

MINUTES
MONTANA HOUSE OF REPRESENTATIVES
69th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (H) RULES

Call to Order: Chair Steve Fitzpatrick-R, on December 03, 2024 at 2:47 PM, in Room 137

ROLL CALL:

Members Present: Rep. Steve Fitzpatrick, Chair (R)
Rep. Jonathan Karlen, Vice Chair (D)
Rep. Jerry Schillinger, Vice Chair (R)
Rep. Brad Barker (R)
Rep. David Bedey (R)
Rep. Larry Brewster (R)
Rep. Ed Buttrey (R)
Rep. Paul Fielder (R)
Rep. Alanah Griffith (D)
Rep. Jedediah Hinkle (R)
Rep. SJ Howell (D)
Rep. Ron Marshall (R)
Rep. Eric Matthews (D)
Rep. Tom Millett (R)
Rep. Braxton Mitchell (R)
Rep. Amy Regier (R)
Rep. Mark Thane (D)

Members Excused: Rep. Donavon Hawk (D)
Rep. James Reavis (D)
Rep. Tyson Running Wolf (D)
Rep. Courtenay Sprunger (R)
Rep. Katie Sullivan (D)

Staff Present: Jaret Coles, Legislative Attorney
Jolanda Songer, Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HR1 for Preintroduction.

Executive Action: HR1 for Preintroduction.

Explanation of the House Rules Committee Process

13:04:25 Chair Steve Fitzpatrick-R

Review and Action on Draft HR1 House Rules Resolution for Preintroduction

Opening by Sponsor

13:05:06 Chair Steve Fitzpatrick.

13:05:12 Rep. Braxton Mitchell left the meeting.

Public Comment

13:05:13 None

Questions from the Committee

13:05:19 None

Closing by Sponsor

13:05:31 Chair Steve Fitzpatrick

EXECUTIVE ACTION ON HR1

13:05:34 **Motion:** Rep. Steve Fitzpatrick moved that **HR1 be adopted** for preintroduction.

Discussion on Legislative Council Proposed Amendments - PD0033

13:05:50 Jaret Coles, Legislative Attorney, Legislative Services Division, LSD

EXHIBIT(ruh00a01)

EXHIBIT(ruh00a02)

13:11:22 Chair Steve Fitzpatrick

Questions from the Committee

13:12:11 Rep. Ed Buttrey

13:12:32 Jaret Coles

13:13:06 Rep. Ed Buttrey

13:14:05 Chair Steve Fitzpatrick

13:14:33	Rep. Ed Buttrey
13:14:52	Jaret Coles
13:15:43	Rep. Ed Buttrey
13:16:06	Rep. Jedediah Hinkle
13:16:22	Jaret Coles
13:17:40	Chair Steve Fitzpatrick
13:18:53	Vice Chair Jonathan Karlen
13:19:16	Jaret Coles
13:20:18	Chair Steve Fitzpatrick
13:20:42	Rep. David Bedey
13:22:29	Chair Steve Fitzpatrick
13:22:41	Rep. Jedediah Hinkle
13:23:05	Rep. Ed Buttrey
13:23:40	Rep. Jedediah Hinkle
13:23:58	Jaret Coles
13:25:16	Rep. Jedediah Hinkle
13:25:43	Rep. Ed Buttrey
13:26:29	Rep. Paul Fielder
13:27:27	Chair Steve Fitzpatrick
13:27:39	Carolyn Tschida, Chief Clerk of the House
13:28:05	Jaret Coles
13:28:14	Rep. Paul Fielder
13:28:39	Rep. Alanah Griffith
13:29:37	Chair Steve Fitzpatrick

13:31:28 Jaret Coles

13:32:26 Chair Steve Fitzpatrick

13:32:51 Jaret Coles

13:34:10 Chair Steve Fitzpatrick

13:34:23 Jaret Coles

13:35:12 Chair Steve Fitzpatrick

13:35:42 Jaret Coles

13:36:14 Rep. Mark Thane

13:37:08 **Motion:** Chair Steve Fitzpatrick moved that **PD0033 be adopted without rules 3 and 8.**

Discussion on the Motion

13:37:36 None

13:37:43 **Vote:** Motion carried unanimously by voice vote.

13:38:10 **Motion:** Chair Steve Fitzpatrick moved **to strike out** "seconded by two representatives" from proposed rule 3 for PD0033.

Discussion on the Motion

13:38:37 Rep. Alanah Griffith

13:39:11 **Vote:** Motion carried 17 - 4 in the House with Rep. Brewster, Rep. Fielder, Rep. Hinkle, Rep. Millett, voting no.

13:40:56 Motion: Chair Steve Fitzpatrick moved that **proposed rule 8 for PD0033 be adopted.**

13:41:08 **Motion:** Rep. David Bedey moved to **conceptually amend PD0033, page 16, line 14**, as follows: strike the words "during a legislative session".

Discussion on the Motion

13:41:38 Rep. Alanah Griffith

13:42:43 Rep. Ed Buttrey

13:43:07 Chair Steve Fitzpatrick

13:43:13 **Vote:** Motion carried 12 - 10 in the House with Rep. Brewster, Rep. Fielder, Rep. Fitzpatrick, Rep. Hinkle, Rep. Marshall, Rep. Millett, Rep. Mitchell, Rep. Regier, Rep. Schillinger, Rep. Sprunger, voting no. Rep. Sprunger, By Proxy.

13:44:36 **Motion:** Chair Steve Fitzpatrick moved that **proposed rule 8 be adopted as amended.**

Discussion on the Motion

13:44:39 None

13:44:49 **Vote:** Motion carried unanimously by voice vote.

13:45:16 **Motion:** Rep. Bedey moved that **PD0044 be adopted.**

13:45:30 Rep. David Bedey

EXHIBIT(ruh00a03)

Discussion on the Motion

13:47:23 Rep. Ed Buttrey

13:47:48 Jaret Coles

13:48:14 Chair Steve Fitzpatrick

13:48:29 Rep. Ed Buttrey

13:48:40 **Motion:** Rep. Ed Buttrey moved to **conceptually amend PD0044, page 8, line 15-17**, to have it read "the Speaker shall, subject to approval of the House by a majority vote, appoint the membership of interim committees no later than April 1 during a regular session of the legislature".

Discussion on the Motion

13:49:38 Rep. Larry Brewster

13:49:39 Rep. Ed Buttrey

13:49:47 Rep. Larry Brewster

13:50:10 Rep. Ron Marshall

13:50:40 Chair Steve Fitzpatrick

13:51:23 Rep. Ron Marshall
13:51:57 Rep. Paul Fielder
13:52:34 Rep. Ed Buttrey
13:53:44 Chair Steve Fitzpatrick
13:53:53 Rep. Ed Buttrey
13:54:10 Rep. David Bedey
13:54:17 Rep. Ed Buttrey
13:54:20 Chair Steve Fitzpatrick
13:54:26 **Vote:** Motion carried unanimously by voice vote.
13:54:47 **Motion:** Chair Steve Fitzpatrick move that **PD0044 be adopted as amended.**

Discussion on the Motion

13:55:44 Rep. Jedediah Hinkle
13:55:55 Rep. David Bedey
13:57:05 Jaret Coles
13:57:13 Chair Steve Fitzpatrick
13:57:21 **Vote:** Motion carried 16 - 6 in the House with Rep. Brewster, Rep. Fielder, Rep. Hinkle, Rep. Marshall, Rep. Mitchell, Rep. Regier, voting no. Rep. Mitchell, By Proxy.
13:58:50 **Motion:** Rep. David Bedey moved that **PD0045 be adopted.**
13:59:59 Rep. David Bedey

EXHIBIT(ruh00a04)

Discussion on the Motion

14:01:28 Rep. Ed Buttrey
14:01:53 **Vote:** Motion carried unanimously by voice vote.
14:02:44 **Motion:** Chair Steve Fitzpatrick moved that **PD0046 be adopted.**

14:02:45 Chair Steve Fitzpatrick

EXHIBIT(ruh00a05)

Discussion on the Motion

14:03:16 None

14:03:24 **Vote:** Motion carried unanimously by voice vote.

14:03:32 Chair Steve Fitzpatrick

14:03:35 Vice Chair Jonathan Karlen

14:03:53 **Motion:** Chair Steve Fitzpatrick moved that **HR1 be adopted as amended for preintroduction.**

Discussion on the Motion

14:04:02 None

14:04:06 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 14:04:46

Jolanda Songer, Secretary

Additional Documents:

HOUSE RESOLUTION NO. 1

INTRODUCED BY ****

BY REQUEST OF THE ****

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ADOPTING THE
HOUSE RULES.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF
MONTANA:

That the following House Rules be adopted:

**RULES OF THE MONTANA
HOUSE OF REPRESENTATIVES**

CHAPTER 1

Administration

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

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

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

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

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

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

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

H10-20. Speaker's duties. (1) The Speaker is the presiding officer of the House, with authority for
administration, order, decorum, and the interpretation and enforcement of rules in all House deliberations.

(2) The Speaker shall see that all members conduct themselves in a civil manner in accordance with accepted standards of parliamentary conduct. The Speaker may, when necessary, order the Sergeant-at-Arms to clear the aisles and seat the members of the House so that business may be conducted in an orderly manner.

(3) Signs, placards, visual displays, or other objects of a similar nature are not permitted in the rooms, lobby, gallery, or on the floor of the House. The Speaker may order the galleries, lobbies, or hallway cleared in case of disturbance or disorderly conduct.

(4) The Speaker shall sign all necessary certifications by the House, including enrolled bills and resolutions, journals, and subpoenas, ~~and payrolls~~.

(5) The Speaker shall arrange the agendas for second and third readings each legislative day. Representatives may amend the agendas as provided in H40-130.

(6) The Speaker is the chief officer of the House, with authority for all House employees.

(7) The Speaker may name any member to perform the duties of the chair. If the House is not in session and the Speaker pro tempore is not available, the Speaker shall name a member who shall call the House to order and preside during the Speaker's absence.

(8) Upon request of the Minority Leader, the Speaker will submit a request for a fiscal note on any bill.

H10-30. Speaker-elect. During the transition period between the party organization caucuses and the election of House officers, the Speaker-elect has the responsibilities and authority appropriate to organize the House. Authority includes approving presession expenditures.

H10-40. Speaker pro tempore duties. The Speaker pro tempore shall, in the absence or inability of the Speaker, call the House to order and perform all other duties of the chair in presiding over the deliberations of the House and shall perform other duties and exercise other responsibilities as may be assigned by the Speaker.

H10-50. Majority Leader. The primary functions of the majority leader usually relate to floor duties. The duties of the majority leader may include but are not limited to:

(1) being the lead speaker for the majority party during floor debates;

(2) helping the Speaker develop the calendar;

(3) assisting the Speaker with program development, policy formation, and policy decisions; and

H10-100. Chief Clerk's duties. The Chief Clerk, under the supervision of the Speaker, is the chief administrative officer of the House and is responsible to:

- (1) supervise all House employees;
- (2) have custody of all records and documents of the House;
- (3) supervise the handling of legislation in the House, the House journal, and other House publications; deliver to the Secretary of State at the close of each session the House journal, bill and resolution records, and all original House bills and joint resolutions; collect ~~minutes audio recording logs~~ and exhibits from all House committees and subcommittees and ~~arrange to have them printed on archival paper and copied provide them~~ in an electronic format within a reasonable time after each meeting. An electronic copy will be provided to the Legislative Services Division ~~and the State Law Library of Montana. The archival paper copy will be delivered to the Montana Historical Society.~~

H10-110. Duties of Sergeant-at-Arms. The Sergeant-at-Arms shall:

- (1) under the direction of the Speaker and the Chief Clerk, have charge of and maintain order in the House, its lobbies, galleries, and hallways and all other rooms in the Capitol assigned for the use of the House;
- (2) be present whenever the House is in session and at any other time as directed by the presiding officer;
- (3) execute the commands of the House and serve the writs and processes issued by the authority of the House and directed by the Speaker;
- (4) supervise assistants to the Sergeant-at-Arms, who shall aid in the performance of prescribed duties and who have the same authority, subject to the control of the Speaker;
- (5) clear the floor and anteroom of the House of all persons not entitled to the privileges of the floor prior to the convening of each session of the House;
- (6) bring in absent members when so directed under a call of the House;
- (7) enforce the distribution of any printed matter in the House chambers and anteroom in accordance with H20-70;
- (8) enforce parking regulations applicable to areas of the Capitol complex under the control of the House;
- (9) supervise the doorkeeper; and

(4) Any representative may examine the daily journal and propose corrections. The Speaker may direct a correction to be made when suggested subject to objection by the House.

(5) The Speaker shall authenticate the House journal after the close of the session.

(6) The Legislative Services Division shall publish and distribute the House journal (sections 5-11-202 and 5-11-203, MCA). The title of each bill must be listed in the index of the published session journal.

H10-150. Votes recorded and public. Every vote of each representative on each substantive question in the House, in any committee, or in Committee of the Whole must be recorded and made public (Montana Constitution, Art. V, Sec. 11).

H10-160. Duration of legislative day. A legislative day ends either 24 hours after the House convenes for that day or at the time the House convenes for the following legislative day, whichever is earlier. (See Joint Rule 10-20.)

CHAPTER 2

Decorum

H20-10. Addressing the House -- recognition. (1) When a member desires to speak to or address any matter to the House, the member should rise and respectfully address the Speaker or the presiding officer.

(2) The Speaker or presiding officer may ask, "For what purpose does the member rise?" or "For what purpose does the member seek recognition?" and may then decide if recognition is to be granted, except that the Speaker or presiding officer shall always recognize the Speaker pro tempore, the majority leader, or the minority leader.

H20-20. Questions of order and privilege -- appeal -- restrictions -- definitions. (1) The Speaker shall decide all questions of order and privilege and decisions of recognition, subject to an appeal by any representative, ~~seconded by two representatives,~~ to the House for determination by majority vote. The question on appeal is, "Shall the decision of the chairman be sustained?".

(2) Responses to parliamentary inquiries may not be appealed.

(3) Questions of order and privilege, in order of precedence, are:

(a) those affecting the collective rights, safety, dignity, and integrity of the House; and

(b) those affecting the rights, reputation, and conduct of individual representatives.

(4) A member may not address the House on a question of privilege between the time:

(a) an undebatable motion is offered and the vote is taken on the motion;

(b) the previous question is ordered and the vote is taken on the proposition included under the previous question; or

(c) a motion to lay on the table is offered and the vote is taken on the motion.

(5) (a) "Parliamentary inquiry" means a request for information regarding some procedure concerning some questions before the house.

(b) "Questions of order and privilege" means those questions as provided for in subsection (3) that enforce the House rules, maintain the order of the House, and protect the integrity, rights, and privileges of the House and its members.

H20-30. Limits on lobbying. Lobbying on the House floor and in the anteroom is prohibited during a daily session, 2 hours before the session, and 2 hours after the session. A registered lobbyist is prohibited from the house floor.

H20-40. Admittance to the House floor. (1) The following persons may be admitted to the House floor during a daily session: present legislators and former legislators who are not registered lobbyists; legislative employees necessary for the conduct of the session; registered media representatives; and members' spouses and children. The Speaker may allow exceptions to this rule.

(2) Only a member may sit in a member's chair when the House is in session.

H20-50. Dilatory motions or questions -- appeal. The House has a right to protect itself from dilatory motions or questions used for the purpose of delaying or obstructing business. The presiding officer shall decide if motions (except a call of the House) or questions are dilatory. This decision may be appealed to the House for a determination by majority vote.

H20-60. Lobbying by employees -- sanctions. (1) A legislative employee or aide of either house is prohibited from lobbying, although a legislative committee may request testimony from a person so restricted.

(2) The Speaker may discipline or discharge any House employee violating this prohibition. The Speaker may withdraw the privileges of any House aide violating this prohibition.

H20-70. Papers distributed on desks -- exception. A paper concerning proposed legislation may not be placed on representatives' desks unless it is authorized by a member and permission has been granted by the Speaker. The Sergeant-at-Arms shall direct its distribution. This restriction does not apply to material

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

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

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

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

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

CHAPTER 3

Committees

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

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

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

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

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

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 prior to
8 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~~ audio recording log;

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; and

22 (i) enforce fire code occupancy requirements.

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

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

1 is sufficient for committee action.

2 (2) The Speaker, the majority leader, and the minority leader are ex officio, nonvoting members of all
3 House committees. They may count toward establishing a quorum.

4 **H30-40. Meetings -- purpose -- notice --~~minutes~~ audio recording log.** (1) All meetings of
5 committees must be open to the public at all times, subject always to the power and authority of the chairman to
6 maintain safety, order, and decorum. The date, time, and place of committee meetings must be posted.

7 (2) A committee or subcommittee may be assembled for:

8 (a) a public hearing at which testimony is to be heard and at which official action may be taken on bills,
9 resolutions, or other matters;

10 (b) a formal meeting at which the committees may discuss and take official action on bills, resolutions,
11 or other matters without testimony; or

12 (c) a ~~work session meeting~~ at which the committee may discuss bills, resolutions, or other matters but
13 take no formal action.

14 (3) (a) All committees meet at the call of the chairman or upon the request of a majority of the members
15 of the committee.

16 (b) A committee, through motion, may schedule a bill within the possession of the committee for a
17 hearing prior to 3 legislative days before the applicable transmittal deadline for the bill as provided in Joint Rule
18 40-200.

19 (4) All committees shall provide for and give public notice, reasonably calculated to give actual notice to
20 interested persons, of the time, place, and subject matter of regular and special meetings. All committees are
21 encouraged to provide at least 3 legislative days' notice to members of committees and the general public.
22 However, a meeting may be held upon notice appropriate to the circumstances.

23 (5) A committee may not meet during the time the House is in session without leave of the Speaker.
24 Any member attending such a meeting must be considered excused to attend business of the House subject to
25 a call of the House.

26 (6) All meetings of committees must be recorded and the ~~minutes~~ audio recording logs must be
27 available to the public within a reasonable time after the meeting. The official record of the committee meeting
28 is the audio recording of the meeting, and the audio recording log must contain at least the following

1 information:

2 (a) the time and place of each meeting of the committee;

3 (b) committee members present, excused, or absent;

4 (c) the names ~~and addresses~~ of persons appearing before the committee, whom each represents, and
5 whether the person is a proponent, opponent, or other witness;

6 (d) all motions and their disposition;

7 (e) the results of all votes;

8 (f) references to the audio recording ~~log~~, sufficient to serve as an index to the original recording and
9 official record; and

10 (g) testimony and exhibits submitted in writing.

11 **H30-50. Procedures -- absentee or proxy voting -- member privileges.** (1) The chairman shall notify
12 the sponsor of any bill pending before the committee of the time and place it will be considered.

13 (2) A standing or select committee may not take up referred legislation unless the sponsor or one of the
14 cosponsors is present or unless the sponsor has given written consent. The chairman shall attempt to not
15 schedule Senate bills while the Senate is in session.

16 (3) (a) Subject to H30-60 and subsection (3)(b), the committee shall act on each bill in its possession
17 and that has had a hearing prior to the last legislative day before the applicable transmittal deadline for the bill
18 as provided in Joint Rule 40-200:

19 (i) by reporting the bill out of the committee:

20 (A) with the recommendation that it be referred to another committee;

21 (B) favorably as to passage; or

22 (C) unfavorably; or

23 (ii) by tabling the measure in committee.

24 (b) Except as provided in subsection (3)(c), at the written request of the sponsor made at least 48 hours
25 prior to a scheduled hearing, a bill may be withdrawn by the sponsor without a hearing. A bill may not be
26 reported from a committee without a hearing.

27 (c) A bill may not be withdrawn by the sponsor after a hearing.

28 (4) The committee may not report a bill to the House without recommendation.

(5) The committee may recommend that a bill on which it has made a favorable recommendation by unanimous vote be placed on the consent calendar. A tie vote in a standing committee on the question of a recommendation to the whole House on a matter before the committee, for example on a question of whether a bill is recommended as "do pass" or "do not pass", does not result in the matter passing out to the whole House for consideration without recommendation.

(6) In reporting a measure out of committee, a committee shall include in its report:

(a) the measure in the form reported out;

(b) the recommendation of the committee;

(c) an identification of all substantive changes; and

(d) a fiscal note, if required and available.

(7) If a measure is withdrawn from a committee and brought to the House floor for debate on second reading on that day without a committee recommendation, the bill does not include amendments formally adopted by the committee because committee amendments are merely recommendations to the House that are formally adopted when the committee report is accepted by the House.

(8) A second to any motion offered in a committee is not required in order for the motion to be considered by the committee.

(9) The vote of each member on all committee actions must be recorded. All motions may be adopted only on the affirmative vote of a majority of the members voting. Standing and select committees may by a majority vote of the committee authorize members to vote by proxy if absent, while engaged in other legislative business or when excused by the presiding officer of the committee due to illness or an emergency.

Authorization for absentee or proxy voting must be reflected in the committee ~~minutes~~ [audio recording log](#).

(10) A motion to take a bill from the table may be adopted by the affirmative vote of a majority of the members present at any meeting of the committee.

(11) An action formally taken by a committee may not be altered in the committee except by reconsideration and further formal action of the committee.

(12) A committee may reconsider any action as long as the matter remains in the possession of the committee. A committee member need not have voted with the prevailing side in order to move reconsideration.

(13) (a) Except as provided in subsection (13)(b), legislation requested by a committee requires three-

fourths of all members of the committee to vote in favor of the question to allow the committee to request the drafting or introduction of legislation. Votes requesting drafting and introduction of committee legislation may be taken jointly or separately.

(b) The House Appropriations committee may request the drafting and introduction of legislation by a majority vote of all of the members of the committee.

(14) The chairman shall decide points of order.

(15) The privileges of committee members include the following:

(a) to participate freely in committee discussions and debate;

(b) to offer motions;

(c) to assert points of order and privilege;

(d) to question witnesses upon recognition by the chairman;

(e) to offer any amendment to any bill; and

(f) to vote, either by being present or by proxy if authorized pursuant to subsection (9), using a standard form or through the vice chairman or minority vice chairman.

(16) Any meeting of a committee held through the use of telephone or other electronic communication must be conducted in accordance with Chapter 3 of the House Rules.

(17) A committee may consolidate into one bill any two or more related bills referred to it whenever legislation may be simplified by the consolidation.

(18) Committee procedure must be informal, but when any questions arise on committee procedure, the rules or practices of the House are applicable except as stated in the House Rules.

H30-60. Public testimony -- decorum -- time restrictions. (1) Subject to Joint Rule 30-05, 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. All persons, other than the sponsor, offering testimony shall register on the committee witness list.

(2) Any person wishing to offer testimony to a committee hearing a bill or resolution must be given a reasonable opportunity to do so, orally or in writing. Written testimony may not be required of any witness, but all witnesses must be encouraged to submit a statement in writing for the committee's official record.

(3) The chairman may order the committee room cleared of visitors if there is disorderly conduct.

1 During committee meetings, visitors may not speak unless called upon by the chairman. Restrictions on time
2 available for testimony may be announced.

3 (4) The number of people in a committee room may not exceed the maximum posted by the State Fire
4 Marshal. The chairman shall maintain that limit.

5 (5) In any committee meeting, the use of cameras, television, radio, or any form of telecommunication
6 equipment is allowed, but the chairman may designate the areas of the hearing room from which the equipment
7 must be operated. Cell phone use is allowed only at the discretion of the chairman.

8 **H30-70. Ethics Committee.** (1) The Ethics Committee shall meet only upon the call of the chair after
9 the referral of an issue from the Rules Committee or the Legislator Conduct Panel or to consider a request for a
10 determination pursuant to subsection (4). The Rules Committee may be convened to consider the referral of a
11 matter to the Ethics Committee upon the request of a representative. The Rules Committee shall prepare a
12 written statement of the specific question or issue to be addressed by the Ethics Committee. Except for a
13 referral from the Legislative Conduct Panel, the issues referred to the Ethics Committee must be related to the
14 actions of a representative during a legislative session.

15 (2) The matters that may be referred to the Ethics Committee are:

16 (a) a violation of:

17 (i) 2-2-103, MCA;

18 (ii) 2-2-104, MCA;

19 (iii) 2-2-111, MCA;

20 (iv) 2-2-112, MCA; or

21 (v) Joint Rule 10-85;

22 (b) the use or threatened use of a representative's position for personal or personal business benefit or
23 advantage; or

24 (c) any other violation of law by a representative while acting in the capacity of representative.

25 (3) If there is a recommendation from the Ethics Committee, the recommendation is made to the
26 House.

27 (4) A representative may seek a determination from the Ethics Committee concerning the possibility of
28 a personal conflict of interest.

CHAPTER 4

Legislation

H40-10. Introduction deadlines. If a representative accepts drafted legislation from the Legislative Services Division after the deadline for preintroduction, the representative may not introduce that legislation after 2 legislative days from the time the bill was accepted from the Legislative Services Division.

H40-20. House resolutions. (1) A House resolution is used to adopt or amend House rules, make recommendations on the districting and apportionment plan (Montana Constitution, Art. V, Sec. 14), express the sentiment of the House, or assist House operations.

(2) As to drafting, introduction, and referral, a House resolution is treated as a bill. A House resolution may be requested and introduced at any time. Final passage of a House resolution is determined by the Committee of the Whole report. A House resolution does not progress to third reading.

(3) The Chief Clerk shall transmit a copy of each passed House resolution to the Senate and the Secretary of State.

H40-30. Cosponsors. (1) Prior-Within 2 days from the date that the chief sponsor signs and accepts legislation from the Legislative Services Division and prior to submitting legislation to the Chief Clerk for introduction, the chief sponsor may add representatives and senators as cosponsors. A legislator shall sign the cosponsor form attached to the legislation in order to be added as a cosponsor.

(2) After legislation is submitted for introduction but before the legislation returns from the first House committee, the chief sponsor may add or remove cosponsors by filing a cosponsor form with the Chief Clerk. This filing must be noted by the Chief Clerk for the record on Order of Business No. 10.

H40-40. Introduction -- receipt -- messages from Senate and elected officials. (1) During a session, proposed House legislation may be introduced in the House by submitting it, endorsed with the signature of a representative as chief sponsor, to the Chief Clerk for introduction. Except for the first 15 bill numbers that may be reserved for preintroduced legislation, in each session of the Legislature, the proposed legislation must be numbered consecutively by type in the order of receipt. Submission and numbering of properly endorsed legislation constitutes introduction.

(2) Preintroduction of legislation prior to a session under provisions of the joint rules constitutes introduction in the House.

1 consideration of the Senate amendments.

2 (2) If the House accepts Senate amendments, the House shall place the final form of the legislation on
3 third reading to determine if the legislation, as amended, is passed or if the required vote is obtained.

4 (3) If the House rejects the Senate amendments, the House may request the Senate to recede from its
5 amendments or may direct appointment of a conference committee and request the Senate to appoint a like
6 committee.

7 **H40-230. Conference committee reports.** (1) When a House conference committee files a report, the
8 report must be announced under Order of Business No. 3.

9 (2) The House may debate and adopt or reject the conference committee report on second reading on
10 any legislative day. The House may reconsider its action in rejecting a conference committee report under rules
11 for reconsideration, ~~H50-160~~ H50-170.

12 (3) If both the House and the Senate adopt the same conference committee report on legislation
13 requiring more than a majority vote for final passage, the House, following approval of the conference
14 committee report on third reading, shall place the final form of the legislation on third reading to determine if the
15 required vote is obtained.

16 (4) If the House rejects a conference committee report, the committee continues to exist unless
17 dissolved by the Speaker or by motion. The committee may file a subsequent report.

18 (5) A House conference committee may confer regarding matters assigned to it with any Senate
19 conference committee with like jurisdiction and submit recommendations for consideration of the House.

20 **H40-240. Enrolling.** (1) When House legislation has passed both houses, it must be enrolled within 48
21 hours under the direction of the Speaker. The Speaker may grant an additional 24 hours for enrolling.

22 (2) The chief sponsor of the legislation shall examine the enrolled legislation and, if it has no enrolling
23 errors, shall, within 1 legislative day, certify the legislation as correctly enrolled.

24 (3) The correctly enrolled legislation must be delivered to the Speaker, who shall sign the legislation
25 within 1 day of receipt of the correctly enrolled legislation unless the bill sponsor concurs to delay the signing of
26 the enrolled legislation.

27 (4) After the legislation has been reported correctly enrolled but before it is signed, any representative
28 may examine the legislation. (See Joint Rule 40-160.)

1 (3) (a) Except as provided in subsection (3)(b), no more than one substitute motion is in order at any
2 one time.

3 (b) A motion for cloture is in order on a substitute motion to amend.

4 **H50-130. Withdrawing motions.** A representative who proposes a motion may withdraw it before it is
5 voted on or amended.

6 **H50-140. Dividing a question.** Except as provided in H40-180(3), a representative may request to
7 divide a question as a matter of right if it includes two or more propositions so distinct that they can be
8 separated and if at least one substantive question remains after one substantive question is removed. The
9 request is nondebtable under H50-90. The presiding officer may rule that a question is nondivisible. The ruling
10 of the chair may be appealed as provided in H20-20(1), H-20-80(2), H50-160~~(11)~~ or (13), and H70-50. For an
11 appeal of a ruling of the presiding officer, the question for the house must be stated as, "Shall the ruling of the
12 chair be upheld?".

13 **H50-150. Previous question -- close.** (1) If a majority of representatives present and voting adopts a
14 motion for the previous question, debate is closed on the question and it must be brought to a vote. The
15 Speaker may not entertain a motion to end debate unless at least one proponent and one opponent have
16 spoken on the question.

17 (2) Notwithstanding the passage of a motion to end debate, the sponsor of the motion on which debate
18 was ended may close.

19 **H50-160. Questions requiring other than a majority vote.** The following questions require the vote
20 specified for each condition:

21 **100 House Members**

22 (1) a motion to approve a bill to appropriate the principal of the tobacco settlement trust fund pursuant
23 to Article XII, section 4, of the Montana Constitution (two-thirds);

24 (2) a motion to approve a bill to appropriate the principal of the coal severance tax trust fund pursuant
25 to Article IX, section 5, of the Montana Constitution (three-fourths);

26 (3) a motion to approve a bill to appropriate highway revenue, as described in Article VIII, section 6, of
27 the Montana Constitution, for purposes other than therein described (three-fifths);

28 (4) a motion to approve a bill to authorize creation of state debt pursuant to Article VIII, section 8, of the

1 Montana Constitution (two-thirds);

2 (5) a motion to appropriate the principal of the noxious weed management trust fund pursuant to Article
3 IX, section 6, of the Montana Constitution (three-fourths);

4 (6) a motion to temporarily suspend a joint rule governing the procedure for handling bills pursuant to
5 Joint Rule 60-10(2) (two-thirds).

6 **Members Present and Voting**

7 (1) a motion to override the Governor's veto pursuant to H40-260 and Article VI, section 10(3), of the
8 Montana Constitution (two-thirds);

9 (2) a motion to lift a call of the House pursuant to H50-30(3) (two-thirds);

10 (3) a motion to withdraw a bill from a committee after a committee hearing on the bill pursuant to H40-
11 90 approved by no fewer than 55 of the members;

12 (4) a motion to remove legislation from its normal progress through the House as provided under H40-
13 80(3) and reassign it unless otherwise specifically provided by these rules (three-fifths);

14 (5) a motion to change a vote pursuant to H50-210 (unanimous);

15 (6) a motion to call for cloture pursuant to H40-170(2) (two-thirds);

16 (7) a motion to approve a bill conferring immunity from suit as described in Article II, section 18, of the
17 Montana Constitution (two-thirds);

18 (8) a motion to amend rules pursuant to H70-10(2) or suspend rules pursuant to H70-30 (two-thirds);

19 (9) a motion to record a vote pursuant to H50-200(2) (one representative);

20 (10) a motion to record a vote in the journal (two representatives);

21 ~~(11) an appeal of the ruling of the presiding officer pursuant to H20-20(1) or H20-80(2) (three~~
22 ~~representatives);~~

23 ~~(12)(11)~~ a motion to speak more than once on a debatable motion pursuant to H50-80(1) (unanimous
24 vote);

25 ~~(13)(12)~~ a motion by the House to change the membership of a committee pursuant to H30-05(3) and
26 H30-10(9) approved by three-fifths of the members;

27 ~~(14)(13)~~ a motion to appeal the presiding officer's interpretation of the rules to the House Rules
28 Committee pursuant to H70-50 (15 representatives).

Entire Legislature

(1) a motion to approve a bill proposing to amend the Montana Constitution pursuant to Article XIV, section 8, of the Montana Constitution (two-thirds of the entire Legislature).

H50-170. Reconsideration -- time restriction. (1) Any representative may, within 1 legislative day of a vote, move to reconsider the House vote on any matter still within the control of the House.

(2) A motion to reconsider is a debatable motion, but the debate is limited to the motion. The debate on a motion to reconsider is limited to two proponents and two opponents to the motion and the debate may not address the substance of the matter for which reconsideration is sought. However, an inquiry may be made concerning the purpose of the motion to reconsider.

(3) A motion for reconsideration, unless tabled or replaced by a substitute motion, must be disposed of when made.

(4) When a motion for reconsideration fails, the question is finally settled. A motion for reconsideration may not be renewed or reconsidered.

(5) A motion to recall legislation from the Senate constitutes a motion to reconsider and is subject to the same rules.

(6) A motion for reconsideration is not in order on a vote to postpone to a day certain or to table legislation.

(7) There may be only one reconsideration vote on a specific issue on a legislative day.

H50-180. Renewing procedural motions. The House may renew a procedural motion if further House business has intervened.

H50-190. Tabling. (1) Under Order of Business No. 9, a representative may move to table any question, motion, or legislation before the House except the question of a quorum or a call of the House. The motion is nondebatable and may not be amended.

(2) When a matter has been tabled, a representative may move to take it from the table under Order of Business No. 9 on any legislative day.

H50-200. Voting -- conflict of interest -- present by electronic means. (1) The representatives shall vote to decide any motion or question properly before the House. Each representative has one vote.

(2) The House may, without objection, use a voice vote on procedural motions that are not required to

Legislative Council adopted Legislative Staff Generated Rules Proposals
(10/29/2024)

Rules

Exhibit No. 2

Proposal #	Potential Rule Change	Existing Rule Impacted	Issue Raised	Proposed Change PRE-EDIT	Date Bill No.
1 - Joint Rules	JR 10-70 - Update the language regarding telephone calls and internet access.	JR 10 -70 PD34 - Page 3, line 28; Page 4, lines 1, 5, 6	Senate Staff identified potential rule change.	<p>Need to review language for proposed updates.</p> <p>10-70. Telephone calls and internet access. (1) Long-distance telephone calls made by a member on a <u>Use of a state telephone while</u> the Legislature is in session or while the member is in travel status are considered official legislative business. These include but are not limited to calls made to constituencies, places of business, and family members. A member's access to the internet through a permissible server is a proper use of the state communication system if the use is for legislative business or is within the scope of permissible use of long-distance telephone calls <u>a state telephone</u>.</p> <p>(2) Session staff, including aides, may use state telephones for long-distance calls only if specifically authorized to do so by their legislative sponsor or supervisor. Sponsoring members and supervisors are accountable for use of state telephones and internet access by their staff, including aides, and may not authorize others to use state phones or state servers to access the internet.</p>	12/3/2024 HR.

2 - Joint Rules	JR 10-100 - Update language to reflect what actually is occurring regarding LSD services and certification of payroll.	JR 10-100 PD 34 - page 5, lines 2, 4	Senate & House Staff identified potential rule change.	<p>10-100. Legislative Services Division. (1) The staff of the Legislative Services Division shall serve both houses as required.</p> <p>(2) Staff members shall:</p> <p>(a) maintain personnel files for legislative employees; and</p> <p>(b) prepare payrolls for certification and authorization by the presiding officer and prepare a monthly financial report.</p> <p>(3) The Legislative Services Division shall train journal clerks <u>rostrum staff</u> for both houses.</p>
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3-Joint Rules	JR10-130 (8)(b) - Clarify the rule to conform with the Senate rules (S40-30) regarding removal of a cosponsor in the Senate.	JR10-130 (8)(b) PD34- Page 7, lines 7, 8, 11, 12, and 14	Senate Staff identified potential rule change.	<p>10-130. Bills -- sponsorship -- style -- format.</p> <p>(8) (a) <u>Prior</u> Within two days from the date that the chief sponsor signs and accepts legislation from the legislative services division and prior to submitting legislation to the Secretary of the Senate or the Chief Clerk of the House for introduction, the chief sponsor may add representatives and senators as cosponsors. A legislator shall sign the cosponsor form attached to the legislation in order to be added as a cosponsor.</p> <p>(b) (i) <u>After</u> Except as provided in subsection (8)(b)(ii), after legislation is submitted for introduction but before the legislation returns from the first House or Senate house committee, the chief sponsor may add or remove cosponsors by filing a cosponsor form with the Secretary of the Senate or the Chief Clerk of the House.</p> <p>(ii) <u>A Senate chief sponsor may not remove a cosponsor.</u></p>
4- Joint Rules	JR 10-150 - replace "minutes" with "audio recording log"	JR 10-150(4) PD34- Page 8, lines 10 - 13	Senate and House Staff identified potential rule change.	<p>10-150. Recording and publication of voting.</p> <p>(4) Roll call votes and other votes that are to be made public but are not specifically required to be spread upon the journal must be entered in the minutes audio recording log of the appropriate committee or of the appropriate house (Montana Constitution, Art. V, Sec. 11(2)). A copy of the minutes must be filed with the Montana Historical Society. If electronically recorded minutes are kept for a committee, a written The official record of a committee meeting is the audio recording of the meeting and the audio recording log must also be kept that includes but is not limited to: (a) the date, time, and place of the meeting; (b) a list of the individual members of the public body, agency, or organization who were in attendance; (c) all matters proposed, discussed, or decided; and (d) at the request of any member, a record of votes by individual members for any votes taken.</p>

5-Joint Rules	JR10-170 - Clarify that the Senate and House Journals are also authenticated by the Secretary of the Senate and the Chief Clerk of the House	JR10-170 PD34 - Page 8, lines 25-27	Senate and House Staff identified potential rule change.	<p>10-170. Journals -- authentication -- availability. (1) The journal of the Senate must be authenticated by the signature of the President and the Secretary of the Senate and the journal of the House of Representatives must be authenticated by the signature of the Speaker and the Chief Clerk of the House.</p> <p>(2) The Legislative Services Division shall make the completed journals <u>electronically</u> available to the public.</p>
6-Joint Rules	JR 30-30 - replace "minutes" with "audio recording log"	JR 30-30 PD34 - Page 10, line 16	Senate and House Staff identified potential rule change.	<p>30-30. Conference committees -- subject matter restrictions.</p> <p>(4) A meeting of a conference committee or free conference committee must be conducted as an open meeting, and <u>minutes</u> an <u>audio recording log</u> 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.</p>
7-Joint Rules	JR40-95 - remove the requirement that amendments must be emailed to members of a standing committee before executive action.	JR40-95 PD34- Page 21, lines 10-12	Senate and House Staff identified potential rule change.	<p>40-95. Amendment processing. (1) Amendments to bills and resolutions are drafted by Legislative Services Division staff.</p> <p>(2) All amendments must be reviewed by the staff of the Legislative Services Division for proper format, style, and legal form.</p> <p>(3) Amendments requested and approved by a legislator on a bill that has been assigned to a session-standing committee must be emailed to members of the committee prior to executive action on the bill.</p> <p>(4) (3) Amendments requested and approved by a legislator on a bill that is in committee or is scheduled for second reading in the Committee of the Whole must be posted online.</p>

8- Joint Rules	JR 40-110 - replace LSD and LFD with House and Senate	JR 40-110 PD 34- Page 24, line 1	Senate and House Staff identified potential rule change.	<p>40-110. Sponsor's fiscal note rebuttal. (4) The Legislative Services Division or the Legislative Fiscal Division House and the Senate shall provide forms for preparation of sponsors' fiscal note rebuttals and shall post the completed sponsors' fiscal note rebuttals online and may also print the completed sponsors' fiscal note rebuttal forms on a different color paper than the fiscal notes prepared by the Budget Director.</p>
9-Joint Rules	JR40-150 - change the requirement that copies the engrossed bill be distributed to members electronically to being available electronically.	JR40-150(1)&(2) PD 34- Page 25, lines 3 & 5	Senate and House Staff identified potential rule change.	<p>40-150. Engrossing. (1) When a bill has been reported favorably by Committee of the Whole of the house in which it originated and the report has been adopted, the bill must be engrossed if the bill is amended. Committee of the Whole amendments must be included in the engrossed bill. If the bill is not amended, the bill must be sent to printing. The bill must be placed on the calendar <u>agenda</u> for third reading on the legislative day after receipt.</p> <p>(2) Copies of the engrossed bill must be distributed <u>available</u> to members electronically. If also printed, the engrossed bill must be reproduced on blue paper. If a bill is unamended by the Committee of the Whole and contains no clerical errors, it is not required to be reprinted. If printed, only the first sheet must be reproduced on blue paper, with the remainder of the text incorporated by reference to the preceding version of the entire bill.</p>

10- Joint Rules	JR 40-200 -Clarify transmittal deadline for general Joint Resolutions	JR 40-200(1) PD34 - Page 27, lines13-14, 19, 21	LSD legal staff identified potential rule change.	<p>40-200. Transmittal deadlines -- two-thirds vote requirement. (1) (a) A bill or amendment transmitted after the deadline established in this subsection (1) may be considered by the receiving house only upon approval of two-thirds of its members present and voting. If the receiving house does not so vote, the bill or amendment must be held pending in the house to which it was transmitted.</p> <p>(b) (i) A bill, except for an appropriation bill, a revenue bill, a bill proposing a referendum, an interim study resolution, <u>a general joint resolution</u> or amendments considered by joint committee, must be transmitted from one house to the other on or before the 45th legislative day.</p> <p>(ii) Amendments, except to appropriation bills, committee bills implementing the general appropriations bill, the revenue estimating resolution, interim study resolutions, bills proposing referenda, <u>joint resolutions</u>, and revenue bills, must be transmitted from one house to the other on or before the 73rd legislative day.</p> <p>(c) (i) Revenue bills, <u>and</u> bills proposing referenda, <u>and</u> <u>general joint resolutions</u> must be transmitted to the other house on or before the 67th legislative day.</p> <p>(ii) Amendments to revenue bills, <u>and</u> bills proposing referenda, <u>and</u> <u>general joint resolutions</u>, received from the other house, must be transmitted to the house of origin on or before the 80th legislative day.</p> <p>(iii) A revenue bill is one that either increases or decreases revenue by enacting, eliminating, increasing, or decreasing taxes or fees.</p> <p>(d) (i) Appropriation bills and any bill implementing provisions of a general appropriation bill must be transmitted to the Senate on or before the 67th legislative day. A fund transfer within the state treasury is not an appropriation for purposes of this section.</p> <p>(ii) Senate amendments to appropriation bills must be transmitted by the Senate to the House on or before the 80th legislative day.</p> <p>(2) (a) A joint resolution introduced pursuant to 5-5-227, MCA, for the purpose of estimating revenue available for appropriation by the Legislature must be transmitted to the Senate no later than the 60th legislative day.</p>
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				<p>(3) Bills repealing or directing the amendment or adoption of administrative rules and joint resolutions advising or requesting the repeal, amendment, or adoption of administrative rules may be transmitted at any time during a session.</p> <p>(4) Interim study resolutions must be transmitted from one house to the other on or before the 85th legislative day.</p>
11-Joint Rules	JR60-10 - replace "minutes" with "audio recording log"	JR60-10 PD34 - Page 30 - line 24	Senate and House Staff identified potential rule change.	<p>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 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. (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. 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 amending Senate, House, or joint rules; and (b) <u>electronic copies of all minutes audio recording logs</u> and reports of the Rules Committees.</p>
1-Senate Rules	S10-20 - clarify that this rule may not be construed to mean that short-time session staff will be full-time employees during the session.	S10-20 PD32- Page 1, lines 16-17	Senate Staff identified potential rule change.	<p>S10-20. Term of officers. The term of office for the officers and employees of the Senate established by rule is until the succeeding Legislature is organized. This rule may not be construed to mean <u>the</u> that <u>short-time session staff</u> will be full-time employees during an interim.</p>

2-Senate Rules	S10-50 - clarify presiding officer duties	S10-50 PD32-Page 2, lines 12-13	Senate Staff identified potential rule change.	<p>S10-50. Presiding officer and duties. (1) The presiding officer of the Senate is the President of the Senate, who must be chosen in accordance with law.</p> <p>(2) The President shall take the chair on every legislative day at the hour to which the Senate adjourned at the last sitting.</p> <p>(3) The President may name a Senator to perform the duties of the President when the President pro tempore is not present in the Senate chamber. The Senator who is named is vested during that time with all the powers of the President.</p> <p>(4) The President has general control over the assignment of rooms for the Senate and shall preserve order and decorum. The President may order the galleries and lobbies cleared in case of disturbance or disorderly conduct.</p> <p>(5) The President shall sign or electronically authenticate all necessary certifications of the Senate, including enrolled bills and resolutions, journals, <u>and</u> subpoenas, and payrolls. The President's signature or electronic authentication must be attested by the Secretary of the Senate.</p> <p>(6) The President shall approve the calendar for each legislative day.</p> <p>(7) The President is the chief administrative officer of the Senate, with authority for the general supervision of all Senate employees. The President may seek the advice and counsel of the Legislative Administration Committee.</p> <p>(8) The President of the Senate is the authorized approving authority of the Senate during the term of election to that office.</p> <p>(9) The President shall refer bills to committee upon introduction or reception in the office of the Secretary of the Senate.</p>
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3-Senate Rules	S10-80, S10-130 - delete this rule, The Legislative Administrative Committee has not been involved in the duties listed in this rule. Replace "minutes" with "audio recording log"	S10-80 S10-130 PD32 - Page 3, lines 5-16 Page 4, lines 18-19, 20-21	Senate Staff identified potential rule change.	<p>S10-80. Legislative Administration Committee duties. (1) The Legislative Administration Committee shall consider matters relating to legislative administration, staffing patterns, budgets, equipment, operations, and expenditures.</p> <p>(2) The committee has authority to act in the interim to prepare for future legislative sessions.</p> <p>(3) The committee shall approve contracts for purchase or lease of equipment and supplies for the Senate, subject to the approval of the President.</p> <p>(4) The committee shall consider disputes or complaints involving the competency or decorum of legislative employees referred to it by the President and recommend dismissal, suspension, or retention of employees.</p> <p>(5) The chair of the Legislative Administration Committee may, upon approval of the President, have purchase orders and requisitions prepared and forwarded to the accounting office in the Legislative Services Division.</p> <p>S10-130. Senate employees. (1) In addition to the employees appointed by the President, the Senate shall employ staff recommended by the leadership and the Legislative Administration Committee as necessary to perform the functions of the Senate.</p> <p>(2) The Secretary of the Senate shall designate a secretary to take and prepare written minutes electronic audio records logs of committee meetings for each standing committee. A committee secretary is immediately responsible to the chair, but shall work under the overall direction of the Secretary of the Senate, subject to authority of the committee chair. (3) The President, majority leader, and minority leader may each appoint a private secretary.</p>
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4 -Senate Rules	S10-140 - eliminate duty of the Secretary of the Senate to serve as parliamentary advisor to the Senate. This role is fulfilled by a Senator (usually the majority leader).	S10-140 PD 32 - Page 4, line 28 through page 5, line 6.	Senate Staff identified potential rule change.	<p>S10-140. Secretary of the Senate and duties. The Secretary of the Senate works under the direction of the President. The responsibilities of the Secretary of the Senate include:</p> <p>(1) performing the duties prescribed by law or other provisions of these rules;</p> <p>(2) serving as parliamentary advisor to the Senate;</p> <p>(3) (2) compiling and maintaining the calendar for approval by the President;</p> <p>(4) (3) keeping the leadership informed on the progress and workload of the Senate;</p> <p>(5) (4) transmitting bills with appropriate messages to the House of Representatives as instructed by action of the Senate;</p> <p>(6) (5) keeping and maintaining records of the Senate; and</p> <p>(7) (6) supervision of the Senate employees, except as otherwise provided.</p>
5-Senate Rules	S10-170- update the Senate Journal rules.	S10-170 PD32 - Page 5, line 22.	Senate Staff identified potential rule change.	<p>S10-170. Senate journal. (1) The Senate shall keep and authenticate a journal of its proceedings as required by law and the rules.</p> <p>(2) The Secretary of the Senate will supervise the preparation of the journal by the journal clerks trained by the Legislative Services Division under the direction of the President.</p>

6-Senate Rules	S30-50 -clarify chair duties.	S30-50 PD32- Page 10, lines 5, 8-12	Senate Staff identified potential rule change.	<p>S30-50. Chair's duties. (1) The chair of a committee is the presiding officer of that committee and is responsible for:</p> <ul style="list-style-type: none"> (a) maintaining order within the committee room and its environs; (b) scheduling hearings and executive action; (c) supervising committee work, including the appointment of subcommittees to act on a formal or informal basis; and (d) authenticating committee reports by signing them and submitting them promptly to the Secretary of the Senate. The chair shall sign business reports reflecting action taken in each committee meeting that enable the preparation of committee minutes <u>audio recording log</u>. The minutes must be printed on archival paper; and (e) <u>enforce fire code occupancy requirements.</u> <p>(2) The Secretary of the Senate shall arrange to have the minutes <u>audio recording log</u> copied in an electronic format. An electronic copy will be provided to the Legislative Services Division and the State Law Library of Montana. The archival paper copy must be delivered to the Montana Historical Society.</p>
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7-Senate Rules	S30-60, clarify meeting rule requirements, eliminate address requirement in the minutes	S30-60 PD32 - Page 10, line 13 Page 11, lines 11-13, 16	Senate Staff identified potential rule change.	<p>S30-60. Meetings -- notice -- purpose -- minutes audio recording log. (1) All meetings of committees must be open to the public at all times, subject always to the power and authority of the chair to maintain safety, order, and decorum. The date, time, and place of committee meetings must be announced.</p> <p>(8) All meetings of committees must be recorded and the <u>minutes audio recording log</u> must be available to the public within a reasonable time after the meeting. The official record of the <u>committee meeting</u> is the <u>audio recording of the meeting</u> and the <u>audio recording log</u> must contain at least the following information:</p> <ul style="list-style-type: none"> (a) the time and place of each meeting of the committee; (b) committee members physically or remotely present, excused, or absent; (c) the names and addresses of persons appearing before the committee, whom each represents, and whether the person is a proponent, opponent, or other witness; (d) all motions and their disposition; (e) the results of all votes; and (f) all testimony and exhibits.
8 - Senate Rules	S30-70 - replace "minutes" with "audio recording log"	S30-100 PD32 - Page 12, line 25	Senate staff identified issue.	<p>S30-70. Procedures -- member privileges.</p> <p>(8) The vote of each member on all committee actions must be recorded and reported in the committee <u>minutes audio recording log</u>. All motions may be adopted only on the affirmative vote of a majority of the members voting.</p>

9-Senate Rules	S30-100 - eliminate obsolete language regarding "pairs".	S30-100 PD32 - Page 14, lines 10-13	Senate Staff identified potential rule change.	S30-100. Pairs prohibited---absentee <u>Absentee</u> or proxy voting. Pairs in-standing committee are prohibited. Standing and select committees may by a majority vote of the committee authorize Senators to vote in absentia. Authorization for absentee or proxy voting must be reflected in the committee minutes <u>audio recording log</u> .
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10-Senate Rules	S50-20 - eliminate the reversion to Order of Business #1 for a recess.	S50-20 PD32 - Page 18, lines 5-7	Senate Staff identified potential rule change.	<p>S50-20. Orders of business. After prayer, roll call, and report on the journal, the order of business of the Senate is as follows:</p> <ul style="list-style-type: none"> (1) communications and petitions; (2) reports of standing committees; (3) reports of select committees; (4) messages from the Governor; (5) messages from the House of Representatives; (6) first reading and commitment of bills; (7) second reading of bills (Committee of the Whole); (8) third reading of bills; (9) motions; (10) unfinished business; (11) special orders of the day; and (12) announcement of committee meetings. <p>To revert to or pass to a new order of business requires only a majority vote. Unless otherwise specified in the motion to recess, the Senate shall revert to Order of Business No. 1 when reconvening after a recess.</p>
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1- House Rules	H10-20 clarify that the Speaker does not certify the payroll.	H10-20 PD33 - Page 2, line 9.	House Staff identified potential rule change.	<p>H10-20. Speaker's duties. (1) The Speaker is the presiding officer of the House, with authority for administration, order, decorum, and the interpretation and enforcement of rules in all House deliberations.</p> <p>(2) The Speaker shall see that all members conduct themselves in a civil manner in accordance with accepted standards of parliamentary conduct. The Speaker may, when necessary, order the Sergeant-at-Arms to clear the aisles and seat the members of the House so that business may be conducted in an orderly manner.</p> <p>(3) Signs, placards, visual displays, or other objects of a similar nature are not permitted in the rooms, lobby, gallery, or on the floor of the House. The Speaker may order the galleries, lobbies, or hallway cleared in case of disturbance or disorderly conduct.</p> <p>(4) The Speaker shall sign all necessary certifications by the House, including enrolled bills and resolutions, journals, <u>and</u> subpoenas, and <u>payrolls</u>.</p>
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2- House Rules	H10-100 - clarify and eliminate certain minute requirements.	H10-100 PD33- Page 4, lines 7-8, 10-11	House Staff identified potential rule change.	<p>H10-100. Chief Clerk's duties. The Chief Clerk, under the supervision of the Speaker, is the chief administrative officer of the House and is responsible to:</p> <p>(1) supervise all House employees;</p> <p>(2) have custody of all records and documents of the House;</p> <p>(3) supervise the handling of legislation in the House, the House journal, and other House publications; deliver to the Secretary of State at the close of each session the House journal, bill and resolution records, and all original House bills and joint resolutions; collect minutes <u>audio recording logs</u> and exhibits from all House committees and subcommittees and arrange to have them printed on archival paper and copied <u>provide</u> in an electronic format within a reasonable time after each meeting. An electronic copy will be provided to the Legislative Services Division and the State Law Library of Montana. The archival paper copy will be delivered to the Montana Historical Society.</p>
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3 - House Rules	H20-20 - eliminate seconded by two representatives on an appeal of a questions of order and privilege.	H20-20 PD33 - Page 6, line 22	House Staff identified potential rule change.	<p>H20-20. Questions of order and privilege -- appeal -- restrictions -- definitions. (1) The Speaker shall decide all questions of order and privilege and decisions of recognition, subject to an appeal by any representative, seconded by two representatives, to the House for determination by majority vote. The question on appeal is, "Shall the decision of the chairman be sustained?".</p> <p>(2) Responses to parliamentary inquiries may not be appealed.</p> <p>(3) Questions of order and privilege, in order of precedence, are:</p> <p>(a) those affecting the collective rights, safety, dignity, and integrity of the House; and</p> <p>(b) those affecting the rights, reputation, and conduct of individual representatives.</p> <p>(4) A member may not address the House on a question of privilege between the time:</p> <p>(a) an undebatable motion is offered and the vote is taken on the motion;</p> <p>(b) the previous question is ordered and the vote is taken on the proposition included under the previous question; or</p> <p>(c) a motion to lay on the table is offered and the vote is taken on the motion.</p> <p>(5) (a) "Parliamentary inquiry" means a request for information regarding some procedure concerning some questions before the house.</p> <p>(b) "Questions of order and privilege" means those questions as provided for in subsection (3) that enforce the House rules, maintain the order of the House, and protect the integrity, rights, and privileges of the House and its members.</p>
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4- House Rules	H20-80 - eliminate seconded by two representatives on an appeal of a call of order.	H20-80 PD33- Page 8, lines 5-6	House Staff identified potential rule change.	<p>H20-80. Violation of rules -- procedure -- appeal. (1) If a member, in speaking or otherwise, violates the rules of the House, the Speaker shall, or the majority or minority leader may, call the member to order, in which case the member called to order must be seated immediately.</p> <p>(2) The member called to order may move for an appeal to the House and if the motion is seconded by two members, the <u>The</u> matter must be submitted to the House for determination by majority vote. The motion is nondebatable.</p> <p>(3) If the decision of the House is in favor of the member called to order, the member may proceed. If the decision is against the member, the member may not proceed.</p> <p>(4) If a member is called to order, the matter may be referred to the Rules Committee by the minority or majority leader. The Committee may recommend to the House that the member be censured or be subject to other action. Censure consists of an official public reprimand of a member for inappropriate behavior. The House shall act upon the recommendation of the Committee.</p>
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4 - House Rules	H30-20 - include enforcement of fire code occupancy requirements in Chairman's duties.	H30-20 PD33- Page 11, lines 17, 20, 22.	House Staff identified potential rule change.	<p>H30-20. Chairman's duties. (1) The principal duties of the chairman of standing or select committees are to:</p> <p>(a) preside over meetings of the committee and to put all questions;</p> <p>(b) except as provided in H30-40(3)(b) and H30-50(3)(b), schedule all bills assigned to committee for a hearing prior to 3 legislative days before the applicable transmittal deadline for the bill as provided in Joint Rule 40-200;</p> <p>(c) maintain order and decide all questions of order subject to appeal to the committee;</p> <p>(d) supervise and direct staff of the committee;</p> <p>(e) have the committee secretary keep <u>the official record of the minutes audio recording log</u>;</p> <p>(f) sign reports of the committee and submit them promptly to the Chief Clerk;</p> <p>(g) appoint subcommittees to perform on a formal or an informal basis as provided in subsection (2); and</p> <p>(h) inform the Speaker of committee activity; <u>and</u></p> <p>(i) <u>enforce fire code occupancy requirements.</u></p> <p>(2) With the exception of the House Appropriations subcommittees, a subcommittee of a standing committee may be appointed by the chairman of the committee. The chairman of the standing committee shall appoint the chairman of the subcommittee.</p>
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5 - House Rules	H30-40 - clarify meeting rule requirements,	H30-40 PD33- Page 12, lines 4, 12, 26-28.	House Staff identified potential rule change.	<p>H30-40. Meetings -- purpose -- notice -- minutes audio recording log. (1) All meetings of committees must be open to the public at all times, subject always to the power and authority of the chairman to maintain safety, order, and decorum. The date, time, and place of committee meetings must be posted.</p> <p>(2) A committee or subcommittee may be assembled for:</p> <p>(a) a public hearing at which testimony is to be heard and at which official action may be taken on bills, resolutions, or other matters;</p> <p>(b) a formal meeting at which the committees may discuss and take official action on bills, resolutions, or other matters without testimony; or</p> <p>(c) a work session <u>meeting</u> at which the committee may discuss bills, resolutions, or other matters but take no formal action.</p> <p>(3) (a) All committees meet at the call of the chairman or upon the request of a majority of the members of the committee.</p> <p>(b) A committee, through motion, may schedule a bill within the possession of the committee for a hearing prior to 3 legislative days before the applicable transmittal deadline for the bill as provided in Joint Rule 40-200.</p> <p>(4) All committees shall provide for and give public notice, reasonably calculated to give actual notice to interested persons, of the time, place, and subject matter of regular and special meetings. All committees are encouraged to provide at least 3 legislative days' notice to members of committees and the general public. However, a meeting may be held upon notice appropriate to the circumstances, including meeting transmittal deadlines.</p>
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6- House Rules	H30-40(6) - clarify meeting minutes requirements, eliminate address requirement in the minutes	H30-40(6) PD33- Page 13, lines 4, 8-9. Page 14, line 21	House Staff identified potential rule change.	<p>H30-40. Meetings -- purpose -- notice -- minutes <u>audio recording log</u>. (6) All meetings of committees must be recorded and the <u>minutes audio recording logs</u> must be available to the public within a reasonable time after the meeting. The official record of the <u>committee meeting is the audio recording of the meeting and the audio recording log</u> must contain at least the following information:</p> <p>(a) the time and place of each meeting of the committee;</p> <p>(b) committee members present, excused, or absent;</p> <p>(c) the names and addresses of persons appearing before the committee, whom each represents, and whether the person is a proponent, opponent, or other witness;</p> <p>(d) all motions and their disposition;</p> <p>(e) the results of all votes;</p> <p>(f) references to the <u>audio recording log</u>, sufficient to serve as an index to the original recording and <u>official record</u>; and</p> <p>(g) testimony and exhibits submitted in writing.</p>
7- House Rules	H30-50 replace "minutes" with "audio recording log"	H30-50(9) PD33- Page 14, line 21	House Staff identified potential rule change.	<p>H30-50. Procedures -- absentee or proxy voting -- member privileges.(9) The vote of each member on all committee actions must be recorded. All motions may be adopted only on the affirmative vote of a majority of the members voting. Standing and select committees may by a majority vote of the committee authorize members to vote by proxy if absent, while engaged in other legislative business or when excused by the presiding officer of the committee due to illness or an emergency. Authorization for absentee or proxy voting must be reflected in the committee minutes; <u>audio recording log</u></p>

8 - House Rules	Rule revision of the House Ethics Committee Process	S30-160, No similar House Rule PD33- Page 16, lines 8-28	LSD legal staff identified potential rule change.	<p>New House Rule:</p> <p>H -XX Ethics Committee. (1) The Ethics Committee shall meet only upon the call of the chair after the referral of an issue from the Rules Committee or the Legislator Conduct Panel or to consider a request for a determination pursuant to subsection (4). The Rules Committee may be convened to consider the referral of a matter to the Ethics Committee upon the request of a Representative. The Rules Committee shall prepare a written statement of the specific question or issue to be addressed by the Ethics Committee. Except for a referral from the Legislative Conduct Panel, the issues referred to the Ethics Committee must be related to the actions of a Representative during a legislative session.</p> <p>(2) The matters that may be referred to the Ethics Committee are:</p> <p>(a) a violation of:</p> <p>(i) 2-2-103;</p> <p>(ii) 2-2-104;</p> <p>(iii) 2-2-111;</p> <p>(iv) 2-2-112; or</p> <p>(v) Joint Rule 10-85:</p> <p>(b) the use or threatened use of a Representative's position for personal or personal business benefit or advantage; or</p> <p>(c) any other violation of law by a Representative while acting in the capacity of Representative.</p> <p>(3) If there is a recommendation from the Ethics Committee, the recommendation is made to the House.</p> <p>(4) A Representative may seek a determination from the Ethics Committee concerning the possibility of a personal conflict of interest.</p> <p>See Ethics Committee statutory provisions below.</p>
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9 - House Rules	H40-30 - clarify the cosponsor rule.	H40-30 PD33- Page 17, lines 14-15	House Staff identified potential rule change.	<p>H40-30. Cosponsors. (1) <u>Prior</u> Within two days from the date that chief sponsor's signs and accepts legislation from the legislative services division and prior to submitting legislation to the Chief Clerk for introduction, the chief sponsor may add representatives and senators as cosponsors. A legislator shall sign the cosponsor form attached to the legislation in order to be added as a cosponsor.</p> <p>(2) After legislation is submitted for introduction but before the legislation returns from the first House committee, the chief sponsor may add or remove cosponsors by filing a cosponsor form with the Chief Clerk. This filing must be noted by the Chief Clerk for the record on Order of Business No. 10.</p>
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HOUSE RESOLUTION NO. 1

INTRODUCED BY ****

BY REQUEST OF THE ****

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ADOPTING THE
HOUSE RULES.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF
MONTANA:

That the following House Rules be adopted:

**RULES OF THE MONTANA
HOUSE OF REPRESENTATIVES**

CHAPTER 1

Administration

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

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

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

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

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

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

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

H10-20. Speaker's duties. (1) The Speaker is the presiding officer of the House, with authority for
administration, order, decorum, and the interpretation and enforcement of rules in all House deliberations.

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

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

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

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

CHAPTER 3

Committees

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

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

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

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

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

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

H10-20. Speaker's duties. (1) The Speaker is the presiding officer of the House, with authority for
administration, order, decorum, and the interpretation and enforcement of rules in all House deliberations.

1 from (yes/no) to (yes/no). The question on the bill was () with a vote tally of ____ for and ____ against."
 2 (6) question another representative, "Mister/Madam Speaker/Chairman, would Representative ____
 3 yield to a question?"

CHAPTER 7

Rules

6 **H70-10. House rules -- amendment -- report timing.** (1) The House may adopt, through a House
 7 resolution passed by a majority of its members, rules to govern its proceedings.

8 (2) After adoption of the House rules, two-thirds of the representatives voting must vote in favor of the
 9 question to amend the rules.

10 (3) The Speaker shall refer to the House Rules Committee all resolutions for House rules and joint
 11 rules.

12 (4) The House Rules Committee shall report all resolutions for House rules and joint rules within 1
 13 legislative day of referral.

14 **H70-20. Tenure of rules.** Rules adopted by the House remain in effect until removed by House
 15 resolution or until a new House is elected and takes office.

16 **H70-30. Suspension of rules.** The House may suspend a House rule on a motion approved by not
 17 less than two-thirds of the members voting.

18 **H70-40. Supplementary rules.** Mason's Manual of Legislative Procedure ~~(2010)~~ (2020) governs
 19 House proceedings in all cases not covered by House rules.

20 **H70-50. Interpreting rules -- appeal.** The Speaker shall interpret all questions on House rules, subject
 21 to appeal by any 15 representatives to the House Rules Committee. Unless the delay would cause legislation to
 22 fail to meet a scheduled deadline, the House Rules Committee may consider and report on the appeal on the
 23 next legislative day. The decision of the House Rules Committee may be appealed to the House by any
 24 representative.

25 **H70-60. Joint rules superseded.** A House rule, insofar as it relates to the internal proceedings of the
 26 House, supersedes a joint rule.

Appendix

28 (1) Except as provided in subsections (2) through (4), legislation dealing with an enumerated subject

HOUSE RESOLUTION NO. 1

INTRODUCED BY ****

BY REQUEST OF THE ****

Rules
Exhibit No. 5
Date 12/3/2024
Bill No. HR1

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ADOPTING THE
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H10-20. Speaker's duties. (1) The Speaker is the presiding officer of the House, with authority for
administration, order, decorum, and the interpretation and enforcement of rules in all House deliberations.

Unofficial Draft Copy

As of: 2024/11/29 05:43:05 2024/11/29 06:38:38

69th Legislature 2025

Drafter: Todd Everts, LC

PD 0046

Order of Business No. 7.

(2) A motion to adjourn for a legislative day must specify a date and time for the House to convene on the subsequent legislative day.

H50-250. Adjournment sine die. Subject to Article V, section 10(5), of the Montana Constitution, a representative may move that the House adjourn for the session. The motion is ~~nondebatable~~debatable and may be made under any order of business except Order of Business No. 7.

CHAPTER 6

Motions

H60-10. Proposal for consideration. (1) Every question presented to the House or a committee must be submitted as a definite proposition.

(2) A representative has the right to understand any question before the House and, under the authority of the presiding officer, may ask questions to exercise this right.

(3) Except as provided in H50-160 or as specifically provided for in these House Rules, a majority vote of representatives voting is necessary for a motion or question to pass.

H60-20. Nondebatable motions. The following motions, in addition to any other motion specifically designated, must be decided without debate:

(1) to adjourn;

(2) for a call of the House;

(3) to recess or rise;

(4) for parliamentary inquiry;

(5) to table or to take from the table;

(6) to call for the previous question or for cloture;

(7) to amend a nondebatable motion;

(8) to divide a question;

(9) to suspend the rules; and

(10) all incidental motions, such as motions relating to voting or of a general procedural nature.

H60-30. Motions allowed during debate. (1) When a question is under debate, only the following motions are in order. The motions have precedence in the following order: