

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON RULES

**Call to Order:** Chair Fred Thomas, on January 21, 2019 at 4:09 P.M., in Room 303  
Capitol

#### ROLL CALL

**Members Present:**

Sen. Fred Thomas, Chair (R)  
Sen. Mark Blasdel, Vice Chair (R)  
Sen. Dick Barrett (D)  
Sen. Bryce Bennett (D)  
Sen. Steve Fitzpatrick (R)  
Sen. Douglas (Doug) Kary (R)  
Sen. Bob Keenan (R)  
Sen. Margaret (Margie) MacDonald (D)  
Sen. Nate McConnell (D)  
Sen. Albert Olszewski (R)  
Sen. Mike Phillips (D)  
Sen. Scott Sales (R)  
Sen. Cary Smith (R)  
Sen. Roger Webb (R)

**Members Excused:** Sen. Jon C. Sesso, Vice Chair (D)

**Members Absent:** None

**Staff Present:** Todd Everts, Legislative Branch  
Nadine Spencer, 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:**

Executive Action:

SR1 - Be Adopted

SJ1 - Do Pass As Amended

Adopted the Policy of the Montana Legislature Prohibiting Discrimination and Harassment (for Legislators) as amended on January 21, 2019.

16:09:15 Chair Thomas

**EXECUTIVE ACTION ON SR 1**

16:09:55 **Motion:** Sen. Blasdel moved that **SR 1 BE ADOPTED**.

16:10:19 **Motion:** Sen. Phillips moved that **SR 1 BE AMENDED BY SR000102.AJC. EXHIBIT(rus11a01)**

**Discussion:**

16:10:42 Sen. Phillips

16:12:03 **Vote:** Motion failed by majority voice vote of those present and voting.

16:12:20 **Motion:** Sen. Phillips moved that **SR 1 BE AMENDED BY SR000105.AJC. EXHIBIT(rus11a02)**

**Discussion:**

16:13:02 Sen. Phillips

16:14:22 **Vote:** Motion failed by majority voice vote of those present and voting.

16:14:38 **Motion:** Sen. Phillips moved that **SR 1 BE AMENDED BY SR000104.AJC. EXHIBIT(rus11a03)**

**Discussion:**

16:14:55 Sen. Phillips

16:15:59 **Vote:** Motion failed by majority voice vote of those present and voting.

16:16:14 Sen. Phillips

16:16:32 Todd Everts, code commissioner, Legislative Services Division (LSD)

16:16:40 **Motion:** Sen. Phillips moved that **SR 1 BE AMENDED BY SR000103.AJC. EXHIBIT(rus11a04)**

**Discussion:**

16:16:51 Sen. Phillips

16:17:13 Sen. Webb entered the meeting.

16:18:09 **Vote:** Motion failed by majority voice vote. Sen. Sesso voted aye by proxy.

16:18:48 **Vote:** Motion that **SR 1 BE ADOPTED** carried 13-1 by voice vote with Sen. Phillips voting no. Sen. Sesso was excused.

**EXECUTIVE ACTION ON SJ 1**

16:19:05 **Motion:** Sen. Blasdel moved that **SJ 1 DO PASS.**

16:19:27 Chair Thomas

16:19:35 **Motion:** Sen. Blasdel moved that **SJ 1 BE AMENDED BY SJ000109.ATE.**  
**EXHIBIT(rus11a05)**

**Discussion:**

16:20:00 Chair Thomas

16:20:22 Sen. Bennett

16:21:12 Chair Thomas

16:21:23 **Vote:** Motion carried by majority voice vote of those present and voting.

16:21:34 **Motion:** Sen. Blasdel moved that **SJ 1 BE AMENDED BY SJ000108.ATE.**  
**EXHIBIT(rus11a06)**

**Discussion:**

16:22:04 Chair Thomas

16:23:11 **Vote:** Motion carried by majority voice vote of those present and voting.

16:23:25 **Motion:** Sen. Blasdel moved that **SJ 1 BE AMENDED BY SJ000101.ASB.**  
**EXHIBIT(rus11a07)**

**Discussion:**

16:24:22 Chair Thomas

16:25:15 Mr. Everts, LSD

16:26:12 Sen. Phillips

16:26:57 Chair Thomas

16:27:31 Mr. Everts

16:29:12 Chair Thomas

16:29:21 Mr. Everts

16:29:42 Chair Thomas

16:30:05 Sen. Blasdel withdrew the BE AMENDED motion.

16:30:16 **Motion:** Sen. Blasdel moved that **SJ 1 BE AMENDED BY SJ000103.asb.**  
**EXHIBIT(rus11a08)**

**Discussion:**

16:30:33 Chair Thomas

16:31:23 Sen. MacDonald

16:31:46 Chair Thomas

16:32:17 Sen. MacDonald

16:32:25 Chair Thomas

16:32:54 Sen. MacDonald

16:33:14 Mr. Everts

16:33:27 Chair Thomas  
16:33:47 Sen. Bennett  
16:34:50 Sen. McConnell  
16:35:01 Chair Thomas  
16:35:07 Sen. McConnell  
16:35:21 Chair Thomas  
16:35:30 Sen. McConnell  
16:36:00 Mr. Everts  
16:36:21 Julianne Burkhardt, staff attorney, LSD  
16:36:26 Sen. McConnell  
16:37:17 Ms. Burkhardt, LSD  
16:37:40 Sen. McConnell  
16:37:53 Ms. Burkhardt  
16:38:13 Sen. McConnell  
16:38:22 Ms. Burkhardt  
16:38:35 Sen. McConnell  
16:38:52 Ms. Burkhardt  
16:38:56 Sen. McConnell  
16:39:05 Ms. Burkhardt  
16:39:13 Sen. McConnell  
16:39:44 Chair Thomas  
16:41:35 Sen. McConnell  
16:42:01 Chair Thomas  
16:42:49 Sen. Phillips  
16:43:20 Chair Thomas  
16:44:03 Sen. Phillips  
  
16:44:18 Sen. Blasdel withdrew the BE AMENDED motion.  
  
16:44:31 **Motion:** Sen. Blasdel moved that **SJ 1 BE AMENDED BY SJ000101.ASB** (see exhibit 7)

**Discussion:**

16:44:39 Chair Thomas  
  
16:44:57 **Vote:** Motion carried by majority voice vote of those present and voting.  
  
16:45:12 **Motion:** Sen. Blasdel moved that **SJ 1 BE AMENDED BY SJ000107.ATE.**  
**EXHIBIT(rus11a09)**

**Discussion:**

16:45:52 Chair Thomas  
16:46:28 Mr. Everts  
16:47:06 Chair Thomas  
16:47:16 Mr. Everts  
16:48:02 Chair Thomas  
16:48:22 Sen. Barrett  
16:49:08 Sen. MacDonald  
16:49:45 Sen. JP Pomnichowski, SD 33  
16:51:44 Chair Thomas

16:53:26 **Vote:** Motion carried by majority voice vote of those present and voting.

16:53:44 **Motion:** Sen. Blasdel moved that **SJ 1 BE AMENDED BY SJ000110.ATE.**  
**EXHIBIT(rus11a10)**

**Discussion:**

16:54:18 Chair Thomas  
16:54:52 Sen. Phillips  
16:55:07 Chair Thomas  
16:55:14 Mr. Everts  
16:56:08 Sen. Phillips  
16:56:31 Chair Thomas

16:56:57 **Vote:** Motion carried by majority voice vote of those present and voting.

16:57:07 **Motion:** Sen. Blasdel moved that **SJ 1 BE AMENDED BY SJ000105.AJJ.**  
**EXHIBIT(rus11a11)**

**Discussion:**

16:57:16 Chair Thomas  
**EXHIBIT(rus11a12)**

16:59:41 Sen. Barrett  
16:59:47 Chair Thomas  
17:01:02 Sen. Phillips  
17:01:29 Mr. Everts

17:02:15 **Vote:** Motion carried by majority voice vote of those present and voting.

17:02:27 **Motion:** Sen. Blasdel moved that **SJ 1 BE AMENDED BY SJ000104.AJJ.** (see exhibit 12)

**Discussion:**

17:02:31 Chair Thomas

17:03:32 **Vote:** Motion carried by majority voice vote of those present and voting.

17:03:43 **Motion:** Sen. Blasdel moved that **SJ 1 BE AMENDED BY SJ000101.ATE.**  
**EXHIBIT(rus11a13)**

**Discussion:**

17:03:58 Sen. Blasdel  
17:04:12 Chair Thomas  
17:04:54 Sen. MacDonald  
17:05:20 Chair Thomas  
17:05:30 Sen. Phillips  
17:06:28 President Sales  
17:07:54 Sen. Barrett  
17:09:14 Sen. MacDonald  
17:09:38 Chair Thomas

17:10:13 **Substitute Motion:** Sen. Phillips made a substitute motion that **SJ 1 BE AMENDED BY SJ000106.ATE.**

**EXHIBIT(rus11a14)**

**Discussion:**

17:11:09 Mr. Everts  
 17:12:37 Sen. Phillips  
 17:12:44 Sen. McConnell  
 17:13:00 Mr. Everts  
 17:13:35 Sen. McConnell  
 17:14:42 President Sales  
 17:15:12 Chair Thomas  
 17:16:24 Sen. MacDonald

17:16:36 **Vote:** Motion failed 6-9 by roll call vote with Sen. Barrett, Sen. Bennett, Sen. MacDonald, Sen. McConnell, Sen. Phillips and Sen. Sesso voting aye. Sen. Sesso voted by proxy.

17:17:55 Chair Thomas

17:18:15 **Vote:** Motion that SJ 1 BE AMENDED BY SJ000101.ATE carried by majority voice vote of those present and voting.

**EXECUTIVE ACTION ON THE POLICY PROHIBITING DISCRIMINATION AND HARASSMENT AS AMENDED**

17:18:40 Chair Thomas

17:19:02 **Motion:** Sen. Blasdel moved **TO ADOPT** the Policy of the Montana Legislature Prohibiting Discrimination and Harassment (for Legislators) as amended on January 21, 2019.

**EXHIBIT(rus11a15)**

**Discussion:**

17:19:21 Chair Thomas  
 17:25:30 Sen. Barrett  
 17:25:53 Chair Thomas  
 17:26:10 Sen. Phillips  
 17:26:28 Mr. Everts redirect  
 17:26:45 Susan Byorth Fox, director, LSD  
 17:27:23 Sen. Phillips  
 17:27:51 Ms. Fox, LSD  
 17:28:21 Sen. MacDonald  
 17:29:08 Ms. Fox  
 17:29:31 Sen. MacDonald  
 17:29:52 Mr. Everts  
 17:30:18 Sen. MacDonald  
 17:30:55 Chair Thomas  
 17:32:04 Sen. MacDonald

17:32:24 **Vote:** The motion carried by majority voice vote of those present and voting.

17:32:47

**Motion/Vote:** Sen. Thomas moved that **SR 1 DO PASS AS AMENDED**. Motion carried 10-4 by voice vote with Sen. Barrett, Sen. Bennett, Sen. MacDonald and Sen. Phillips voting no. Sen. Sesso was excused.

**ADJOURNMENT**

Adjournment: 5:32 PM

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Nadine Spencer, Secretary

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Additional Documents:

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**EXHIBIT([rus11aad.pdf](#))**