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

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

LC 0311/01

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 ORGANIZATION OF COMMITTEES SHOULD A TIE VOTE OCCUR FOR THE 6 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".

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

Section 3. Section 5-2-222, MCA, is amended to read: 15 16 "5-2-222. Powers and duties of officers. (1) The president and president pro tem of the senate and the 17 18 speaker and speaker pro tem of the house of representatives may administer the oath of office to any senator or 19 20 representative and to the officers and employees of their respective bodies. The officers and employees must perform 21 such duties as are required by the rules or orders of the 22 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 unless the rules or orders of the house involved prescribe 3 4 otherwise." 5 NEW SECTION. Section 4. Authority of legislature with regard to internal organization. Either house of the 6 7 legislature may designate, by a majority vote of all members, its own officers, their titles, duties, and means 8 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.

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APPROVED BY COMM. ON LEG. ADMIN.

1	SENATE BILL NO. 65	1	recent rules and customs of the house involved.
2	INTRODUCED BYBLAYLOCK	2	(b) Committee chairmanships must be divided evenly
3		3	between the parties involved in the tie in the following
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO DESIGNATE	4	manner:
5	LEGISLATIVE LEADERSHIP POSITIONS AND TO PROVIDE FOR	5	(i) which party is entitled to choose a committee
6	ORGANIZATION OF COMMITTEES SHOULD A TIE VOTE OCCUR FOR THE	б	chairmanship first must be determined by the flip of a coin;
7	PURPOSE OF ORGANIZING EITHER HOUSE; AMENDING SECTIONS	7	(11) the parties shall then select committees to chair
8	5-2-216, 5-2-221, AND 5-2-222, MCA."	6	alternating between them until all committees have been
9		9	selected.
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	10	(c) The vice-chairman of each committee must be of the
11	Section 1. Section 5-2-216, MCA, is amended to read:	11	opposite party from the chairman."
12	"5-2-216. Tie vote. (1) In the event there is a tie	12	Section 2. Section 5-2-221, MCA, is amended to read:
13	vote for the purposes of organizing the senate or the house	13	"5-2-221. Officers and employees of the senate and
14	of representatives then, for the purposes of organization,	14	house of representatives. (1) The officers of the senate
15	the political party's candidate candidates for president and	15	include a president, a president pro tempore, a majority
16	president pro tempore of the senate or speaker and speaker	16	floor leader, a minority floor leader, a majority whip, and
17	pro tempore of the house then having a member of his their	17	a minority whip.
18	party as the governor of Montana shall be deemed to be	18	(2) The officers of the house of representatives
19	elected.	19	include a speaker, a speaker pro tempore, a majority floor
20	(2) (a) If either house is organized under subsection	20	leader, a minority floor leader, a majority whip, and a
21	(1) of this section, each committee of that house must be	21	minority whip.
22	composed of an even number of members including an equal	22	(3) If there is no clear majority and minority party,
23	number of members of each party involved in the tie. The	23	such as in the case of a tie between two parties, the floor
24	members of each party must be appointed by appropriate	24	leaders and whips must be referred to by party name rather
25	representatives of that party in accordance with the most	25	than by the terms "majority" and "minority".
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Montana Legislative Council

SECOND READING -2-58 65

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(3)(<u>4</u>) The president and president pro tempore of the
 senate and the speaker and speaker pro tempore of the house
 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 speaker subject to confirmation by the house. If there is a 11 12 tie on the guestion of confirmation of these employees in either house, the appointment of the president or speaker is 13 14 confirmed."

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

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

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6	ORGANIZATION OF COMMITTEES SHOULD A TIE VOTE OCCUR FOR THE
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THIRD READING

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-End-

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