

SENATE RESOLUTION NO. 1
INTRODUCED BY VAN VALKENBURG

IN THE SENATE

January 5, 1987

Introduced and referred to
Committee on Rules.

January 6, 1987

Committee recommend resolution
be adopted as amended. Report
adopted.

Printing report.

On motion rules suspended.
SR 1 placed on second
reading.

Second reading, be adopted.

Ayes, 49; Noes, 0.

Sent to enrolling.

1 SENATE RESOLUTION NO. 1
2 INTRODUCED BY Van Valkenburg
3

4 A RESOLUTION OF THE SENATE OF THE STATE OF MONTANA TO ADOPT
5 RULES TO GOVERN ITS PROCEEDINGS IN ADDITION TO THE JOINT
6 RULES.

7
8 BE IT RESOLVED BY THE SENATE OF THE STATE OF MONTANA:

9 That the following rules be adopted:

10 CHAPTER 1

11 Presiding Officer -- Decorum,

12 Order, and Debate

13 S1-1. (1) The Senate shall choose a President from its
14 membership who shall be the presiding officer. In case of
15 the absence or disqualification of the President, the
16 President pro tempore of the Senate shall perform the duties
17 of the President until the vacancy is filled or the
18 disability removed.

19 (2) Whenever the President pro tempore of the Senate
20 is of the opposite political party from that of the
21 President, the following procedure applies:

22 (a) If the President dies while in office, the members
23 of his political party shall have the right to immediately
24 nominate and elect an acting President of the same party.

25 (b) If the President is absent for two or more

1 legislative days or at any time after the 85th legislative
2 day or at any time during special session of the Legislature
3 but able and desirous of appointing an acting President to
4 act in his absence, he may do so, or the members of his
5 political party shall have the right to immediately nominate
6 and elect an acting President of the same party.

7 (c) An acting President of the Senate shall have the
8 powers of the President and supersede the powers of the
9 President pro tempore.

10 S1-2. The Senate shall, at the beginning of each
11 regular session, and at such other times as may be
12 necessary, elect one of its members President pro tempore.
13 The Senate shall choose its other officers and shall be the
14 judge of the elections, returns, and qualifications of its
15 members.

16 S1-3. The President or President pro tempore, when
17 acting as presiding officer of the Senate, shall vote as any
18 other member of the Senate.

19 S1-4. The President may name a Senator to perform the
20 duties of the chair when the President pro tempore is not
21 present in the Senate chamber. The Senator who is so named
22 is vested during such time with all the powers of the
23 President, but he does not lose the right to vote on any
24 question while presiding.

25 S1-5. No Senator shall speak more than twice on any



1 one motion or question without unanimous consent of the
 2 Senate, unless he has introduced or proposed the motion or
 3 question under debate, in which case he may speak twice and
 4 also close the debate. However, a Senator who has spoken
 5 shall not speak again on the same motion or question to the
 6 exclusion of a Senator who has not spoken.

7 S1-6. On Order of Business No. 8, second reading of
 8 bills, in addition to other methods, a recorded vote may be
 9 made in the following manner: the chair may call for a voice
 10 vote to accept or reject a question. If the vote is other
 11 than unanimous, the chair may ask that the lesser number on
 12 the question indicate their vote by standing. The secretary
 13 will then record the vote of those standing. The chair may
 14 then rule that unless excused those not standing and present
 15 have voted on the prevailing side of the question and that
 16 their vote be recorded as such. If there was a unanimous
 17 voice vote, all those present will be recorded as having
 18 voted for the question.

19 S1-7. Only the following persons may be admitted to
 20 the floor of the Senate during sessions: legislators,
 21 legislative officers and employees whose presence is
 22 necessary for the conduct of the business of the session,
 23 accredited members of the press, radio, and television, and
 24 former legislators. The Rules Committee shall be allowed to
 25 make exceptions for visiting dignitaries.

CHAPTER 4

Order of Business

3 S4-1. On Order of Business No. 2, reports of standing
 4 committees, no debate shall be had on any report unless a
 5 minority report has been submitted. Any member seeking a
 6 reconsideration of the Senate's action on the adoption of a
 7 committee report shall do so on Order of Business No. 6 by
 8 motion to reconsider. Any member may make such motion and
 9 need not have voted on the prevailing side. This rule shall
 10 apply notwithstanding any joint rule to the contrary.

CHAPTER 5

Motions

13 S5-1. All proper motions on second reading are
 14 debatable. If a motion to reconsider third reading action
 15 on a bill or resolution is carried, there shall be no
 16 further action on that bill or resolution until the
 17 succeeding legislative day.

CHAPTER 7

Committees

20 S7-1. The Senate shall elect a Committee on Committees
 21 consisting of five members, except when the Senate is evenly
 22 divided between parties, when the Committee on Committees
 23 shall consist of six members, three from each party. The
 24 Committee on Committees, with the approval of the Senate,
 25 shall appoint standing and select committees of the Senate

1 and Senate membership on joint committees except conference
2 committees and special committees. The President shall
3 appoint all conference committees and special committees,
4 with the advice of the majority and minority floor leaders.
5 The Senate may change the membership of any committee on one
6 day's notice.

7 S7-2. The standing committees of the Senate are as
8 follows:

- 9 1. Agriculture, Livestock and Irrigation
- 10 2. Bills and Journal
- 11 3. Business and Industry
- 12 4. Education and Cultural Resources
- 13 5. Finance and Claims
- 14 6. Highways and Transportation
- 15 7. Judiciary
- 16 8. Labor and Employment Relations
- 17 9. Legislative Administration
- 18 10. Local Government
- 19 11. Natural Resources
- 20 12. Fish and Game
- 21 13. Public Health, Welfare and Safety
- 22 14. Rules
- 23 15. State Administration
- 24 16. Taxation
- 25 S7-3. Each floor leader shall be an ex officio member

1 of all committees in order to establish a quorum.

2 S7-4. When a conference committee report is filed with
3 the Secretary of the Senate, the same shall be read under
4 Order of Business No. 3, select committees, and placed on
5 the calendar the succeeding legislative day for
6 consideration on second reading. If recommended favorably
7 by the Committee of the Whole, it may be considered on third
8 reading the same legislative day.

9 S7-5. Pairs in standing committee and Committee of the
10 Whole are prohibited. Standing and select committees may by
11 a majority vote of the committee authorize members to vote
12 in absentia while engaged in other legislative business.
13 Authorization for such voting shall be reflected in the
14 committee minutes.

15 S7-6. There is a Select Committee on Long-Range
16 Building. The select committee shall meet jointly with the
17 Long-Range Building Subcommittee of the House Committee on
18 Appropriations to make recommendations on issues assigned to
19 the joint subcommittee. The select committee shall consider
20 and make recommendations to the Committee on Finance and
21 Claims concerning issues assigned to it by the President.
22 Select committee members may participate and vote as members
23 of the Committee on Finance and Claims on issues considered
24 by them as members of the select committee.

25 CHAPTER 8

1 Rules and Journal

2 S8-1. (1) A motion to amend or adopt a rule of the
3 Senate shall be referred to the Committee on Rules without
4 debate. A rule of the Senate may be amended or adopted only
5 with the concurrence of a majority of the Senate and after 1
6 day's notice.

7 (2) A rule may be suspended temporarily by a
8 two-thirds vote.

9 S8-2. Mason's Manual of Legislative Procedure governs
10 the proceedings of the Senate in all cases not covered by
11 these rules.

12 CHAPTER 10

13 Nominations from the Governor

14 S10-1. The Governor shall nominate and, by and with
15 the consent of the Senate, appoint all officers whose
16 offices are established by the Montana Constitution or which
17 may be created by law, and for whom appointment or election
18 is not otherwise provided. If during a recess of the Senate
19 a vacancy occurs in any such office, the Governor shall
20 appoint some fit person to discharge the duties thereof
21 until the next meeting of the Senate, when he shall nominate
22 a person to fill such office.

23 S10-2. When nominations are sent by the Governor to
24 the Senate for confirmation, they shall not be acted on
25 before the next succeeding legislative day, except

1 nominations sent by the Governor on the last legislative day
2 of the session, which shall be acted upon that day.

-End-

APPROVED BY COMMITTEE
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