

**Guidelines for Appointment of Legislators & Legislative Committees**  
**Recommendations for Bill Drafting Manual**

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(1) If a bill or amendment provides for a legislator to be appointed to a new committee, commission or task force, the bill or amendment must contain:

(a) the term of the appointment, and whether or not the appointment may exceed a legislator's term of office;

(b) a deadline by which the legislator must be appointed;

(c) a provision specifying the appointing authority as follows:

(i) if the appointment is to be made during session, a senator must be appointed by the committee on committees and a representative must be appointed by the speaker;

(ii) if the appointment is to be made after sine die, a senator must be appointed by the president of the senate and a representative must be appointed by the speaker; and

(iii) the president and the speaker shall consult with the minority leaders prior to appointment;

(d) a provision specifying whether reimbursement as provided in 5-2-302 is or is not authorized, and reimbursement for expenses as provided in 2-18-501 through 2-18-503 is or is not authorized and, if authorized, identify the responsible party for reimbursement.

(2) If a legislator will be appointed by someone other than the legislator's respective legislative leadership, the appointing authority must be responsible for the reimbursement in subsection (1) (d).

(3) If a bill or amendment provides for a statutory interim study committee, commission, or task force that includes non-legislator members, the bill or amendment must contain:

(a) direction on the appointment of a presiding officer and responsibility for staffing or other administrative duties related to committee operations (preference for presiding officer to relate to administrative and staffing agency, i.e. legislator presiding officer if attached to legislature for administration and staffing);

(b) a date by which the interim work must be completed;

(c) a termination date (preferably prior to the next session) if the bill does not already include one;

(d) the term of the appointment of members;

(e) a deadline by which the members must be appointed;

(f) a specific appointing authority;

(g) a provision specifying whether or not the appointment does or does not authorize reimbursement as provided in 2-15-124(7) or reimbursement for expenses as provided in 2-18-501 through 2-18-503; and

(h) if reimbursement is authorized, identification of the responsible party for reimbursement.

(4) Pursuant to Joint Rule 40-65, a bill or amendment including a request for an interim study may not be transmitted to the Governor unless the bill contains an appropriation sufficient to conduct the study. The bill should contain an appropriation when introduced, however, if a bill is to be introduced in the senate, subsection (1) of the contingent voidness clause below must be included. A study bill must contain a contingent voidness clause in the event that the appropriation is vetoed after transmittal to the Governor. See example:

NEW SECTION. **Section 2. Contingent voidness.** (1) Pursuant to Joint Rule 40-65, if [this act] does not include an appropriation prior to being transmitted to the governor, then [this act] is void.

(2) If the appropriation in [section \*] is vetoed, then [this act] is void.