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MINUTES

Districting and Apportionment Commission
First Meeting of Interim
Room 331, State Capitol
April 16, 1999

PLEASE NOTE: These are summary minutes. Testimony and discussion are paraphrased and condensed. Exhibits and tapes are on file in the offices of the Legislative Services Division.

COMMISSION MEMBER PRESENT

Jack Rehberg -- Billings
Elaine Sliter -- Somers
Sheila Rice -- Great Falls
Joseph Lamson -- Helena

STAFF MEMBERS PRESENT

Susan Fox, Researcher
John MacMaster, Legal Counsel
Lois O'Connor, Secretary

VISITORS' REGISTER

See ATTACHMENT #1

COMMISSION ACTION

- approved that the Commission use the Mason's Manual of Legislative Procedure as its procedural guidelines for districting and apportionment decisions
- C approved that a majority vote would be sufficient in the selection of the presiding officer
- C asked staff to write a letter to the Montana Supreme Court on behalf of the Districting and Apportionment Commission requesting that the Supreme Court appoint the Commission's presiding officer

CALL TO ORDER, INTRODUCTION OF COMMISSION MEMBERS, AND DECISIONS ON PROCEDURE

The meeting was called to order by Bob Person, Executive Director, Legislative Services Division at 9:00 a.m. Commission members were introduced and they provided a brief personal background.

Mr. Person requested that the Commission adopt the Mason's Manual of Legislative Procedure as the procedural guidelines for its districting and apportionment decisions. Under Mason's Manual, motions do not require seconds and the chairman votes on most issues. He also requested that the Commission decide whether to require a simple majority vote or unanimous vote in making its choice for presiding officer.

Ms. Rice **moved** that the Commission use the Mason's Manual of Legislative Procedure as its procedural guidelines for districting and apportionment decisions. Motion carried unanimously.

NOMINATIONS FOR PRESIDING OFFICER

- C Jean Barrett was nominated by Mr. Rehberg. Ms. Barrett was Chairman of the Districting and Apportionment Commission in the past and was found to be firm, fair, and had the to ability to handle the press well.
- C Rhonda Whiting was nominated by Mr. Lamson. Ms. Whiting is an attorney from Missoula with an extensive background in tribal and reservation issues.
- C Jerry Driscoll was nominated by Ms. Sliter. Mr. Driscoll is a former member of the Montana House of Representatives and former member of House Leadership.

Mr. Rehberg **moved** that a majority vote would be sufficient in the selection of the presiding officer. Motion passed unanimously.

Following a thorough discussion of the nominees, votes on the nominees were taken and are as follows:

- C The nomination of Jean Barrett failed on a 2 - 2 tie vote with Mr. Rehberg and Ms. Sliter voting yes and Ms. Rice and Mr. Lamson voting no. (EXHIBIT #1);
- C The nomination of Rhonda Whiting failed on a 2 - 2 tie vote with Ms. Rice and Mr. Lamson voting yes and Mr. Rehberg and Ms. Sliter voting no. (EXHIBIT #2); and
- C The nomination of Jerry Driscoll failed on a 2 - 2 tie vote with Mr. Rehberg and Ms. Sliter voting yes and Ms. Rice and Mr. Lamson voting no. (EXHIBIT #3)

Earl Old Person former Blackfeet Tribal Chairman was also suggested as a possible presiding officer nominee. The Commission members took no action on this suggestion.

Because the Commission was at an impasse in selecting a presiding officer, it approved Tuesday, April 20, 1999, at 3:00 p.m. for a conference call to further discuss the previous nominees, to make further nominations, and to try to come to an agreement in the election of a presiding officer. If a presiding officer is not elected by the Commission members at that time, the appointment will be made by the Montana Supreme Court.

The Commission recessed at 10:25 a.m.

**Conference Call
Tuesday, April 20, 1999
Room 108, State Capitol**

The conference call meeting of the Districting and Apportionment Commission reconvened at 3:00 p.m.

Although Harold Hanser, former Yellowstone County Attorney, and John Lahr, a retired lobbyist, were suggested as possible presiding officer candidates by Mr. Rehberg and Ms. Sliter respectively, Mr. Lamson and Ms. Rice stood fast behind their nomination of Rhonda Whiting. With Mr. Rehberg and Ms. Sliter unable to support Ms. Whiting and Mr. Lamson and Ms. Rice unable to support Jean Barrett (Mr.

Rehberg and Ms. Sliter's nomination), the Commission remained deadlocked in their choice for a presiding officer.

As a result, Commission members asked staff to write a letter to the Montana Supreme Court on behalf of the Districting and Apportionment Commission requesting that the Supreme Court appoint the Commission's presiding officer.

There being no further business, the meeting adjourned at 3:20 p.m.

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