

Draft Legislative Operating Policies

Approved by the MAR Political Affairs Committee on August 31, 2010

Purpose

The purpose of these policies is to provide operating guidelines for the Montana Association of REALTORS® Political Affairs Committee (PAC) during regular sessions, special sessions, and Interims of the Montana Legislature. The Legislature is a fast-paced policymaking environment that can have a profound effect on the real estate industry and our REALTOR® members. In order to protect our industry and members, it is imperative that the PAC weigh all the implications of a legislative proposal and to ultimately take a position that is in the best general interest of the industry and REALTOR® members.

Meetings

During regular sessions of the Montana Legislature, the PAC is required to meet weekly via teleconference on Tuesday mornings at 7:00 a.m. MAR staff is required to send out an agenda the Friday afternoon prior to the Tuesday morning teleconference. The agenda is to consist of proposed legislation for the PAC to analyze and take a position on. The agenda can be updated, but no less than two days prior to the Tuesday morning teleconference. The weekly teleconference can be cancelled at the discretion of the Chair.

During special sessions of the Montana Legislature, the PAC must determine whether the special session will entail issues or legislative proposals that will have an impact on the real estate industry or REALTOR® members. Once this determination is made, the PAC is to meet weekly by teleconference every Tuesday morning at 7:00 a.m. MAR staff is required to send out an agenda the Friday afternoon prior to the Tuesday morning teleconference. The agenda is to consist of proposed legislation for the PAC to analyze and take a position on. The agenda can be updated but no less than two days prior to the Tuesday morning teleconference. The weekly teleconference can be cancelled at the discretion of the Chair.

During the Interim, the PAC is to meet monthly via teleconference on a day and time agreed upon by the PAC. The monthly teleconference schedule is to be approved at the first meeting of the PAC each calendar year. The PAC is to meet in person at each of the three MAR business meetings. For the three months that the PAC meets in person in conjunction with the MAR business meetings, it is not required to meet via teleconference. On the even-numbered year prior to a regular legislative session, the PAC is to meet in November in person after the General Election to determine MAR's legislative agenda. MAR staff is required to distribute agenda and meeting materials seven working days before a teleconference. The monthly teleconference can be cancelled or rescheduled at the discretion of the Chair.

The PAC may create Working Groups during the Interim period to address particular issues or to monitor legislation being developed by an Interim Committee of the Montana Legislature. Any Working Group must comply with MAR policies.

Establishing MAR Official Position on Legislation

When analyzing legislative issues and proposals, the PAC is required to consult the Legislative Position Statement approved by the MAR Board of Directors at its fall business meetings on the even-numbered years.

During regular or special legislative sessions, the PAC has the discretion to take an official position to support, oppose, monitor, or no action. The PAC can change its position over the course of the legislative process if it determines that amendments have altered legislative proposals sufficiently to justify a change in the official position.

Guidelines for Establishing MAR Position on Amended Legislation

Even when the PAC has taken an official position on legislation, the fast-paced nature of the policymaking process at the Legislature can often alter legislation to a point that requires the PAC to reconsider its initial position. However, there are times between teleconferences when a quick decision has to be made on an amendment to legislation that could change the PAC's official position. The following protocol is to be followed for situations when legislation has changed due to amendment between the regularly scheduled Tuesday morning teleconferences:

1. The PAC should first ask legislators and stakeholders to delay the introduction of amendments and the conducting of hearings or committee action on amendments until the PAC has a chance to consider them on its regularly scheduled Tuesday morning teleconference.
2. If a delay is not possible, the PAC Chair will initiate an email poll with a deadline that is at the discretion of the PAC Chair and Government Affairs Director (GAD).
3. After the poll deadline has expired, the MAR President, PAC Chair, PAC Vice Chair, GAD, and Chief Executive Officer are authorized to meet via teleconference to take an official position on an amendment and ultimately the legislation being amended. This group has two options:
 - a) Take a position on the amendment and the full legislative proposal by unanimous decision; or
 - b) If a unanimous decision is not possible, the group can schedule a special teleconference of the PAC, which:
 - Requires two days notice by law; and
 - Must achieve a quorum to conduct business.

Grassroots Participation in Legislative Affairs

The PAC and the GAD will work with local board staff and Legislative Key Contacts to mobilize REALTOR® grassroots on key REALTOR® issues under consideration by the Legislature during regular sessions, special sessions, and Interims of the Montana Legislature.