

SB 70 INTRODUCED BY GAGE, KEATING
REDUCING STATUTORY COMMITTEES AND JOINT SUBCOMMITTEES
 TO FOUR LEGISLATIVE MEMBERS

1/08	INTRODUCED	
1/08	REFERRED TO STATE ADMINISTRATION	
1/09	FISCAL NOTE REQUESTED	
1/12	REREFERRED TO RULES	
1/16	FISCAL NOTE RECEIVED	
2/03	REREFERRED TO STATE ADMINISTRATION	
2/11	HEARING	
2/12	COMMITTEE REPORT--BILL PASSED	
2/16	2ND READING PASS MOTION FAILED	19 31
2/16	2ND READING INDEFINITELY POSTPONED	26 18

1 INTRODUCTION BY Senate BILL NO. 70
2 Dup Keating
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS
5 CONCERNING LEGISLATIVE STATUTORY COMMITTEES AND JOINT
6 SUBCOMMITTEES; REDUCING LEGISLATIVE MEMBERSHIP ON STATUTORY
7 COMMITTEES AND JOINT SUBCOMMITTEES TO FOUR MEMBERS;
8 ELIMINATING NONLEGISLATIVE MEMBERS ON STATUTORY COMMITTEES;
9 ABOLISHING THE COAL TAX OVERSIGHT SUBCOMMITTEE AND
10 TRANSFERRING ITS DUTIES TO THE REVENUE OVERSIGHT COMMITTEE;
11 AMENDING SECTIONS 1-13-103, 1-13-111, 2-4-405, 5-5-211,
12 5-11-101, 5-12-202, 5-13-202, 5-14-101, 5-16-101, 5-16-102,
13 5-16-104, 5-17-101, 5-18-102, 5-18-107, 85-2-105, AND
14 90-4-303, MCA; REPEALING SECTIONS 5-18-201 THROUGH 5-18-203,
15 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
16

17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
18 Section 1. Section 1-13-103, MCA, is amended to read:
19 "1-13-103. Committee membership. The committee
20 consists of nine four members, ~~including the governor or his~~
21 ~~designee, who shall act as chairman. Four members must be~~
22 chosen by the legislative council, including two Two
23 members must be appointed from the senate and two from the
24 house of representatives. ~~The vice-chairman must be one of~~
25 ~~the legislative members. Four executive branch members must~~

1 ~~be appointed by the governor, including one each from~~
2 ~~agencies responsible for issues related to agriculture,~~
3 ~~water and natural resources, economic development, trade,~~
4 ~~and tourism, and research and education."~~

5 Section 2. Section 1-13-111, MCA, is amended to read:
6 "1-13-111. Organizational support -- compensation. (1)
7 The legislative council, other legislative agencies, and
8 executive branch agencies shall assist the committee as
9 required to carry out its functions.

10 (2) The expenses incurred by the ~~executive branch~~
11 ~~members and the legislative branch~~ members in the
12 performance of their duties under this section must be paid
13 from funds appropriated for the ~~respective offices and~~
14 agencies committee.

15 (3) ~~Legislative committee members~~ Members are entitled
16 to compensation and expenses as provided in 5-2-302."

17 Section 3. Section 2-4-405, MCA, is amended to read:
18 "2-4-405. Economic impact statement. (1) Upon written
19 request of the administrative code committee based upon the
20 affirmative request of at least five three members of the
21 committee at an open meeting, an agency shall prepare a
22 statement of the economic impact of the adoption, amendment,
23 or repeal of a rule as proposed. As an alternative, the
24 administrative code committee may, by contract, prepare such
25 an estimate. Except to the extent that the request expressly



1 waives any one or more of the following, the requested
2 statement must include and the statement prepared by the
3 committee may include:

4 (a) a description of the classes of persons who will
5 be affected by the proposed rule, including classes that
6 will bear the costs of the proposed rule and classes that
7 will benefit from the proposed rule;

8 (b) a description of the probable economic impact of
9 the proposed rule upon affected classes of persons and
10 quantifying, to the extent practicable, that impact;

11 (c) the probable costs to the agency and to any other
12 agency of the implementation and enforcement of the proposed
13 rule and any anticipated effect on state revenues;

14 (d) an analysis comparing the costs and benefits of
15 the proposed rule to the costs and benefits of inaction;

16 (e) an analysis that determines whether there are less
17 costly or less intrusive methods for achieving the purpose
18 of the proposed rule;

19 (f) an analysis of any alternative methods for
20 achieving the purpose of the proposed rule that were
21 seriously considered by the agency and the reasons why they
22 were rejected in favor of the proposed rule;

23 (g) a determination as to whether the proposed rule
24 represents an efficient allocation of public and private
25 resources; and

1 (h) a quantification or description of the data upon
2 which subsections (1)(a) through (1)(g) are based and an
3 explanation of how the data was gathered.

4 (2) A request to an agency for a statement or a
5 decision to contract for the preparation of a statement must
6 be made by the committee prior to the final agency action on
7 the rule. The statement must be filed with the
8 administrative code committee within 3 months of the
9 committee's request or decision. The committee may withdraw
10 its request or decision for an economic impact statement at
11 any time.

12 (3) Upon receipt of an impact statement, the committee
13 shall determine the sufficiency of the statement. If the
14 committee determines that the statement is insufficient, the
15 committee may return it to the agency or other person who
16 prepared the statement and request that corrections or
17 amendments be made. If the committee determines that the
18 statement is sufficient, a notice indicating where a copy of
19 the statement may be obtained must be filed with the
20 secretary of state for publication in the register by the
21 agency preparing the statement or by the committee, if the
22 statement is prepared under contract by the committee, and
23 must be mailed to persons who have registered advance notice
24 of the agency's rulemaking proceedings.

25 (4) This section does not apply to rulemaking pursuant

1 to 2-4-303.

2 (5) The final adoption, amendment, or repeal of a rule
3 is not subject to challenge in any court as a result of the
4 inaccuracy or inadequacy of a statement required under this
5 section.

6 (6) An environmental impact statement prepared
7 pursuant to 75-1-201 that includes an analysis of the
8 factors listed in this section satisfies the provisions of
9 this section."

10 Section 4. Section 5-5-211, MCA, is amended to read:

11 "5-5-211. Appointment and composition of joint
12 subcommittees. Senate joint subcommittee members shall be
13 appointed by the committee on committees. House joint
14 subcommittee members shall be appointed by the speaker. No
15 legislator may serve on more than two interim joint
16 subcommittees. The composition of each subcommittee shall
17 be as follows:

18 (1) ~~four~~ two members of the house, ~~no--more--than--two~~
19 each of whom ~~may-be is~~ of ~~one~~ a different political party;
20 and

21 (2) ~~four~~ two members of the senate, ~~no-more--than--two~~
22 each of whom ~~may-be is~~ of ~~one~~ a different political party."

23 Section 5. Section 5-11-101, MCA, is amended to read:

24 "5-11-101. Appointment and composition of council.
25 There is a legislative council which consists of:

1 (1) ~~four~~ two members of the house of representatives
2 appointed by the speaker of the house with the advice of the
3 majority and minority leaders of the house, ~~no-more-than-two~~
4 each of whom ~~may--be is~~ of ~~the-same~~ a different political
5 party; and

6 (2) ~~four~~ two members of the senate appointed by the
7 committee on committees of the senate, ~~no-more-than-two~~ each
8 of whom ~~may-be is~~ of ~~the-same~~ a different political party."

9 Section 6. Section 5-12-202, MCA, is amended to read:
10 "5-12-202. Appointment of members. (1) The legislative
11 finance committee consists of:

12 (a) ~~four~~ two members of the senate finance and claims
13 committee appointed by the chairman; and

14 ~~(b)--two-members-of-the-senate-appointed--at--large--by~~
15 ~~the-committee-on-committees;~~

16 ~~(c)~~ (b) ~~four~~ two members of the house of
17 representatives appropriations committee appointed by the
18 chairman; and

19 ~~(d)--two-members-of-the-house-appointed-at-large-by-the~~
20 ~~speaker-~~

21 (2) These members shall be appointed before the end of
22 each legislative session. ~~No-more-than-three~~ The members of
23 ~~each~~ the same house; ~~two-committee-members-and-one-at-large~~
24 ~~member;-may~~ must be from ~~the-same~~ different political party
25 parties."

1 Section 7. Section 5-13-202, MCA, is amended to read:

2 "5-13-202. Appointment and term of members -- officers
3 -- vacancies. (1) The legislative audit committee consists
4 of four two members of the senate and four two members of
5 the house of representatives appointed before the 60th
6 legislative day of each regular session in the same manner
7 as standing committees of the respective houses are
8 appointed. ~~No--more--than-two-of-the~~ The appointees of each
9 the same house may must be members of ~~the--same~~ different
10 political party parties.

11 (2) A member of the committee shall serve until his
12 term of office as a legislator ends or until his successor
13 is appointed, whichever occurs first.

14 (3) The committee shall elect one of its members as
15 chairman and such other officers as it considers necessary.

16 (4) A vacancy on the committee occurring when the
17 legislature is not in session shall be filled by the
18 selection of a member of the legislature by the remaining
19 members of the committee."

20 Section 8. Section 5-14-101, MCA, is amended to read:

21 "5-14-101. Appointment and composition. The
22 administrative code committee consists of four two members
23 of the senate and four two members of the house of
24 representatives appointed before the 60th legislative day of
25 the regular session in the same manner as standing

1 committees of the respective houses are appointed. ~~No-more~~
2 ~~than-two-of-the~~ The appointees of each the same house may
3 must be members of ~~the--same~~ different political party
4 parties."

5 Section 9. Section 5-16-101, MCA, is amended to read:

6 "5-16-101. Appointment and composition. The
7 environmental quality council ~~shall-consist-of-13-members-to~~
8 ~~be-as-follows:~~

9 (1) ~~the--governor--or--his--designated--representative~~
10 ~~shall--be--an--ex--officio--member--of--the--council--and--shall~~
11 ~~participate--in--council--meetings--as--a--nonvoting--member;~~

12 (2) ~~four~~ consists of two members of the senate and
13 four two members of the house of representatives appointed
14 before the 50th legislative day in the same manner as
15 standing committees of the respective houses are appointed.
16 ~~No-more-than-two-of-the~~ The appointees of each the same
17 house shall must be members of ~~the--same~~ different political
18 party parties.

19 (3) ~~four-members-of-the--general--public--Two--public~~
20 ~~members--shall-be-appointed-by-the-speaker-of-the-house-with~~
21 ~~the-consent-of-the-house-minority-leader,-and-two--shall--be~~
22 ~~appointed-by-the-president-of-the-senate-with-the-consent-of~~
23 ~~the-senate-minority-leader."~~

24 Section 10. Section 5-16-102, MCA, is amended to read:

25 "5-16-102. Qualifications. In considering the

1 appointments under subsections ~~{2}~~ and ~~{3}~~ of 5-16-101,
2 consideration shall be given to their qualifications to:

3 (1) analyze and interpret environmental trends and
4 information of all kinds;

5 (2) appraise programs and activities of the state
6 government in the light of the policy set forth in 75-1-103;

7 (3) be conscious of and responsive to the scientific,
8 economic, social, aesthetic, and cultural needs and
9 interests of the state; and

10 (4) formulate and recommend state policies to promote
11 the improvement of the quality of the environment."

12 Section 11. Section 5-16-104, MCA, is amended to read:

13 "5-16-104. Vacancies. A vacancy on the council of ~~a~~
14 ~~member~~ appointed under ~~5-16-101{2}~~ occurring when the
15 legislature is not in session shall must be filled by the
16 selection of a member of the legislature by the same method
17 as the original appointment."

18 Section 12. Section 5-17-101, MCA, is amended to read:

19 "5-17-101. Capitol building and planning committee --
20 appointment, composition, and meetings. (1) There is a
21 capitol building and planning committee consisting of ~~16~~
22 four members as follows:

23 (a) six two members of the house of representatives
24 appointed by the speaker on a bipartisan basis; and

25 (b) six two members of the senate appointed by the

1 committee on committees on a bipartisan basis;

2 ~~{c}--the--director--of--the--department--of--administration;~~
3 ~~who--shall--serve--as--a--nonvoting--member;~~

4 ~~{d}--the--administrator--of--the--architectural--and~~
5 ~~engineering--division--of--the--department--of--administration;~~
6 ~~who--shall--serve--as--a--nonvoting--member;~~

7 ~~{e}--a--representative--of--the--governor's--office;~~
8 ~~designated--by--the--governor;--who--shall--serve--as--a--nonvoting~~
9 ~~member;--and~~

10 ~~{f}--the--director--of--the--Lewis--and--Clark--areawide~~
11 ~~planning--organization;--who--shall--serve--as--a--nonvoting~~
12 ~~member;~~

13 (2) The committee shall select a chairman, who may
14 call meetings at his discretion for the conduct of committee
15 business."

16 Section 13. Section 5-18-102, MCA, is amended to read:

17 "5-18-102. Revenue oversight committee -- appointment
18 and composition. (1) There is a revenue oversight committee.

19 (2) The committee consists of:

20 (a) six two members of the senate appointed by the
21 committee on committees in consultation with the chairman of
22 the senate taxation committee and the minority leader of the
23 senate;

24 (b) six two members of the house of representatives
25 appointed by the speaker in consultation with the chairman

1 of the house taxation committee and the minority leader of
2 the house.

3 ~~(3) No more than three~~ The members from each the same
4 house may must be of the same different political party
5 parties.

6 (4) Members must be appointed before the 90th
7 legislative day of a regular session."

8 Section 14. Section 5-18-107, MCA, is amended to read:

9 "5-18-107. Powers and duties of the committee -- duty
10 to review revenue rules -- legislative oversight of the
11 department of revenue -- committee reports -- coal taxation
12 matters. (1) The committee shall review all proposed rules
13 of the department of revenue filed with the secretary of
14 state.

15 (2) The committee may:

16 (a) prepare written recommendations for the adoption,
17 amendment, or rejection of a rule and submit the
18 recommendations to the department of revenue whenever a
19 rulemaking hearing will not be held in accordance with the
20 provisions of 2-4-302 through 2-4-305;

21 (b) prepare recommendations for the adoption,
22 amendment, or rejection of a rule and submit oral or written
23 testimony at a rulemaking hearing;

24 (c) require that a rulemaking hearing be held in
25 accordance with the provisions of 2-4-302 through 2-4-305;

1 (d) recommend to the legislature the repeal,
2 amendment, or adoption of a rule as provided in 2-4-412.

3 (3) The committee shall exercise legislative oversight
4 of the department of revenue, including without limitation
5 the review of:

6 (a) proposed budgets;

7 (b) proposed legislation;

8 (c) pending litigation; and

9 (d) major contracts and personnel actions of the
10 department.

11 (4) The committee may investigate and issue reports on
12 any matter concerning taxation or the department of revenue.

13 (5) The committee may review programs financed by coal
14 severance tax funds and consider any matters relating to
15 coal taxation."

16 Section 15. Section 85-2-105, MCA, is amended to read:

17 "85-2-105. Water policy committee. (1) There is a
18 permanent water policy committee of the legislature. The
19 committee consists of eight four members. The senate
20 committee on committees and the speaker of the house of
21 representatives shall each appoint four two members on a
22 bipartisan basis. The committee shall elect its chairman and
23 vice-chairman. The committee shall meet as often as
24 necessary, including during the interim between sessions, to
25 perform the duties specified within this section.

1 (2) On a continuing basis, the committee shall:

2 (a) advise the legislature on the adequacy of the
3 state's water policy and of important state, regional,
4 national, and international developments which affect
5 Montana's water resources;

6 (b) oversee the policies and activities of the
7 department of natural resources and conservation, other
8 state executive agencies, and other state institutions, as
9 they affect the water resources of the state; and

10 (c) communicate with the public on matters of water
11 policy as well as the water resources of the state.

12 (3) On a regular basis, the committee shall:

13 (a) analyze and comment on the state water plan
14 required by 85-1-203, when filed by the department;

15 (b) analyze and comment on the report of the status of
16 the state's water development program required by 85-1-621,
17 when filed by the department;

18 (c) analyze and comment on water-related research
19 undertaken by any state agency, institution, college, or
20 university;

21 (d) analyze, verify, and comment on the adequacy of
22 and information contained in the water resources data
23 management system maintained by the department under
24 85-2-112; and

25 (e) report to the legislature, not less than once

1 every biennium.

2 (4) The environmental quality council shall provide
3 staff assistance to the committee. The committee may
4 contract with experts and consultants, in addition to
5 receiving assistance from the environmental quality council,
6 in carrying out its duties under this section."

7 Section 16. Section 90-4-303, MCA, is amended to read:
8 "90-4-303. Energy policy committee. There is
9 established a legislative energy policy committee which
10 consists of eight four members. The members shall consist of
11 the president of the senate and the floor leader of the
12 opposite party in the senate and the speaker and minority
13 leader of the house of representatives. ~~Each leadership~~
14 ~~member shall designate one additional member within 15 days~~
15 ~~following the close of each session."~~

16 NEW SECTION. Section 17. Repealer. Sections 5-18-201
17 through 5-18-203, MCA, are repealed.

18 NEW SECTION. Section 18. Effective date. This act is
19 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB070, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill to reduce statutory committees for members.

ASSUMPTIONS:

1. Committee expenditures are the only impact to Legislative agencies.

<u>FISCAL IMPACT:</u>	<u>FY88</u>	<u>FY89</u>
<u>Expenditure Savings:</u>		
Personal Services	\$ 44,447	\$ 15,561
Operating Expenses	<u>100,001</u>	<u>22,776</u>
TOTAL	\$ 144,448	\$ 38,337

<u>Funding Source:</u>		
General Fund	\$ 135,031	\$ 36,724
Other Funds	<u>9,417</u>	<u>1,613</u>
TOTAL	\$ 144,448	\$ 38,337

Revenues:

N/A

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

N/A

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

N/A

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

N/A

David L. Hunter DATE 1/14/87
 DAVID L. HUNTER, BUDGET DIRECTOR
 Office of Budget and Program Planning

Delwyn Gage DATE 1/16/87
 DELWYN GAGE, PRIMARY SPONSOR

Fiscal Note for SB070, as introduced.

SB 70

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

1 INTRODUCED BY Senate BILL NO. 70
2 Rep Keating
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS
5 CONCERNING LEGISLATIVE STATUTORY COMMITTEES AND JOINT
6 SUBCOMMITTEES; REDUCING LEGISLATIVE MEMBERSHIP ON STATUTORY
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12 performance of their duties under this section must be paid
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23 or repeal of a rule as proposed. As an alternative, the
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3 committee may include:

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11 (c) the probable costs to the agency and to any other
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1 to 2-4-303.

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3 is not subject to challenge in any court as a result of the
4 inaccuracy or inadequacy of a statement required under this
5 section.

6 (6) An environmental impact statement prepared
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9 this section."

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16 subcommittees. The composition of each subcommittee shall
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19 each of whom ~~may-be~~ is of ~~one~~ a different political party;
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2 appointed by the speaker of the house with the advice of the
3 majority and minority leaders of the house, ~~no-more-than-two~~
4 each of whom ~~may--be~~ is of ~~the-same~~ a different political
5 party; and

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15 ~~the-committee-on-committees;~~

16 ~~(c)~~(b) four two members of the house of
17 representatives appropriations committee appointed by the
18 chairman; and

19 ~~(d)--two-members-of-the-house-appointed-at-large-by-the~~
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22 each legislative session. ~~No-more-than-three~~ The members of
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2 "5-13-202. Appointment and term of members -- officers
3 -- vacancies. (1) The legislative audit committee consists
4 of four two members of the senate and four two members of
5 the house of representatives appointed before the 60th
6 legislative day of each regular session in the same manner
7 as standing committees of the respective houses are
8 appointed. ~~No--more--than-two-of-the~~ The appointees of each
9 the same house may must be members of ~~the--same~~ different
10 political party parties.

11 (2) A member of the committee shall serve until his
12 term of office as a legislator ends or until his successor
13 is appointed, whichever occurs first.

14 (3) The committee shall elect one of its members as
15 chairman and such other officers as it considers necessary.

16 (4) A vacancy on the committee occurring when the
17 legislature is not in session shall be filled by the
18 selection of a member of the legislature by the remaining
19 members of the committee."

20 Section 8. Section 5-14-101, MCA, is amended to read:

21 "5-14-101. Appointment and composition. The
22 administrative code committee consists of four two members
23 of the senate and four two members of the house of
24 representatives appointed before the 60th legislative day of
25 the regular session in the same manner as standing

1 committees of the respective houses are appointed. ~~No-more~~
2 ~~than-two-of-the~~ The appointees of each the same house may
3 must be members of ~~the--same~~ different political party
4 parties."

5 Section 9. Section 5-16-101, MCA, is amended to read:

6 "5-16-101. Appointment and composition. The
7 environmental quality council ~~shall-consist-of-13-members-to~~
8 ~~be-as-follows:~~

9 ~~(1)--the-governor--or--his--designated--representative~~
10 ~~shall-be--an--ex--officio--member--of-the-council-and-shall~~
11 ~~participate-in-council-meetings-as-a-nonvoting-member;~~

12 ~~(2)--four~~ consists of two members of the senate and
13 four two members of the house of representatives appointed
14 before the 50th legislative day in the same manner as
15 standing committees of the respective houses are appointed.
16 ~~No-more-than-two-of-the~~ The appointees of each the same
17 house shall must be members of ~~the--same~~ different political
18 party parties.

19 ~~(3)--four-members-of-the--general--public--Two--public~~
20 ~~members--shall-be-appointed-by-the-speaker-of-the-house-with~~
21 ~~the-consent-of-the-house-minority-leader,-and-two--shall--be~~
22 ~~appointed-by-the-president-of-the-senate-with-the-consent-of~~
23 ~~the-senate-minority-leader."~~

24 Section 10. Section 5-16-102, MCA, is amended to read:

25 "5-16-102. Qualifications. In considering the

1 appointments under ~~subsections (2) and (3)~~ of 5-16-101,
2 consideration shall be given to their qualifications to:

3 (1) analyze and interpret environmental trends and
4 information of all kinds;

5 (2) appraise programs and activities of the state
6 government in the light of the policy set forth in 75-1-103;

7 (3) be conscious of and responsive to the scientific,
8 economic, social, aesthetic, and cultural needs and
9 interests of the state; and

10 (4) formulate and recommend state policies to promote
11 the improvement of the quality of the environment."

12 Section 11. Section 5-16-104, MCA, is amended to read:

13 "5-16-104. Vacancies. A vacancy on the council of ~~a~~
14 ~~member appointed under 5-16-101(2)~~ occurring when the
15 legislature is not in session ~~shall~~ must be filled by the
16 selection of a member of the legislature by the same method
17 as the original appointment."

18 Section 12. Section 5-17-101, MCA, is amended to read:

19 "5-17-101. Capitol building and planning committee --
20 appointment, composition, and meetings. (1) There is a
21 capitol building and planning committee consisting of ~~16~~
22 four members as follows:

23 (a) ~~six~~ two members of the house of representatives
24 appointed by the speaker on a bipartisan basis; and

25 (b) ~~six~~ two members of the senate appointed by the

1 committee on committees on a bipartisan basis;

2 ~~(c) the director of the department of administration,~~
3 ~~who shall serve as a nonvoting member;~~

4 ~~(d) the administrator of the architectural and~~
5 ~~engineering division of the department of administration,~~
6 ~~who shall serve as a nonvoting member;~~

7 ~~(e) a representative of the governor's office,~~
8 ~~designated by the governor, who shall serve as a nonvoting~~
9 ~~member; and~~

10 ~~(f) the director of the Lewis and Clark areawide~~
11 ~~planning organization, who shall serve as a nonvoting~~
12 ~~member;~~

13 (2) The committee shall select a chairman, who may
14 call meetings at his discretion for the conduct of committee
15 business."

16 Section 13. Section 5-18-102, MCA, is amended to read:

17 "5-18-102. Revenue oversight committee -- appointment
18 and composition. (1) There is a revenue oversight committee.

19 (2) The committee consists of:

20 (a) ~~six~~ two members of the senate appointed by the
21 committee on committees in consultation with the chairman of
22 the senate taxation committee and the minority leader of the
23 senate;

24 (b) ~~six~~ two members of the house of representatives
25 appointed by the speaker in consultation with the chairman

1 of the house taxation committee and the minority leader of
2 the house.

3 ~~(3) No-more-than-three~~ The members from each the same
4 house may must be of the-same different political party
5 parties.

6 (4) Members must be appointed before the 90th
7 legislative day of a regular session."

8 Section 14. Section 5-18-107, MCA, is amended to read:

9 "5-18-107. Powers and duties of the committee -- duty
10 to review revenue rules -- legislative oversight of the
11 department of revenue -- committee reports -- coal taxation
12 matters. (1) The committee shall review all proposed rules
13 of the department of revenue filed with the secretary of
14 state.

15 (2) The committee may:

16 (a) prepare written recommendations for the adoption,
17 amendment, or rejection of a rule and submit the
18 recommendations to the department of revenue whenever a
19 rulemaking hearing will not be held in accordance with the
20 provisions of 2-4-302 through 2-4-305;

21 (b) prepare recommendations for the adoption,
22 amendment, or rejection of a rule and submit oral or written
23 testimony at a rulemaking hearing;

24 (c) require that a rulemaking hearing be held in
25 accordance with the provisions of 2-4-302 through 2-4-305;

1 (d) recommend to the legislature the repeal,
2 amendment, or adoption of a rule as provided in 2-4-412.

3 (3) The committee shall exercise legislative oversight
4 of the department of revenue, including without limitation
5 the review of:

6 (a) proposed budgets;

7 (b) proposed legislation;

8 (c) pending litigation; and

9 (d) major contracts and personnel actions of the
10 department.

11 (4) The committee may investigate and issue reports on
12 any matter concerning taxation or the department of revenue.

13 (5) The committee may review programs financed by coal
14 severance tax funds and consider any matters relating to
15 coal taxation."

16 Section 15. Section 85-2-105, MCA, is amended to read:

17 "85-2-105. Water policy committee. (1) There is a
18 permanent water policy committee of the legislature. The
19 committee consists of ~~eight~~ four members. The senate
20 committee on committees and the speaker of the house of
21 representatives shall each appoint ~~four~~ two members on a
22 bipartisan basis. The committee shall elect its chairman and
23 vice-chairman. The committee shall meet as often as
24 necessary, including during the interim between sessions, to
25 perform the duties specified within this section.

1 (2) On a continuing basis, the committee shall:

2 (a) advise the legislature on the adequacy of the

3 state's water policy and of important state, regional,

4 national, and international developments which affect

5 Montana's water resources;

6 (b) oversee the policies and activities of the

7 department of natural resources and conservation, other

8 state executive agencies, and other state institutions, as

9 they affect the water resources of the state; and

10 (c) communicate with the public on matters of water

11 policy as well as the water resources of the state.

12 (3) On a regular basis, the committee shall:

13 (a) analyze and comment on the state water plan

14 required by 85-1-203, when filed by the department;

15 (b) analyze and comment on the report of the status of

16 the state's water development program required by 85-1-621,

17 when filed by the department;

18 (c) analyze and comment on water-related research

19 undertaken by any state agency, institution, college, or

20 university;

21 (d) analyze, verify, and comment on the adequacy of

22 and information contained in the water resources data

23 management system maintained by the department under

24 85-2-112; and

25 (e) report to the legislature, not less than once

1 every biennium.

2 (4) The environmental quality council shall provide

3 staff assistance to the committee. The committee may

4 contract with experts and consultants, in addition to

5 receiving assistance from the environmental quality council,

6 in carrying out its duties under this section."

7 Section 16. Section 90-4-303, MCA, is amended to read:

8 "90-4-303. Energy policy committee. There is

9 established a legislative energy policy committee which

10 consists of ~~eight~~ four members. The members shall consist of

11 the president of the senate and the floor leader of the

12 opposite party in the senate and the speaker and minority

13 leader of the house of representatives. ~~Each leadership~~

14 ~~member shall designate one additional member within 15 days~~

15 ~~following the close of each session."~~

16 NEW SECTION. Section 17. Repealer. Sections 5-18-201

17 through 5-18-203, MCA, are repealed.

18 NEW SECTION. Section 18. Effective date. This act is

19 effective on passage and approval.

-End-