

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

JOINT COMMITTEE ON RULES

Call to Order: CHAIRMAN JIM PETERSON, on December 15, 2008 at
1:00 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Sen. Jim Peterson, Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Roy Brown (R)
Sen. Mike Cooney (D)
Sen. John Esp (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Bob Hawks (D)
Sen. Jesse Laslovich (D)
Sen. Dan McGee (R)
Sen. Bob Story Jr. (R)
Sen. Carol Williams (D)
Rep. Dan Villa, Chairman (D)
Rep. Margaret H. Campbell,
Rep. Shannon Augare (D)
Rep. Bob Bergren (D)
Rep. Mark Blasdel (R)
Rep. Julie French (D)
Rep. Bill E. Glaser (R)
Rep. Deborah Kottel (D)
Rep. Bob Lake (R)
Rep. Mike Phillips (D)
Rep. Scott Sales (R)
Rep. Jon Sonju (R)

Members Excused: None.

Members Absent:

Sen. John Brenden (R)
Sen. Steven Gallus (D)
Sen. Kim Gillan (D)
Sen. David Wanzenried (D)
Rep. Scott Mendenhall (R)
Rep. Wendy Warburton (R)

Staff Present: Greg Petesch, Legislative Branch
Karlle Hill, Secretary

Audio Committees: These minutes are in outline form only.

They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary: LC8001 and Proposed Changes

1:22 pm Sen. Peterson called the meeting to order.

Discussion:

Greg Petesch, Director Legal Services, reviewed the proposed changes.

[EXHIBIT\(rus00b01\)](#)

[EXHIBIT\(rus00b02\)](#)

Rep. Villa raised a question regarding Joint Rule 10-80.

Sen. McGee questioned whether the proposed change in 10-100 whereby Journal Clerks would be hired by Legislative Services would hinder the ability of the Secretary of the Senate and the Chief Clerk of the House to do their job.

Motion: Sen. McGee moved to strike amendment to 10-100 Item Sub 3.

Discussion: Sen. Cooney addressed some of Sen. McGee's concerns.

Motion: Sen. Gebhardt made a substitute motion.

Discussion:

Sen. Gebhardt
Sen. McGee
Sen. Lake

Without objection **Sen. Gebhardt** withdrew his substitute motion.

Motion: Rep. Lake moved a substitute motion to remove the word "employ" leaving the proposed rule change to state "Legislative Services shall train the journal clerk."

Discussion:

Rep. Villa
Greg Petesch
Sen. Esp
Sen. McGee
Sen. Cooney
Sen. Storey
Rep. Kottel
Sen. McGee

Vote: House - Motion CARRIED by unanimous by roll call vote.
Senate - Motion carried 8-7 vote; Sens. Cooney, Esp, Gillan, Hawks, Laslovich, Wanzenried and Williams voting no. Sens. Gillan and Wanzenried voted by proxy.

Discussion:

Sen. McGee 10-120 Subsection 3.
Greg Petesch

Sen. Barkus
Greg Petesch

Motion: Sen. Bergren moved to amend 40-40 Subsection 2B by changing the date from Nov 1 to Nov 15.

Discussion:

Sen. McGee
Sen. Bergren

Vote: House - Motion carried by unanimous voice vote.
Senate - Motion carried by unanimous voice vote.

Motion/Vote: Sen. Story moved to change date on 40-40 Subsection 5A from December 5 to December 15. House -- Motion carried by unanimous voice vote. Senate -- Motion carried by unanimous voice vote.

Discussion:

Rep. Villa question on 40-60 Sub K.
Greg Petesch
Rep. Villa

Greg Petesch
Sen. Barkus
Greg Petesch

Motion/Vote: Rep. Bergren moved that a bill request be drafted to move forward on LC8000. House - Motion carried by unanimous voice vote. Senate - Motion carried by unanimous voice vote.

Discussion:

Greg Petesch commented on the ability to pre-introduce the Rules.

Sen. Peterson asked if there was any objections from leadership in the house or senate. There was none.

Rep. Glaser commented on the fact that the committee isn't really a committee until they are sworn in.

Sen. Story noted the irony that the setup of the Rules Committee adopting changes submitted by Legislative services and it takes a majority vote to not support the changes.

Sen. Gebhardt commented on the rules already designate who carries the rules bills.

ADJOURNMENT

Adjournment: 2:10 P.M.

SEN. JIM PETERSON, Chairman

Karlie Hill, Secretary

JP/kh

Additional Exhibits:

EXHIBIT ([rus00bad.pdf](#))