

**Amendment - 2nd Reading-yellow - Requested by: Jedediah Hinkle - (H) Committee of the Whole**

68th Legislature

Drafter: Todd Everts, 406-444-4023

HR0001.002.002

1 HOUSE RESOLUTION NO. 1  
2 INTRODUCED BY C. KNUDSEN  
3 BY REQUEST OF THE (H) RULES  
4  
5 A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ADOPTING THE  
6 HOUSE RULES.

7  
8  
9 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
10 MONTANA:

11 That the following House Rules be adopted:

12 **RULES OF THE MONTANA**  
13 **HOUSE OF REPRESENTATIVES**  
14 **CHAPTER 1**  
15 **Administration**

16 **H10-10. House officers -- definitions.** (1) House officers include a Speaker, a Speaker pro tempore,  
17 majority and minority leaders, and majority and minority whips.

18 (2) A majority of representatives voting elects the Speaker and Speaker pro tempore from the House  
19 membership. A majority of each caucus voting nominates House members to the remaining offices, and those  
20 nominees are considered to have been elected by a majority vote of the House.

21 (3) (a) "Majority leader" means the leader of the majority party, elected by the caucus.

22 (b) "Majority party" means the party with the most members, subject to subsection (4).

23 (c) "Minority leader" means the leader of the minority party, elected by the caucus.

24 (d) "Minority party" means the party with the second most members, subject to subsection (4).

25 (4) If there are an equal number of members of the two parties with the most members, then the  
26 majority party is the party of the Speaker and the minority party is the other party with an equal number of  
27 members.

28 **H10-20. Speaker's duties.** (1) The Speaker is the presiding officer of the House, with authority for

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1 prepared by staff and placed on a representative's desk at the request of the representative.

2 **H20-80. Violation of rules -- procedure -- appeal.** (1) If a member, in speaking or otherwise, violates  
3 the rules of the House, the Speaker shall, or the majority or minority leader may, call the member to order, in  
4 which case the member called to order must be seated immediately.

5 (2) The member called to order may move for an appeal to the House and if the motion is seconded by  
6 two members, the matter must be submitted to the House for determination by majority vote. The motion is  
7 nondebatable.

8 (3) If the decision of the House is in favor of the member called to order, the member may proceed. If  
9 the decision is against the member, the member may not proceed.

10 (4) If a member is called to order, the matter may be referred to the Rules Committee by the minority or  
11 majority leader. The Committee may recommend to the House that the member be censured or be subject to  
12 other action. Censure consists of an official public reprimand of a member for inappropriate behavior. The  
13 House shall act upon the recommendation of the Committee.

14 **CHAPTER 3**

15 **Committees**

16 **H30-05. Interim committee appointments.** (1) The Speaker shall, with the approval of the House by a  
17 majority vote, appoint the membership of interim committees no later than 10 legislative days before the  
18 scheduled 90th legislative day or 3 legislative days prior to adjournment sine die if before the 90th legislative  
19 day.

20 (2) A change by the Speaker of an interim committee appointment or the filling of a vacancy may be  
21 approved by the House by a majority vote.

22 (3) (a) As provided in subsection (3)(b), the House may change the membership of any interim  
23 committee by a three-fifths vote of the members present and voting on 3 legislative days' notice.

24 (b) A member under Order of Business No. 9 may move that specified changes be made to the  
25 membership of any interim committee, with the vote 3 legislative days from the day the motion was made.

26 **H30-10. House standing committees -- appointments -- classification.** (1) (a) (i) The Speaker shall  
27 determine the total number of members and after good faith consultation with the minority leader shall, with the  
28 approval of the House by a majority vote, appoint the chairs, vice chairs, and members to the standing

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1 committees.

2 (ii) A change by the Speaker of a standing committee appointment or the filling of a vacancy may be  
3 approved by the House by a majority vote.

4 (b) The minority leader shall designate a minority vice chair for each standing committee.

5 (2) The standing committees of the House are as follows:

6 (a) class one committees:

7 (i) Appropriations;

8 (ii) Business and Labor;

9 (iii) Human Services;

10 (iv) Judiciary;

11 (v) State Administration; and

12 (vi) Taxation;

13 (b) class two committees:

14 (i) Education;

15 (ii) Energy, Technology, and Federal Relations;

16 (iii) Natural Resources; and

17 (iv) Transportation;

18 (c) class three committees:

19 (i) Agriculture;

20 (ii) Fish, Wildlife, and Parks; and

21 (iii) Local Government; and

22 (d) on call committees:

23 (i) Ethics;

24 (ii) Rules; and

25 (iii) Legislative Administration.

26 (3) A class 1 committee is scheduled to meet Monday through Friday. A class 2 committee is  
27 scheduled to meet Monday, Wednesday, and Friday. A class 3 committee is scheduled to meet Tuesday and  
28 Thursday. Unless a class is prescribed for a committee, it meets upon the call of the chair.

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1 (4) The Legislative Council shall review the workload of the standing committees to determine if any  
2 change is indicated in the class of a standing committee for the next legislative session. The Legislative  
3 Council's recommendations must be submitted to the leadership nominated or elected at the pre-session  
4 caucus.

5 (5) There will be six subcommittees of the Committee on Appropriations, Education, General  
6 Government, Health and Human Services, Natural Resources and Transportation, Judicial Branch, Law  
7 Enforcement, and Justice, and Long-Range Planning. Each member serving on the Appropriations Committee  
8 must be appointed to at least one of the subcommittees.

9 (6) The Speaker shall give notice of each appointment to the Chief Clerk for publication.

10 (7) (a) The Speaker may, in the Speaker's discretion or as authorized by the House, create and appoint  
11 select committees, designating the chairman and vice chairman of the select committee with the approval of the  
12 House by a majority vote. Select committees may request or receive legislation in the same manner as a  
13 standing committee and are subject to the rules of standing committees.

14 ~~(b) If a bill is heard in a select committee, it must be referred to a standing committee. The select~~  
15 ~~committee shall report findings to the standing committee. The standing committee is not required to hold an~~  
16 ~~additional hearing but shall take executive action and may report the bill to the committee of the whole.~~

17 ~~(e)-(b)~~ A change by the Speaker of select committee appointment or the filling of a vacancy may be  
18 approved by the House by a majority vote.

19 (8) (a) The Speaker shall appoint all conference, select, and special committees with the advice of the  
20 majority leader and minority leader and with the approval of the House by a majority vote.

21 (b) A change by the Speaker of a conference, select, or special committee appointment or the filling of  
22 a vacancy may be approved by the House by a majority vote.

23 (9) (a) (i) Except as provided in subsection (9)(b), the House may change the membership of any  
24 committee by a three-fifths vote of the members present and voting on 3 legislative days' notice as provided in  
25 subsection (9)(a)(ii).

26 (ii) A member under Order of Business No. 9 may move that specified changes be made to the  
27 membership of any committee, with the vote 3 legislative days from the day the motion was made.

28 (b) (i) The House may change the membership of a conference committee by a three-fifths vote of the

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1 members present and voting on 2 legislative days' notice as provided in subsection (9)(b)(ii).

2 (ii) A member under Order of Business No. 9 may move that specified changes be made to the  
3 membership of any committee, with the vote 2 legislative days from the day the motion was made.

4 (10) (A) EXCEPT AS PROVIDED FOR IN SUBSECTION (10)(B), A STANDING, CONFERENCE, SELECT, OR SPECIAL  
5 COMMITTEE MAY NOT REPORT A BILL OR ACTION OUT OF THE COMMITTEE PRIOR TO THE APPROVAL OF THE COMMITTEE  
6 MEMBERSHIP BY THE HOUSE IN ACCORDANCE WITH THIS SECTION.

7 (B) THE HOUSE APPROPRIATIONS STANDING COMMITTEE MAY REPORT A BILL OR ACTION OUT OF COMMITTEE  
8 PRIOR TO THE APPROVAL OF THE COMMITTEE MEMBERSHIP BY THE HOUSE IN ACCORDANCE WITH THIS SECTION.

9 **H30-20. Chairman's duties.** (1) The principal duties of the chairman of standing or select committees  
10 are to:

11 (a) preside over meetings of the committee and to put all questions;

12 (b) except as provided in H30-40(3)(b) and H30-50(3)(b), schedule all bills assigned to committee for a  
13 hearing prior to 3 legislative days before the applicable transmittal deadline for the bill as provided in Joint Rule  
14 40-200;

15 (c) maintain order and decide all questions of order subject to appeal to the committee;

16 (d) supervise and direct staff of the committee;

17 (e) have the committee secretary keep the official record of the minutes;

18 (f) sign reports of the committee and submit them promptly to the Chief Clerk;

19 (g) appoint subcommittees to perform on a formal or an informal basis as provided in subsection (2);

20 and

21 (h) inform the Speaker of committee activity.

22 (2) With the exception of the House Appropriations subcommittees, a subcommittee of a standing  
23 committee may be appointed by the chairman of the committee. The chairman of the standing committee shall  
24 appoint the chairman of the subcommittee.

25 **H30-30. Quorum -- officers as members.** (1) A quorum of a committee is a majority of the members  
26 of the committee. A quorum of a committee must be present at a meeting to act officially. A quorum of a  
27 committee may transact business, and a majority of the quorum, even though it is a minority of the committee,  
28 is sufficient for committee action.