the priorities committee legislative council for interim study. The legislative council shall appoint subcommittee members from among those members recommended.~~ The composition of

each subcommittee shall be as follows:

~~(a)(1) four members of the house standing committee appointed by the chairman of the standing committee, no more than two of whom may be of one political party; and~~

~~(b)(2) four members of the senate standing committee appointed by the chairman of the standing committee, no more than two of whom may be of one political party.~~

~~(2) The chairman of the standing committee may appoint himself to the subcommittee, in the event a member recommended by the speaker or committee on committees declines to serve, the legislative council may appoint a member of the respective house and party to serve in his place."~~

Section 2. Section 5-5-216, MCA, is amended to read:

"5-5-216. Recommendations of subcommittees. A subcommittee appointed for the purpose of making a study assigned by the priorities 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 session."

Section 3. Section 5-11-105, MCA, is amended to read:

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

1 to consider the question, the legislative council shall
 2 ~~with the concurrence of the priorities committee~~ assign the
 3 question to an appropriate subcommittee.

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

6 (3) The legislative 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.

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

14 NEW SECTION. Section 4. Selection and assignment of
 15 interim studies. (1) Immediately following adjournment sine
 16 die, the legislative council shall prepare a list of study
 17 requests adopted. A copy of the list shall be distributed
 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.

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

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 speaker ~~AND THE~~
 10 ~~committee on committees and legislative council~~ shall then
 11 proceed under 5-5-211 to appoint the subcommittees.

12 Section 5. Repealer. Sections 5-5-221 and 5-5-222,
 13 MCA, are repealed.

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

-End-

1 HOUSE BILL NO. 237

2 INTRODUCED BY MARKS, MOORE, FABREGA, STEPHENS,

3 KOLSTAD, GRAHAM, NORMAN

4 BY REQUEST OF THE INTERIM SUBCOMMITTEE

5 ON LEGISLATIVE IMPROVEMENT

6
7 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE METHOD BY
8 WHICH INTERIM 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 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 5-5-211, MCA, is amended to read:

14 "5-5-211. Appointment and composition of joint
15 subcommittees. ~~{1} The standing committees speaker of the~~
16 ~~house, in consultation with the minority leader of the~~
17 ~~house and the committee on committees of the senate, in~~
18 ~~consultation with the minority leader of the senate, shall~~
19 ~~appoint subcommittees from recommend members of appropriate~~
20 ~~standing committees in each body to meet jointly on those~~
21 ~~bills and resolutions that are designated to them by the~~
22 ~~priorities committee legislative council for interim study.~~
23 ~~The legislative council shall appoint subcommittee members~~
24 ~~from among those members recommended.~~ JOINT SUBCOMMITTEE

1 ~~MEMBERS SHALL BE APPOINTED BY THE LEGISLATIVE COUNCIL. THE~~
2 ~~CHAIRMEN OF THE APPROPRIATE STANDING COMMITTEES IN EACH BODY~~
3 ~~SHALL RECOMMEND SUGGESTED MEMBERS TO SERVE ON EACH~~
4 ~~SUBCOMMITTEE. THE LEGISLATIVE COUNCIL SHALL CONSIDER THE~~
5 ~~RECOMMENDATIONS, BUT IS NOT BOUND THEREBY. NO LEGISLATOR~~
6 ~~SHALL SERVE ON MORE THAN TWO INTERIM JOINT SUBCOMMITTEES.~~

7 The composition of each subcommittee shall be as follows:

8 {1} four members of the house standing committee
9 appointed by the chairman of the standing committee, no more
10 than two of whom may be of one political party; and

11 {2} four members of the senate standing committee
12 appointed by the chairman of the standing committee, no more
13 than two of whom may be of one political party.

14 {2} The chairman of the standing committee may appoint
15 himself to the subcommittee, in the event a member
16 recommended by the speaker or committee on committees
17 declines to serve, the legislative council may appoint a
18 member of the respective house and party to serve in his
19 place."

20 Section 2. Section 5-5-216, MCA, is amended to read:

21 "5-5-216. Recommendations of subcommittees. A
22 subcommittee appointed for the purpose of making a study
23 assigned by the priorities committee designated by the
24 legislative council may make recommendations for
25 legislation. These recommendations and the study report

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

3 Section 3. Section 5-11-105, MCA, 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 shall
8 ~~with-the-concurrence-of-the-priorities-committee~~ assign the
9 question to an appropriate subcommittee.

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 NEW SECTION. 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

1 them. The lists, with the priorities assigned, shall be
2 returned to the legislative council.

3 (2) The legislative council shall review the priority
4 lists returned by legislators, review estimated costs and
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
8 study when the subject matter of those requests is closely
9 related. The legislative council shall group related studies
10 together and shall designate the number of committees to be
11 appointed.

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---appointed---~~ ~~The--speaker,~~ ~~AND--THE~~
17 ~~committee-on-committees--and-legislative--council~~ FOLLOWING
18 RECEIPT OF THE RECOMMENDATIONS FROM THE STANDING COMMITTEE
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
24 passage and approval.

-End-

March 21, 1979

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"