

1 Senate BILL NO. 220
 2 INTRODUCED BY Swanson Water Control Act
 3 Swanson Water Control Act

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE MONTANA CONSENSUS COUNCIL;
 5 PROVIDING FOR A BOARD OF DIRECTORS OF THE MONTANA CONSENSUS COUNCIL; PROVIDING
 6 LEGISLATIVE FINDINGS AND PURPOSE; PROVIDING THE POWERS AND DUTIES OF THE MONTANA
 7 CONSENSUS COUNCIL; PROVIDING AN EXCEPTION FROM THE STATE PAY PLAN; AND AMENDING
 8 SECTION 2-18-103, MCA."

10 STATEMENT OF INTENT

11 A statement of intent is required for this bill because [section 3] allows the board of directors of
12 the Montana consensus council to adopt rules.

13 The legislature intends that the rules adopted by the board of directors include rules governing the
14 organization and procedures of the council, as required by 2-4-201, and other rules as determined
15 necessary by the board of directors of the council.

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

19 NEW SECTION. **Section 1. Montana consensus council -- board of directors.** (1) There is a
20 Montana consensus council.

21 (2) The Montana consensus council consists of the board of directors of the council, the executive
22 director appointed pursuant to [section 3(1)], and other staff hired by the executive director.

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24 as follows:

- 25 (a) Five members of the board must be appointed by the governor.
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- 28 (4) Members of the board of directors must be appointed to reflect gender and racial balance as

29 provided in 2-15-108. Members must be appointed by the governor to reflect political and geographic
30 balance. Members appointed by the speaker and the president may not be from the same political party.

1 (5) The governor shall appoint three members of the initial board of directors for terms of 4 years
2 and two members for terms of 2 years. The governor shall appoint subsequent members of the board of
3 directors to terms of 4 years. The members appointed by the speaker and the president serve 2-year terms.
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5 manner of the original appointment for the unexpired term.

6 (6) The provisions of 2-15-122(5) through (8) apply to the board of directors, except that the
7 members of the board of directors serve without pay.

8 (7) The Montana consensus council is attached to the governor's office for administrative purposes
9 only as provided in 2-15-121.

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11 NEW SECTION. Section 2. Findings and purpose. (1) The legislature finds that since the Montana
12 consensus council was originally created by an executive order in 1994, it has assisted Montanans with
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14 policy issues. The council has also enhanced the ability of Montanans to work together on public issues
15 of common concern.

16 (2) The purpose of [sections 1 through 4] is to:

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18 resource and other public policy issues in a manner that supplements existing institutions for public
19 decisionmaking; and

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21 decisionmaking in appropriate situations.

22 (3) To achieve the goals provided in subsection (2), [section 1] provides for the appointment of
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3 director must be compensated as provided by the board of directors.

4 (2) adopt rules in accordance with the Montana Administrative Procedure Act to implement
5 [sections 1 through 4]; and

6 (3) undertake other activities necessary to carry out [sections 1 through 4].
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8 **NEW SECTION. Section 4. Duties of Montana consensus council.** The Montana consensus council
9 provided for in [section 1] shall:

10 (1) design and manage forums to foster civil dialogue and build agreement on community and
11 public policy issues;

12 (2) provide education, training, and consultation to improve the ability of Montanans to solve
13 community and public policy issues through consensus processes;

14 (3) conduct research and produce publications to increase people's awareness and understanding
15 of consensus processes;

16 (4) respond to requests for assistance from the governor, the legislature, and other citizens and
17 leaders in Montana;

18 (5) prepare a biennial report to the governor, the legislature, persons providing funding for the
19 Montana consensus council, and Montana citizens; and

20 (6) take other acts necessary to implement [sections 1 through 4].
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22 **Section 5.** Section 2-18-103, MCA, is amended to read:

23 **"2-18-103. Officers and employees excepted.** (1) Parts 1 and 2 do not apply to the following
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6 into individual contracts with the state school for the deaf and blind under the authority of the state board
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- 26 (a) as used in parts 1 through 3 of this chapter, references to the "department of administration"
27 or "department" apply to the legislative council established by 5-11-101, which may delegate administrative
28 duties to the legislative services division established by 5-11-111;
- 29 (b) as used in 2-18-102, the term "governor" applies to the legislature; and
- 30 (c) as used in 2-18-204, the term "budget director" applies to the "approving authority" as defined

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5

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0220, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A bill providing for the Montana Consensus Council.

ASSUMPTIONS:

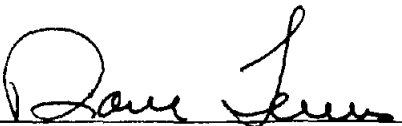
1. The Montana Consensus Council budget is presented as a component of the Governor's Office base budget. There will be no further fiscal impact from passage of this bill. The total recommended budget of the Consensus Council is shown below for informational purposes only (includes a new proposal).


FISCAL IMPACT:

	<u>FY98</u>	<u>FY99</u>
	<u>Difference</u>	<u>Difference</u>
<u>Expenditures: (As shown in the Executive Budget)</u>		
FTE	1.81	2.00
Personal Services	\$78,347	\$78,343
Operating expense	115,582	117,240
Equipment	<u>6,031</u>	<u>6,031</u>
Total	\$199,960	\$201,614

Funding:

General Fund (01)	\$66,000	\$66,000
State Special (02)	<u>133,960</u>	<u>135,614</u>
Total	\$199,960	\$201,614

 1-29-97
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 1/30/97
CHARLES SWYSGOOD, PRIMARY SPONSOR DATE

Fiscal Note for SB0220, as introduced

SB 220

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