



AN ACT PROVIDING THAT SECTIONS 7, 9, AND 27 OF INITIATIVE MEASURE NO. 182 (2016) ARE EFFECTIVE WHEN INITIATIVE MEASURE NO. 182 (2016) WAS PASSED AND APPROVED BY THE PEOPLE OF MONTANA ON NOVEMBER 8, 2016; AMENDING SECTION 27, INITIATIVE MEASURE NO. 182, APPROVED NOVEMBER 8, 2016; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, pursuant to Article V, section 1, of the Montana Constitution, the legislative power is vested exclusively in a Legislature and in the people of Montana through initiative and referendum; and

WHEREAS, Article III, section 1, of the Montana Constitution specifically provides that the power of the government of this state is divided into three distinct branches--legislative, executive, and judicial--and that no person or persons charged with the exercise of power properly belonging to one branch shall exercise any power properly belonging to either of the others; and

WHEREAS, the powers reserved to the Legislature and the people in Article V, section 1, of the Montana Constitution were disregarded, and the powers separated by Article III, section 1, of the Montana Constitution and not properly belonging to the Judicial Branch were exercised in Montana Cannabis Industry Association and Danielle Muggli vs. Montana Department of Public Health and Human Services by ordering that the effective dates set out in Initiative Measure No. 182 (2016) and voted on by the people of Montana be changed; and

WHEREAS, the Montana Legislature, through this bill, is properly exercising its constitutional legislative power vested exclusively in the Legislature and the people of Montana to change the effective dates in I-182.

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

Section 1. Section 27, Initiative Measure No. 182, approved November 8, 2016, is amended to read:

"NEW SECTION. Section 27. Effective dates. (1) Except as provided in subsection (2), [this act] is effective June 30, 2017.

(2) [Sections 3, 4, 5, 9 7, 9, and 20] and this section are effective on passage and approval."

Section 2. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
SB 0131, originated in the Senate.

President of the Senate

Signed this _____ day
of _____, 2017.

Secretary of the Senate

Speaker of the House

Signed this _____ day
of _____, 2017.

SENATE BILL NO. 131
INTRODUCED BY F. THOMAS

AN ACT PROVIDING THAT SECTIONS 7, 9, AND 27 OF INITIATIVE MEASURE NO. 182 (2016) ARE EFFECTIVE WHEN INITIATIVE MEASURE NO. 182 (2016) WAS PASSED AND APPROVED BY THE PEOPLE OF MONTANA ON NOVEMBER 8, 2016; AMENDING SECTION 27, INITIATIVE MEASURE NO. 182, APPROVED NOVEMBER 8, 2016; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.