EXHIBIT 2
DATE 1/6/15
HB N/A

Session Committees
Draft Rules of Procedure - 2015

I. Public Hearings on Proposed Legislation

A. Hearing Process

1. The Presiding Officer will announce the bill and sponsor and set any testimony time restrictions.
2. Proponents of the bill will present testimony.
3. Opponents of the bill will present testimony.
4. Informational witnesses should be allowed to introduce themselves. Committees should determine whether the informational witnesses are allowed to present testimony. Presiding Officers may reserve the right to designate an informational witness as a proponent or opponent should the information be supportive or critical of the bill
5. Questions for the sponsor, proponents, opponents, or informational witnesses may be asked by committee members and will be directed through the Presiding Officer.
6. The sponsor of the bill will close the presentation.

B. Witnesses

1. All witnesses must sign the witness sheet before presenting testimony.
2. Proponents and opponents should try to state new points of testimony only. If they wish to agree with points already made, they should simply say so.
3. Witnesses presenting testimony before the committee should remain in the room to answer any questions from committee members until the hearing is closed.
4. Written testimony may also be submitted for the permanent committee record. Written testimony should include the name and affiliation of the person submitting the testimony.
5. Testimony requiring the use of video, audio, or other equipment is permitted, if arrangements are made in advance. A copy of the testimony should be provided to the secretary for the permanent record.
6. Absentee video or audio testimony is not permitted.
7. If a member of the committee wishes to testify on a bill, that member will sit in the audience as a member of the public during the hearing. That member may not testify and ask questions of the public during the hearing.

C. General

1. A quorum is required to call a meeting to order.
2. Everyone will act and be treated in a courteous manner.
3. The Presiding Officer will maintain order during meetings.
4. The use of cameras, television, radio, or videotaping equipment is allowed, but the Presiding Officer may designate areas appropriate for use.
5. Attendance is expected of members appointed to a committee.

II. Executive Action

A. A quorum is required to take executive action.

B. Generally, executive action will not be held the same day as the public hearing on the bill. Executive action may be taken on the same day on noncontroversial bills or due to time constraints.

C. Executive action is open to the public, but discussion is limited to committee members. Members of the public may be asked questions by committee members at the discretion of the Presiding Officer.

D. Absentee voting by committee members is permitted in writing through the use of a proxy form. The contents of the form must be determined by the committee at the start of the session.

E. Motions by committee members do not require a second.

III. Amendments

A. Requests for Amendments

1. Requests for amendment drafting should be given to staff at least 24 hours in advance of executive action.
2. Amendments must be requested by a legislator, and the request may be made in writing, by e-mail, via a phone call, or in person.
3. Conceptual amendments are discouraged. Amendments are drafted by staff in advance to ensure time for review, editing, and distribution. If a conceptual amendment is allowed, staff must be afforded the opportunity to make corrections and edits without further committee review or action.
4. Any member of the public may ask a legislator to request an amendment.
5. Staff will not draft amendments for bills outside of this procedure.

B. Amendment Protocol

1. Committee members are the only legislators who can move amendments to a bill while the bill is in committee.
2. Pursuant to Article V, section 11 of the Montana Constitution, amendments must be within the title of the bill. This prohibits a bill from being amended in such a way that the original purpose, as stated in the title, is changed.

IV. Notice of Hearings

A. See Rules of the Montana Legislature

Senate Rule 30-60 provides:

(1) All meetings of committees must be open to the public at all times, subject always to the power and authority of the chair to maintain safety, order, and decorum. The date, time, and place of committee meetings must be announced.

(2) Notice of a committee hearing must be made by posting the date, time, and subject of the hearing in a conspicuous public place not less than 3 legislative days in advance of the hearing. This 3-day notice requirement does not apply to hearings scheduled:

(a) prior to the third legislative day;

(b) less than 10 legislative days before the transmittal deadline applicable to the subject of the hearing;

(c) to consider confirmation of a gubernatorial appointment received less than 10 legislative days before the last scheduled day of a legislative session; or

(d) due to appropriate circumstances.

B. House Rule 30-40 provides:

(1) All meetings of committees must be open to the public at all times, subject always to the power and authority of the chairman to maintain safety, order, and decorum. The date, time, and place of committee meetings must be posted.

(4) All committees shall provide for and give public notice, reasonably calculated to give actual notice to interested persons, of the time, place, and subject matter of regular and special meetings. All committees are encouraged to provide at least 3 legislative days notice to members of committees and the general public. However, a meeting may be held upon notice appropriate to the circumstances.