

HOUSE BILL NO. 348

INTRODUCED BY G. NIKOLAKAKOS, D. BEDEY, L. JONES, W. MCKAMEY, D. FERN, J. KASSMIER, S.

FITZPATRICK, B. BARKER, J. KARLEN

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SPECIAL SESSION LEGISLATIVE POLLING LAWS; INCREASING THE NUMBER OF LEGISLATORS REQUIRED TO TRIGGER A SPECIAL SESSION POLL; REQUIRING THAT THE REQUEST FOR A SPECIAL SESSION INCLUDE DRAFT LEGISLATION TO BE PROPOSED DURING THE SPECIAL SESSION; AMENDING SECTIONS 5-3-105 AND 5-3-106, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 5-3-105, MCA, is amended to read:

"5-3-105. Request by 40 ~~30~~ 20 members to poll legislators. (1) When the legislature is not in session, any 40 ~~30~~ 20 members may in writing request the secretary of state to poll the legislators to determine if a majority are in favor of a special session.

(2) The request must ~~state~~ include:

(a) the conditions warranting the call of a special session;

(b) the purposes of the special session; ~~and~~

(c) draft legislation to be proposed during the special session drafted by the legislative services division as provided in subsection (3); and

~~(e)(d)~~ the proposed convening date and time of the special session.

(3) A legislator may request the legislative services division staff to draft legislation to be proposed during the special session."

Section 2. Section 5-3-106, MCA, is amended to read:

"5-3-106. Procedure for polling legislators. (1) Within 5 days after receiving a request, the secretary of state shall send to all legislators by certified mail a ballot that contains: