

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON RULES

Call to Order: Chairman Michael (Mike) More, on December 6, 2010 at 11:15 A.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Michael (Mike) More, Chairman (R)
Rep. Mike Milburn, Vice-Chairman (R)
Rep. Tom McGillvray (R)
Rep. John Esp (R)
Rep. Ken Peterson (R)
Rep. Steve Lavin (R)
Rep. Dan Skattum (R)
Rep. Jerry O'Neil (R)
Rep. Cary Smith (R)
Rep. Max Yates (R)
Rep. Jerry Bennett (R)
Rep. Wendy Warburton (R)
Rep. Chuck Hunter (D)
Rep. Margaret MacDonald (D)
Rep. Betsy Hands (D)

Members Excused: None

Members Absent: Rep. Kristen Hansen (R)
Rep. Steve Fitzpatrick (R)
Rep. Janna Taylor (R) non-voting
Rep. Mike Phillips (D)
Rep. Michelle Reinhart (D)
Rep. Jon Sesso (D)

Staff Present: Todd Everts, Legislative Services Division
Pam Schindler, 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:

Hearing and Date Posted: LC 9003

Executive Action: Motions to draft House Rules

Please Note: The rule for written proxy requirement was suspended for this hearing.

Discussion on LC 9003:

00:01:33 Chairman More

00:01:57 Todd Everts, Legislative Services Division (LSD)

[EXHIBIT\(ruh00a01\)](#)

[EXHIBIT\(ruh00a02\)](#)

00:02:41 Vice Chairman Milburn

00:02:51 Mr. Everts, LSD

00:04:21 **Motion:** Rep. McGillvray moved to **ACCEPT PROPOSED CHANGES TO H 10-90 AND THE CHANGES ON PAGE 1, LINE 13.**

00:04:38 Mr. Everts

00:04:53 **Vote:** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:05:08 Mr. Everts

00:05:46 Chairman More

00:05:52 **Motion:** Rep. McGillvray moved to **ACCEPT PROPOSED CHANGES TO H 20-20.**

00:06:18 Rep. Peterson

00:06:23 Mr. Everts

00:06:33 **Vote:** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:06:43 Mr. Everts

00:06:48 **Motion:** Rep. McGillvray moved to **ACCEPT PROPOSED TO CHANGES TO H 20-60, H 20-70, H 30-10.**

00:07:34 Chairman More

00:07:47 **Vote:** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:08:26 **Motion/Vote:** Rep. McGillvray **MOVED TO SEGREGATE LINES 9 AND 10 FROM H 30-10.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:09:20 Rep. McGillvray

00:09:28 **Motion:** Rep. Peterson **PROPOSED AN AMENDMENT FOR H 30-10, LINES 11 - 12 TO INSERT AFTER "THE", "CHAIRS AND VICE CHAIRS."**

Discussion:

00:10:21 Chairman More
00:10:49 Rep. O'Neil
00:11:07 Chairman More
00:11:21 Vice Chairman Milburn
00:11:30 Rep. O'Neil
00:11:57 Chairman More
00:12:39 Mr. Everts

00:12:54 **Vote:** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:13:24 Chairman More
00:14:17 Rep. Esp
00:14:37 Chairman More
00:15:12 Mr. Everts

00:15:27 **Motion:** Rep. Rep. Hands moved to **ACCEPT PROPOSED CHANGES TO H 30-10.**

Discussion:

00:15:35 Rep. McGilvray
00:16:30 Rep. Peterson
00:16:46 Mr. Everts
00:17:14 Rep. Peterson
00:17:53 Rep. McGilvray
00:18:22 Rep. Peterson
00:18:35 Rep. Hands
00:18:46 Mr. Everts
00:18:51 Rep. Hands
00:20:30 Rep. Esp
00:22:22 Rep. Hunter
00:23:18 Rep. Peterson

00:24:03 **Vote:** Motion failed 6-14 by roll call vote with Rep. Hunter, Rep. MacDonald, Rep. Hands, Rep. Sesso, Rep. Phillips, Rep. Reinhart voting aye. Rep. Sesso, Rep. Phillips, Rep. Hansen, Rep. Fitzpatrick, Rep. Reinhart voted by proxy.

00:27:00 Rep. Warburton
00:27:17 Chairman More
00:27:31 Rep. Warburton
00:27:42 Mr. Everts

00:28:16 **Motion/Vote:** Rep. Esp **MOVED TO ACCEPT LANGUAGE CHANGES ON PAGES 13 AND 14.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:29:13 Mr. Everts

00:29:17 **Motion:** Rep. Peterson **MOVED TO STRIKE THE LANGUAGE ON PAGE 15, LINES 15-17, "SUBCOMMITTEE MUST BE COMPOSED OF AN EQUAL NUMBER OF MEMBERS FROM EACH POLITICAL PARTY."**

Discussion:

00:30:38 Rep. MacDonald

00:31:07 Mr. Everts

00:31:45 Rep. McGillvray

00:32:09 **Vote:** Motion carried 19-1 by voice vote with Rep. Esp voting no. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:32:43 Mr. Everts

00:33:01 Rep. Peterson

00:33:43 Rep. Hands

00:34:15 Rep. Peterson

00:34:55 Mr. Everts

00:35:47 Rep. Peterson

00:36:12 Mr. Everts

00:36:31 Rep. Hunter

00:37:31 Mr. Everts

00:38:15 **Motion:** Rep. Hunter **MOVED TO ACCEPT PROPOSED CHANGES TO H 30-40, H 30-50 AND ON PAGE 17, LINE 12, FOLLOWING SEMI-COLON, TO INSERT "INCLUDING THE VOTES OF EACH MEMBER."**

Discussion:

00:39:37 Rep. Esp

00:40:31 Rep. Peterson

00:41:10 **Vote:** Motion failed 6-14 by roll call vote with Rep. Hunter, Rep. MacDonald, Rep. Hands, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voting aye. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:43:03 Mr. Everts

00:43:10 **Motion/Vote:** Rep. McGillvray **MOVED TO ACCEPT PROPOSED CHANGES TO H 30-40, PAGE 19, AND LINES 6-10, PAGE 20, LINES 9 AND 10.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:44:39 Chairman More

00:44:53 **Motion:** Rep. McGillvray **MOVED TO ACCEPT PROPOSED CHANGES TO H 30-50, AND PAGE 21, LINES 9 AND 10.**

Discussion:

00:45:24 Rep. Peterson
00:46:07 Mr. Everts
00:46:54 Rep. McGillvray

00:47:16 **Motion:** Rep. Peterson **MOVED TO CHANGE THE LANGUAGE ON PAGE 19, LINE 8, TO READ "BY PROXY IF ABSENT WHILE ENGAGED IN OTHER LEGISLATIVE ACTIVITIES."**

Discussion:

00:48:48 Chairman More, without objection, allowed Rep. Peterson's proposed language insertion to be included in previous motion.

00:49:16 Rep. Esp
00:49:42 Mr. Everts
00:49:58 Rep. Peterson
00:50:24 Rep. MacDonald
00:51:06 Mr. Everts
00:51:54 Rep. O'Neil
00:52:13 Mr. Everts
00:52:26 Rep. Esp

00:53:12 **Vote:** Motion carried 19-1 by voice vote with Rep. MacDonald voting no. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:54:03 Mr. Everts
00:55:19 Chairman More

00:55:36 **Motion/Vote:** Rep. Warburton **MOVED TO ACCEPT CHANGES ON PAGE 20, LINE 9 AND 10 SUBSECTION F.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:56:01 **Motion/Vote:** Rep. Peterson **MOVED TO ACCEPT PROPOSED CHANGES TO H 40-40, H 40-50, H 40-100, H 40-130, H 30-60.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:56:24 Mr. Everts

00:57:38 **Motion:** Rep. McGillvray **MOVED TO ACCEPT PROPOSED CHANGES TO H 40-130, H 40-140.**

Discussion:

00:58:35 Mr. Everts
00:59:15 Rep. MacDonald

00:59:21 **Vote:** Motion carried 19-1 by voice vote with Rep. Peterson voting no. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

00:59:41 Mr. Everts

01:00:39 **Motion/Vote:** Rep. Peterson **MOVED TO ACCEPT PROPOSED CHANGES TO H 40-150.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

01:01:10 Rep. Peterson

01:01:25 Mr. Everts

01:03:06 **Motion:** Rep. Esp **MOVED TO ACCEPT THE PROPOSED CHANGES TO H 40-160.**

Discussion:

01:03:12 Rep. Peterson

01:03:33 Mr. Everts

01:04:54 Rep. Peterson

01:05:04 Rep. Esp

01:05:43 Chairman More

01:05:49 Rep. Hunter

01:06:41 Mr. Everts

01:07:13 Rep. Esp

01:07:33 Rep. McGillvray

01:08:00 Chairman More

01:08:08 **Motion:** Rep. Peterson **MOVED TO STRIKE "DESCENDING."**

Discussion:

01:08:42 Rep. Esp

01:09:20 Rep. Peterson **WITHDREW HIS PREVIOUS MOTION.**

01:09:41 **Vote:** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

01:10:06 Mr. Everts

01:10:19 Rep. Peterson

01:10:54 Chairman More

01:11:17 Mr. Everts

01:11:42 **Motion/Vote:** Rep. Hands **MOVED TO ACCEPT THE PROPOSED CHANGES TO H 40-180.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

01:12:01 Mr. Everts

- 01:12:28 **Motion/Vote:** Rep. Esp **MOVED TO ACCEPT THE PROPOSED CHANGES ON PAGE 33, LINES 23-27, PAGE 34, LINE 1 AND H 40-230.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.
- 01:12:54 Mr. Everts
- 01:13:36 **Motion/Vote:** Rep. Hands **MOVED TO ACCEPT THE PROPOSED CHANGES TO H 50-10, H 50-50.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.
- 01:13:52 Mr. Everts
- 01:14:57 **Motion/Vote:** Rep. McGillvray **MOVED TO ACCEPT THE PROPOSED CHANGES TO H 50-90.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.
- 01:15:18 Mr. Everts
- 01:15:40 **MotionVote:** Vice Chairman Milburn **MOVED TO ACCEPT PROPOSED CHANGES TO H 50-120.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy vote.
- 01:16:13 Mr. Everts
- 01:17:24 **Motion:** Rep. Peterson **MOVED TO ACCEPT PROPOSED CHANGES TO H 50-140.**

Discussion:

- 01:17:28 Rep. O'Neil
- 01:17:49 Mr. Everts
- 01:17:55 Rep. O'Neil
- 01:18:09 Mr. Everts
- 01:18:43 Rep. Warburton
- 01:18:50 Mr. Everts
- 01:19:14 **Vote:** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.
- 01:19:40 Mr. Everts
- 01:19:55 **Motion/Vote:** Vice Chairman Milburn **MOVED TO ACCEPT PROPOSED TO CHANGES H 50-140.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.
- 01:20:07 Mr. Everts

- 01:21:57 **Motion/Vote:** Rep. Esp **MOVED TO ACCEPT PROPOSED CHANGES TO H 50-160.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.
- 01:22:48 Mr. Everts
- 01:23:35 **Motion/Vote:** Vice Chairman Milburn **MOVED TO ACCEPT PROPOSED CHANGES TO H 50-170.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.
- 01:23:49 Mr. Everts
- 01:24:33 **Motion:** Vice Chairman Milburn **MOVED TO ACCEPT PROPOSED CHANGES TO H 50-220**
- Discussion:**
- 01:24:45 Rep. Peterson
- 01:24:54 Mr. Everts
- 01:25:23 Rep. McGillvray
- 01:25:43 Rep. Peterson
- 01:26:00 Rep. McGillvray
- 01:26:15 Vice Chairman Milburn
- 01:26:59 Mr. Everts
- 01:27:24 Vice Chairman Milburn
- 01:27:28 **Vote:** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.
- 01:27:41 Mr. Everts
- 01:28:15 **Motion/Vote:** Rep. Peterson **MOVED TO ACCEPT PROPOSED CHANGES TO H 60-40.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.
- 01:28:35 Mr. Everts
- 01:28:55 **Motion/Vote:** Rep. McGillvray **MOVED TO ACCEPT THE LANGUAGE AS INDICATED ON PAGE 49, LINES 17 AND 18.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.
- 01:29:05 Mr. Everts
- 01:29:27 Rep. Peterson
- 01:30:30 Rep. Hands
- 01:31:06 Mr. Everts
- 01:31:47 Rep. Peterson
- 01:32:11 Rep. McGillvray

01:32:37 Rep. Hands
01:33:07 Chairman More
01:33:37 Mr. Everts

01:34:14 **Motion/Vote:** Rep. Esp **MOVED TO ACCEPT PROPOSED CHANGES TO H 60-110, H 70-10, H 70-50.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

01:34:30 Chairman More

01:34:39 **Motion/Vote:** Rep. McGillvray **MOVED TO ADOPT LC9003 BILL REQUEST AND BE DRAFTED AS HR 1.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Fitzpatrick, Rep. Sesso, Rep. Phillips, and Rep. Reinhart voted by proxy.

ADJOURNMENT

Adjournment: 12:50 P.M.

Pam Schindler, Secretary

Additional Documents:

EXHIBIT([ruh00aad.pdf](#))