



Big Sky Country
MONTANA STATE LEGISLATURE

June 2, 2023

President Jason Ellsworth
Montana State Senate
Montana State Capitol
Helena, MT 59601

Dear President Ellsworth:

We are writing regarding the six bills you are currently holding, which were passed by both chambers of the 68th Montana Legislature by a majority of members present and voting. The 68th Legislature adjourned sine die on May 2, 2023. Over twenty working days have passed since we adjourned. One legislator should not be able to unduly delay or otherwise obstruct a bill passed by a majority of the Legislature, and our Joint Rules reflect that simple tenet. Joint Rule 40-160 demands that bills which have passed both chambers must be transmitted to the Governor not later than five working days after the 90th Legislative Day (the last day).

Montanans expect transparency and accountability from us. Your actions, through gamesmanship and delay, threaten important policies from childcare for working families to the viability of community care for aging seniors. Perhaps worst of all, your inexplicable delay threatens our ability to complete our one constitutional obligation – passing a balanced budget.

The State of Montana's fiscal year ends in less than a month but, without explanation, you have failed to complete the simple, clerical task of signing and transmitting the General Appropriations Act (HB 2), in addition to five other bills, to the Governor. The people of Montana deserve to understand what essential services will and will not be funded. It is unclear whether the Governor will receive the budget, assess it, potentially issue line-item vetoes, or veto it in its entirety before the new biennium begins on July 1st. This is an irresponsible and chaotic way to govern.

Montana Code Annotated 5-2-222 requires legislative officers to follow the rules which the Legislature adopted. You are clearly violating our rules and Montana law.

Please transmit the six bills you hold in your possession immediately. If you won't transmit the legislation, please explain to the public and to our members why the state budget hasn't been transmitted to the Governor a full month after we have adjourned.

Sincerely,

Senate Minority Leader Pat Flowers
House Minority Leader Kim Abbott
House Minority Whip Katie Sullivan
House Minority Whip Derek Harvey
House Minority Whip Tyson Running Wolf
House Minority Caucus Chair Alice Buckley