



# 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 25, 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.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select Committees, then Interim. Once on the page for Interim Committees, scroll down to the appropriate committee. The written Minutes Log, along with the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the "Exhibits" is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed.

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

### COMMITTEE MEMBERS PRESENT

SEN. MARK BLASDEL  
SEN. JP POMNICHOWSKI  
SEN. MARGIE MAC DONALD  
SEN. SCOTT SALES  
SEN. JON SESSO  
SEN. FRED THOMAS

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

### 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 action on the following:

- adopted the addition of two House members to the following interim committees: Economic Affairs, Education, Children and Families, State Administrative and Veterans' Affairs, State Tribal Relations, Local Government, Energy and Telecommunications, and Water Policy.
- adopted the premise that the addition of two members to the interim committees be only for the 2019-2020 interim only.

**CALL TO ORDER and ROLL CALL**

12:09:57 Sen. Thomas called the meeting to order at 12:10 p.m. The secretary noted the roll. ([Attachment 3](#))

**FOLLOW-UP INFORMATION ON INTERIM COMMITTEE APPOINTMENTS**

12:10:47 Susan Fox provided follow up information regarding appointments to interim committees, and the costs for additional two members per meeting. ([Exhibit 1](#))

**Questions**

12:12:25 Rep. Hertz asked if the Legislative Council has the authority to add two more people to the Environmental Quality Council.

12:12:41 Todd Everts said that the Environmental Quality Council is not an interim committee and has its separate statute in terms of appointments.

12:13:11 Rep. Hertz asked if members could be added to Law and Justice Interim Committee and the Revenue Interim Committee.

**Motion**

12:13:31 Rep. Hertz moved to add two House members, one Democrat and one Republican, to the 8 committees at the top of the list, and to add two more House members, one Democrat and one Republican, to the Transportation Interim Committee, Law and Justice Interim Committee, and the Revenue Interim Committee.

**Discussion**

12:14:27 Sen. Sesso said that he was ready to support the notion that the committees with 8 members should be the bell weather for adding additional members. He said he cannot support the addition of members on the Law and Justice Committee, the Revenue Committee, and the Transportation Committee because the Transportation Committee was segregated from the Revenue Committee. He

thinks the Transportation Committee should stand alone for a little while. He requested to segregate the first part of Rep. Hertz' motion and vote on the motions separately.

12:16:38 Sen. Sesso said that he would segregate Rep. Hertz' motion for the top 8, and separate from Transportation, Law and Justice, and Revenue.

### **Public Comment**

12:17:00 Dee Brown, Senate District 2, and Chair of Committee on Committees in the Senate, urged that the Council should not add members to committees.

12:17:55 Jill Cohenour, Senate District 42, echos the concerns. We have a bill to study interim committees and this interim should be taken up with spending time seeing what advantage there might be to adding people rather than doing this on a last minute decision.

12:19:14 Diane Sands, Senate District 49, requested that the Council take a deeper and longer look as part of an interim study.

12:20:34 Rep. Hertz said that his objective is to give more House members the opportunity to be involved in the interim. He said that he will support Sen. Sesso's request for segregation.

12:21:06 JP Pomnichowski opposed the motion and presented her reasons.

### **Motion**

12:23:42 Sen. Thomas said the committee will vote on Rep. Hertz' segregated motion to add two members from the House to the top 8 committees: Economic Affairs, Education, Children and Families, State Administration and Veterans' Affairs, State Tribal, Local Government, Energy and Telecommunications, and Water Policy.

### **Vote**

12:25:40 The motion passed on a roll call vote, 9-3. [\(Attachment 4\)](#)

### **Motion**

12:25:51 The committee voted on Sen. Sesso's segregated motion to add two House members for the Transportation, the Law and Justice, and the Revenue Interim committees.

### **Discussion**

12:26:00 Sen. Sesso stated that the motion that just passed will be a one-time only situation, that this will be done in this interim only, and that the committee chairs

be directed that if and to the extent that each committee feels that there is a need for it, that they segregate their votes if and to the extent they take votes so that both chambers need to pass an action item, and if both chambers don't, their agenda does not move forward.

**Vote**

12:28:44 The motion failed on a roll call vote, with 4 voting yes and 8 voting no.  
**(Attachment 5)**

**Motion**

12:29:53 Rep. Schreiner moved to add two members to the 8 committees is for the 2019-20 interim only and that each chamber would vote separately in committee votes during the interim.

**Discussion**

12:30:05 Rep. Hertz said that he concurs with the budgetary issues and asked if this motion would take authority away from the committees themselves in deciding on how to set this up, or will it be left to the committees to determine as to how they want to handle their voting.

12:30:52 Sen. Sesso said that he was more inclined to have the committees decide for themselves on how the committees want to vote. He asked Ms. Fox how committees should handle votes.

12:31:43 Ms. Fox said that the Council offers the Draft Rules and Procedures for Interim Committees that allow committees to adopt their own rules at the beginning of the interim. She said that staff could come up with draft language to the draft rules for consideration.

12:32:31 Sen. Thomas asked Sen. Sesso if he would agree to withdrawing the part of the motion dealing with how interim committees vote and make sure that that motion is only for this interim.

**Motion**

12:32:47 Rep. Schreiner withdrew his previous motion and moved that this proposal only be adopted for the 2019-20 Interim.

**Vote**

12:32:59 The motion passed unanimously by voice vote.

**PUBLIC COMMENT**

None.

**ADJOURNMENT**

12:33:35 Sen. Thomas adjourned the meeting at 12:33 p.m.

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