

Michael G. Black, Esq.
BLACK LAW OFFICE
7 West Sixth Ave., Suite 514
Helena, MT 59601
Tel: (406) 546-0017
blacklaw@blackfoot.net
Attorney for Plaintiff

**MONTANA FIRST JUDICIAL DISTRICT COURT
LEWIS AND CLARK COUNTY**

<p>MONTANA ASSOCIATION OF COUNTIES,</p> <p>Plaintiff,</p> <p>v.</p> <p>GREG GIANFORTE, in his official capacity as the Governor of the State of Montana, and CHRISTI JACOBSEN, in her official capacity as the Secretary of State for the State of Montana,</p> <p>Defendants.</p>	<p>CAUSE NO.</p> <p>COMPLAINT FOR WRIT OF MANDAMUS, DECLARATORY JUDGMENT AND OTHER APPROPRIATE RELIEF</p>
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Plaintiff Montana Association of Counties, by and through its counsel hereby seeks a writ of mandate, alternatively a declaratory judgment, and a determination that the Governor's attempted or purported veto of Senate Bill 442 is ineffective and unconstitutional.

PARTIES, JURISDICTION, AND VENUE

1. The Montana Association of Counties (“MACo”) is a non-profit corporation, with members, organized under the laws of Montana, and is in good standing. It has existed since 1909. Its members include all fifty-six Montana counties and elected officials of numerous Montana counties are involved in governance of MACo. The objectives of MACo include doing all things necessary and proper for the benefit of Montana counties and initiating litigation in the name of MACo to determine rights of counties and county officials under any constitutional provision or statute. MACo’s principal place of business is situated in Lewis and Clark County. *See* Declaration of Eric Bryson (“Bryson Decl.”) at 2, ¶ 3.

2. This case involves the Governor’s veto, or attempted veto, of Senate Bill 442 (“SB 442”) on May 2, 2023, the last day of the 68th regular session of the Montana Legislature. MACo has standing in its own right to seek mandamus and declaratory relief regarding SB 442. MACo is directly injured by the Governor’s veto or attempted veto of SB 442 and the Secretary of State’s failure to poll the Legislature. MACo’s mission relates directly to funding for construction, reconstruction, maintenance, and repair of rural roads, and SB 442 would result in substantial funding increases for construction, reconstruction, maintenance, and repair of rural roads. *See* Bryson Decl. at 2, ¶ 4; at 3-4, ¶¶ 7-12.

3. MACo also has associational standing to seek mandamus and declaratory relief. MACo's members are directly injured by the Governor's veto or attempted veto of SB 442 and the Secretary of State's failure to poll the Legislature. If the Court grants the relief sought and the Legislature overrides the veto, or the Court determines the SB 442 became law as the result of the Governor failing to timely and effectively vetoing the bill, MACo's members will receive the benefits of increased funding for construction, reconstruction, maintenance, and repair of rural roads. *Id.*

4. The members' implicated interests are germane to MACo's purpose because they are directly related to MACo's core mission of doing all things necessary and proper for the benefit of Montana counties, including commencing litigation for the benefit of Montana counties. Individual participation of MACo's members is unnecessary. *Id.*

5. MACo's leadership includes numerous county officials, who are also Montana citizens and voters. They have a direct stake in the continued functioning of Montana's government, at both the state and county level. *See* Bryson Decl. at 2, ¶¶ 5-6.

6. MACo's leadership includes numerous county officials vote for and elect legislators and executive branch officials. When they vote, these officials choose candidates with the expectation that they will have the opportunity to and

will in fact perform the roles delegated to them under the Montana Constitution and statutes. When the Montana legislature considers a bill relating to funding for counties, MACo and its members participate in the legislative process by contacting legislators and making their wishes known. *See* Bryson Decl. at 2-4, ¶¶ 5-12.

7. The Governor's veto or attempted veto of SB 442 undermines and frustrates MACo's members' interests in a responsive and functional government. MACo's members' implicated interests are germane to MACo's purpose because MACo accomplishes its objectives through working with legislative and executive branch officials. Individual participation of MACo's members is unnecessary. *See* Bryson Decl. at 2-5, ¶¶ 5-16.

8. Greg Gianforte, in his official capacity as the Governor of Montana, is subject to Montana law and must comply with Montana law. As Governor, he has the power to veto bills, subject to the Legislature's power to override any veto, as provided by and subject to Mont. Const. Art. VI, § 10. Governor Gianforte is joined as a party in his official capacity.

9. Christi Jacobsen, in her official capacity as Montana Secretary of State, is subject to Montana law and must comply with Montana law. As Secretary of State, she has the power and obligation to poll the legislature if the Governor vetoes a bill while the legislature is not in session, as provided by and subject to

Mont. Const. Art. VI, § 10. Secretary of State Jacobsen is joined as a party in her official capacity.

10. This Court has jurisdiction over this proceeding under Mont. Const., Art. III, § 1, Mont. Const., Art. VII, §§ 1 and 4, and Mont. Code Ann. §§ 3-5-302, 27-8-101, *et seq.*, 27-8-201, and 27-26-102.

11. This court is the proper venue for this action pursuant to Mont. Code Ann. §§ 25-2-125 and 25-2-126.

FACTUAL BACKGROUND AND ALLEGATIONS

12. On January 2, 2023, the 68th regular session of the Montana Legislature commenced.

13. Montana’s government “originates with the people, is founded upon their will . . . only, and is instituted solely for the good of the whole.” Mont. Const. Art. II, § 1. When the citizens of Montana people delegated power to the government through the Constitution, they enacted a system of checks and balances. “The power of the government . . . is divided into three distinct branches—legislative, executive, and judicial. No person . . . charged with the exercise of power properly belonging to one branch shall exercise any power properly belonging to either of the others, except as in [the] constitution expressly directed or permitted.” Mont. Const. Art. III, § 1.

14. The lawmaking process involves both the Legislature and the Governor, who must observe checks and balances by constitutional design. The Governor has the power to veto bills, but any veto is subject to override by legislative supermajority vote. Mont. Const. Art. VI, § 10(3) (“If after receipt of a veto message, two-thirds of the members of each house present approve the bill, it shall become law.”).

15. The Constitution and implementing statutes set forth specific procedures for a veto after the legislative session. When the Governor vetoes a bill when the Legislature is not in session, and the bill passed by supermajority, the Governor must return the bill and the reasons for the veto to the Secretary of State, who then must poll the members of the Legislature. Mont. Const. Art. VI, § 10(4)(a); Mont. Code Ann. § 5-4-306. If two-thirds of the members of each house vote to override the veto, the bill becomes law. Mont. Const. Art. VI, § 10(4)(a); Mont. Code Ann. § 5-4-306. Regardless of whether a bill passed by supermajority in the first instance, “the legislature may reconvene as provided by law to reconsider any bill vetoed by the governor when the legislature is not in session.” Mont. Const. Art. VI, § 10(4)(b); Mont. Code Ann. § 5-4-306(3).

16. The Constitution further provides that “[i]f after receipt of a veto message, two-thirds of the members of each house present approve the bill, it shall become law.” Mont. Const. Art. VI, § 10(3). The implementing statute provides

that a bill returned without the governor’s approval becomes law whenever “upon reconsideration the bill . . . pass[es] both houses by the constitutional majority.”

Mont. Code Ann. § 5-4-305(1)(c).

17. The Constitution and implementing statutes do not identify any circumstance under which the Legislature is not empowered to consider, address, and override a veto. In any situation, the Governor’s veto power is limited by the Legislature’s power to override.

18. In 2020, the citizens of Montana approved Ballot Initiative 190, legalizing recreational marijuana under Montana law. The initiative provided for the taxation of recreational marijuana products and the distribution of tax revenue, nearly half of which was earmarked for conservation—4.125% to the state’s nongame wildlife account; 4.125% to state parks; 4.125% to trails and recreational facilities; and 37.125% to wildlife habitat through funding for Habitat Montana.

19. Habitat Montana is a conservation program administered by Fish, Wildlife & Parks, through which state funds are used to purchase conservation easements, significantly expanding wildlife habitat and access throughout Montana. *See, e.g.,* <https://fwp.mt.gov/conservation/landowner-programs/habitat-montana>.

20. Senator Mike Lang introduced SB 442 on February 21, 2023. As introduced, the bill focused primarily on providing funding to counties for

construction and maintenance of roads. *See* Declaration of Mike Lang (“Lang Decl.”) at 2, ¶ 4.

21. MACo and county officials appeared at the Legislature to support funding for rural roads in SB 442, which included appearing at committee hearings and direct contact with legislators to support the bill. During the 2021 session MACo had worked with Senator Lang to develop a funding mechanism through legislative action that would create funding for counties to offset the impact of public lands in counties. While that legislation failed, MACo continued its work with Senator Lang and helped devise a new funding formula to offset the impacts of recreation and tourism traffic on county roads, which resulted in the introduction of SB 442. SB 442 provided 20% of the marijuana tax to counties for road maintenance and improvements. Through the legislative process, it became evident that reallocating the habitat funding to funding for counties was not viable. SB 442 was amended which resulted in endorsement by numerous parties including rural and urban county commissioners, many of whom testified in support before the legislature as the bill was heard. In addition to having testimony by MACo leadership in committees, MACo staff was heavily engaged with legislators and stakeholders in the hallways in support of the bill. *See* Bryson Decl. at 3-4, ¶¶ 9-10; Lang Decl. at 2, ¶ 5.

22. As a result of continued legislative deliberation and compromise, SB 442 evolved into a bill that balanced the interests of stakeholders, including MACo and its members, and garnered bipartisan support from an overwhelming majority of lawmakers. *See* Bryson Decl. at 4, ¶ 11; Lang Decl. at 2, ¶ 6.

23. The legislative process was measured and deliberate. The Governor’s veto or attempt to veto was unusually swift and extraordinary. *See* Declaration of Dan Bartel (“Bartel Decl.”), ¶¶ 3-5; Declaration of Marty Malone (“Malone Decl.”), ¶¶ 3-5; Declaration of Pat Flowers (“Flowers Decl.”) at 2, ¶¶ 4-7; Declaration of Emma Kerr-Carpenter (“Kerr-Carpenter Decl.”) ¶¶ 3-5.

24. Pursuant to Mont. Const. Art. V, § 10, the Legislature is constitutionally required to “make rules for its proceedings.” In January 2023, consistent with this constitutional mandate, the Legislature adopted and publicly posted the rules governing the 68th regular session,¹ which included rules governing the Legislature’s response to any veto by the Governor. The Governor is and has been aware of these rules.

25. On May 1, 2023, the Montana Legislature passed Senate Bill 442 (“SB 442”). The final version of SB 442 passed the Senate by a 48-1 vote on that date, and previously passed the House by an 82-17 vote on April 26, 2023. SB 442,

¹ *See* Rules of Montana Legislature (Adopted January 2023) (available online at <https://leg.mt.gov/content/Sessions/68th/2023-Rules.pdf>) (last accessed June 6, 2023) (“Legislative Rules”).

therefore, passed by overwhelming margins and with bipartisan support. *See* Lang Decl. at 2, ¶ 6; Bartel Decl., ¶ 3; Malone Decl., ¶ 3; Flowers Decl. at 2, ¶ 4; Kerr-Carpenter Decl., ¶ 3.

26. SB 442 is designed to allocate marijuana tax revenue to construct, reconstruct, maintain, and repair rural roads by Montana counties, as well as improve wildlife habitat and access to public lands. *See* Bryson Decl. at 3-4, ¶¶ 9-10.

27. May 2, 2023 was the 87th day of the 68th regular session of the Montana Legislature. On May 2, 2023, SB 442 was enrolled and delivered it to the Governor. After SB 442 was delivered it to the Governor, in compliance with Mont. Const. Art. V, § 10(5) and Montana Legislature Joint Rule 20-10,² a motion was made to adjourn the Senate *sine die*, which was not debatable pursuant to Senate Rule S50-60.³ The motion to adjourn *sine die* passed. Consent of the House was not required for Senate adjournment on the 87th day of the 68th regular session. As a result of Senate adjournment *sine die*, the Montana Legislature was no longer in session. *See* Lang Decl. at 2-3, ¶¶ 7-11; Bartel Decl., ¶¶ 6-8; Malone Decl., ¶¶ 6-8; Flowers Decl. at 2-4, ¶¶ 8-13; Kerr-Carpenter Decl., ¶¶ 6-8.

² Legislative Rules at 12.

³ Legislative Rules at 73.

28. Under Montana Legislature Joint Rule 40-210(3),⁴ while the Montana Legislature is in session, the Governor shall return a vetoed bill to the Legislature with a statement of reasons for the veto.

29. Under Montana Legislature Joint Rule 40-220(1),⁵ in response to the Governor's veto while the Montana Legislature is in session, when the presiding officer receives a veto message, the presiding officer shall read it to the members over the rostrum. After the reading, a member may move that the Governor's veto be overridden. Flowers Decl. at 3-4, ¶¶ 12-13.

30. With respect to SB 442, the presiding officer of the Senate did not receive a veto message from the Governor prior to the motion for adjournment. The Senate's presiding officer did not read any veto message for SB 442 from the Governor to the members of the Senate over the rostrum prior to adjournment of the Senate for the 68th regular session. Based upon the mandatory duty imposed upon the Senate's presiding officer by Montana Legislature Joint Rule 40-220(1)⁶ to read a veto message over the rostrum and the lack of any reading of a veto message over the rostrum, no veto message from the Governor for SB 442 was received by the Senate prior to adjournment on May 2, 2023. *See* Lang Decl. at 2-3, ¶¶ 8-11; Bartel Decl., ¶¶ 6-8; Flowers Decl. at 3-4, ¶¶ 12-13.

⁴ Legislative Rules at 34.

⁵ *Id.*

⁶ *Id.*

31. In passing SB 442, the Legislature fulfilled its role as Montana’s lawmaking body. The Governor had the constitutional authority to veto SB 442, but only subject to the Legislature’s constitutional authority to override the veto by two-thirds vote. *See* Mont. Const., Art. III, § 1 (“No person . . . charged with the exercise of power properly belonging to one branch shall exercise any power properly belonging to either of the others . . .”).

32. SB 442 passed with the support of 130 of 150 legislators, which far exceeds the two-thirds’ vote of each house that would be required to override the Governor’s veto. *See* Lang Decl. at 2, ¶ 6; Flowers Decl. at 2, ¶ 4; Bartel Decl., ¶ 3; Malone Decl., ¶ 3; Kerr-Carpenter Decl., ¶ 3.

33. The Governor vetoed or attempted to veto SB 442 on May 2, 2023, the same day it was enrolled by the Legislature and delivered to the Governor, which is unusually swift and extraordinary. It is unclear when or if any veto message may have been dispatched to the Senate, the originating house, but it was not returned to the Senate in time for the veto message to be read over the rostrum, and the Legislature did not have an opportunity to override the veto prior to adjourning. *See* Lang Decl. at 2-3, ¶¶ 8-11; Flowers Decl. at 2-4, ¶¶ 5-13; Bartel Decl., ¶¶ 7-8; Malone Decl., ¶¶ 7-8; Kerr-Carpenter Decl., ¶¶ 7-8.

34. When a veto issues after the end of a legislative session, the Governor is required to send the bill and the reasons for his veto to the Secretary of State,

who must conduct a poll of all legislators if the bill was approved by two-thirds of all members. Mont. Const. Art. 6, § 10(4); Mont. Code Ann. § 5-4-306. No poll has been conducted with respect to SB 422. In the days and weeks following the legislative session, numerous individuals (including Senator Mike Lang, the sponsor of SB 442) and groups have sent letters to the Governor and Secretary of State requesting that they act as necessary in order to initiate the polling process. The Governor and Secretary of State have refused. *See* Lang Decl. at 3, ¶¶ 12-13, Exhs. A and B thereto; Bryson Decl. at 4-5, ¶¶ 13-15; *see also* MACo Op-Ed at https://helenair.com/veto-of-sb-442-shows-unprecedented-disrespect/article_a0cabc16-11f0-53f7-aa68-538909d2da63.html

35. With respect to SB 442, the Governor has not returned the bill with any reasons for his veto to the Secretary of State. *See* Lang Decl. at 3, ¶ 13, Exh. B thereto. The Governor has retained the bill and continues to retain the bill, and therefore it became law no later than May 12, 2023.

36. Only the Governor knows the precise timing of the veto, or attempted veto, and the method by which SB 442 was returned or allegedly returned to the Senate. It is clear that the bill was not read over the rostrum, and the Senate was not apprised of the veto until after it adjourned *sine die*. Because of the timing of the veto or attempted veto, the Legislature did not have the opportunity to exercise its constitutional prerogative of override prior to adjournment *sine die*.

37. Because the Governor did not deliver a veto message and return the bill to the Senate prior to adjournment *sine die*, either the Governor did not return the bill and his veto message to the Secretary of State, or the Secretary of State has refused to poll the legislature.

38. Since May 2, 2023, individuals and organizations have communicated with the Secretary of State and the Governor, calling on the Secretary of State to poll the Legislature and the Governor to return the bill to the Secretary of State. No such action has occurred. Senator Lang wrote to the Secretary of State by email on May 5, 2023 (attaching a letter dated May 4, 2023), inquiring as to the status of SB 442 and requesting that she take immediate action to fulfill her constitutional obligation to poll the Legislature. Legal counsel for the Secretary responded to Senator Lang's letter three days later, writing in an email that the Secretary's role in veto overrides is "ministerial," and that she had not received the return of SB 442 from the Governor. *See* Lang Decl. at 3, ¶¶ 12-13, Exhs. A and B thereto.

39. As of this date, based upon information and belief, SB 442 remains in the possession of the Governor.

40. While the Governor may not have purposefully timed the veto to prevent an override, the failure to take further action is deliberate. Without corrective action or judicial intervention, the veto of SB 442 sets a dangerous precedent that may be exploited in future legislative sessions where bills may be

vetoed without the prospect or fear of legislative override. The two chambers of the Legislature typically adjourn at different times on or after the 87th legislative day. If one house adjourns before the other and then a veto message is delivered, the experience with SB 442 serves to prevent the Legislature from exercising its constitutional power of override. If the precedent set by SB 442 is not corrected, a future governor may block widely supported bills from going into effect without regard to the constitutional system of checks and balances.

41. Plaintiff MACo asks the Court to order: (1) the Governor to return the bill and his reasons for the veto to the Secretary of State, and (2) the Secretary State to poll the Legislature, as required by Mont. Const. Art. 6, § 10(4). In the alternative, Plaintiff MACo asks the Court to order and declare that SB 442 was not vetoed within ten (10) days of delivery to the Governor, and therefore SB 442 became law, as provided by Mont. Const. Art. 6, § 10(1). A judicial remedy is required to maintain the constitutional separation of powers and correct an unconstitutional and unconscionable result.

FIRST CLAIM FOR RELIEF
Writ of Mandamus

42. MACo incorporates the foregoing paragraphs as if restated in their entirety.

43. “A writ of mandamus may be issued by the supreme court or the district court or any judge of the district court to any lower tribunal, corporation, board, or person to compel the performance of an act that the law specially enjoins as a duty resulting from an office, trust, or station or to compel the admission of a party to the use and enjoyment of a right or office to which the party is entitled and from which the party is unlawfully precluded by the lower tribunal, corporation, board, or person.” Mont. Code Ann. § 27-26-102(1).

44. A writ of mandamus may be issued by any judge of the district court to compel the performance of an act that the law specifically enjoins as a duty resulting from an office, trust, or station or to compel the admission of a party to the use and enjoyment of a right . . . to which the party is entitled and from which the party is unlawfully precluded by the . . . person.

45. The application for writ is made upon affidavit. Under Montana law, a declaration suffices for an affidavit in this matter, pursuant to Mont. Code Ann. § 1-6-105, and the application for a writ of mandate requested by this complaint is adequately supported. The applicant here is beneficially interested because the Constitution requires action to be taken to restore a functional system of checks and balances.

46. The Constitution and implementing statutes impose a clear legal duty on the Governor to provide the Legislature with an opportunity to override his veto.

47. The Constitution and implementing statutes likewise impose a clear legal duty on the Secretary of State to poll the legislature to determine whether SB 442 shall go into effect.

48. MACo and its members, and others, have demanded that the Governor and Secretary of State take action, and the Governor and Secretary of State have refused.

49. No plain, speedy, and adequate remedy exists in the ordinary course of law. A writ of mandate is an appropriate remedy to force the Governor and Secretary of State to fulfill their responsibilities.

SECOND CLAIM FOR RELIEF
Uniform Declaratory Judgments Act

50. MACo incorporates the foregoing paragraphs as if restated in their entirety.

51. Mont. Code Ann. § 27-8-201 gives this Court the “. . . power to declare rights, status, and other legal relations whether or not further relief is or could be claimed. . . .” The declaration may be either affirmative or negative in form and effect, and such declarations shall have the force and effect of a final

judgment or decree,” see also generally the *Uniform Declaratory Judgments Act*, Mont. Code Ann. § 27-8-102, *et seq.*

52. The Act specifically provides that any person interested under a deed, will, written contract, or other writings constituting a contract or whose rights, status, or other legal relations are affected by a statute, municipal ordinance, contract, or franchise may have determined any question of construction or validity arising under the instrument, statute, ordinance, contract, or franchise and obtain declaration of rights, status, or other legal relations thereunder.

53. A declaratory procedure under Mont. Code Ann. § 27-8-101, *et seq.* is appropriate to determine a constitutional question or to test a constitutional right. *See, e.g., MEA-MFT v. McCulloch*, 2012 MT 211, 366 Mont. 266, 291 P.3d 1075; *Snetsinger v. Mont. Univ. Sys.*, 2004 MT 390, 325 Mont. 148, 104 P.3d 445; *McGillivray v. State*, 1999 MT 3, 293 Mont. 19, 972 P.2d 804; *McDonald v. State*, 220 Mont. 519, 722 P.2d 598 (1986); *Bd. of Regents v. Judge*, 168 Mont. 433, 543 P.2d 1323 (1975).

54. Pursuant to Mont. Code Ann. § 27-8-101 *et seq.*, MACo is a person affected by actions or inactions of Defendants.

55. The Montana Constitution anticipates no circumstance in which the Legislature is unable to override a veto by a two-thirds majority. Article VI,

Section 10 clearly provides that, under all circumstances, a supermajority of each chamber may vote to override a veto and ensure a bill's passage into law.

56. The Legislature passed SB 442 by overwhelming majorities in both chambers. The Legislature remains constitutionally entitled to an opportunity to override the Governor's veto.

57. The Governor lacks the authority to time a veto to prevent an override and further lacks authority to deprive the Legislature of an opportunity to override any veto.

58. The Governor's veto of SB 442 was ineffective because it did not provide the Legislature any opportunity to override it. Unless immediate action is taken to return the bill and veto to the Secretary of State, thereby allowing her the opportunity to poll the legislature pursuant to her constitutional obligation, the veto of SB 442 cannot stand.

59. MACo seeks a declaration that the Governor's veto or attempted veto of SB 442 was ineffective and remains ineffective unless and until the Governor returns the bill and his veto message to the Secretary of State to allow for a poll of the Legislature, as required by Mont. Const. Art. 6, § 10(4) and Mont. Code Ann. § 5-4-306(2).

60. In the alternative, Plaintiff MACo asks the Court to order and declare that SB 442 was not vetoed within ten (10) days of delivery to the Governor on

May 2, 2023, and therefore SB 442 became law, as provided by Mont. Const. Art. 6, § 10(1) and Mont. Code Ann. § 5-4-307(1).

61. MACo further requests supplemental relief, as necessary and proper, pursuant to Mont. Code Ann. § 27-8-313, which provides: “Further relief based on a declaratory judgment or decree may be granted whenever necessary or proper. The application therefor shall be by petition to a court having jurisdiction to grant the relief. If the application be deemed sufficient, the court shall, on reasonable notice, require any adverse party whose rights have been adjudicated by a declaratory judgment or decree to show cause why further relief should not be granted forthwith.”

62. MACo requests supplemental relief in the form of an award of attorney fees and costs, and any other supplemental relief as deemed necessary and proper by the Court, including but not limited to compelling Defendants to take action as necessary to return the veto override power to the Legislature. *See, e.g., Trustees of Indiana University v. Buxbaum*, 2003 MT 97, 315 Mont. 210, 69 P.3d 663; *Abbey/Land, LLC v. Glacier Constr. Partners, LLC*, 2019 MT 19, 394 Mont. 135, 433 P.3d 1230.

PRAYER FOR RELIEF

WHEREFORE, MACo respectfully requests judgment and relief in its favor and against the Defendants as follows:

1. A Writ of Mandamus as provided under Mont. Code Ann. § 27-26-102(1), in favor of MACo as set forth herein;
2. In the alternative, Declaratory Judgment as provided under Mont. Code Ann. § 27-8-201, in MACo's favor as set forth herein;
3. An award of attorney's fees and costs as allowed by the Court and pursuant to Mont. Code Ann. § 27-26-402(1), the Private Attorney General Doctrine, or any other basis recognized by law or equity;
4. Supplemental relief, as necessary and proper, pursuant to Mont. Code Ann. § 27-8-313, in the form of an award of attorney fees and costs, and any other supplemental relief as deemed necessary and proper by the Court, including but not limited to compelling Defendants to take action as necessary to return the veto override power to the Legislature; and,
5. Any other appropriate relief allowed under law or equity that the Court deems just and proper.

DATED this 7th day of June, 2023.

/s/ Michael G. Black

BLACK LAW OFFICE

Attorney for Plaintiff