



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

December 11, 2019
Room 172, 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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COMMITTEE MEMBERS PRESENT

SEN. MARGARET (MARGIE) MACDONALD
SEN. JP POMNICHOWSKI
SEN. SCOTT SALES
SEN. FRED THOMAS

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

COMMITTEE MEMBERS EXCUSED

SEN. MARK BLASDEL
SEN. JON SESSO
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)

RECONVENE

08:31:48 Rep. Casey Schreiner reconvened the meeting at 8:31 a.m.

DIVISION UPDATES

Legislative Audit Division - Angus MacIver, Director

08:32:09 Angus MacIver ([Exhibit 1](#))

Legislative Fiscal Division - Amy Carlson, Legislative Fiscal Analyst

08:45:39 Amy Carlson distributed two documents to the committee: Memorandum to the Legislative Finance Committee re HB 715 Budget Sustainability Questions ([Exhibit 2](#)) and Phase 1 and Phase 2 charts ([Exhibit 3](#)).

Committee Questions of Ms. Carlson

- 08:58:31 Rep. Greg Hertz asked if the Legislative Fiscal Division's new software compatible with Excel.
- 08:59:44 Sen. Pomnichowski asked about the list in Ms. Carlson's memo that includes individual income tax, and property tax. She said she doesn't see other taxing jurisdictions, primarily school districts, special districts, improvement district, or conservation district in that list.
- 09:03:15 Sen. Pomnichowski said she would like to drill down on other taxing jurisdictions.

PUBLIC COMMENT on any topic within the jurisdiction of the Legislative Council

09:06:07 Mary Ann Dunwell discussed the discrimination and harassment issue involving the Vaseline lubricant incident on the House floor during the 2019 session. ([Exhibit 4](#)). Rep. Dunwell discussed an article on The Importance of Decorum, LEGISBRIEF, Vol. 14, No. 40 ([Exhibit 5](#)).

COUNCIL BUSINESS

Review of Strategic Planning Summary: Council Initiatives

09:13:51 Ms. Fox discussed how the Legislative Council can improve the legislative process while integrating the ideas with the Senate Bill 310 study.

Legislative Calendar - History and Options

09:16:52 Ms. Fox discussed the following documents: Results of 2014 Survey ([Exhibit 6](#)) and Calendar Analysis ([Exhibit 7](#)).

Policy and Budget Integration, Ideas for 2021

09:20:00 Ms. Fox said she would work with the Fiscal Division to reformulate the first two weeks of session to integrate the policy committees and the joint standing committees to hear the agency budget presentations as well as the agency bill drafts.

Committee Questions

09:26:32 Rep. Hertz said that there is one thing to consider on transmittal days, instead of using legislative days, use a date certain.

09:28:03 Sen. Pomnichowski said she likes the idea of doing budget and policy presentations at the same time.

09:29:15 Rep. Hertz asked about general bills with no appropriations having the first transmittal dates.

09:29:43 Ms. Fox said that she will be discussing the deadline rules and how they have changed over time.

09:32:48 Sen. Thomas said he would like to see a framework that lays out annual sessions.

09:35:36 Rep. Schreiner commented on adjusting rules to consider a fixed date.

Bill Limits - History and Other States

09:37:34 Ms. Fox discussed the document LegisBrief, June 2017, Vol. 25, No. 23, "Limiting Bill Introductions". ([Exhibit 8](#))

09:48:07 Ms. Fox discuss the "Joint Rule 40-40. Bill requests and introduction deadlines." ([Exhibit 9](#))

09:57:33 Todd Everts, Legal Director, commented on the existing introduction deadlines.

Committee Questions

09:59:15 Rep. Hertz asked if NCSL had any information regarding bills by rule have to have a hearing.

09:59:59 Ms. Fox said that she could do some research on rules set by other states.

Outreach Accomplishments: LEPO and ORPA - Joe Kolman and Sonja Nowakowski

10:00:27 Ms. Nowakowski gave an update on the ORPA interim committees work.

10:05:22 Mr. Kolman gave an update on the LEPO interim committees work.

Interim Survey

10:08:53 Mr. Kolman discussed the Interim Survey and the success of interim committees holding off-site meetings.

Legislator Tools and Census 2020 demonstration

10:11:34 Ms. Fox discussed Legislator Tools and provided a link to "Information for Legislators": <https://leg.mt.gov/information-legislators>.

10:17:45 Ms. Fox discussed the Census 2020, and provided a link to the information: <https://leg.mt.gov/information-legislators/census-2020>.

Next Steps: Priorities and Work Plan

10:22:52 Ms. Fox said that this is an opportunity for the committee to give direction on any of these topics and planning for 2021.

Committee Questions

10:23:36 Sen. Thomas asked about the portals and tying that into the software for emails.

BREAK (reconvened at 10:38 a.m.)

MISCELLANEOUS

House Chair Replacement Project

10:39:11 Ms. Fox discussed the scoring process that will occur during Legislative Week.

Media Policy Proposal

10:42:55 Ms. Fox discussed the Media Policy.

Records Management Policy Update and Secretary of State Records

10:44:44 Ms. Fox provided an update on the Records Management Policy and the records that are being kept by the Secretary of State's Office.

Letters from the Economic Affairs Interim Committee and Transportation Interim Committee regarding House Joint 29 Study and House Joint 34 Study

10:48:05 Ms. Fox discussed the letters from the Economic Affairs Committee and the Transportation Committee notifying the Council the interim committees' decision to not pursue certain studies. **(Exhibit 10)** and **(Exhibit 11)**

Legal Opinion

10:48:31 Mr. Everts discussed the Legal Opinion regarding whether or not an interim committee has the authority to decline to conduct an interim study as outlined in a joint study resolution. **(Exhibit 12)**

Motion

10:50:45 Sen. Thomas moved that the Council communicate with the interim committees advising receipt of the interim committees' correspondence and that the Council should adopt the recommendations.

Discussion

- 10:51:10 Sen. Pomnichowski said she recognized the authority and the will of the two interim committees' decision to not pursue these studies. She discussed her reservations of the interim committees' decision to not pursue the study resolutions. She will not support the motion because it might set a precedent.
- 10:53:06 Rep. Abbot asked about the process of assigning studies to interim committees.
- 10:53:58 Mr. Everts responded to Rep. Abbot's concern.
- 10:54:14 Sen. MacDonald said she supported the motion.
- 10:55:26 Rep. Schreiner asked if all study resolutions that passed get assigned.
- 10:55:46 Ms. Fox said that there were 27 resolutions and the Council assigned all of the studies.
- 10:56:26 Rep. Schreiner asked if Ms. Fox had the rankings.
- 10:56:30 Ms. Fox said the ranking of the study resolutions is available on the Council's website.

Vote

- 10:57:35 The motion passed on a voice vote.

LEGISLATIVE WEEK DISCUSSION

Questions of Amy Carlson

- 10:58:07 Sen. Pomnichowski asked about the Legislative Week schedule and discussed the topics that are scheduled.
- 11:02:10 Ms. Carlson responded.
- 11:09:44 Ms. Fox said that the schedule is still evolving and she will work with Ms. Carlson on the schedule.
- 11:10:45 Sen. MacDonald asked about the census data and local trends.
- 11:12:03 Ms. Fox discussed agenda items for the January 13, meeting.
- 11:14:58 Sen. MacDonald asked about the RSVP for the dinner.

PUBLIC COMMENT on any matter under Council's jurisdiction

None.

PRIORITIES FOR INTERIM

- 11:18:40 Ms. Fox asked if there are new priorities for the Council, to please let her know.
- 11:17:20 Rep. Schreiner discussed future off-site meetings.

ADJOURNMENT

- 11:17:43 With no further business before the committee, Rep. Schreiner adjourned the meeting at 11:17 a.m.

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