

HOUSE BILL 217

Introduced by H.S. Hanson, et al.

1/18	Introduced
1/18	Referred to State Administration
1/18	First Reading
1/18	Fiscal Note Requested
1/23	Fiscal Note Received
1/26	Fiscal Note Printed
1/27	Hearing
2/03	Committee Report--Bill Passed
2/05	2nd Reading Do Not Pass as Amended

1 House BILL NO. 217
 2 INTRODUCED BY MS. Spangler Paul Lynch
 3 Barbara
 4 A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING THE NUMBER OF
 5 BILLS THAT MAY BE INTRODUCED IN A REGULAR OR SPECIAL SESSION
 6 OF THE LEGISLATURE; ESTABLISHING DEADLINES FOR THE
 7 SUBMISSION OF AGENCY BILLS; AND PROVIDING EXCEPTIONS TO THE
 8 BILL LIMITS AND DEADLINES."
 9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 11 NEW SECTION. Section 1. Bills -- limitations and
 12 deadlines. (1) Except as provided in subsection (2), a state
 13 agency or any board, commission, or authority of state
 14 government may not have introduced at its request more than
 15 20 bills in a regular or special legislative session. For
 16 purposes of this section, legislation introduced at the
 17 request of a board, commission, or authority attached to an
 18 agency for administrative purposes is considered to be
 19 legislation of the agency to which the board, commission, or
 20 authority is attached.
 21 (2) An office of an elected constitutional officer may
 22 not have introduced at its request more than 15 bills in a
 23 regular or special legislative session.
 24 (3) Except as provided in this section, a state agency
 25 or any board, commission, authority, or office of an elected

1 constitutional officer may not have legislation introduced
 2 at its request in any regular legislative session without
 3 presenting a draft of the legislation to the staff of the
 4 legislative council for review by October 1 of the year
 5 prior to the convening of the legislature. State agencies
 6 with directors appointed by the governor shall present their
 7 bill drafts to the legislative council by January 1 of the
 8 year following election of a new governor. Bills presented
 9 to the legislative council staff by a state agency or a
 10 board, commission, authority, or office of an elected
 11 constitutional officer that do not comply with the drafting
 12 requirements of the legislative council must be returned to
 13 the agency, board, commission, authority, or officer for
 14 revision.

15 (4) Except as provided in this section, a member of the
 16 legislature may not introduce more than five bills in any
 17 regular or special session of the legislature. The
 18 limitation in this subsection does not apply to:

19 (a) bills introduced by request of a standing committee
 20 of the legislature;

21 (b) bills introduced at the request of a committee or
 22 subcommittee as part of a study conducted during the interim
 23 between regular sessions of the legislature;

24 (c) bills introduced at the request of a state agency,
 25 board, commission, or authority of the executive branch not

1 included in subsection (4)(d);

2 (d) bills introduced at the request of an office of an
3 elected constitutional officer;

4 (e) bills approved for introduction by a delayed bills
5 committee of either house of the legislature; or

6 (f) appropriation bills.

7 (5) Each house of the legislature shall by rule create
8 a delayed bills committee composed of the presiding officer
9 and the majority leader and minority leader of that house.
10 The committees may approve the introduction of draft
11 legislation not presented to the legislative council by the
12 deadlines in subsection (3) and draft legislation beyond the
13 five-bill limit provided in subsection (4).

14 (6) For purposes of this section, the following
15 definitions apply:

16 (a) "Agency" means the departments listed in 2-15-104.

17 (b) "Appropriation bill" means a bill the primary
18 purpose of which is to appropriate money.

19 (c) "Elected constitutional officer" means the state
20 auditor, attorney general, governor, lieutenant governor,
21 superintendent of public instruction, or secretary of state
22 and a state supreme court justice or public service
23 commissioner.

24 NEW SECTION. Section 2. Codification instruction.

25 [Section 1] is intended to be codified as an integral part

1 of Title 5, chapter 4, part 1, and the provisions of Title
2 5, chapter 4, part 1, apply to [section 1].

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0217, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: A bill to limit the number of bills that may be introduced in a regular or special session of the legislature; to establish deadlines for the submission of agency bills; and to provide exceptions to the bill limits and deadlines.

ASSUMPTIONS:

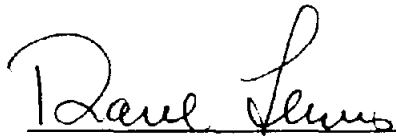
1. Each of the 18 state agencies listed in 2-15-104, MCA, will request the maximum of 20 bills. (360 requests)
2. Each of the six constitutional officers, seven supreme court justices, and five public service commissioners will request the maximum of 15 bills each. (270 requests)
3. Each of the 150 legislators will request the maximum of five bills each. (750 requests)
4. There will be a number of bill requests from standing committees, interim committees, the House of Representatives, and the Senate. There will be a number of appropriations bills and there will be bills allowed to be requested by the delayed bills committee. (Estimated to total 200 requests)
5. The average number of bills requested over the past three regular legislative sessions is 1,936.
6. The limits on bill requests will not affect the overall number of requests in a special session.
7. The ideas that would have been represented in the 360 bills not requested (1,936-1,580 = 356) will be otherwise incorporated into the 1,580 bills that are requested. Consequently, there will be no net effect on staff production time.
8. The estimated cost of printing 360 bills is \$128. If 360 fewer bills are requested, expenditures for printing bills will be reduced by \$128 which is considered minimal fiscal impact.

FISCAL IMPACT:

Minimal.

TECHNICAL NOTES:

Numerous introduced bills require study committees and agency reports by September 30, 1994. It is not possible to also require drafts of related legislation by October 1 and provide an opportunity for agency and Governor's policy and budget staff to analyze reports and prepare legislation.

 1-23-93
DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 1/26/93
H.S. "SONNY" HANSON, PRIMARY SPONSOR DATE

Fiscal Note for HB0217, as introduced

HB 217

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

House BILL NO. 217

INTRODUCED BY

A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING THE NUMBER OF BILLS THAT MAY BE INTRODUCED IN A REGULAR OR SPECIAL SESSION OF THE LEGISLATURE; ESTABLISHING DEADLINES FOR THE SUBMISSION OF AGENCY BILLS; AND PROVIDING EXCEPTIONS TO THE BILL LIMITS AND DEADLINES."

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

NEW SECTION. Section 1. Bills -- limitations and deadlines. (1) Except as provided in subsection (2), a state agency or any board, commission, or authority of state government may not have introduced at its request more than 20 bills in a regular or special legislative session. For purposes of this section, legislation introduced at the request of a board, commission, or authority attached to an agency for administrative purposes is considered to be legislation of the agency to which the board, commission, or authority is attached.

(2) An office of an elected constitutional officer may not have introduced at its request more than 15 bills in a regular or special legislative session.

(3) Except as provided in this section, a state agency or any board, commission, authority, or office of an elected

constitutional officer may not have legislation introduced at its request in any regular legislative session without presenting a draft of the legislation to the staff of the legislative council for review by October 1 of the year prior to the convening of the legislature. State agencies with directors appointed by the governor shall present their bill drafts to the legislative council by January 1 of the year following election of a new governor. Bills presented to the legislative council staff by a state agency or a board, commission, authority, or office of an elected constitutional officer that do not comply with the drafting requirements of the legislative council must be returned to the agency, board, commission, authority, or officer for revision.

(4) Except as provided in this section, a member of the legislature may not introduce more than five bills in any regular or special session of the legislature. The limitation in this subsection does not apply to:

(a) bills introduced by request of a standing committee of the legislature;

(b) bills introduced at the request of a committee or subcommittee as part of a study conducted during the interim between regular sessions of the legislature;

(c) bills introduced at the request of a state agency, board, commission, or authority of the executive branch not

1 included in subsection (4)(d);

2 (d) bills introduced at the request of an office of an
3 elected constitutional officer;

4 (e) bills approved for introduction by a delayed bills
5 committee of either house of the legislature; or

6 (f) appropriation bills.

7 (5) Each house of the legislature shall by rule create
8 a delayed bills committee composed of the presiding officer
9 and the majority leader and minority leader of that house.
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11 legislation not presented to the legislative council by the
12 deadlines in subsection (3) and draft legislation beyond the
13 five-bill limit provided in subsection (4).

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18 purpose of which is to appropriate money.

19 (c) "Elected constitutional officer" means the state
20 auditor, attorney general, governor, lieutenant governor,
21 superintendent of public instruction, or secretary of state
22 and a state supreme court justice or public service
23 commissioner.

24 NEW SECTION. Section 2. Codification instruction.
25 [Section 1] is intended to be codified as an integral part

1 of Title 5, chapter 4, part 1, and the provisions of Title
2 5, chapter 4, part 1, apply to [section 1].

-End-