

**From:** [Wendy McKamey](#)  
**To:** [Fox, Susan](#)  
**Subject:** [EXTERNAL] Comments on the Proposed Rule Changes  
**Date:** Wednesday, September 23, 2020 5:05:09 PM

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Ms. Fox,

Please, pass my comments along to the Joint Rules Committee, Thank you, in advance.

Regarding any and all amendments, I believe we should always give thorough and careful consideration to the ramifications of how these changes will affect the business of governing in the future.

For example, we need to ask if this action is urgently necessary due to the current health-related Emergency Declaration. If it is not urgent business, we then should be addressing it during a regular session. Consequently, while I find merit in several of the proposed amendments, I only see one that is urgent and relevant to the current health-related Emergency Declaration. The proposed " Insert New Joint Rule 10-180 qualifies as business we should consider due to the health-related emergency. Even so, it needs careful consideration and perhaps side boards to keep it within the intended boundaries.

Beyond that, again while I find merit in several of the other proposed amendments, I don't see the urgency to act and I believe that should be the impetus for any rule amendments at this point in the Interim.

Thank you.

*Sincerely,*

**Wendy McKamey**

*Representative Montana House District 19 - Republican*

*Committees: Agriculture; Education; State Administration Veterans Affairs; Session-Vice Chair, Interim-Chair*

*Legislators are publicly elected officials. Legislator emails sent or received involving legislative business may be subject to the Right to Know provisions of Montana's Constitution and may be considered a "public record" pursuant to Montana law. As such, email sent or received, its sender and receiver, and the email's contents may be subject to public disclosure, except as otherwise provided by Montana law.*

**From:** [Casey Schreiner](#)  
**To:** [FThomas@paynewest.com](mailto:FThomas@paynewest.com); [Fox, Susan](#); [Coles, Jaret](#)  
**Subject:** [EXTERNAL] Minority Leader Schreiner Letter regarding 9/24 Republican Joint Rules gathering  
**Date:** Wednesday, September 23, 2020 10:18:02 PM  
**Attachments:** [Joint Rules Committee Letter 9 23 2020.pdf](#)

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Please see the attached letter regarding the 9/24 Republican Joint Rules gathering.

Casey Schreiner

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*Big Sky Country*

## MONTANA HOUSE OF REPRESENTATIVES

**Representative Casey Schreiner**  
Minority Leader  
House District 26

DURING THE SESSION  
State Capitol Building  
PO Box 200400  
Helena MT 59620-0400  
Phone: (406) 444-4800  
leg.mt.gov

COMMITTEES  
Education  
Local Government

HOME ADDRESS  
2223 6th Ave N  
Great Falls MT 59401  
Phone: (406) 565-0372  
casey.schreiner@mtleg.gov

Senator Fred Thomas  
1004 Burnt Fork Rd.  
Stevensville, MT 59870

Sen. Thomas,

I am writing on behalf of the Democratic Caucus of the Joint Rules Committee. Your attempt to convene the Joint Rules Committee meeting on Thursday, September 24<sup>th</sup> is clearly prohibited by statute and as such we consider the meeting illegitimate and will not be in attendance. Please refer to the [September 16th, 2020 letter](#) to you from our legal counsel, Mike Meloy, which outlines the ways in which convening this meeting violates Montana law and over thirty years of established precedent.

Since June of this year the Interim Rules Subcommittee of Legislative Council has been developing recommendations for the Joint Rules Committee of the 67<sup>th</sup> Montana Legislature. This Legislative Council process is clear, well established, and is the authorized and appropriate committee for discussion of potential changes to legislative rules during the interim period. It provides a process which the public can understand and engage with. The next meeting of the Rules Subcommittee of Legislative Council will take place in October and any ideas for changes to legislative rules should be discussed then.

The idea that our legislative rules give legislators the ability to ignore Montana law is egregious. During last Session, the 66<sup>th</sup> Montana Legislature had every opportunity to bring bills to change or eliminate sections of Montana Code Annotated that direct legislative process during the interim, but they did not. If legislative members desire changes to either MCA or joint rules they can wait until the 67th Legislative Session or call a special session. Any other action that attempts to change the joint rules without a quorum of each house is invalid.

The power of the legislature may not be exercised in the absence of a special or regular session. No one has the authority to convene the Standing Joint Rules Committee during the interim, and any action that is taken during this illegitimate meeting will be challenged in court.

Sincerely,  
Minority Leader Casey Schreiner



Cc: Jaret Cole and Susan Fox  
Montana Legislative Services Division  
PO Box 201706  
Helena, MT 59620-1706