## Amendment - 2nd Reading-yellow - Requested by: Brad Molnar - (S) Committee of Whole 68th Legislature Drafter: Jaret Coles, 406-444-4022 SJ0001.002.002 SENATE JOINT RESOLUTION NO. 1 1 2 3 INTRODUCED BY S. FITZPATRICK BY REQUEST OF THE JOINT RULES COMMITTEE 4 5 6 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF 7 MONTANA ADOPTING THE JOINT LEGISLATIVE RULES. 8 9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF 10 THE STATE OF MONTANA: 11 That the following Joint Rules be adopted: JOINT RULES OF THE MONTANA 12 SENATE AND HOUSE OF REPRESENTATIVES 13 14 CHAPTER 1 15 Legislator Remote Participation 16 1-05. Definitions. As used in these joint rules, the following definitions apply: 17 (1) "Member" means a member of the Senate or the House of Representatives for the 68th Legislature. 18 (2) "Participating remotely", "remotely present", or "participate remotely" means participating by 19 telephone, teleconference, videoconference, or other means. 20 (3) "Present" means a member was either physically present and participating in the session or 21 remotely present and participating in the session. 22 1-40. Members physically present or remotely present by electronic means. (1) The Senate and 23 the House may assemble, convene, and conduct the session with members being either physically present or 24 participating remotely. A member is not permitted to participate remotely unless excluded from physical

- 25 participation based on a decision of the member's caucus leader pursuant to Joint Rule 1-50.
- 26 (2) Subject to subsection (3), members who are permitted to participate remotely in the session:
- 27 (a) may vote on any question or other matter before the Senate or the House, including committees of
  28 the Senate or the House;



## Amendment - 2nd Reading-yellow - Requested by: Brad Molnar - (S) Committee of Whole

68th	Legislature	Drafter: Jaret Coles, 406-444-4022	SJ0001.002.002
1	20-10. Consent	for adjournment or recess. As required by Article V, section	10(5), of the Montana
2	Constitution, the consent of the other house is required for adjournment or recess for more than 3 calendar		
3	days. Consent for adjour	days. Consent for adjournment is obtained by having the house wishing to adjourn send a message to the other	
4	house and having the red	house and having the receiving house vote favorably on the request. The receiving house shall inform the	
5	requesting house of its c	requesting house of its consent or lack of consent. Consent is not required on or after the 87th legislative day.	
6	CHAPTER 30		
7		Committees	
8	30-05. Remote a	and in-person public testimony before a committee. (1) Ex	cept as provided for in
9	subsection (2), and subje	ect to provisions of H30-60 and S30-80, remote or in-person te	estimony from
10	proponents, opponents, a	and informational witnesses must be allowed on every bill or re	esolution before a
11	standing or select comm	ittee.	
12	(2) If a remote te	echnology system failure prevents a person from providing rem	note testimony, the
13	person may submit writte	en electronic testimony for the committee's official record.	
14	30-10. Joint con	nmittee chair exception. Except as provided in Joint Rule	30-50 concerning the
15	joint meetings of the Sen	ate Finance and Claims Committee and the House Appropriat	tions Committee, the
16	chair of the Senate comr	nittee is the chair of all joint committees.	
17	30-20. Voting in	joint committees exception. (1) Except for Rules Commit	tees and conference
18	committees, a member o	of a joint committee votes individually and not by the house to v	which the committee
19	member belongs.		
20	(2) Because the	Rules Committees and conference committees are joint meeti	ings of separate
21	committees, in those con	nmittees the committees from each house vote separately. A r	najority of each
22	committee shall agree be	efore any action may be taken, unless otherwise specified by in	ndividual house rules.
23	30-30. Conferen	nce committees subject matter restrictions. (1) If either he	ouse requests a
24	conference committee ar	nd appoints a committee for the purpose of discussing an ame	ndment on which the two
25	houses cannot agree, the	e other house shall appoint a committee for the same purpose	. Subject to subsection
26	(4), the time and place of	f all conference committee meetings must be agreed upon by	their chairs and
27	announced from the rost	rum. This announcement is in order at any time. Failure to ma	ke this announcement
28	does not affect the validit	ty of the legislation being considered.	

Legislative Services Division

l

## Amendment - 2nd Reading-yellow - Requested by: Brad Molnar - (S) Committee of Whole

68th Legislature

Drafter: Jaret Coles, 406-444-4022

SJ0001.002.002

- 1 (2) A conference committee, having conferred, shall report to the respective houses the result of its
- 2 conference. Subject to subsection (4), a conference committee shall confine itself to consideration of the
- 3 disputed amendment. The committee may recommend:
- 4 (a) acceptance or rejection of each disputed amendment in its entirety; or
- 5 (b) further amendment of the disputed amendment.
- 6 (3) (a) If either house requests a free conference committee and the other house concurs,
- 7 appointments must be made in the same manner as provided in subsection (1). Subject to subsection (4), a
- 8 free conference committee may discuss and propose amendments to a bill in its entirety and is not confined to
- 9 a particular amendment. However, a free conference committee is limited to consideration of amendments that
- 10 are within the scope of the title of the introduced bill.
- (b) A free conference committee may not take executive action on an amendment to a bill implementing
   provisions of a general appropriation act that does not directly and substantively address the subject of the bill.
- (4) A meeting of a conference committee or free conference committee must be conducted as an open meeting, and minutes of the meeting must be kept. Committees Pursuant to Article II, section 8, of the Montana Constitution, committees are encouraged to provide at least 24 hours' notice and a minimum of 8 hours' notice to members of the committee, members of the Legislature, and members of the public. If less than 24 hours' notice is provided, the reason must be made public. A committee shall conduct a hearing with the opportunity for public comment for the purpose of commenting on proposed amendments or potential amendments to the
- 19 bill.
- 30-40. Conference committee -- enrolling. A conference committee report must give clerical
   instructions for a corrected reference bill and for enrolling by referring to the reference bill version.
- 30-50. Committee consideration of general appropriation bills. (1) All general appropriation bills
   must first be considered by a joint subcommittee composed of designated members of the Senate Finance and
   Claims Committee and the House Appropriations Committee, and then by each committee separately.
- (2) Joint meetings of the House Appropriations Committee and the Senate Finance and Claims
   Committee must be held upon call of the chair of the House Appropriations Committee, who is chair of the joint
- 27 committee.
- 28

(3) The committee chair of the Senate Finance and Claims Committee or of the House Appropriations

