

Legislative Council Recommended Rule Proposals
(10/29/2024)

Proposal #	Potential Rule Change	Existing Rule Impacted	Recommended Proposed Change -PRE-EDIT
1 - Joint Rules	JR 10-130(6) Legal review notes and amendments	JR 10-130(6) PD36- Page 6, line 28. Page 7, lines 2-6	<p>10-130. Bills -- sponsorship -- style -- format -- <u>legal review notes.</u></p> <p>(6) (a) A legal review note or analysis produced by the Legislative Services Division Legal Services Office must be attached to an introduced bill and posted on the Legislative Branch website.</p> <p><u>(b) When a legal review note is posted to an introduced bill, if the bill is later amended and the primary sponsor of the bill believes the amendment resolves the potential legal issues cited in the legal review note, the primary sponsor may request that the Legislative Services Division Legal Services Office revise the posted legal review note to include a statement from the primary sponsor that the adopted amendment has resolved the potential legal issues cited in the legal review note.</u></p>

2-Joint Rules	JR 40-70 Require the appropriate Rules Committee to designate a bill as identical.	JR 40-70 PD36 Page 20, line 28. Page 21, lines 1-2.	<p>40-70. Bills with same purpose -- vetoes. (1) A bill may not be introduced or received in a house after that house, during that session, has finally rejected a bill designed to accomplish the same purpose, except with the approval of the Rules Committee of the house in which the bill is offered for introduction or reception.</p> <p><u>(2) A bill may only be designated as an identical to another bill by the Rules Committee of the house in which the bill is offered for introduction or reception.</u></p> <p>(2) (3) Failure to override a veto does not constitute final rejection.</p>
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3A-Joint Rules	ALTERNATIVE 1 JR 40-220 - Define what constitutes receipt of the of a returned veto bill.	JR 40-220 PD36- Page 29, lines 3-5	<p>40-210. Governor's veto. (1) Except as provided in 40-65 and 40-180, each bill passed by the Legislature must be submitted to the Governor for the Governor's signature. This does not apply to:</p> <ul style="list-style-type: none"> (a) bills proposing amendments to The Constitution of the State of Montana; (b) bills ratifying proposed amendments to the United States Constitution; (c) resolutions; and (d) referendum measures of the Legislature. <p>(2) If the Governor does not sign or veto the bill within 10 days after its delivery, the bill becomes law.</p> <p>(3) The Governor shall return a vetoed bill to the Legislature with a statement of reasons for the veto.</p> <p>(4) If after receipt of a veto message, two-thirds of the members of each house present approve the bill, it becomes law.</p> <p>(5) If the Legislature is not in session when the Governor vetoes a bill, the Governor shall return the bill with reasons for the veto to the Legislature as provided by law. The Legislature may be polled on a bill that it approved by two-thirds of the members present or it may be reconvened to reconsider any bill so vetoed (Montana Constitution, Art. VI, Sec. 10).</p> <p>(6) The Governor may veto items in appropriation bills, and in these instances the procedure must be the same as upon veto of an entire bill (Montana Constitution, Art. VI, Sec. 10).</p> <p><u>(7) For purposes of this rule and Joint Rule 40-220, receipt of the bill with a veto message from the Governor to the house from which the bill originated occurs when either the Clerk of the House or the Secretary of the Senate physically receives the returned bill and the bill is time stamped and dated as being received.</u></p>
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3B-Joint Rules	ALTERNATIVE 2 JR 40-220 - Define what constitutes receipt of the of a returned veto bill.	JR 40-220 PD37- Page 28, lines 24-28 Page 29, lines 1-2.	<p>40-210. Governor's veto. (1) Except as provided in 40-65 and 40-180, each bill passed by the Legislature must be submitted to the Governor for the Governor's signature. This does not apply to:</p> <ul style="list-style-type: none"> (a) bills proposing amendments to The Constitution of the State of Montana; (b) bills ratifying proposed amendments to the United States Constitution; (c) resolutions; and (d) referendum measures of the Legislature. <p>(2) If the Governor does not sign or veto the bill within 10 days after its delivery, the bill becomes law.</p> <p>(3) The Governor shall return a vetoed bill to the Legislature with a statement of reasons for the veto.</p> <p>(4) If after receipt of a veto message, two-thirds of the members of each house present approve the bill, it becomes law.</p> <p>(5) If the Legislature is not in session when the Governor vetoes a bill, the Governor shall return the bill with reasons for the veto to the Legislature as provided by law. The Legislature may be polled on a bill that it approved by two-thirds of the members present or it may be reconvened to reconsider any bill so vetoed (Montana Constitution, Art. VI, Sec. 10).</p> <p>(6) The Governor may veto items in appropriation bills, and in these instances the procedure must be the same as upon veto of an entire bill (Montana Constitution, Art. VI, Sec. 10).</p> <p><u>(7) (a) For purposes of the chain of custody of a returned bill from the governor, receipt of the bill with a veto message from the Governor to the house from which the bill originated occurs when either the Clerk of the House or the Secretary of the Senate physically receives the returned bill and the bill is time stamped and dated as being received.</u></p> <p><u>(b) For purposes of this rule and Joint Rule 40-220, the applicable chamber officially receives a bill returned with the veto message from the governor at the time and date that the presiding officer or the presiding officer's designee reads the governor's veto message to the members over the rostrum.</u></p>
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