

SENATE JOINT RESOLUTION NO. 16

INTRODUCED BY F. THOMAS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ADOPTING A RECOMMENDATION THAT THE LEGISLATURE REVISE THE SESSION TIMING AND STRUCTURE FOR THE 65TH LEGISLATURE AND FOR FUTURE CONSIDERATION OF ANNUAL SESSIONS.

WHEREAS, in an effort to create a more informed, experienced, and effective Legislature the timing and structure of the legislature needs changing; and

WHEREAS, Montana is one of only four states that continue to have biennial sessions, and that schedule no longer meets the needs of the state in terms of policymaking, budgeting, or executive oversight; and

WHEREAS, the Constitution states that the "legislature shall meet each odd-numbered year in regular session of not more than 90 legislative days", but it also provides that the Legislature may be convened at any time in special session at the written request of the majority of the members or by the Governor; and

WHEREAS, the Legislative Council, in studying legislative improvement during the 2013-2014 interim, polled legislators and found that there was interest in changing to a split session, but many concerns were raised that require informed, deliberate decisions to address these concerns; and

WHEREAS, this resolution seeks endorsement of the 2015 Legislature of the concept of meeting in a shorter session in 2017 for the purposes of adopting a budget and calling itself into a special session in 2018 to consider general legislation; and

WHEREAS, this resolution would require a commitment of the 65th Legislature's presiding officers, caucus leaders, committee chairs, and legislators to maintain a process that is efficient, effective, and open and accessible to the public.

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

That it is the intent of the 2015 Legislature to urge that the 2017 Legislature, after organization of the Legislature and with consent of both houses, commit to a 45-day general session in 2017 for public hearings necessary to adopt a 2019 biennial budget, including adoption of revenue bills, which include the revenue



1 estimating resolution and bills that increase or decrease revenue by enacting, eliminating, increasing, or  
2 decreasing taxes or fees, appropriation bills, and only those general bills that are necessary for the  
3 implementation of the appropriation bills.

4 BE IT FURTHER RESOLVED, that by Legislative Day 21 in 2017, the President of the Senate and the  
5 Speaker of the House be responsible for a motion for a call of a special session for January 2018 to determine  
6 whether a majority of the Legislature agrees to the call. The special session is intended to be a session to  
7 consider all general bills and any additional appropriation or revenue bills that are required.

8 BE IT FURTHER RESOLVED, that:

9 (1) if a motion to call a special session in January of 2018 reaches a majority vote between both houses,  
10 the Legislature may meet only as long as it is required to pass a balanced budget, but may not meet longer than  
11 45 legislative days in 2017;

12 (2) if a motion to call a special session in January of 2018 is not passed by Legislative Day 21, the 2017  
13 session must resume its traditional practice of completing its work within 90 days.

14 (3) if a motion to call a special session is passed and approved, the special session have a duration that,  
15 together with the legislative days in the 2017 general session, does not exceed 90 days.

16 BE IT FURTHER RESOLVED, that only bills that are necessary for the operation of the state, including  
17 appropriation and revenue bills and bills implementing the biennial budget, bills requested by the Speaker of the  
18 House or the President of the Senate, or requests approved by a vote of two-thirds of a chamber, may be  
19 introduced and acted upon until the motion for a special session in January of 2018 is decided.

20 BE IT FURTHER RESOLVED, that any business, bill, or resolution pending at adjournment of the 2017  
21 general session may not carry over to any special session of 2018. New bill draft requests may be accepted upon  
22 adjournment of the 2017 general session subject to the limits as provided in Joint Rules 40-40 and 40-50 applied  
23 to dates prior to a January 2018 special session or as adopted in rule in the 2017 Legislature.

24 BE IT FURTHER RESOLVED, that the Legislative Council be charged with developing a transition plan  
25 and amendments to the rules of procedure for implementation of the split session concept and work with the other  
26 administrative and interim committees as follows:

27 (1) The Legislative Council shall work with the Secretary of the Senate, the Chief Clerk of the House,  
28 the Legislative Finance Committee, the Revenue and Transportation Interim Committee, the Legislative Fiscal  
29 Analyst, and the Executive Director of the Legislative Services Division to work out the logistics to avoid any  
30 unintended consequences of making these changes.

1           (2) The Legislative Finance Committee shall be charged with continuing the biennial budget process for  
2 the 2018-2019 biennium and studying the existing budgeting statutes and the budget process and adopting a  
3 schedule for and any necessary procedural or organizational changes to budget hearings in order to accomplish  
4 the Legislature's 2019 biennial budget work within a 45-day session.

5           (3) The Revenue and Transportation Interim Committee shall be charged with studying and adopting a  
6 schedule for revenue hearings in order to accomplish the Legislature's 2019 biennial budget work within a 45-day  
7 session.

8           BE IT FURTHER RESOLVED, that the following be addressed by the Legislative Council and  
9 stakeholders in developing policies, procedures, and rules for the 2017 general session and 2018 special  
10 session:

11           (1) deadlines for bill requests, bill introductions, committee and floor actions, and transmittal of bills  
12 between chambers in both a 2017 general session and a 2018 special session;

13           (2) the potential need for committee work before January of 2017 and in the interim between the 2017  
14 general session and the 2018 special session and how best to use the interim committee process to assist the  
15 session standing committee process; and

16           (3) any statutory changes necessary to implement necessary changes for 2017 and for the interim  
17 between 2017 and 2018 and beyond.

18           BE IT FURTHER RESOLVED, that all aspects of the transition plan and developing policies, procedures,  
19 and rules for the 2017 general session and 2018 special session be concluded prior to September 15, 2016.

20           BE IT FURTHER RESOLVED, that any findings, conclusions, comments, or recommendations be  
21 reported to the 65th Legislature.

22

- END -