

ROLL CALL

SENATE COMMITTEE The Conference Committee DATE SB 3/9

NAME	PRESENT	ABSENT	EXCUSED
<i>Chairman, Senate Ellersieck</i>	✓		
<i>Sen. Cobb</i>	✓		
<i>Sen. Wheat (proxy)</i>			✓
<i>Rep. Linnard</i>	✓		
<i>Rep. Gent</i>	✓		
<i>Rep. Taylor</i>	✓		
<i>Rep. Tracey</i>	✓		
<i>Committee Secretary, P. H. Blumenthal</i>	✓		
<i>Legislative Staff</i>	✓		

Attach to each day's minutes



FREE CONFERENCE COMMITTEE

on Senate Bill 319

Report No. 1, April 19, 2005

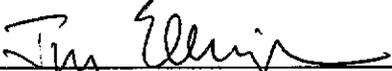
Page 1 of 2

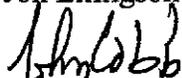
Mr. President and Mr. Speaker:

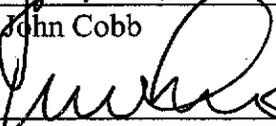
We, your Free Conference Committee met and considered **Senate Bill 319** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted as follows:

BE ADOPTED

For the Senate:


Sen. Jon Ellingson Chair


Sen. John Cobb

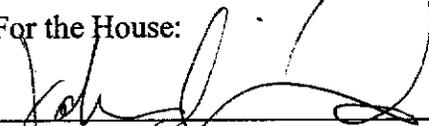

Sen. Mike Wheat


Amendment Coordinator

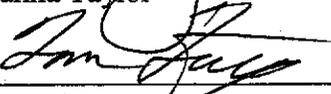
Secretary of the Senate

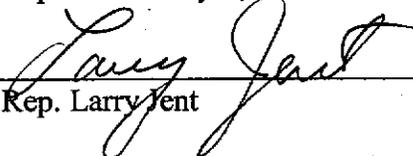
WITH NO RECOMMENDATION

For the House:


Rep. John Sinrud


Rep. Janna Taylor


Rep. Tom Facey


Rep. Larry Lent

And, recommend that **Senate Bill 319** (reference copy -- salmon) be amended as follows:

1. Page 22, line 1 through line 3.

Strike: section 27 in its entirety

Insert: "COORDINATION SECTION. Section 27. Coordination instruction. If House Bill No. 2 is passed and approved and does not include an appropriation of at least \$300,000 to implement the provisions of [this act], then [section 29 of this act] must

ADOPT

Amendment # SB 319-1

REJECT

KF

be amended to read as follows:

"NEW SECTION. Section 29. Effective dates. (1) Except as provided in subsection (2), [this act] is effective October 1, ~~2005~~ 2007.

(2) ~~[Sections 22, 31, 32, 34, and 35 33, 35, AND 36 and this section]~~ ~~[SECTIONS 22 AND 26 THROUGH 28 AND THIS SECTION]~~ [Sections 17, 18, 22, and 26 through 28 and this section] are effective on passage and approval.""

- END -

To segregate amendment SBO31903. agp
 HB 319 ROLL CALL VOTE

SENATE COMMITTEE *The Conference Committee* DATE 4-19-05

NAME	AYE	NO	
<i>Sen. Ellingson</i>		✓	
<i>Sen. Cobb</i>		✓	
<i>Sen. Wheat (by Proxy)</i>		✓	
<i>Rep. Sprad</i>	✓		
<i>Rep. Taylor</i>	✓		
<i>Rep. Gent</i>		✓	
<i>Rep. Fosay</i>		✓	
<i>failed</i>			

Attach to each day's minutes

To accept ammendment SB031903. aqp
 HB 319 ROLL CALL VOTE

2

SENATE COMMITTEE *The Conference Committee* DATE 4-19-05

NAME	AYE	NO	
<i>Sen. Ellingson</i>		✓	
<i>Sen. Cobb</i>		✓	
<i>Sen. Wheat (by Proxy)</i>		✓	
<i>Rep. Spruid</i>	✓		
<i>Rep. Taylor</i>	✓		
<i>Rep. Gent</i>		✓	
<i>Rep. Jacey</i>		✓	
<i>Failed</i>			

Attach to each day's minutes

PROXY VOTE

I, the undersigned, hereby authorize Senator ELLINGSW to

vote my proxy on any issue before the Senate FCC SB319

Committee held on 4/19/05, 2005.

Y on ELLINGSW
AMEND



SENATOR
STATE OF MONTANA

TO: SENATOR Ellingson
FROM: KATHY FABIANO
ASSISTANT SECRETARY TO THE SENATE
RE: CONFERENCE COMMITTEE

Your secretary for the conference committee on SB 319 will be Peg Holwick (x4783). Your staffer for the conference committee is Dave Boyker.

Once you have decided when the committee will meet, please contact the secretary and she will find a room for you. Please try to talk to the secretary before you announce the meeting under order of business #12. I will provide the secretary with a packet containing everything you will need for the committee meeting, including copies of the reference bill and amendments and a copy of the third reading votes in both houses. Meetings must be posted with the Secretary of the Senate's office as usual. Your secretary will notice all committee members and the staffer.

Each house votes separately and a majority of each house is needed to report the bill out of conference committee. If the committee can't reach agreement you may meet again and reconsider your action, dissolve and appoint new members, or dissolve and become a free conference committee.

Please call me at 4840 or stop by my office in room 302 if you have any questions.

Cc: Conference Committee Secretary

"Bills to the House" Report

April 18, 2005

Date Range: 04/18/2005 12:00:00 AM -- 04/18/2005 02:12:15 PM

02:12 PM

05b- Free Conference Committee appointed for Senate Bill:

Date: April 18, 2005
To: Marilyn Miller, Chief Clerk of the House
From: Bill Lombardi, Secretary of the Senate

I am directed by the Senate to inform the House of Representatives that the Senate, on April 16, 2005, failed to concur in the House House amendments to Senate bill 319, and by motion, the President was authorized to appoint a FREE conference committee to confer on Senate bill 319 and requests the House appoint a like committee. The President appointed the following members:

SB 319 Ellingson, Jon

***The President Appoints Senators Ellingson,
Wheat, and Cobb***

18-APR-05 (S) Free Conference Committee Appointed

Public financing for supreme court candidates

(S) 2nd Reading House Amendments Not Concurred on Voice Vote; Vote: 45 - 5

"Bills to the Senate" Report

Date Range: 04/18/2005 12:00:00 AM -- 04/18/2005 04:11:56 PM

11- SB - Accede to Senate request to appoint a FREE conference committee:

Date: April 18, 2005

To: Bill Lombardi, Secretary of the Senate

From: Marilyn Miller, Chief Clerk of the House

I am directed by the House of Representatives to inform the Senate that the House of Representatives this day, acceded to the request of the Senate and has authorized the Speaker to appoint a FREE conference committee to meet with a like committee from the Senate on Senate bill 319. The Speaker appointed the following members:

Reps. Facey, Jent, Sinrud, and Taylor appointed.

SB 319 Ellingson, Jon

18-APR-05

(H) Free Conference Committee Appointed

Public financing for supreme court candidates

Senate members: The President Appoints Senators Ellingson, Wheat, and Cobb

CONFERENCE COMMITTEE PROCEDURE

1. Contact chairman and set time for the meeting. Senators always chair these conference committees; Representatives are the vice-chairs.
2. Schedule a room with House or Senate Sergeant-of-Arms office.
3. Post meeting with Secretary of Senate's office--sometimes a phone call is best.
4. Send notice to all committee members and staffer.
5. Set up meeting room as you would any committee meeting:
 - A. Sign-in sheet
 - B. Bill, Fiscal Note (if applicable)
 - C. Note pad and pencil for each member
 - D. Additional proposed amendments if available
6. Submit Conference Committee Report Request (purple) to the House (if a HB) or Senate (if a SB) Amendments Coordinator. Sign clipboard as with any other meeting and place request form in "IN" basket. Vote tally is on this sheet; record the vote after each name (Y or N). You will need Y votes from at least two Senators and at least two Representatives to report the bill out of committee. If one house votes against the motion, the committee can do one of the following:
 1. Meet again
 2. Dissolve and request appointment of new members
 3. Dissolve and request a free conference committee
 4. Reconsider action by those against
7. Acquire signatures on the Conference Committee Report from each committee member that voted YES, House and Senate. The Report will come in triplicate (white, pink, and green).
8. Get report initialed in Secretary of Senate's office, keep copy of the Conference Committee Report for your minutes. This office will get the originals to correct offices.
9. Do minutes as usual. Include any amendments, exhibits, and copy of the Conference Committee Report.
10. If they cannot come to an agreement and choose to indefinitely postpone, see the Secretary's office.



Montana Legislative Services Division

Legal Services Office

PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

March 11, 2005

Senator Robert Story
133 Valley Creek Road
Park City, Montana 59063

Dear Senator Story:

I am writing in response to your request for an analysis of the procedure to be used during this session for conference committees. Joint Rule 30-30 provides for conference committees. It provides that if either house requests a conference and appoints a committee for the purpose of discussing an amendment on which the two houses cannot agree, the other house shall appoint a committee for the same purpose. The time and place of all conference committee meetings must be agreed upon by their chairs and announced from the rostrum. This announcement is in order at any time. Failure to make this announcement does not affect the validity of the legislation being considered. A conference committee meeting must be conducted as an open meeting, and minutes of the meeting must be kept. A conference committee, having conferred, shall report to the respective houses the result of its conference. A conference committee shall confine itself to consideration of the disputed amendment. The committee may recommend the acceptance or rejection of each disputed amendment in its entirety or further amendment of the disputed amendment. If either house requests a free conference committee and the other house concurs, appointments must be made in the same manner as for a conference committee. A free conference committee may discuss a bill in its entirety and is not confined to a particular amendment. This rule does not specifically require that a conference committee meet and attempt to resolve the differences concerning the disputed amendments prior to appointing a free conference committee. However, section 773 of Mason's Manual of Legislative Procedure (2000) provides that this is the normal procedure.

Senate Rule S30-10(3) provides that the President of the Senate appoints conference committees with the advice of the floor leaders. House Rule H40-220(4) provides that conference committees must be composed of an equal number of members from each political party. The members of conference committees must be appointed by the House Democratic Leader and the House Republican Leader after good faith consultation. Each leader shall appoint the members of the leader's respective party.

Senate Rule S50-210(3) provides that if the Senate rejects the House amendments to Senate legislation, the Senate may request the House to recede from its amendments or may direct appointment of a conference committee and request the House to appoint a like committee. Senate Rule S50-110 provides that when a conference committee report is filed with the Secretary of the Senate, the report must be read under Order of Business No. 3, select committees, and placed on the calendar the succeeding legislative day for consideration on second reading. If recommended favorably by the Committee of the Whole, it may be considered on third reading the same legislative day. If both the Senate and the House of Representatives



HOUSE STANDING COMMITTEE REPORT

April 13, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on State Administration submit Senate Bill 319 (third reading copy -- blue) without recommendation, as amended.

Signed: *Larry Jent*
Representative Larry Jent, Chair

To be carried by Representative Larry Jent

And, that such amendments read:

1. Page 21, line 23 through line 29.

Strike: section 27 in its entirety

Insert: "NEW SECTION. Section 27. Contingent voidness. If House Bill No. 2 is passed and approved and does not include an appropriation of at least \$300,000 to implement the provisions of [this act], then [this act] is void."

- END -

Committee Vote:
Yes 8, No 8.

SB 319
791229SC.hkh
4/13/05
jw

Unofficial vote tally as initially recorded. For official copy, see the journal.

Bill: SB 319 Date: 4/15/2005 Time: 3:40:45 PM
Vote Sequence Number: 046
Motion: 3RD READING D/CONCUR

Ayes: Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jopek, Juneau, Kaufmann, Keane, Klock, Lenhart, Lindeen, McAlpin, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Raser, Ross, Sesso, Small-Eastman, Villa, Waitsc, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 58

Noes: Andersen, Arntzen, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Peterson, Rice, Ripley, Roberts, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Ward, Warden, Wells.
Total 42

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Unofficial vote tally as initially recorded. For official copy, see the journal.

Bill: SB 319 Date: 3/29/2005 Time: 1:11:43 PM
Vote Sequence Number: 985
Motion: 3RDG-DO PASS/AMD

Yeas: Cobb, Cocchiarella, Cooney, Cromley, Ellingson, Elliott, Gallus, Gillan, Grime
Hansen, Harrington, Hawks, Kitzenberg, Larson, Laslovich, Lewis, Lind, Mangan, Moss,
Pease, Perry, Roush, Ryan, Schmidt, Squires, Toole, Weinberg, Wheat, Williams, Mr.
President.
Total 30

Nays: Bales, Balyeat, Barkus, Black, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Ke
Laible, McGee, O'Neil, Shockley, Smith, Stapleton, Steinbeisser, Story, Tash, Tropil
Total 20

Paired: Gillan, Squires, Ayes; Story, Tash, Noes.

Absent or not voting: None.
Total 0

Excused: None.
Total 0