

**Amendment - 1st Reading-white - Requested by: Daniel Zolnikov - (S) Energy and Telecommunications**

- 2023

68th Legislature 2023

Drafter: Jason Mohr, 406-444-1640

SB0109.001.001

SENATE BILL NO. 109

INTRODUCED BY K. REGIER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PUBLIC SERVICE COMMISSION DISTRICTS; CREATING PROCEDURES FOR COMMISSION DISTRICT ADJUSTMENT; PROVIDING COMMISSIONER QUALIFICATIONS AND EXCLUSIONS; AMENDING SECTION SECTION 69-1-103, 69-1-104, AND 69-1-105, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 69-1-103, MCA, is amended to read:

**"69-1-103. Composition of commission.** (1) The commission shall consist of five members, who shall be qualified electors of the district from which they are elected and subject to the qualifications in subsection (2) and exclusions in subsection (3), with each ~~such~~ member elected from a separate district of the state.

(2) Each member must have at least 3 years' experience in:

(a) the operations of public utilities, common carriers, railroads, or other regulated industries subject to Title 69; or

(b) the fields of accounting, economics, engineering, finance, or law.

(3) A member may not have been employed by a utility company or an energy-related nonprofit organization for the 3 years prior to service on the commission."

**Section 2.** Section 69-1-104, MCA, is amended to read:

**"69-1-104. Public service commission districts.** (1) In this state there are five public service commission districts, with one commissioner elected from each district, distributed as follows:

(4)(a) first district: Blaine, Cascade, Chouteau, Daniels, Dawson, Fergus, Garfield, Glacier, Hill, Judith Basin, Liberty, McCone, Musselshell, Petroleum, Phillips, Pondera, Richland, Roosevelt, Sheridan, Toole,

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1 Valley, and Wibaux Counties;

2 ~~(2)(b)~~ second district: Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud,

3 Treasure, and Yellowstone Counties;

4 ~~(3)(c)~~ third district: Beaverhead, Broadwater, ~~Deer Lodge~~, Gallatin, Golden Valley, Jefferson,

5 Madison, Meagher, ~~Musselshell~~, Park, Silver Bow, Stillwater, Sweet Grass, and Wheatland Counties;

6 ~~(4)(d)~~ fourth district: Deer Lodge, Granite, Lincoln, Mineral, Missoula, Powell, Ravalli, and Sanders

7 Counties;

8 ~~(5)(e)~~ fifth district: Flathead, Glacier, Lake, Lewis and Clark, ~~Pondera~~, and Teton Counties.

9 (2) The legislature shall evaluate existing commission districts during the legislative session

10 following the receipt of the official final decennial census data and may adjust commission boundaries to

11 comply with the United States constitution."

12

13 **Section 3.** Section 69-1-105, MCA, is amended to read:

14 **"69-1-105. ~~TermQualification -- term~~ of office -- term limits. (1) The secretary of state shall**

15 determine a candidate's qualification for office pursuant to 69-1-103(2).

16 ~~(1)(2)~~ A term is for a period of 4 years. A commissioner when elected shall qualify at the time and in  
17 the manner provided by law for other state officers and shall take office on the first Monday of January after the  
18 election.

19 ~~(2)(3)~~ A commissioner shall serve until a successor is elected and qualified.

20 ~~(3)(4)~~ The secretary of state or other authorized official may not certify a candidate's nomination or  
21 election to the public service commission or print or cause to be printed on any ballot the name of a candidate  
22 for the public service commission if, at the end of the current term of that office, the candidate will have served  
23 in that office or, had the candidate not resigned or been recalled, would have served in that office for 8 or more  
24 years in a 16-year period.

25 ~~(4)(5)~~ When computing the time served for the purposes of subsection ~~(3)(4)~~, the provisions of  
26 subsection ~~(3)(4)~~ do not apply to time served in terms that ended during or prior to January 1995."

27