



# Legislative Council

## 66th Montana Legislature

### SENATE MEMBERS

MARK BLASDEL  
MARGARET (MARGIE) MACDONALD  
JP POMNICHOWSKI  
SCOTT SALES  
JON SESSO  
FRED THOMAS

### HOUSE MEMBERS

KIM ABBOTT  
SETH BERGLEE  
WYLIE GALT  
GREG HERTZ  
SHANE MORIGEAU  
CASEY SCHREINER

### COMMITTEE STAFF

SUSAN FOX, Executive Director  
TODD EVERTS, Legal Division Director  
FONG HOM, Secretary

## MINUTES LOG

April 23, 2019  
Room 137, Capitol Building  
Helena, Montana

Please note: This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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Please contact the Legislative Services Division at 406-444-3064 for more information.

### COMMITTEE MEMBERS PRESENT

SEN SCOTT SALES  
SEN JON SESSO  
SEN MARK BLASDEL  
SEN MARGIE MACDONALD  
SEN JP PMNICHOWSKI  
SEN FRED THOMAS

REP GREG HERTZ  
REP CASEY SCHREINER  
REP KIM ABBOTT  
REP SETH BERGLEE  
REP WYLIE GALT  
REP SHANE MORIGEAU

### STAFF PRESENT

SUSAN BYORTH FOX, Executive Director  
TODD EVERTS, Legal Director  
FONG HOM, Committee Secretary

**VISITORS' LIST** ([Attachment 1](#))

**AGENDA** ([Attachment 2](#))

**COMMITTEE ACTION**

The Legislative Council took the following actions:

- adopted the NCSL Standing Committees, including two task forces.
- adopted CSG Standing Committees, with the addition of Rep. Ed Buttrey to the Public Safety Committee.
- adopted the appointments to the Legislative Council on River Governance.
- requested information on the costs of adding additional members to interim committees.
- adopted the May 29, 2019, date for the next Council meeting.

**CALL TO ORDER - Sen. Fred Thomas**

15:04:57 Sen. Fred Thomas called the meeting to order at 3:05 p.m. The committee secretary noted the roll. ([Attachment 3](#))

**INFORMATION ON LEADERSHIP FUNDS AND INTERSTATE ORGANIZATION FUNDS**

**BALANCES - Susan Fox**

15:05:43 Susan Fox discussed the Interstate Organization Report showing the NCSL and the CSG balances. ([Exhibit 1](#))

**Questions**

15:11:41 Sen. Thomas asked about the committee appointments to NCSL and CSG.

**NCSL Appointments**

15:11:43 Ms. Fox discussed the NCSL Standing Committee appointments and the appointments to the Task Force on Cyber Security and the Task Force on State and Local Taxation. ([Exhibit 2](#))

**Questions**

15:12:07 Sen. Pomnichowski asked if the appointments to the committees are done by the state or by NCSL.

15:13:15 Rep. Hertz asked about slot availability.

**Motion**

15:13:59 Rep. Schreiner moved to adopt the 2019-2020 NCSL Standing Committees Appointments and recommendations based on the preference forms as drafted, including the Task Force Cyber Security as well as the Task Force on State and Local Taxation.

**Vote**

15:14:26 The motion passed unanimously on a voice vote.

15:08:57 Ms. Fox discussed the appointing authority for PNWR. She also discussed the appointments to the Energy Council, and the new appointments that were included in HB 2. [\(Exhibit 3\)](#)

### **CSG - West Committee appointments**

15:14:50 Ms. Fox discussed how she organized the committee appointments to NCSL and CSG. She also discussed the Senate Democrats' choices for the Public Safety Committee. [\(Exhibit 4\)](#)

### **Questions**

15:16:21 Sen. Thomas asked if there are any recommendations from the President or from the Speaker.

15:17:18 Rep. Hertz asked if anyone from the House had put this committee down as a preference.

15:19:09 Sen. Thomas recommended adding Rep. Ed Buttrey to the Public Safety Committee.

### **Discussion of River Governance**

15:19:27 Ms. Fox discussed the Legislative Council making a motion to appoint members on River Governance.

### **Motion**

15:19:48 Rep. Schreiner moved to adopt the CSG-West appointments for 2019-2020, as drafted, with the addition of Rep. Buttrey's appointment to the Public and Safety Committee, segregating out Legislative Council on River Governance.

### **Vote**

15:20:11 The motion passed unanimously by voice vote.

15:20:34 Rep. Hertz recommended removing Rep. Joe Read from River Governance.

15:20:59 Rep. Schreiner recommended removing Rep. Tom Winter from River Governance.

15:21:15 Sen. Thomas said that the Senate members listed are Rep. Welborn, Sen. McClafferty, and Sen. Sesso. Sen. Sesso agreed to adding Sen. McClafferty to the list.

Rep. Hertz asked about the House members listed in parenthesis: Rep. Skees, Rep. Brown, Rep. Buttrey, and Rep. Vuckovich. Ms. Fox said that these members served last interim, but they did not put the River Governance as a preference.

### **Discussion of CSG - Big Sky Conference**

15:22:21 Ms. Fox discussed the upcoming CSG at Big Sky Conference that will be held July 16-20, and also said that HB 2 provided some funding for the conference.

### **Questions**

15:24:41 Sen. Pomnichowski asked about cost savings for those who volunteer to work on the conference.

15:24:56 Sen. Thomas asked if registration for CSG-Big Sky will be held in House lobby on Wednesday, April 23.

### **Status of interim committee budgets for current and next biennium - Susan Fox**

15:26:36 Ms. Fox discussed the status of the interim committees as of April 9, 2019.  
[\(Exhibit 5\)](#)

### **Status of interim committee appointments - Susan Fox**

15:28:00 Ms. Fox discussed the interim committee appointments, keeping the number in the Revenue Committee to 12 members, and the newly formed Transportation Committee to 8 members. [\(Exhibit 3, page 6\)](#)

15:29:03 Sen. Thomas asked if there were any objections to the set up of 12 members for the Revenue Interim Committee and 8 members for the Transportation Interim Committee.

15:29:16 Ms. Fox discussed moving the Children and Families Interim Committee from an 8-member committee to a 12-member committee. [\(Exhibit 3, page 4\)](#)

15:29:32 Rep. Hertz said that he had received a formal request from the Children and Families Committee to increase the number of members. He would like to continue the discussion regarding adding more members to other interim committees.

15:32:06 Ms. Fox said the statute reads, "Four members of the House, 2 from majority, 2 from minority, 4 members of the Senate, 2 from majority and minority. If the committee workload requires, Legislative Council may request an appointing authority to appoint one or two additional interim committee members from the majority party and the minority party."

15:32:47 Rep. Hertz asked if the Council had the money to add 2 House members to each interim committee.

15:34:52 Sen. Thomas asked about the costs of interim committee meetings.

Sen. Thomas asked Rep. Hertz if he had a set number of committees that he is

interested in adding more House members to.

- 15:35:21 Sen. MacDonald stated her reservations on adding two House members to the interim committees. She would like to have further discussions because it would be a major change on how interim committees are structured.
- 15:36:54 Sen. Thomas thinks it is a good idea to add members from the House but would like a proposal reflecting that.
- 15:38:08 Rep. Berglee asked about breaking it down by the number of people that have interests on being on certain committees versus assigning people to committees.
- 15:38:37 Ms. Fox discussed the preference forms that members were supposed to fill out.
- 15:38:56 Sen. Thomas said that most of those are being done by the Committee on Committees in the Senate, and by the Speaker of the House.
- 15:39:04 Rep. Hertz discussed the House having a surplus of members who want to serve on any committee.

### **Motion**

- 15:39:44 Rep. Hertz moved to find out how much it would cost to add two House members to ten interim committees and report back to the next Legislative Council meeting.

### **Questions**

- 15:40:09 Sen. Pomnichowski said that she would like to know how much latitude the Council has to add members if it is not tied to a certain chamber and buttoned down in statute how appointments will be made.
- 15:41:40 Sen. Thomas said that the rules could be adjusted to reflect this.
- 15:42:52 Rep. Hertz explained that he is looking to allow individuals to serve on interim committees and he will be working very closely with the minority leader in allowing him to choose his members of his caucus on those committees.
- 15:45:12 Ms. Fox referred the committee to the spreadsheet (**Exhibit 5**) showing the average per meeting costs.
- 15:47:02 Sen. Thomas said that an option will be prepared for consideration at the meeting on Wednesday, April 24, 2019.

### **Overview of interim committee study assignment process - Sonja Nowakowski**

- 15:47:49 Sonja Nowakowski updated the Council on the status of study resolutions and study bills.

### **Next meeting date - Susan Fox**

- 15:52:08 The committee decided that the next Legislative Council meeting will be May 29, 2019.

### **Other Business**

None

### **Public Comment**

None

### **Discussion on SB 310**

15:54:47 Ms. Fox discussed SB 310. [\(Exhibit 6\)](#)

### **Discussion on the Feedbill**

15:55:23 Ms. Fox provided an update on the Feedbill. [\(Exhibit 7\)](#)

15:57:12 Ms. Fox reminded leadership about the appointment of the Redistricting and Apportionment Commission prior to sine die.

15:57:34 Sen. Sesso asked if the appointment can be in a letter.

15:58:01 Sen. Sesso discussed the letter from Sen. Regier regarding SB 202, a bill to revise guardianship and conservatory laws.

15:59:22 Ms. Fox said that staff could treat this request like a study proposal and present it to the Law and Justice Interim Committee.

16:00:30 Sen. Sesso discussed the legislative history of presiding officers. [\(Exhibit 8\)](#) Sen.

16:01:45 Sesso asked if the election of officers will happen at the meeting in May.

16:02:25 Sen. Thomas said that the data on the request will be distributed and acted upon before the legislature leaves.

### **Adjournment**

16:02:32 Sen. Thomas adjourned the meeting at 4:02 p.m.

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