

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 (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 (7) (a) For the purposes of the chain of custody of a bill returned from the Governor, receipt of the bill
25 with a veto message from the Governor by the house from which the bill originated occurs when either the
26 Chief Clerk of the House or the Secretary of the Senate physically receives the returned bill and the bill is time
27 stamped and dated as being received.

28 (b) For the purposes of this rule and Joint Rule 40-220, the applicable chamber officially receives a bill

1 returned with a veto message from the Governor at the time and date that the presiding officer or the presiding
2 officer's designee reads the Governor's veto message to the members over the rostrum.

3 (c) The presiding officer or the presiding officer's designee must read the Governor's veto message to
4 the members over the rostrum at the subsequent meeting of the whole following receipt of the bill.

5 **40-220. Response to Governor's veto.** (1) When the presiding officer receives a veto message, the
6 presiding officer shall read it to the members over the rostrum. After the reading, a member may move that the
7 Governor's veto be overridden.

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

10 **40-230. Governor's recommendations for amendment -- procedure.** (1) The Governor may return
11 any bill to the Legislature with recommendations for amendment. The Governor's recommendations for
12 amendment must be considered first by the house in which the bill originated.

13 (2) If the Legislature passes the bill in accordance with the Governor's recommendations, it shall return
14 the bill to the Governor for reconsideration. The Governor may not return a bill to the Legislature a second time
15 for amendment.

16 (3) If the Governor returns a bill to the originating house with recommendations for amendment, the
17 house shall reconsider the bill under its rules relating to amendments offered in Committee of the Whole.

18 (4) The bill then is subject to the following procedures:

19 (a) The originating house shall transmit to the second house, for consideration under its rules relating to
20 amendments in Committee of the Whole, the bill and the originating house's approval or disapproval of the
21 Governor's recommendations.

22 (b) If both houses approve the Governor's recommendations, the bill must be returned to the Governor
23 for reconsideration.

24 (c) If both houses disapprove the Governor's recommendations, the bill must be returned to the
25 Governor for reconsideration.

26 (d) If one house disapproves the Governor's recommendations and the other house approves, then
27 either house may request a conference committee, which may be a free conference committee.

28 (i) If both houses adopt a conference committee report, the bill in accordance with the report must be