

HOUSE BILL NO. 274

INTRODUCED BY BRAND, R. MANNING

IN THE HOUSE

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| January 16, 1981 | Introduced and referred to Committee on State Administration. |
| January 28, 1981 | Committee recommend bill do pass as amended. Report adopted.  |
| January 29, 1981 | Bill printed and placed on members' desks.                    |
| January 30, 1981 | Second reading, do pass.                                      |
| January 31, 1981 | Correctly engrossed.  |
| February 2, 1981 | Third reading, passed.<br>Transmitted to Senate.              |

IN THE SENATE

|                  |   |
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| February 3, 1981 | Introduced and referred to Committee on State Administration. |
| March 4, 1981    | Committee recommend bill be concurred in. Report adopted.     |
| March 6, 1981    | Second reading, concurred in.                                 |
| March 9, 1981    | Third reading, concurred in.<br>Ayes, 42; Noes, 2.            |

IN THE HOUSE

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| March 10, 1981 | Returned from Senate.<br>Concurred in. Sent to enrolling.<br><br>Reported correctly enrolled. |
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1    HOUSE BILL NO. 274  
 2     INTRODUCED BY *Brand Richard E. Manning*  
 3

4     A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
 5     2-16-502, MCA, TO REQUIRE THAT RESIGNATIONS BE MADE TO THE  
 6     SECRETARY OF STATE AND THAT RESIGNATIONS BE EFFECTIVE UNLESS  
 7     WITHDRAWN WITHIN 24 HOURS."  
 8

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

10           Section 1. Section 2-16-502, MCA, is amended to read:  
 11           "2-16-502. Resignations. (1) Resignations must be in  
 12           writing and made as follows:

13           (1)(a) by the governor and lieutenant governor, to the  
 14           legislature if it is in session and, if not, then to the  
 15           secretary of state;

16           (1)(b) by all officers commissioned by the governor,  
 17           to the governor secretary of state;

18           (1)(c) by senators and members of the house of  
 19           representatives, if the legislature is not in session, to  
 20           the governor secretary of state and, if it is in session, to  
 21           the presiding officer of the branch to which the member  
 22           belongs, who must immediately transmit the same to the  
 23           governor secretary of state;

24           (1)(d) by all county and township officers not  
 25           commissioned by the governor, to the clerk of the board of

1     commissioners of their respective counties;  
 2           (5)(e) by all other appointed officers, to the body or  
 3     officer that appointed them;  
 4           (6)(f) in all cases not otherwise provided for, by  
 5     filing the resignation in the office of the secretary of  
 6     state.  
 7           (2) A resignation is effective 24 hours after its  
 8     submission in the manner provided for in subsection (1)  
 9     unless the resignation is withdrawn during that 24-hour  
 10     period by the resigner through written notification of  
 11     withdrawal made in the same manner as provided in subsection  
 12     (1) for resignations."

-End-

INTRODUCED BILL  
*HB 274*

Approved by Committee  
on State Administration

1 HOUSE BILL NO. 274  
 2 INTRODUCED BY BRAND, MANNING  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
 5 2-16-502, MCA, TO REQUIRE THAT RESIGNATIONS BE MADE TO THE  
 6 SECRETARY OF STATE AND THAT RESIGNATIONS BE EFFECTIVE UNLESS  
 7 WITHDRAWN WITHIN 24 72 HOURS."  
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 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 10 Section 1. Section 2-16-502, MCA, is amended to read:  
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 13 (1)(a) by the governor and lieutenant governor, to the  
 14 legislature if it is in session and, if not, then to the  
 15 secretary of state;  
 16 (2)(b) by all officers commissioned by the governor,  
 17 to the governor ~~secretary of state~~ GOVERNOR;  
 18 (3)(c) by senators and members of the house of  
 19 representatives, if the legislature is not in session, to  
 20 the governor ~~secretary of state~~ and, if it is in session, to  
 21 the presiding officer of the branch to which the member  
 22 belongs, who must immediately transmit the same to the  
 23 governor ~~secretary of state~~;  
 24 (4)(d) by all county and township officers not  
 25 commissioned by the governor, to the clerk of the board of

1 commissioners of their respective counties;  
 2 (5)(e) by all other appointed officers, to the body or  
 3 officer that appointed them;  
 4 (6)(f) in all cases not otherwise provided for, by  
 5 filing the resignation in the office of the secretary of  
 6 state.  
 7 (2) A resignation is effective 24 72 hours after its  
 8 submission in the manner provided for in subsection (1)  
 9 unless the resignation is withdrawn during that 24-hour  
 10 72-HOUR period by the resigner through written notification  
 11 of withdrawal made in the same manner as provided in  
 12 subsection (1) for resignations."

-End-

SECOND READING

## 1 HOUSE BILL NO. 274

2 INTRODUCED BY BRAND, MANNING

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5 2-16-502, MCA, TO REQUIRE THAT RESIGNATIONS BE MADE TO THE  
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20 the governor ~~secretary of state~~ and, if it is in session, to  
21 the presiding officer of the branch to which the member  
22 belongs, who must immediately transmit the same to the  
23 governor ~~secretary of state~~;24 (4)(d) by all county and township officers not  
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1 commissioners of their respective counties;

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3 officer that appointed them;4 (6)(f) in all cases not otherwise provided for, by  
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8 submission in the manner provided for in subsection (1)  
9 unless the resignation is withdrawn during that 24-hour  
10 72-HOUR period by the resigner through written notification  
11 of withdrawal made in the same manner as provided in  
12 subsection (1) for resignations."

-End-

THIRD READING

HOUSE BILL NO. 274

INTRODUCED BY BRAND, R. MANNING

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 2-16-502, MCA, TO REQUIRE THAT RESIGNATIONS BE MADE TO THE SECRETARY OF STATE AND THAT RESIGNATIONS BE EFFECTIVE UNLESS WITHDRAWN WITHIN 24 72 HOURS."

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

Section 1. Section 2-16-502, MCA, is amended to read:

"2-16-502. Resignations. (1) Resignations must be in writing and made as follows:

(a) by the governor and lieutenant governor, to the legislature if it is in session and, if not, then to the secretary of state;

(b) by all officers commissioned by the governor, to the governor ~~secretary-of-state~~ GOVERNOR;

(c) by senators and members of the house of representatives, if the legislature is not in session, to the governor ~~secretary of state~~ and, if it is in session, to the presiding officer of the branch to which the member belongs, who must immediately transmit the same to the governor ~~secretary of state~~;

(d) by all county and township officers not commissioned by the governor, to the clerk of the board of

commissioners of their respective counties;

(e) by all other appointed officers, to the body or officer that appointed them;

(f) in all cases not otherwise provided for, by filing the resignation in the office of the secretary of state.

(2) A resignation is effective 24 72 hours after its submission in the manner provided for in subsection (1) unless the resignation is withdrawn during that 24-hour 72-HOUR period by the resigner through written notification of withdrawal made in the same manner as provided in subsection (1) for resignations.

-End-