

SENATE BILL NO. 65

1/07 Introduced
1/07 Referred to Legislative Admin
1/11 Committee Report-Bill Do Pass
1/11 Rereferred to Legislative Admin
1/14 Hearing
1/15 Committee Report-Bill Do Pass
1/17 2nd Reading pass
1/19 3rd Reading Pass

Transmitted to House

1/21 Referred to Rules
4/15 Hearing
Died in Committee

1 SENATE BILL NO. 65

2 INTRODUCED BY BLAYLOCK

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO DESIGNATE
5 LEGISLATIVE LEADERSHIP POSITIONS AND TO PROVIDE FOR
6 ORGANIZATION OF COMMITTEES SHOULD A TIE VOTE OCCUR FOR THE
7 PURPOSE OF ORGANIZING EITHER HOUSE; AMENDING SECTIONS
8 5-2-216, 5-2-221, AND 5-2-222, MCA."

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

11 Section 1. Section 5-2-216, MCA, is amended to read:

12 "5-2-216. Tie vote. (1) In the event there is a tie
13 vote for the purposes of organizing the senate or the house
14 of representatives then, for the purposes of organization,
15 the political party's candidate candidates for president and
16 president pro tempore of the senate or speaker and speaker
17 pro tempore of the house then having a member of ~~his~~ their
18 party as the governor of Montana shall be deemed to be
19 elected.

20 (2) (a) If either house is organized under subsection
21 (1) of this section, each committee of that house must be
22 composed of an even number of members including an equal
23 number of members of each party involved in the tie. The
24 members of each party must be appointed by appropriate
25 representatives of that party in accordance with the most

1 recent rules and customs of the house involved.

2 (b) Committee chairmanships must be divided evenly
3 between the parties involved in the tie in the following
4 manner:

5 (i) which party is entitled to choose a committee
6 chairmanship first must be determined by the flip of a coin;

7 (ii) the parties shall then select committees to chair
8 alternating between them until all committees have been
9 selected.

10 (c) The vice-chairman of each committee must be of the
11 opposite party from the chairman."

12 Section 2. Section 5-2-221, MCA, is amended to read:

13 "5-2-221. Officers and employees of the senate and
14 house of representatives. (1) The officers of the senate
15 include a president, a president pro tempore, a majority
16 floor leader, a minority floor leader, a majority whip, and
17 a minority whip.

18 (2) The officers of the house of representatives
19 include a speaker, a speaker pro tempore, a majority floor
20 leader, a minority floor leader, a majority whip, and a
21 minority whip.

22 (3) If there is no clear majority and minority party,
23 such as in the case of a tie between two parties, the floor
24 leaders and whips must be referred to by party name rather
25 than by the terms "majority" and "minority".

1 †3†(4) The president and president pro tempore of the
2 senate and the speaker and speaker pro tempore of the house
3 shall be elected by the house of which they are a member.

4 †4†(5) The majority floor leader, minority floor
5 leader, majority whip, and minority whip of the senate and
6 house shall be elected by their respective caucuses.

7 †5†(6) A secretary of the senate, sergeant-at-arms,
8 and chaplain shall be appointed by the president subject to
9 confirmation by the senate, and a chief clerk of the house,
10 sergeant-at-arms, and chaplain shall be appointed by the
11 speaker subject to confirmation by the house. If there is a
12 tie on the question of confirmation of these employees in
13 either house, the appointment of the president or speaker is
14 confirmed."

15 Section 3. Section 5-2-222, MCA, is amended to read:

16 "5-2-222. Powers and duties of officers. (1) The
17 president and president pro tem of the senate and the
18 speaker and speaker pro tem of the house of representatives
19 may administer the oath of office to any senator or
20 representative and to the officers and employees of their
21 respective bodies. The officers and employees must perform
22 such duties as are required by the rules or orders of the
23 respective bodies which elect them.

24 (2) If the house or the senate is organized under
25 5-2-216, the floor leader of the party whose nominee is

1 president of the senate or speaker of the house must perform
2 the duties normally required of the majority floor leader
3 unless the rules or orders of the house involved prescribe
4 otherwise."

5 NEW SECTION. Section 4. Authority of legislature with
6 regard to internal organization. Either house of the
7 legislature may designate, by a majority vote of all
8 members, its own officers, their titles, duties, and means
9 of selection. Each house may determine its own committees
10 and the method of appointing members and selecting chairmen.
11 In the event there is no majority vote to the contrary, the
12 provisions of 5-2-216, 5-2-221, and 5-2-222 govern.

-End-

APPROVED BY COMM.
ON LEG. ADMIN.

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25 than by the terms "majority" and "minority".



1 ~~(3)~~(4) The president and president pro tempore of the
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3 shall be elected by the house of which they are a member.

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5 leader, majority whip, and minority whip of the senate and
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5 NEW SECTION. Section 4. Authority of legislature with
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