MINUTES LOG
May 24, 2021
Capitol Room 137/Zoom
Helena, Montana

Please note: This document is a Minutes Log and provides annotation 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 recording 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 the 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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MEMBERS PRESENT:
Sen. Mark Blasdel, Chair
Rep. Kim Abbott, Vice Chair
Sen. Jason Ellsworth
Rep. Derek Harvey
Rep. Rhonda Knudsen

MEMBERS PRESENT VIA ZOOM:
Sen. Jill Cohenour
Sen. Pat Flowers
Sen. JP Pomnichowski
Sen. Cary Smith
Rep. Wylie Galt
Rep. Laurie Bishop
Rep. Casey Knudsen

STAFF PRESENT:
Susan Fox, Executive Director
Todd Everts, Attorney
Laura Sherley, Secretary
AGENDA (Attachment 1)

VISITORS’ LIST (Attachment 2)

COMMITTEE ACTION
Legislative Council elected Sen. Mark Blasdel as the presiding officer and Rep. Kim Abbott as the vice-presiding officer. The Council also adopted:

- Programs 20 and 21 operating budgets;
- changes to the Interim Committees Rules of Procedure;
- staff recommendations for the interim study committee assignments;
- appointments of Interstate and Intrastate Committees; and
- meeting dates for the 2021-2022 Interim.

CALL TO ORDER/ROLL CALL
08:30:05 Sen. Blasdel called the meeting to order at 8:30 a.m. The committee secretary took roll.

ELECTION OF OFFICERS
08:32:32 Sen. Blasdel briefly reviewed the committee's history of presiding officers and procedure of election. (Exhibit 1)

Motion/Vote
08:32:38 The motion passed unanimously by voice vote.

DIVISION UPDATES
Executive Director Updates - Susan Fox, Director, Legislative Services Division (LSD)

Legislative Council Bills
08:33:50 Ms. Fox reviewed the three bills requested by Legislative Council. (Exhibit 2)
08:34:22 Rep. Galt joined the meeting at 8:34 a.m. via Zoom.

Session Statistics
08:34:32 Ms. Fox provided legislative statistics resulting from the 2021 Session.

Research Office Updates
08:37:15 Ms. Fox and Joe Kolman, LSD, provided staff updates in the Office of Research and Policy Analysis. Mr. Kolman introduced the two new research analysts, Erin Sullivan and Rebecca Power.

Questions from the Council
08:42:02 Sen. Ellsworth asked Mr. Kolman if Erin Sullivan will be staffing the Economic Affairs Interim Committee.
08:42:25 Sen. Pomnichowski asked Ms. Fox about polling legislators over vetoed bills, when the polls will be issued to the legislators and what the timeframe is for returning the votes.
Legal Office Updates - Todd Everts, Legal Director, LSD
08:43:14 Mr. Everts reviewed the codification process that the legal department will be undertaking through the 2021 summer, and the current list of initiatives the Legislative Services has received.

Council member questions
08:45:20 Sen. Blasdel asked Mr. Everts to clarify the legal review process for ballot initiatives received from the Secretary of State’s Office.

COUNCIL BUSINESS
2019 Feed Bill and 2019-20 Interim Committees Budget Overview
08:46:45 Ms. Fox discussed the status of the 2019 Feed Bill and Program 21, the Interim Committees and Activities Budget. (Exhibit 3)

Programs 20 and 21 Budget
08:48:49 Ms. Fox discussed the Legislative Council's operating budgets for Programs 20 and 21. (Exhibit 4)

Motion
08:54:05 Rep. Abbott moved to adopt Programs 20 and 21 operating budgets as presented by Ms. Fox.

Vote
08:54:05 The motion passed unanimously by voice vote.

Interim Committee Rules of Procedure
08:54:50 Ms. Fox reviewed proposed changes to the Interim Committee Rules, Procedures, and Guidelines. Ms. Fox discussed the change found on Page 3, IV. Voting and Proxy Votes. (Exhibit 5)

Council member questions
08:58:02 Sen. Ellsworth asked for further explanation on the recommended change to Section IV, Voting and Proxy Votes.
08:58:18 Sen. Ellsworth asked how the tie breaking rule would work in interim committees.
08:58:44 Sen. Pomnichowski discussed her recommendations for changes to the Rules, Procedures, and Guidelines for Interim Committees.
09:00:42 Rep. R. Knudsen asked how many interim committees do not have equal representation.
09:02:19 Mr. Everts explained the rationale of adding extra House members to interim committees and when those changes came into effect.
09:03:10 Sen. Flowers asked Sen. Pomnichowski if her change to Item II. C. would be to delete Item II or amend it.

Motion
09:04:17 Sen. Pomnichowski moved to accept the changes described to allow participation by members and the public via remote meeting methods, to adopt language on page 3, Item IV (B), and to confirm an explanation regarding the Reports Clearinghouse. She also moved for adoption of the Rules, Procedures, and Guidelines for Interim Committees with her recommendations.
Discussion
09:04:55  Sen. Ellsworth discussed page 1, Section I. Quorums/Parliamentary Procedures and recommended adding another section to allow for remote participation.

09:06:15  Sen. Cohenour said she liked the idea of putting that into its own section F, to allow remote participation by members and the public.

Vote
09:06:33  The motion passed unanimously on a voice vote.

APPOINTMENTS
Appointment of Interstate and Intrastate Committees
09:07:18  Ms. Fox said that she still needed the names of legislators from Sen. Pomnichowski to serve on the Interstate and Intrastate Committee. Ms. Fox suggested having a discussion on the Energy Council, PNWER, and PNWER Summit later in the meeting.

REVIEW OF INTERIM STUDY POLL RESULTS AND RECOMMENDATIONS
Staff Presentation – Joe Kolman, Research Director/Legislative Environmental Analyst
09:07:52  Mr. Kolman discussed the results of the study poll (Exhibit 6) and the Staff Recommendations for assignment of studies to interim committees (Exhibit 7).

Public Comment
09:11:27  Henry Kriegl, Americans for Prosperity Montana
09:13:38  Rebecca Boslough, Montana Association of Conservation Districts
09:15:43  Kelly Lynch, Deputy Director and Legal Counsel, Montana League of Cities and Towns
09:16:48  Hallie Graf, Resource Conservationist, Flathead Conservation District

Council assignment of interim studies
09:18:08  Sen. Blasdel asked clarification on the highlighted committees on the staff recommendation handout. (see Exhibit 7)

Motion
09:19:21  Sen. Cohenour moved to accept the recommendations from the Legislative staff for interim committee study assignments.

Council member questions
09:20:02  Sen. Ellsworth asked for clarification on the assignment of HJ 48 to the Economic Affairs Interim Committee.

09:21:20  There was a discussion on the assignment of HJ 37. Sen. Blasdel suggested that a substitution motion be made regarding HJ 37.

Substitute Motion
09:22:41  Sen. Smith made a substitute motion to re-assign HJ 37 to the Environmental Quality Council.

09:23:20  Sen. Cohenour discussed the reasons for leaving HJ 37 in the Water Policy Interim Committee.
Vote on the substitute motion
09:24:16 The motion failed on a roll call vote, 6-6, with Senators Blasdel, Ellsworth, and Smith; Representatives Galt, C. Knudsen, and R. Knudsen voting yes. Senators Cohenour, Flowers, and Pomnichowski; Representatives Abbott, Bishop, and Harvey voted no.

09:26:13 Mr. Kolman discussed WPIC and EQC working together on HJ 37.

Vote on Sen. Cohenour's motion
09:26:32 The motion passed unanimously by voice vote.

PUBLIC COMMENT ON ANY MATTER UNDER THE COUNCIL’S JURISDICTION
09:27:36 Henry Kriegle, Americans for Prosperity Montana, presented a proposal that the Legislative Council seek funds to support legislators' ongoing education and professional development by attending the American Legislative Exchange Council (ALEC) Convention. (Exhibit 8)

COUNCIL BUSINESS
Appointments
09:49:08 Ms. Fox discussed the documents: Appointments Overview (Exhibit 9); NCSL Standing Committees (Exhibit 10); and CSG-West Committee (Exhibit 11).

Council member questions
09:50:53 Sen. Cohenour asked about other legislators who are interested in the PNWER.

Motion/Vote
09:51:49 Rep. R. Knudsen moved to adopt the appointments to the CSG-West and the NCSL standing committees.

09:51:49 The motion passed unanimously by voice vote.

PNWER Appointments
09:52:20 Ms. Fox reviewed the PNWER member appointments and the PNWER Summit. (see Exhibit 9)

Council member questions
09:56:26 Sen. Ellsworth asked for the dates of the PNWER Summit.

09:57:02 Sen. Cohenour asked if the Council will be voting on the PNWER appointments.

09:57:42 Rep. Abbott discussed the option of reimbursing $800 to allow for 120 members to attend the Summit, and the budget that allows for 100 members to attend the Summit.

09:58:09 Rep. R. Knudsen asked Ms. Fox if there are opportunities or the need for members to participate in the PNWER Summit.

09:59:20 Rep. Abbott asked for clarification on the decisions that the Council needs to make regarding the PNWER Summit and appointments.
**Motion**
10:00:07 Sen. Ellsworth moved to allocate on an ad hoc basis, $125,000 for members to attend the PNWER Summit.

**Discussion on the motion**
10:00:28 Sen. Pominichowski said that she would support as many people who want to attend the Summit and who wanted to stay on-site.
10:03:24 Rep. R. Knudsen discussed the Summit schedule and proposed revising the options for the costs of registration, travel, and lodging.

**Substitute Motion/Vote**
10:04:33 Rep. R. Knudsen made a substitute motion to provide funding for the costs of registration, three nights lodging, and mileage for 100 legislators to attend the Summit.
10:05:20 The motion passed unanimously by voice vote.

**Discussion on PNWER Appointments**
10:05:40 Rep. Abbott asked Ms. Fox about the vacancies and what appointments are still needed.

**Motion**
10:07:23 Sen. Ellsworth moved to approve the appointments of Sen. O'Brien and Sen. Gauthier to PNWER.

**Discussion on the motion:**
10:07:38 Rep. R. Knudsen asked that the names be read for the record.

**Vote**
10:07:59 The motion passed unanimously by voice vote.

**Energy Council Appointments**
10:08:15 Ms. Fox discussed the appointments to the Energy Council.

**Discussion**
Ms. Fox restated that Representatives Keane and Zolnikov; Senators Ankney and Ellis were recommended to serve on the Energy Council.

**Motion/Vote**
10:10:11 The motion passed unanimously by voice vote.

**PRIORITIES FOR INTERIM**
10:11:24 Ms. Fox discussed the Council's proposed meeting dates and the strategic planning session. *(Exhibit 12)*

**Motion/Vote**
10:13:16 Rep. R. Knudsen moved to adopt the Legislative Council meeting schedule, and to include having the August business meeting held at Big Sky.
10:13:16 The motion passed unanimously by voice vote.

**Further Discussion**
10:14:27 There was a discussion regarding adding a section on providing remote participation in the Rules, Procedures, and Guidelines for Interim Committees. Sen. Pomnichowski said that her motion included the changes that she had recommended.
10:15:29 Sen. Cohenour asked that the legal staff provide updates on the litigation of any bills that had passed the 67th Legislature.
10:16:22 Sen. Pomnichowski asked for clarification on meeting dates that have been suggested for June, 2022.
10:17:23 There was a discussion on meeting dates for June, 2022. The Council approved the June 13, 2022, meeting date.
10:22:08 Sen. Blasdel asked Ms. Fox if benefits were included in the legislation regarding pay rate for House and Senate staff.

**ADJOURNMENT**
10:22:52 Sen. Blasdel adjourned the meeting at 10:22 a.m.