

Amendments to the Joint Rules by

Polling of the Legislature

Requested by Senator Fred Thomas

For the Joint Rules Committee

Prepared by Jaret Coles

September 17, 2020

1. **AMEND JOINT RULE 60-05: "60-05. Source and precedent of legislative rules of the Montana Legislature.** (1) The legislative rules of the Montana Legislature are derived from several sources listed below and take precedence in the following order:

(a) constitutional provisions and judicial decisions on the constitution;

(b) adopted legislative rules of the Montana Legislature;

(c) ~~statutory provisions;~~

~~—(d) adopted parliamentary authority; and~~

~~(e)(d) parliamentary law; and~~

(e) statutory provisions.

(2) Legislative rules passed by one legislature ~~or statutory provisions governing the legislative process~~ are not binding on a subsequent legislature.

(3) Statutory provisions governing the legislative process are not binding on a subsequent legislature."

2. **AMEND JOINT RULE 60-10: "60-10. Suspension of joint rule -- change in rules.** (1) A joint rule may be repealed, amended, or adopted only with the concurrence of both houses. A motion ~~or~~ a joint rule resolution, or a request to poll members to repeal, amend, or adopt a joint rule must be referred to the Rules Committee. A joint rule may be repealed, amended, or adopted only with the concurrence of a majority of the members voting in both houses or a majority of the members by poll in both houses.

(2) A joint rule governing the procedure for handling bills may be temporarily suspended by the consent of two-thirds of the members of either house, insofar as it applies to the house suspending it.

(3) Any Rules Committee report recommending a change in the joint rules must be referred to the other house unless proposed in a joint rules committee comprised of the House Rules Committee and the Senate Rules Committee. Any new rule or any change in the rules of either house must be transmitted to the other house for informational purposes.

(4) Upon adoption of any change, the Secretary of the Senate and the Chief Clerk of the House of Representatives shall provide the office of the Legislative Services Division:

(a) one copy of all motions, ~~or~~ resolutions, or polling documents amending Senate, House, or joint rules; and

(b) copies of all minutes and reports of the Rules Committees and polling results."

3. **AMEND JOINT RULE 60-40: "60-40. Tenure of joint rules.** The joint rules remain in effect until removed or amended by a joint resolution or by a poll of members or until a new Legislature is elected and takes office."

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