

House Bill 687

In The House

February 9, 1981	Introduced and referred to Committee on State Administration.
February 12, 1981	Committee recommend bill do pass as amended.
February 13, 1981	Bill printed and placed on members' desks.
February 14, 1981	Second reading pass consideration until February 16, 1981.
February 16, 1981	Indefinitely postponed.

1 HOUSE BILL NO. 687  
2 INTRODUCED BY Keedy Bob Brown Lusk

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE  
5 LEGISLATURE TO CONVENE IN SPECIAL SESSION TO RECONSIDER ANY  
6 VETOED BILL APPROVED BEFORE THE VETO BY TWO-THIRDS OF THE  
7 MEMBERS PRESENT AND VOTING; AMENDING SECTIONS 5-2-103,  
8 5-3-101, AND 5-4-306, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

11 Section 1. Section 5-2-103, MCA, is amended to read:

12 "5-2-103. Time and place of meeting. Each regular  
13 session of the legislature shall be convened at the seat of  
14 government at 12 noon on the first Monday of January of each  
15 odd-numbered year or, if January 1 is a Monday, on the first  
16 Wednesday. The legislature shall meet at other times when  
17 convened by the governor or by the written request of a  
18 majority of the legislators or to reconsider as provided in  
19 [section 2] any vetoed bill approved before the veto by  
20 two-thirds of the members present and voting or, when the  
21 legislature is in session, by a recorded vote of a majority  
22 of the legislators."

23 Section 2. Section 5-3-101, MCA, is amended to read:

24 "5-3-101. Convening of special session -- limiting  
25 subjects. (1) The legislature may be convened in special

1 session by the governor or at the written request of a  
2 majority of the members. The governor or the legislature may  
3 limit the special session to the subjects specified in the  
4 call.

5 (2) The legislature shall convene in special session  
6 within eight days after the 25th day following adjournment  
7 as determined by the speaker of the house and president of  
8 the senate to reconsider any vetoed bill approved before the  
9 veto by two-thirds of the members present and voting."

10 Section 3. Section 5-4-306, MCA, is amended to read:

11 "5-4-306. Return when legislature not in session. (1)  
12 If, on the day the governor desires to return a bill without  
13 his approval and with his objections thereto to the house in  
14 which it originated, that house has adjourned for the day  
15 (but not for the session), he may deliver the bill with his  
16 message to the presiding officer, secretary, clerk, or any  
17 member of such house. Such delivery is as effectual as  
18 though returned in open session if the governor, on the  
19 first day the house is again in session, by message,  
20 notifies it of such delivery and of the time when and the  
21 person to whom such delivery was made.

22 (2) If the legislature is not in session when the  
23 governor vetoes a bill, he shall return the bill with his  
24 reasons for the veto to the secretary of state. The  
25 secretary of state shall immediately mail a copy of the bill

1 and the veto message to each member of the legislature.

2 (3) The legislature may reconvene to reconsider any  
3 bill so vetoed by using the statutory procedure provided for  
4 convening in special session. ~~However, the legislature~~  
5 ~~shall convene in special session as provided in [section 2]~~  
6 ~~to reconsider any vetoed bill approved before the veto by~~  
7 ~~two-thirds of the members present and voting."~~

8 Section 4. Effective date. If the electorate of the  
9 state of Montana during the general election to be held in  
10 November, 1982, approves the amendments to Article VI,  
11 section 10, and Article V, section 6, of the Montana  
12 constitution requiring the legislature to convene in special  
13 session to reconsider any vetoed bill approved before the  
14 veto by two-thirds of the members present and voting, this  
15 act is effective on January 1, 1983.

-End-

Approved by Committee  
on State Administration

1 HOUSE BILL NO. 687

2 INTRODUCED BY KEEDY, B. BROWN, NORDTVEIT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE  
5 LEGISLATURE TO CONVENE IN SPECIAL SESSION TO RECONSIDER ANY  
6 VETOED BILL APPROVED BEFORE THE VETO BY TWO-THIRDS OF THE  
7 MEMBERS PRESENT AND VOTING; AMENDING SECTIONS 5-2-103,  
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16 Wednesday. The legislature shall meet at other times when  
17 convened by the governor or by the written request of a  
18 majority of the legislators or to reconsider as provided in  
19 ~~fsection-2~~ 5-3-101 any vetoed bill approved before the veto  
20 by two-thirds of the members present and voting or, when the  
21 legislature is in session, by a recorded vote of a majority  
22 of the legislators."

23 Section 2. Section 5-3-101, MCA, is amended to read:

24 "5-3-101. Convening of special session -- limiting  
25 subjects. (1) The legislature may be convened in special

1 session by the governor or at the written request of a  
2 majority of the members. The governor or the legislature may  
3 limit the special session to the subjects specified in the  
4 call.

5 (2) The legislature shall convene in special session  
6 within eight 45 days after--the--25th--day following  
7 adjournment as determined by the speaker of the house and  
8 president of the senate to reconsider any vetoed bill  
9 approved before the veto by two-thirds of the members  
10 present and voting. THE SPECIAL SESSION MUST BE LIMITED TO  
11 THE RECONSIDERATION OF THE VETOED BILL UNLESS TWO-THIRDS OF  
12 THE MEMBERS ATTENDING THE SESSION AGREE TO CONSIDER  
13 ADDITIONAL SUBJECTS."

14 Section 3. Section 5-4-306, MCA, is amended to read:

15 "5-4-306. Return when legislature not in session. (1)  
16 If, on the day the governor desires to return a bill without  
17 his approval and with his objections thereto to the house in  
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3 reasons for the veto to the secretary of state. The  
4 secretary of state shall immediately mail a copy of the bill  
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6           (3) The legislature may reconvene to reconsider any  
7 bill so vetoed by using the statutory procedure provided for  
8 convening in special session. However, the legislature  
9 shall convene in special session as provided in ~~section--2~~  
10 5-3-101 to reconsider any vetoed bill approved before the  
11 veto by two-thirds of the members present and voting."

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13 state of Montana during the general election to be held in  
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