

1 JOINT RESOLUTION NO. 1

2 INTRODUCED BY ****

3 BY REQUEST OF THE ****

4
5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
6 MONTANA ADOPTING THE JOINT LEGISLATIVE RULES.

7
8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
9 THE STATE OF MONTANA:

10 That the following Joint Rules be adopted:

11 **JOINT RULES OF THE MONTANA**
12 **SENATE AND HOUSE OF REPRESENTATIVES**

13 **CHAPTER 1**

14 **Legislator Remote Participation**

15 **1-05. Definitions.** As used in these joint rules, the following definitions apply:

16 (1) "Member" means a member of the Senate or the House of Representatives for the 68th Legislature.

17 (2) "Participating remotely", "remotely present", or "participate remotely" means participating by
18 telephone, teleconference, videoconference, or other means.

19 (3) "Present" means a member was either physically present and participating in the session or
20 remotely present and participating in the session.

21 **1-40. Members physically present or remotely present by electronic means.** (1) The Senate and
22 the House may assemble, convene, and conduct the session with members being either physically present or
23 participating remotely. A member is not permitted to participate remotely unless excluded from physical
24 participation based on a decision of the member's caucus leader pursuant to Joint Rule 1-50.

25 (2) Subject to subsection (3), members who are permitted to participate remotely in the session:

26 (a) may vote on any question or other matter before the Senate or the House, including committees of
27 the Senate or the House;

28 (b) have the same privileges, rights, and duties as if the member were physically present, including the

1 (2) When a House bill is transmitted to the Senate, the Secretary of the Senate shall give a dated
2 receipt for the bill to the Chief Clerk of the House. When a Senate bill is transmitted to the House of
3 Representatives, the Chief Clerk of the House shall give a dated receipt to the Secretary of the Senate.

4 (3) Transmitted bills must be referred to committee and scheduled for hearing.

5 **40-200. Transmittal deadlines -- two-thirds vote requirement.** (1) (a) A bill or amendment
6 transmitted after the deadline established in this subsection (1) may be considered by the receiving house only
7 upon approval of two-thirds of its members present and voting. If the receiving house does not so vote, the bill
8 or amendment must be held pending in the house to which it was transmitted.

9 (b) (i) A bill, except for an appropriation bill, a revenue bill, a bill proposing a referendum, an interim
10 study resolution, or amendments considered by joint committee, must be transmitted from one house to the
11 other on or before the ~~45th~~ 48th legislative day.

12 (ii) Amendments, except to appropriation bills, committee bills implementing the general appropriations
13 bill, the revenue estimating resolution, interim study resolutions, bills proposing referenda, and revenue bills,
14 must be transmitted from one house to the other on or before the 73rd legislative day.

15 (c) (i) Revenue bills and bills proposing referenda must be transmitted to the other house on or before
16 the 67th legislative day.

17 (ii) Amendments to revenue bills and bills proposing referenda, received from the other house, must be
18 transmitted to the house of origin on or before the 80th legislative day.

19 (iii) A revenue bill is one that either increases or decreases revenue by enacting, eliminating,
20 increasing, or decreasing taxes or fees.

21 (d) (i) Appropriation bills and any bill implementing provisions of a general appropriation bill must be
22 transmitted to the Senate on or before the ~~67th~~ 69th legislative day. A fund transfer within the state treasury is
23 not an appropriation for purposes of this section.

24 (ii) Senate amendments to appropriation bills must be transmitted by the Senate to the House on or
25 before the 80th legislative day.

26 (2) (a) A joint resolution introduced pursuant to 5-5-227, MCA, for the purpose of estimating revenue
27 available for appropriation by the Legislature must be transmitted to the Senate no later than the 60th legislative
28 day.

1 (b) Amendments to the revenue estimating resolution must be transmitted to the body in which the
2 resolution was introduced no later than the 82nd legislative day.

3 (3) Bills repealing or directing the amendment or adoption of administrative rules and joint resolutions
4 advising or requesting the repeal, amendment, or adoption of administrative rules may be transmitted at any
5 time during a session.

6 (4) Interim study resolutions must be transmitted from one house to the other on or before the 85th
7 legislative day.

8 **40-210. Governor's veto.** (1) Except as provided in 40-65 and 40-180, each bill passed by the
9 Legislature must be submitted to the Governor for the Governor's signature. This does not apply to:

10 (a) bills proposing amendments to The Constitution of the State of Montana;

11 (b) bills ratifying proposed amendments to the United States Constitution;

12 (c) resolutions; and

13 (d) referendum measures of the Legislature.

14 (2) If the Governor does not sign or veto the bill within 10 days after its delivery, the bill becomes law.

15 (3) The Governor shall return a vetoed bill to the Legislature with a statement of reasons for the veto.

16 (4) If after receipt of a veto message, two-thirds of the members of each house present approve the bill,
17 it becomes law.

18 (5) If the Legislature is not in session when the Governor vetoes a bill, the Governor shall return the bill
19 with reasons for the veto to the Legislature as provided by law. The Legislature may be polled on a bill that it
20 approved by two-thirds of the members present or it may be reconvened to reconsider any bill so vetoed
21 (Montana Constitution, Art. VI, Sec. 10).

22 (6) The Governor may veto items in appropriation bills, and in these instances the procedure must be
23 the same as upon veto of an entire bill (Montana Constitution, Art. VI, Sec. 10).

24 **40-220. Response to Governor's veto.** (1) When the presiding officer receives a veto message, the
25 presiding officer shall read it to the members over the rostrum. After the reading, a member may move that the
26 Governor's veto be overridden.

27 (2) A vote on the motion is determined by roll call. If two-thirds of the members present vote "aye", the
28 veto is overridden. If two-thirds of the members present do not vote "aye", the veto is sustained.