

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON RULES

**Call to Order:** Chair Cary Smith, on January 11, 2021 at 9:01 A.M., in Room 303 Capitol

#### ROLL CALL

**Members Present in the Committee Room:**

Sen. Cary Smith, Chair (R)  
Sen. Steve Fitzpatrick, Vice Chair (R)  
Sen. Bryce Bennett (D)  
Sen. Mark Blasdel (R)  
Sen. Ellie Boldman (D)  
Sen. Bob Brown (R)  
Sen. Jill Cohenour (D)  
Sen. Jason W. Ellsworth (R)  
Sen. Greg Hertz (R)  
Sen. Douglas (Doug) Kary (R)  
Sen. Bob Keenan (R)  
Sen. Tom McGillvray (R)

**Members Present via Zoom Video Conference:**

Sen. Pat Flowers (D)  
Sen. Shane A. Morigeau (D)  
Sen. JP Pomnichowski (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Todd Everts, Legislative Branch  
Jaret Coles, Legislative rance  
Ashley Duncan, Remote Meeting Coordinator  
Nadine Spencer, Committee 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 & Date Posted: SJ 1, 1/7/2021; SR 1, 1/7/2021

09:02:40 Chair Smith turned the responsibilities of the chair over to Vice Chair Fitzpatrick.

**HEARING ON SJ 1**

**Opening Statement by Sponsor:**

09:03:07 Sen. Cary Smith (R), SD 27, opened the hearing on SJ1, Senate Joint Resolution on the joint rules.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

09:05:11 Sen. Pomnichowski

09:05:20 Chair Fitzpatrick

**Closing by Sponsor:**

09:05:34 Sen. Smith

**HEARING ON SR 1**

**Opening Statement by Sponsor:**

09:05:43 Sen. Cary Smith (R), SD 27, opened the hearing on SR1, Senate Resolution on the Senate rules.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

09:06:30 Sen. Smith

Sen. Smith resumed the duties of the Chair.

**EXECUTIVE ACTION ON SJ 1**

09:07:54 **Motion:** Sen. Fitzpatrick moved that **SJ 1 DO PASS.**

09:08:13 **Motion:** Sen. Pomnichowski moved that **SJ 1 BE AMENDED.**  
**EXHIBIT(rus06a01)**

**Discussion:**

- 09:09:53 Sen. Fitzpatrick  
09:10:36 Todd Everts, Legislative Services Division (LSD)  
09:10:41 Sen. Fitzpatrick  
09:11:26 Sen. Pomnichowski
- 09:12:31 **Vote:** Motion failed 6-9 by roll call vote with Sen. Bennett, Sen. Boldman, Sen. Cohenour, Sen. Flowers, Sen. Morigeau and Sen. Pomnichowski voting aye.
- 09:13:22 **Motion:** Sen. Bennett moved that **SJ 1 BE AMENDED.**  
[EXHIBIT\(rus06a02\)](#)

**Discussion:**

- 09:14:29 Sen. Blasdel  
09:15:00 Mr. Everts  
09:15:15 Jaret Coles, LSD  
09:15:37 Sen. Cohenour  
09:16:09 Seb. Bennett
- 09:16:33 **Vote:** Motion carried unanimously by roll call vote.
- 09:17:22 **Motion:** Sen. Flowers moved that **SJ 1 BE AMENDED.**  
[EXHIBIT\(rus06a03\)](#)

**Discussion:**

- 09:18:50 Sen. Ellsworth  
09:19:55 Sen. Bennett  
09:21:04 Sen. Cohenour  
09:21:55 Sen. Kary  
09:22:20 Sen. Cohenour  
09:23:05 Sen. Fitzpatrick  
09:24:06 Sen. Flowers
- 09:25:14 **Vote:** Motion failed 6-9 by roll call vote with Sen. Bennett, Sen. Boldman, Sen. Cohenour, Sen. Flowers, Sen. Morigeau and Sen. Pomnichowski voting aye.
- 09:25:58 **Motion:** Sen. Fitzpatrick moved that **SJ 1 BE AMENDED.**  
[EXHIBIT\(rus06a04\)](#)

**Discussion:**

- 09:26:26 Jaret Coles, LSD
- 09:27:35 **Motion/Vote:** Sen. Cohenour moved that **AMENDMENT SJ 1.1.10 BE AMENDED.** Motion carried unanimously by voice vote.
- 09:28:10 **Motion/Vote:** Sen. Fitzpatrick moved **TO ADOPT AMENDMENT SJ 1.1.10 AS AMENDED.** Motion carried unanimously by voice vote.

09:28:49 **Motion:** Sen. Morigeau moved that **SJ 1 BE AMENDED.**  
[EXHIBIT\(rus06a05\)](#)

**Discussion:**

09:29:44 Sen. Cohenour  
09:30:32 Sen. Ellsworth  
09:31:01 Sen. Cohenour  
09:31:34 Sen. Ellsworth  
09:32:16 Sen. Bennett  
09:33:20 Sen. Morigeau

09:33:49 **Vote:** Motion failed 6-9 by roll call vote with Sen. Bennett, Sen. Boldman, Sen. Cohenour, Sen. Flowers, Sen. Morigeau and Sen. Pomnichowski voting aye.

**Committee discussion on Amendment SJ 1.1.6:**

09:34:37 Sen. Cohenour  
[EXHIBIT\(rus06a06\)](#)

09:35:39 Sen. Ellsworth  
09:36:38 Sen. Boldman  
09:39:27 Sen. McGillvray  
09:41:22 Sen. Brown  
09:43:01 Sen. Boldman  
09:43:12 Chair Smith  
09:45:07 Sen. Morigeau  
09:45:53 Sen. McGillvray  
09:46:15 Sen. Cohenour  
09:46:35 Chair Smith

09:46:51 **Motion:** Sen. Ellsworth moved that **SJ 1 BE AMENDED.**  
[EXHIBIT\(rus06a07\)](#)

**Discussion:**

09:48:23 Sen. Cohenour

09:50:08 **Vote:** Motion carried 9-6 by roll call vote with Sen. Bennett, Sen. Boldman, Sen. Cohenour, Sen. Flowers, Sen. Morigeau and Sen. Pomnichowski voting no.

09:51:08 **Motion:** Sen. Ellsworth moved that **SJ 1 BE AMENDED.**  
[EXHIBIT\(rus06a08\)](#)

**Discussion:**

09:53:50 Sen. Pomnichowski  
09:56:14 Sen. Fitzpatrick  
09:58:26 Sen. Boldman  
09:59:37 Sen. Ellsworth  
10:01:50 Sen. Cohenour  
10:02:03 Mr. Coles  
10:02:49 Sen. Cohenour

- 10:03:10 Mr. Coles  
10:04:12 Sen. Ellsworth
- 10:05:01 **Vote:** Motion carried 9-6 by roll call vote with Sen. Bennett, Sen. Boldman, Sen. Cohenour, Sen. Flowers, Sen. Morigeau and Sen. Pomnichowski voting no.
- 10:05:51 **Motion:** Sen. Fitzpatrick moved that **SJ 1 DO PASS AS AMENDED.**

**Discussion:**

- 10:06:02 Sen. Bennett  
10:08:00 Sen. Ellsworth  
10:09:44 Chair Smith
- 10:10:39 **Vote:** Motion carried 9-6 by roll call vote with Sen. Bennett, Sen. Boldman, Sen. Cohenour, Sen. Flowers, Sen. Morigeau and Sen. Pomnichowski voting no.

**EXECUTIVE ACTION ON SR 1**

- 10:11:26 **Motion:** Sen. Fitzpatrick moved that **SR 1 BE ADOPTED.**
- 10:11:33 **Motion/Vote:** Sen. Fitzpatrick moved that **SR 1 BE AMENDED.** Motion carried unanimously by roll call vote.  
[EXHIBIT\(rus06a09\)](#)
- 10:13:06 **Motion/Vote:** Sen. Fitzpatrick moved that **SR 1 BE AMENDED.** Motion carried unanimously by roll call vote.  
[EXHIBIT\(rus06a10\)](#)
- 10:14:35 **Motion/Vote:** Sen. Fitzpatrick moved that **SR 1 BE AMENDED.** Motion carried unanimously by roll call vote.  
[EXHIBIT\(rus06a11\)](#)
- 10:16:12 **Motion/Vote:** Sen. Fitzpatrick moved that **SR 1 BE ADOPTED AS AMENDED.** Motion carried unanimously by roll call vote.
- 10:17:08 Chair Smith

**ADJOURNMENT**

Adjournment: 10:18 A.M.

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Nadine Spencer, Secretary

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Additional Documents:

**EXHIBIT**([rus06aad.pdf](#))