



## LEGISLATIVE COUNCIL 68th Montana Legislature

### SENATE MEMBERS

Kenneth Bogner  
Jason Ellsworth  
Steve Fitzpatrick  
Pat Flowers  
Shannon O'Brien  
Susan Webber

### HOUSE MEMBERS

Kim Abbott  
Alice Buckley  
Derek Harvey  
Rhonda Knudsen  
Matt Regier  
Sue Vinton

### COMMITTEE STAFF

Todd Everts - Legal Division Director  
Jerry Howe - Executive Director  
Daniel Rosenberg - Secretary

# MINUTES LOG

March 14, 2024  
Capitol Room 102  
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:

Rep. Matt Regier, Chair (R)  
Sen. Pat Flowers, Vice Chair (D)  
Rep. Kim Abbott (D)  
Sen. Kenneth Bogner (R)  
Rep. Alice Buckley (D)  
Sen. Jason Ellsworth (R)  
Sen. Steve Fitzpatrick (R)  
Rep. Derek Harvey (D)  
Rep. Rhonda Knudsen (R)  
Sen. Shannon O'Brien (D)  
Rep. Sue Vinton (R)  
Sen. Susan Webber (D)

### MEMBERS EXCUSED:

### MEMBERS ABSENT:

### STAFF PRESENT:

Todd Everts, Legal Division Director  
Rachel Weiss, Research Director

Daniel Rosenberg, Secretary

**AGENDA** ([Attachment 1](#))

**VISITORS' LIST**

**COMMITTEE ACTION**

**CALL TO ORDER/ROLL CALL**

13:02:36 Presiding Officer Matt Regier called the meeting to order at 1:02 PM. The committee secretary took roll.

**NEW EMPLOYEE INTRODUCTIONS**

13:03:20 Rachel Weiss, Research Director, Legislative Services Division (LSD)

13:04:31 Dale Gow, CIO, OLIS

13:06:59 Angie Carter, Finance Manager, LSD

**ENVIRONMENTAL QUALITY COUNCIL**

13:08:12 Todd Everts, Legal Director, LSD

[EXHIBIT 1](#)

13:10:00 Rep. Rhonda Knudsen

**Motion**

13:10:07 Rep. Rhonda Knudsen moved to concur with the Environmental Quality Council's appointment of Jason Mohr as the Legislative Environmental Analyst.

**Vote**

13:10:35 **Vote:** Carried unanimously by voice vote.

**LEGAL OFFICE UPDATE**

13:10:40 Todd Everts, Legal Director, LSD

13:10:59 Sen. Steve Fitzpatrick

**Rules Subcommittee Report**

13:12:37 Presiding Officer Matt Regier

13:12:39 Sen. Steve Fitzpatrick

**Annotations**

13:12:46 Todd Everts

**Session Law Amendments Simplification**

13:13:57 Jaret Coles, Deputy Legal Director, LSD

[EXHIBIT 2](#)

[EXHIBIT 3](#)

**Motion**

13:23:19 Sen. Steve Fitzpatrick moved to have a draft bill prepared for the session law amendments simplification.

**Vote**

13:23:36 The motion carried unanimously by voice vote.

**Hiring Schedule**

13:24:02 Todd Everts

**RESEARCH OFFICE UPDATE**

**Legislative Days, June 17-19, 2024**

13:25:43 Rachel Weiss

**Committee Questions/Discussion**

13:26:41 Sen. Jason Ellsworth

13:26:48 Rachel Weiss

13:27:06 Presiding Officer Matt Regier

13:27:11 Rachel Weiss

13:27:58 Rep. Sue Vinton

13:28:11 Rachel Weiss

**Legislative Parking During Interim Days. Action Item**

13:28:27 Rachel Weiss

**Motion**

13:29:03 Rep. Rhonda Knudsen moved that Legislative Services reserve parking for June 17th-19th for the whole week as designated by Ms. Weiss.

**Vote**

13:29:49 The motion carried unanimously by voice vote.

**Legislative Orientation, November 12-14, 2024. Action Item**

13:29:54 Rachel Weiss

**Committee Questions/Discussion**

13:31:10 Sen. Jason Ellsworth

13:31:30 Presiding Officer Matt Regier

**Motion**

13:31:46 Sen. Steve Fitzpatrick moved to have the Legislative Orientation scheduled for November 12, 13, and 14, 2024.

**Vote**

13:32:05 The motion carried unanimously by voice vote.

**Committee Questions/Discussion**

13:32:19 Presiding Officer Matt Regier  
13:32:29 Rachel Weiss

**Interim Report: Follow-up regarding the number of entities that receive staffing assistance**

13:32:47 Rachel Weiss  
[EXHIBIT 4](#)  
[EXHIBIT 5](#)

**Committee Questions/Discussion**

13:36:22 Sen. Steve Fitzpatrick  
13:36:35 Rachel Weiss  
13:37:30 Sen. Steve Fitzpatrick  
13:38:04 Rachel Weiss  
13:38:28 Rep. Rhonda Knudsen  
13:38:37 Rachel Weiss  
13:39:10 Presiding Officer Matt Regier  
13:39:19 Rachel Weiss  
13:39:40 Sen. Steve Fitzpatrick  
13:39:56 Rachel Weiss  
13:40:18 Sen. Steve Fitzpatrick  
13:41:08 Rachel Weiss  
13:41:47 Sen. Steve Fitzpatrick  
13:42:06 Rachel Weiss  
13:42:26 Presiding Officer Matt Regier  
13:42:34 Rachel Weiss  
13:42:54 Presiding Officer Matt Regier

**OLIS UPDATE****Project Updates**

13:43:36 Dale Gow

**Committee Questions/Discussion**

13:50:25 Sen. Jason Ellsworth  
13:50:38 Dale Gow  
13:50:46 Audrey Hinman, Operations Manager, OLIS  
13:52:02 Sen. Jason Ellsworth  
13:52:19 Audrey Hinman  
13:53:00 Sen. Jason Ellsworth  
13:53:19 Marilyn Miller, Secretary of the Senate  
13:55:55 Sen. Jason Ellsworth  
13:56:08 Presiding Officer Matt Regier

13:56:38 Dale Gow  
13:57:19 Presiding Officer Matt Regier  
13:57:47 Dale Gow

#### **FINANCE OFFICE UPDATE**

##### **Budget Status Report, Program 21**

13:58:41 Angie Carter  
[EXHIBIT 6](#)

#### **Committee Questions/Discussion**

14:01:31 Presiding Officer Matt Regier  
14:01:55 Angie Carter  
14:02:33 Presiding Officer Matt Regier  
14:02:41 Angie Carter  
14:02:49 Presiding Officer Matt Regier  
14:03:11 Sen. Jason Ellsworth

#### **Motion**

14:03:29 Sen. Jason Ellsworth moved to increase above and beyond the original \$1500 to an additional \$1500 per legislator to go to any other educational opportunities.

#### **Discussion on the Motion**

14:03:55 Vice Presiding Officer Pat Flowers  
14:04:00 Sen. Jason Ellsworth  
14:04:20 Presiding Officer Matt Regier  
14:04:21 Angie Carter  
14:05:09 Rep. Rhonda Knudsen  
14:05:20 Angie Carter  
14:05:27 Presiding Officer Matt Regier

#### **Vote**

14:05:52 The motion carried unanimously by voice vote.

#### **LOGISTICS AND APPROPRIATION WORKGROUP REPORT**

14:06:10 Sen. Kenneth Bogner

#### **Committee Questions/Discussion**

14:14:39 Sen. Jason Ellsworth  
14:15:17 Presiding Officer Matt Regier  
14:16:40 Vice Presiding Officer Pat Flowers  
14:16:54 Sen. Kenneth Bogner  
14:17:40 Sen. Steve Fitzpatrick  
14:18:06 Sen. Kenneth Bogner

14:19:26 Sen. Steve Fitzpatrick  
14:19:39 Sen. Kenneth Bogner  
14:20:08 Sen. Steve Fitzpatrick  
14:20:45 Sen. Kenneth Bogner  
14:21:46 Rep. Rhonda Knudsen  
14:22:17 Sen. Kenneth Bogner  
14:22:54 Todd Everts  
14:24:19 Sen. Steve Fitzpatrick  
14:25:33 Sen. Kenneth Bogner  
14:26:28 Presiding Officer Matt Regier  
14:26:38 Rep. Derek Harvey  
14:27:17 Sen. Kenneth Bogner  
14:27:41 Sen. Steve Fitzpatrick  
14:28:17 Sen. Kenneth Bogner  
14:28:44 Presiding Officer Matt Regier  
14:29:47 Sen. Kenneth Bogner

#### **OTHER COUNCIL BUSINESS**

##### **Report on House Bullpens**

14:30:23 Carolyn Tschida, Chief Clerk of the House  
[EXHIBIT 7](#)  
[EXHIBIT 8](#)  
[EXHIBIT 9](#)

##### **Committee Questions/Discussion**

14:35:43 Presiding Officer Matt Regier  
14:36:10 Carolyn Tschida  
14:36:49 Rep. Sue Vinton  
14:37:17 Carolyn Tschida  
14:38:07 Rep. Sue Vinton  
14:38:45 Presiding Officer Matt Regier  
14:39:01 Carolyn Tschida

##### **Motion**

14:39:53 Rep. Harvey moved to approve an additional \$100,000 for outfitting the House bullpens in the basement.

##### **Discussion on the Motion**

14:40:18 Rep. Sue Vinton  
14:40:55 Sen. Jason Ellsworth  
14:41:45 Presiding Officer Matt Regier  
14:42:21 Rep. Sue Vinton  
14:42:37 Presiding Officer Matt Regier

14:43:07 Rep. Sue Vinton

**Vote**

14:43:21 The motion carried unanimously by voice vote.

**LEGISLATIVE SPACE WORKGROUP**

14:43:30 Rep. Rhonda Knudsen

[EXHIBIT 10](#)

[EXHIBIT 11](#)

**Department of Administration (DOA) proposal for Relocation of Legislative Audit Division (LAD)**

14:46:34 Angus Maciver, Director, LAD

**Committee Questions/Discussion**

14:49:35 Presiding Officer Matt Regier  
14:49:59 Sen. Jason Ellsworth  
14:51:33 Misty Ann Giles, Director, DOA  
14:52:29 Angus Maciver  
14:53:42 Misty Ann Giles  
14:54:44 Presiding Officer Matt Regier  
14:54:58 Rep. Rhonda Knudsen  
14:56:07 Sen. Steve Fitzpatrick  
14:56:25 Misty Ann Giles  
14:56:55 Sen. Jason Ellsworth  
14:58:33 Rep. Rhonda Knudsen

**Motion**

14:58:37 Rep. Rhonda Knudsen moved the Legislative Council accept the recommendation of the Legislative Space Workgroup and approve Option 2 of the January 8, 2024, Department of Administration proposal entitled “Required proposal to Legislative Council to move the Legislative Audit Division out of the Capitol into an existing, renovated, or constructed building on the Capitol Complex”, subject to the conditions outlined in the March 14, 2024, memorandum from the Legislative Auditor Angus Maciver entitled “Conditions/stipulations to Department of Administration proposals for relocation of the Legislative Audit Division”.

**Discussion on the Motion**

14:59:27 Sen. Steve Fitzpatrick  
15:00:10 Sen. Jason Ellsworth  
15:02:14 Sen. Steve Fitzpatrick  
15:02:34 Sen. Jason Ellsworth  
15:02:42 Vice Presiding Officer Pat Flowers  
15:03:19 Rep. Rhonda Knudsen

**Vote**

15:03:45 The motion carried unanimously by voice vote.

**Motion**

15:03:49 Rep. Rhonda Knudsen moved that a memorandum of understanding between the Legislature and the Department of Administration clarifying that the newly occupied Audit space in the Mitchell Building will be immediately under the authority and jurisdiction of the Legislature. This MOU then shall include language that requires the least documents to be updated to reflect the same.

**Discussion on the Motion**

15:04:31 Presiding Officer Matt Regier

**Vote**

15:04:49 The motion carried unanimously by voice vote.

**Mid-Term Plan**

15:05:06 Rep. Rhonda Knudsen

[EXHIBIT 12](#)

15:05:39 Joe Triem, Deputy Director, Legislative Fiscal Division (LFD)

15:10:10 Rep. Harvey

**Motion**

15:10:34 Rep. Harvey moved the Legislative Council accept the recommendation of the Legislative Space Workgroup and approve the proposed 1<sup>st</sup> floor mid-term plan presented today.

**Vote**

15:11:01 The motion carried unanimously by voice vote.

**Motion**

15:11:08 Rep. Harvey moved the Legislative Council authorize DOA to proceed with a solicitation for procurement of consulting services to design and implement the mid-term plans adopted by the Legislative Council. The appointment shall allow use of the selected design team for long-range plan updates and implementation of future long-range plan elements authorized by the Legislative Council.

**Discussion on the Motion**

15:11:58 Rep. Rhonda Knudsen

15:12:36 Presiding Officer Matt Regier

15:12:54 Rep. Rhonda Knudsen

**Vote**

15:13:19 The motion carried unanimously by voice vote.



### **Committee Questions/ Discussion**

15:13:34 Sen. Jason Ellsworth  
[EXHIBIT 13](#)  
15:13:50 Presiding Officer Matt Regier

15:14:00 Rep. Rhonda Knudsen continued the presentation.

### **Motion**

15:14:55 Rep. Rhonda Knudsen moved to have Joe Triem, Deputy Director of the LFD who is a licensed professional engineer, continue to work with the Legislative Council, with the concurrence of the Legislative Finance Committee Management Advisory Work Group, through FYE 2025 for the purposes of assisting the Legislative Council and Legislative Space Work Group with planning, design, and implementation of legislative branch capitol improvements authorized in HB 856. Approximately 50% of Mr. Triem's time and cost will be allocated to the Legislative Council, to which Mr. Triem will report directly, and approximately 50% of his time and cost will be allocated to the LFD, where he will continue to report to the Legislative Fiscal Analyst. Beginning with the pay period ending April 5, 2024, the cost of salary and benefits for Mr. Triem's employment will be paid 50% from the funds appropriated to the legislative branch in Section 14 of HB 856, and 50% will be paid from the funds appropriated to the LFD in HB 2. This shared arrangement of time and cost is anticipated to end with the FY 2025 but may be extended by mutual agreement of the Legislative Council and the Legislative Finance Committee Management Advisory Work Group.

### **Discussion on the Motion**

15:16:28 Presiding Officer Matt Regier

### **Vote**

15:17:15 The motion carried unanimously by voice vote.

### **Long-Range Plan**

15:18:13 Rep. Rhonda Knudsen  
[EXHIBIT 14](#)

### **RECESS**

15:22:32 Reconvened at 3.38 p.m.

### **Long-range plan**

15:39:02 Gregg Sanders, Henneberry Architects  
[EXHIBIT 15](#) (PowerPoint Presentation)  
[EXHIBIT 16](#)  
[EXHIBIT 17](#) (final report changes highlighted)

### **Committee Questions/Discussion**

15:55:17 Rep. Sue Vinton  
15:55:36 Gregg Sanders

15:56:06 Rep. Sue Vinton  
15:56:23 Gregg Sanders

**Motion**

15:57:13 Rep. Rhonda Knudsen moved the Legislative Council accept the recommendation of the Legislative Space Workgroup and approve the long-range legislative branch capital development plan presented today in the Legislative Council.

**Discussion on the Motion**

15:57:51 Sen. Jason Ellsworth  
15:58:00 Rep. Rhonda Knudsen  
15:58:04 Sen. Jason Ellsworth  
15:58:19 Rep. Rhonda Knudsen

**Vote**

15:59:05 **Vote:** Carried 10 - 1 by voice vote with Sen. Steve Fitzpatrick voting no.

**Committee Questions/Discussion**

16:00:02 Presiding Officer Matt Regier  
16:00:06 Rep. Rhonda Knudsen  
16:00:30 Presiding Officer Matt Regier

**Motion**

16:01:04 Sen. Jason Ellsworth to reconsider the mid-term plan motion passed by the Legislative Council.

**Discussion on the Motion**

16:01:56 Presiding Officer Matt Regier  
16:02:50 Sen. Jason Ellsworth  
16:03:18 Rep. Rhonda Knudsen  
16:04:26 Vice Presiding Officer Pat Flowers

**Vote**

16:05:28 **Vote:** Carried 9 - 3 by roll call vote with Rep. Rhonda Knudsen, Presiding Officer Matt Regier, Rep. Vinton voting no.

**LEGISLATIVE SPACE WORKGROUP**

16:06:25 Sen. Jason Ellsworth (see [EXHIBIT 13](#))

**Motion**

16:07:19 Sen. Jason Ellsworth moved to amend the mid-term space plan to include a Senate bullpen.

**Discussion on the Motion**

16:07:29 Rep. Derek Harvey  
16:07:45 Dale Gow  
16:08:15 Presiding Officer Matt Regier  
16:09:10 Rep. Rhonda Knudsen  
16:09:23 Sen. Jason Ellsworth  
16:10:14 Rep. Rhonda Knudsen  
16:10:39 Sen. Jason Ellsworth  
16:10:47 Rep. Rhonda Knudsen  
16:11:08 Sen. Jason Ellsworth

**Vote**

16:11:51 **Vote:** Carried 8 - 4 by roll call vote with Rep. Harvey, Rep. Rhonda Knudsen, Presiding Officer Matt Regier, Rep. Vinton voting no.

**PUBLIC COMMENT on any matter under the Legislative Council's jurisdiction**

16:12:42 None

**OTHER COUNCIL BUSINESS**

16:13:09 Presiding Officer Matt Regier

**ADJOURNMENT**

16:13:35 Presiding Officer Matt Regier adjourned the meeting at 4:13 p.m.