

House Bill 772

In The House

February 14, 1981

Introduced and referred  
to Committee on Rules.

February 23, 1981

Committee recommend bill  
do not pass.

1                                    HOUSE    BILL NO. 772  
 2    INTRODUCED BY Kathy Donaldson Anderson  
 3    VINCENT B. BIRD

4    A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE LENGTH  
 5    OF THE REGULAR SESSION OF THE 1983 LEGISLATURE TO A TOTAL OF  
 6    120 DAYS AND TO PROVIDE FOR AN INTERIM RECESS DURING THE  
 7    1983 LEGISLATIVE SESSION AND A RECONVENING OF THE MEMBERS OF  
 8    THE LEGISLATURE ON THE LAST MONDAY OF OCTOBER 1983 TO  
 9    CONSIDER CERTAIN LEGISLATIVE MATTERS."

11        WHEREAS, any Legislature of the State of Montana is  
 12    authorized to increase the limit on the length of any  
 13    subsequent session under Article V, section 5, of the  
 14    Constitution of Montana and section 5-2-103, MCA; and

15        WHEREAS, each house of the Legislature of the State of  
 16    Montana may recess for more than 3 days during the session  
 17    with the consent of the other house under Article V, section  
 18    10, of the Constitution of Montana.

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

21        Section 1. Length of 1983 legislative session --  
 22    recess -- matters for consideration upon reconvening. (1)  
 23    The length of the legislative session in 1983 shall be 120  
 24    days. Members of the legislature shall convene for 90 days  
 25    at the seat of government as provided in 5-2-103. At the end

1    of this 90-day period the members of the legislature shall  
 2    recess, on the condition that each house consents to the  
 3    recess as provided in subsection (2), until the last Monday  
 4    of October of 1983, at which time the members of the  
 5    legislature shall reconvene into regular session at the seat  
 6    of government at 12 noon until the last Tuesday of November  
 7    to consider the following matters:

- 8            (a) legislation relating to the budget and financing;
- 9            (b) if consideration is approved during the 30-day  
 10    portion by a two-thirds vote of the members of either house,  
 11    holdover legislation from the 90-day portion or legislation  
 12    to be introduced for the first time during the session;
- 13           (c) review of delegated agency action, if referred to  
 14    the legislature by the administrative code committee  
 15    according to the provisions of section 3; and
- 16           (d) legislation that has been vetoed by the governor.

17        (2) The members of both houses of the 48th legislature  
 18    are considered to have consented to a recess if no  
 19    affirmative action either in the form of a positive vote on  
 20    a bill or passage of a resolution is taken to prevent the  
 21    recess. If the legislators vote in the affirmative against  
 22    recessing, this vote shall be considered to be a vote in  
 23    favor of adjourning at the end of the 90-day active portion  
 24    for the entire 1983 session, in which case this act becomes  
 25    void and of no effect.

-2-    INTRODUCED BILL  
           HB 772

1       Section 2. Round trips -- interim program. (1) For the  
2 purposes of this act, legislators are entitled to a mileage  
3 allowance as specified in 2-10-503 for each mile of travel  
4 for three additional round trips to their place of residence  
5 during the 1983 session.

6       (2) For the purposes of this act, the legislative  
7 intern program under Title 5, chapter 6, part 1, is  
8 suspended after the 90-day portion specified in section 1.

9       Section 3. Referral by the administrative code  
10 committee. During the recess between the active in-session  
11 portions of the 1983 session, in place of a poll as provided  
12 in 2-4-403, the administrative code committee shall refer  
13 matters normally appropriate for the poll to the legislature  
14 for review during the 30-day portion of the 1983 session.

15       Section 4. Construction with other laws. During the  
16 period between the first Monday in January of 1983 and the  
17 end of the 30-day portion in November of 1983, the  
18 legislature shall be considered to be "in session" for the  
19 purposes of all laws, except that the legislature shall be  
20 considered to be "not in session" during the recess between  
21 the active 90-day portion and the 30-day portion of the  
22 session for the purposes of Title 5, chapter 5, part 2.

-End-