

Rep. Randall:

“Mr. Speaker, I seek an interpretation of the House Rules from you regarding the vote requirement on second and third reading of SB 262. Under House Rule 50-160 questions requiring other than a majority vote under members present and voting, Section 9 states; “A motion to approve a bill conferring immunity of suit as described in Article 2, Section 18 of the Montana Constitution requires 2/3rds”. Mr. Speaker, Article 2, Section 18 of the Montana Constitution states that; “The State of Montana shall have no immunity from suit for injury to persons or property unless the Legislature grants it a vote of 2/3rds of each House”. In the text of SB 262, on page 46, lines 20 through 24, the bill specifically grants immunity to the State of Montana against lawsuit in certain topics. Therefore pursuant to Article 2, Section 18 of the Montana Constitution and House Rule 50-160, the vote requirement for passage of SB 262 should be 2/3rds. I request a rules interpretation from you Mr. Speaker.”