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

68th Legislature Drafter: Jaret Coles, 406-444-4022 SJ0001.002.004

1	SENATE JOINT RESOLUTION NO. 1
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3	INTRODUCED BY S. FITZPATRICK
4	BY REQUEST OF THE JOINT RULES COMMITTEE
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:
12	JOINT RULES OF THE MONTANA
13	SENATE AND HOUSE OF REPRESENTATIVES
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;



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20-10. Consent for adjournment or recess. As required by Article V, section 10(5), of the Montana		
Constitution, the consent of the other house is required for adjournment or recess for more than 3 calendar		
days. Consent for adjournment is obtained by having the house wishing to adjourn send a message to the other		
house and having the receiving house vote favorably on the request. The receiving house shall inform the		
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

- **30-05.** Remote and in-person public testimony before a committee. (1) Except as provided for in subsection (2), and subject to provisions of H30-60 and S30-80, remote or in-person testimony from proponents, opponents, and informational witnesses must be allowed on every bill or resolution before a standing or select committee.
- (2) If a remote technology system failure prevents a person from providing remote testimony, the person may submit written electronic testimony for the committee's official record.
- **30-10. Joint committee chair -- exception.** Except as provided in Joint Rule 30-50 concerning the joint meetings of the Senate Finance and Claims Committee and the House Appropriations Committee, the chair of the Senate committee is the chair of all joint committees.
- **30-20. Voting in joint committees -- exception.** (1) Except for Rules Committees and conference committees, a member of a joint committee votes individually and not by the house to which the committee member belongs.
- (2) Because the Rules Committees and conference committees are joint meetings of separate committees, in those committees the committees from each house vote separately. A majority of each committee shall agree before any action may be taken, unless otherwise specified by individual house rules.
- **30-30.** Conference committees -- subject matter restrictions. (1) If either house requests a conference committee 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. Subject to subsection (4), 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.



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(2) A conference committee, having conferred, shall report to the respective houses the result of its
conference. Subject to subsection (4), a conference committee shall confine itself to consideration of the
disputed amendment. The committee may recommend:

- (a) acceptance or rejection of each disputed amendment in its entirety; or
- (b) further amendment of the disputed amendment.

- (3) (a) If either house requests a free conference committee and the other house concurs, appointments must be made in the same manner as provided in subsection (1). Subject to subsection (4), a free conference committee may discuss and propose amendments to a bill in its entirety and is not confined to a particular amendment. However, a free conference committee is limited to consideration of amendments that 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 are encouraged to provide at least 24 hours' notice to members of the committee and the 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 bill. Pursuant to Article II, section 9, of the Montana Constitution, prepared amendments for a conference committee or free conference committee must be posted as a hyperlink on the electronic version of the daily agenda announcing the committee along with instructions to click on "Associated Amendments". Subsequent amendments must also be posted on the legislature's webpage that contains the history and status of the bill that is in the committee.
- **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

