



1 majority and minority composition of that chamber.

2 (c) ~~Subject to subsection (5)(c), if~~ If the committee workload requires, the legislative council may  
3 request the appointing authority to appoint one or two additional interim committee members from the majority  
4 party and the minority party.

5 \_\_\_\_\_ If additional members are appointed, members must be appointed in a manner that reflects the  
6 majority and minority composition of the legislature.

7 (d) An interim committee may not have a majority of its members be from the minority party.

8 (6) The membership of the interim committees must be provided for by legislative rules. The rules  
9 must identify the committees from which members are selected, and the appointing authority shall attempt to  
10 select not less than 50% of the members from the standing committees that consider issues within the  
11 jurisdiction of the interim committee and at least one member from the joint subcommittee that considers the  
12 related agency budgets. In making the appointments, the appointing authority shall take into account term limits  
13 of members so that committee members will be available to follow through on committee activities and  
14 recommendations in the next legislative session.

15 (7) An interim committee, the environmental quality council, or the modernization and risk analysis  
16 committee may create subcommittees. Nonlegislative members may serve on a subcommittee. Unless the  
17 person is a full-time salaried officer or employee of the state or a political subdivision of the state, a  
18 nonlegislative member appointed to a subcommittee or to the modernization and risk analysis committee is  
19 entitled to salary and expenses to the same extent as a legislative member. If the appointee is a full-time  
20 salaried officer or employee of the state or of a political subdivision of the state, the appointee is entitled to  
21 reimbursement for travel expenses as provided for in 2-18-501 through 2-18-503."

22

23 **Section 2.** Section 5-5-234, MCA, is amended to read:

24 **"5-5-234. Appointments.** (1) (a) Whenever a legislative appointing authority is required or authorized  
25 to appoint more than one legislative member of the majority party to a committee, subcommittee, or other  
26 statutorily recognized or authorized entity, the appointing authority may appoint a member of a party other than  
27 the majority party.

28 (b) Whenever a legislative appointing authority is required or authorized to appoint more than one

1 legislative member of the minority party to a committee, subcommittee, other statutorily recognized or  
2 authorized entity, the appointing authority may, if requested by the minority leader, appoint a member of a party  
3 other than the minority party or majority party instead of a member of the minority party.

4 (2) (a) Whenever an elected state official, as defined in 5-7-102, is required or authorized to  
5 appoint more than one legislative member of the majority party to a statutorily recognized or authorized entity,  
6 the elected state official may, if requested by the senate president for a senate appointee or if requested by the  
7 speaker of the house for a house appointee, appoint a member of a party other than the majority party instead  
8 of a member of the majority party.

9 (b) Whenever an elected state official, as defined in 5-7-102, is required or authorized to appoint  
10 more than one legislative member of the minority party to a statutorily recognized or authorized entity, the  
11 elected state official may, if requested by the senate minority leader for a senate appointee or if requested by  
12 the house minority leader for a house appointee, appoint a member of a party other than the minority party or  
13 majority party instead of a member of the minority party.

14 (3) If a vacancy occurs in the membership of a committee, subcommittee, or statutorily recognized  
15 or authorized entity because of the resignation or disqualification of a member appointed under the provisions  
16 of subsection (1) or (2), the appointing authority authorized or required to make an appointment to fill the  
17 vacancy is subject to the provisions of subsections (1) and (2).

18 (4) If an individual appointed under subsection (1) or (2) is not a member of either the majority  
19 party or minority party and resigns from or is otherwise disqualified from serving, the appointing authority shall  
20 fill the vacancy under the provisions of subsection (1) or (2) as if the appointment were an initial appointment,  
21 and the appointing authority is not required to fill the vacancy with an individual who is a member of the same  
22 party of which the individual whose resignation or disqualification caused the vacancy.

23 (5) The appointing authority for an interim committee provided for in Title 5 and composed of nine  
24 or more members shall appoint members ~~in a manner that reflects the majority and minority composition of the~~  
25 legislature as provided in 5-5-211(5)(b) through (5)(d)."

26

27 **Section 3.** Section 5-16-101, MCA, is amended to read:

28 **"5-16-101. Appointment and composition.** The environmental quality council consists of 17

1 members as follows:

2 (1) the governor or the governor's designated representative is an ex officio member of the council  
3 and shall participate in council meetings as a nonvoting member;

4 (2) six members of the senate and six members of the house of representatives appointed before  
5 the 50th legislative day in the same manner as ~~standing committees of the respective houses are appointed.~~  
6 ~~Four of the appointees of each house must be members of the majority party and two appointees of each~~  
7 ~~house must be members of the minority party provided in 5-5-211(5)(b) through (5)(d).~~

8 (3) four members of the general public. Two public members must be appointed by the speaker of  
9 the house with the consent of the house minority leader, and two must be appointed by the president of the  
10 senate with the consent of the senate minority leader."

11

12 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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14 NEW SECTION. Section 5. Retroactive applicability. [This act] applies retroactively, within the  
15 meaning of 1-2-109, to interim committee appointments made on or before [the effective date of this act].

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