

Select Committee on Judicial Transparency and Accountability DRAFT rules and procedures

I.Quorums/Parliamentary Procedures

A. Regular meetings of the Select Committee on Judicial Transparency and Accountability (committee) must be held in the Senate Capitol or virtually unless otherwise designated by the Presiding Officer.

B. Notice of regular meetings must be provided to the members and the public a minimum of one (1) day prior to each meeting.

C. Public notice is accomplished by releasing information about the times, location, and agenda of meeting to the Committee and interested persons and by posting to the Committee's Web page.

D. Special meetings may be scheduled by a majority of members at the previous meeting or may be called by the Presiding Officer, with at least 24-hours notice to the members. Special meetings may not include agenda items that would normally require a public hearing and comment.

E. Conference calls between staff and a quorum of Committee members acting as a committee or subcommittee that are solely for the purpose of clarifying staff work assignments may be noticed by posting a description of the time, place, and general subject matter of the call on the Legislative Branch website at least 24-hours prior to the conference call.

F. All meetings of the Committee must be conducted under the established rules of the Senate of the State of Montana as to quorums and parliamentary procedure.

II.Public Hearings on Proposed Legislation

A. Hearing Process

1. At the time set for hearing, the Chair will recognize the sponsor of the bill who will open the presentation.

2. Proponents of the bill will present testimony.

3. Opponents of the bill will present testimony.

4. Informational witnesses may introduce themselves and provide their affiliation and area of expertise and let the committee know they are available for questions. The chair 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 will then be asked by committee members only. All questions will be directed through the Chair.

6. All discussion will begin and end at the direction of the chair.

7. Finally, the sponsor of the bill will close on the presentation.

B. Witnesses

1. All witnesses shall 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 copies of the testimony may also be submitted for the permanent committee record.

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 chair shall maintain order within the committee room and the environs during all committee meetings.
4. Suggested amendments to bills should be presented to the committee in writing. Requests by committee member for amendment drafting should be made to staff at least 24-hours in advance of the executive action session. Less than 24-hour notice means the amendment may not be ready in time.
 - a. Conceptual amendments should not be offered.
 - b. Amendments to be presented to the committee for consideration during executive session must be requested by a committee members or the sponsor of the bill.
 - c. No lobbyist amendments should be requested directly of staff without a legislator's approval by signature or note.
 - d. Pursuant to Article V. Section 11 of the Montana Constitution, amendments must be within the title of the bill.
5. Cell phones must be turned off or placed on silent mode in the hearing room, except in the case of urgency.
6. The use of cameras, televise, radio or video taping equipment is allowed in a committee hearing, but the Chair may designate areas appropriate for use.
7. Testimony requiring the use if video, audio, or other equipment will be permitted at the discretion of the Chair if arrangements are made in advance.

III. Executive Session

- A. A quorum is required to take executive action.
- B. Executive action on a bill may be taken the same day as public hearing on the bill due to time constraints.
- C. Although executive action sessions are open to the public, no comment may be made by anyone but the committee members. Members of the public may be asked questions by committee members.
- D. Absentee voting by committee members is permitted by written use of a standard proxy form and at the discretion of the Chair.
- E. Motions by committee members do not require a second.
- F. The motion to "indefinitely postpone" will not be recognized by the chair —the proper motion is to table the bill.
- G. The committee should avoid sending an adverse committee report to the floor. Rather than a " Do Not Pass" recommendation it is more appropriate to "Table" the bill in

committee. This helps to address work load concerns of the entire Senate and is a courtesy to the sponsor of the bill.