

HOUSE BILL NO. 225
INTRODUCED BY ELLISON

IN THE HOUSE

January 14, 1981	Introduced and referred to Committee on State Administration.
February 3, 1981	Committee recommend bill do pass as amended. Report adopted.
February 4, 1981	Bill printed and placed on members' desks.
February 6, 1981	Second reading, do pass.
February 7, 1981	Correctly engrossed.
February 9, 1981	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 10, 1981	Introduced and referred to Committee on State Administration.
March 12, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 14, 1981	Second reading, pass consideration.
March 16, 1981	Second reading, concurred in as amended.
March 18, 1981	Third reading, concurred in as amended. Ayes, 38; Noes, 12.

IN THE HOUSE

March 19, 1981	Returned from Senate with amendments.
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April 7, 1981

Second reading, amendments
concurrent in.

On motion to take from third
reading and hold until the Joint
Rules Committee addresses the
question. Motion adopted.

April 23, 1981

Third reading, amendments
concurrent in. Ayes, 69;
Noes, 21.

Third reading, amendments
concurrent in. Ayes, 67;
Noes, 30. Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 225
2 INTRODUCED BY T. Williams

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VI,
6 SECTION 10, OF THE MONTANA CONSTITUTION TO PROVIDE THAT THE
7 SECRETARY OF STATE SHALL CONDUCT A POLL OF ALL LEGISLATORS
8 WHEN THE LEGISLATURE IS NOT IN SESSION AND THE GOVERNOR
9 VETOES A BILL."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Article VI, section 10, of the Constitution
13 of the State of Montana is amended to read:

14 "Section 10. Veto power. (1) Each bill passed by the
15 legislature, except bills proposing amendments to the
16 Montana constitution, bills ratifying proposed amendments to
17 the United States constitution, resolutions, and initiative
18 and referendum measures, shall be submitted to the governor
19 for his signature. If he does not sign or veto the bill
20 within five days after its delivery to him if the
21 legislature is in session or within 25 days if the
22 legislature is adjourned, it shall become law. The governor
23 shall return a vetoed bill to the legislature with a
24 statement of his reasons therefor.

25 (2) The governor may return any bill to the

1 legislature with his recommendation for amendment. If the
2 legislature passes the bill in accordance with the
3 governor's recommendation, it shall again return the bill to
4 the governor for his reconsideration. The governor shall not
5 return a bill for amendment a second time.

6 (3) If after receipt of a veto message, two-thirds of
7 the members present approve the bill, it shall become law.

8 (4) If the legislature is not in session when the
9 governor vetoes a bill, he shall return the bill with his
10 reasons therefor to the legislature ~~as provided by law. The~~
11 ~~legislature may reconvene to reconsider any bill so vetoed.~~
12 ~~secretary of state. The secretary of state shall poll the~~
13 ~~members of the legislature by mail to determine whether it~~
14 ~~is the intent of the legislature to override the governor's~~
15 ~~veto. If two-thirds or more of the members approve the bill,~~
16 ~~it shall become law.~~

17 (5) The governor may veto items in appropriation
18 bills, and in such instances the procedure shall be the same
19 as upon veto of an entire bill."

20 Section 2. Effective date. This amendment is effective
21 immediately upon approval by the electorate of Montana.

22 NEW SECTION. Section 3. Submission to electorate.
23 When this amendment is submitted to the qualified electors
24 of Montana, there shall be printed on the ballot the full
25 title of this act and the following words:

1 FOR a poll of the legislators by the secretary of
2 state to determine whether it is their intent to
3 override a post-session veto.

4 AGAINST a poll of the legislators by the secretary
5 of state to determine whether it is their intent to
6 override a post-session veto.

-End-

Approved by Committee
on State Administration

HOUSE BILL NO. 225

INTRODUCED BY ELLISON

A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VI, SECTION 10, OF THE MONTANA CONSTITUTION TO PROVIDE THAT THE SECRETARY OF STATE SHALL CONDUCT A POLL OF ALL LEGISLATORS WHEN THE LEGISLATURE IS NOT IN SESSION AND THE GOVERNOR VETOES A BILL."

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

Section 1. Article VI, section 10, of the Constitution of the State of Montana is amended to read:

"Section 10. Veto power. (1) Each bill passed by the legislature, except bills proposing amendments to the Montana constitution, bills ratifying proposed amendments to the United States constitution, resolutions, and initiative and referendum measures, shall be submitted to the governor for his signature. If he does not sign or veto the bill within five days after its delivery to him if the legislature is in session or within 25 days if the legislature is adjourned, it shall become law. The governor shall return a vetoed bill to the legislature with a statement of his reasons therefor.

(2) The governor may return any bill to the

legislature with his recommendation for amendment. If the legislature passes the bill in accordance with the governor's recommendation, it shall again return the bill to the governor for his reconsideration. The governor shall not return a bill for amendment a second time.

(3) If after receipt of a veto message, two-thirds of the members present approve the bill, it shall become law.

(4) (A) If the legislature is not in session when the governor vetoes a bill, he shall return the bill with his reasons therefor to the legislature-as-provided-by-law-The legislature-may-reconvene-to-reconsider-any-bill-so-vetoed-secretary of state. The secretary of state shall poll the members of the legislature by mail to determine whether it is the intent of the legislature to override the governor's veto. If two-thirds or more of the members approve-the-bill-it VOTE TO OVERRIDE THE VETO, THE BILL shall become law.

(B) THE LEGISLATURE MAY RECONVENE AS PROVIDED BY LAW TO RECONSIDER ANY BILL VETOED BY THE GOVERNOR WHEN THE LEGISLATURE IS NOT IN SESSION.

(5) The governor may veto items in appropriation bills, and in such instances the procedure shall be the same as upon veto of an entire bill."

Section 2. Effective date. This amendment is effective immediately upon approval by the electorate of Montana.

NEW SECTION. Section 3. Submission to electorate.

1 When this amendment is submitted to the qualified electors
2 of Montana, there shall be printed on the ballot the full
3 title of this act and the following words:

4 ~~FBR-a-poll-of-the-legislators-by--the--secretary--of~~
5 ~~state--to--determine--whether--it-is-their-intent-to~~
6 ~~override-a-post-session-veto.~~

7 ~~AGAINST-a-poll-of-the-legislators-by--the--secretary~~
8 ~~of--state-to-determine-whether-it-is-their-intent-to~~
9 ~~override-a-post-session-veto.~~

10 FOR ALLOWING THE LEGISLATURE TO OVERRIDE A
11 POST-SESSION VETO THROUGH A POLL OF ITS MEMBERS BY
12 THE SECRETARY OF STATE.

13 AGAINST ALLOWING THE LEGISLATURE TO OVERRIDE A
14 POST-SESSION VETO THROUGH A POLL OF ITS MEMBERS BY
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-End-

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24 statement of his reasons therefor.

25 (2) The governor may return any bill to the

1 legislature with his recommendation for amendment. If the
2 legislature passes the bill in accordance with the
3 governor's recommendation, it shall again return the bill to
4 the governor for his reconsideration. The governor shall not
5 return a bill for amendment a second time.

6 (3) If after receipt of a veto message, two-thirds of
7 the members present approve the bill, it shall become law.

8 (4) ~~(A) If the legislature is not in session when the~~
9 ~~governor vetoes a bill, he shall return the bill with his~~
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16 ~~it VOTE TO OVERRIDE THE VETO, THE BILL shall become law.~~

17 ~~(B) THE LEGISLATURE MAY RECONVENE AS PROVIDED BY LAW~~
18 ~~TO RECONSIDER ANY BILL VETOED BY THE GOVERNOR WHEN THE~~
19 ~~LEGISLATURE IS NOT IN SESSION.~~

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21 bills, and in such instances the procedure shall be the same
22 as upon veto of an entire bill."

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5 ~~state--to--determine--whether--it-is-their-intent-to~~
6 ~~override-a-post-session-veto.~~

7 ~~AGAINST-a-poll-of-the-legislators-by--the--secretary~~
8 ~~of--state-to-determine-whether-it-is-their-intent-to~~
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24 statement of his reasons therefor.

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1 legislature with his recommendation for amendment. If the
2 legislature passes the bill in accordance with the
3 governor's recommendation, it shall again return the bill to
4 the governor for his reconsideration. The governor shall not
5 return a bill for amendment a second time.

6 (3) If after receipt of a veto message, two-thirds of
7 the members OF EACH HOUSE present approve the bill, it shall
8 become law.

9 (4) ~~(A)~~ If the legislature is not in session when the
10 governor vetoes a bill APPROVED BY TWO-THIRDS OF THE MEMBERS
11 PRESENT, he shall return the bill with his reasons therefor
12 to the legislature as provided by law. ~~The legislature may~~
13 ~~reconvene to reconsider any bill so vetoed.~~ secretary of
14 state. The secretary of state shall poll the members of the
15 legislature by mail to determine whether it is the intent of
16 the legislature to override the governor's veto AND SHALL
17 SEND EACH MEMBER A COPY OF THE GOVERNOR'S VETO MESSAGE. If
18 two-thirds or more of the members OF EACH HOUSE approve the
19 bill, it VOTE TO OVERRIDE THE VETO, THE BILL shall become
20 law.

21 (B) THE LEGISLATURE MAY RECONVENE AS PROVIDED BY LAW
22 TO RECONSIDER ANY BILL VETOED BY THE GOVERNOR WHEN THE
23 LEGISLATURE IS NOT IN SESSION.

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14 FOR ALLOWING THE LEGISLATURE TO OVERRIDE A
15 POST-SESSION VETO THROUGH A POLL OF ITS MEMBERS BY
16 THE SECRETARY OF STATE.

17 AGAINST ALLOWING THE LEGISLATURE TO OVERRIDE A
18 POST-SESSION VETO THROUGH A POLL OF ITS MEMBERS BY
19 THE SECRETARY OF STATE.

-End-

March 12, 1981

SENATE STANDING COMMITTEE REPORT
(State Administration)

That House Bill No. 225 be amended as follows:

1. Page 2, line 9.

Following: "a bill"

Insert: "approved by two-thirds of the members present"

March 16, 1981

SENATE COMMITTEE OF THE WHOLE

Proposed amendments to House Bill 225, as follows:

1. Page 2, line 7.

Following: "members"

Insert: "of each house"

2. Page 2, lines 13 through 15.

Following: "mail"

Strike: the remainder of the line through "veto"
on line 15.

Insert: "and shall send each member a copy of the
governor's veto message"

3. Page 2, line 15.

Following: "members"

Insert: "of each house"