

PETITION OF THE SIXTY-FIFTH LEGISLATURE FOR A CALL OF SPECIAL SESSION

WHEREAS, Article VIII, section 9, of the Montana Constitution requires a balanced budget; and

WHEREAS, the Governor called a special session of the Sixty-Fifth Legislature to convene on November 14, 2017; and

WHEREAS, section 17-7-140, MCA, requires the Governor to reduce spending to meet certain projected ending general fund balances; and

WHEREAS, pursuant to section 17-7-140, MCA, the Governor plans to implement a 6.61 percent reduction in general fund expenditures following the special legislative session; and

WHEREAS, while the Governor has the authority to reduce general fund expenditures, only the Legislature has the authority to reduce appropriations by 6.61 percent; and

WHEREAS, the Governor submitted legislation to be considered in a special session by the Sixty-Fifth Legislature while also potentially limiting the ability of the Sixty-Fifth Legislature to revise the legislation based on the narrow call; and

WHEREAS, the Sixty-Fifth Legislature needs additional flexibility to revise the Governor's legislation or introduce new legislation for the purpose of balancing the budget and providing budget stability; and

WHEREAS, it is in the public interest of all Montanans that the Legislature consider legislation that balances the budget, in addition to revising insurance laws; and

WHEREAS, Article V, section 6, of the Montana Constitution and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Sixty-Fifth Legislature, pursuant to Article V, section 6, of the Montana Constitution and section 5-3-101, MCA, hereby convene the Sixty-Fifth Legislature into special session in Helena to run concurrently with the special session beginning November 14, 2017, called by the Governor.

The special session hereby convened shall consider legislation to:

(1) amend section 17-7-140, MCA, to reduce the amount of the projected ending general fund balance the Governor must ensure for the biennium;

(2) provide legislative intent and direction to accept proceeds from a private prison contractor (CoreCivic, formerly known as Corrections Corporation of America) while maintaining the state's option to purchase as well as the state's termination rights for the purposes of deposit to the general fund, the fire suppression account, or the budget stabilization reserve fund;

(3) reduce appropriations for the biennium starting July 1, 2017:

(a) to account for the Governor's proposed reductions in spending that were referenced in the Governor's special session call;

(b) for the Legislative Branch;

(c) for the Judicial Branch;

(d) from the state special revenue fund to the Department of Commerce, the State Auditor, and the Public Service Commission;

(e) from the highway nonrestricted account in the state special revenue fund;

(f) to account for rate reductions to the state employee benefit holiday;

(g) to account for rate reductions to the Department of Administration, Information Technology Services Division, Rates Maintained/Based Upon Financial Transparency Model;

(h) to account for rate reductions to the Department of Administration, State Financial Services Division, SABHRS Services Fee;

(i) to account for revisions of combined fund and transportation fund block grants to school districts and coal-fired generating unit closure mitigation block grants; and

(j) to implement statutory changes adopted by the Sixty-Fifth Legislature during the special session;

(4) expand the Governor's call for legislation to include legislation that:

(a) provides for fund balance transfers and other transfers within the state treasury to the general fund, the fire suppression account, the budget stabilization reserve fund, and the guarantee account for the purpose of balancing the budget and providing budget stability;

(b) provides for a contribution holiday to the state employee benefit group;

(c) temporarily revises employer share contributions to the judges' retirement system;

(d) revises the combined fund and transportation fund block grants to school districts;

(e) revises or eliminates the coal-fired generating unit closure mitigation block grants;

(f) revises the state fire assessment;

(g) deposits any additional revenue derived from taxes or fees to the general fund, the fire suppression account, and the budget stabilization reserve fund for the purpose of balancing the budget and providing budget stability; and

(h) reduces general fund appropriations or increases state special revenue fund appropriations to the Department of Natural Resources and Conservation, Forestry Division;

(5) revise existing appropriation authority through an appropriation reduction to an account or fund within the state treasury and a corresponding appropriation increase to another account or fund within the state treasury to implement statutory changes adopted by the Sixty-Fifth Legislature during the special session;

(6) expand use of funds in the fire suppression account for the biennium starting July 1, 2017, to provide for fuel reduction and mitigation, forest restoration, grants for the purchase of fire suppression equipment, forest management projects on federal land, support for collaborative groups, and road maintenance on federal lands;

(7) revise health care and insurance coverage laws by authorizing application for state innovation waivers and the development of programs to ensure affordable care and coverage for high-risk individuals;

(8) provide for greater equality between insurance providers by reducing statutory financial advantages that are received by some but not all insurance providers; and

(9) appropriate funds for the operation of the special

session. Members of the Sixty-Fifth Legislature:

House Republicans

- | | |
|-----------------|----------------------|
| 1. Anderson | 2. Ballance |
| 3. Bartel | 4. Beard |
| 5. Berglee | 6. Brodehl |
| 7. Brown, B. | 8. Burnett |
| 9. Cook | 10. Cuffe |
| 11. Custer | 12. Doane |
| 13. Ehli | 14. Essmann |
| 15. Fitzgerald | 16. Flynn |
| 17. Galt | 18. Garner |
| 19. Glimm | 20. Greef |
| 21. Grubbs | 22. Gunderson |
| 23. Harris | 24. Hertz, A. |
| 25. Hertz, G. | 26. Holmlund |
| 27. Hopkins | 28. Jones |
| 29. Knokey | 30. Knudsen, A. |
| 31. Knudsen, C. | 32. Lavin |
| 33. Lenz | 34. Loge |
| 35. Mandeville | 36. Manzella |
| 37. McKamey | 38. Mortensen |
| 39. Noland | 40. O'Hara |
| 41. Patelis | 42. Redfield |
| 43. Regier | 44. Ricci |
| 45. Rosendale | 46. Sales |
| 47. Shaw | 48. Sheldon-Galloway |
| 49. Skees | 50. Staffanson |
| 51. Trebas | 52. Tschida |
| 53. Usher | 54. Vinton |
| 55. Wagoner | 56. Webb |

57. Welch

58. White

59. Zolnikov

Senate Republicans

60. Ankney

61. Blasdel

62. Brown

63. Buttrey

64. Connell

65. Fielder

66. Fitzpatrick

67. Gauthier

68. Hinebauch

69. Hinkle

70. Hoven

71. Howard

72. Jones

73. Kary

74. Keenan

75. Lang

76. Moore

77. Olszewski

78. Osmundson

79. Regier

80. Richmond

81. Sales

82. Salomon

83. Small

84. Smith, C.

85. Swandal

86. Tempel

87. Thomas

88. Vance

89. Vincent

90. Webb

91. Welborn