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## Water Policy Interim Committee

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### 61st Montana Legislature

#### SENATE MEMBERS

DAVID WANZENRIED--Vice Chair  
DEBBY BARRETT  
BRADLEY MAXON HAMLETT  
TERRY MURPHY

#### HOUSE MEMBERS

WALTER MCNUTT--Chair  
RUSSELL BEAN  
BILL MCCHESENEY  
JP POMNICHOWSKI

#### COMMITTEE STAFF

JOE KOLMAN, Research Analyst  
TODD EVERTS, Staff Attorney  
CYNTHIA PETERSON, Secretary

To: WPIC members  
From: Joe Kolman, staff  
Re: Voting rules

Aug. 26, 2010

At the July 2010 meeting, members discussed procedures to advance committee legislation and asked that an agenda item be included for the September 2010 meeting.

The 2009-2010 WPIC rules, adopted last year, include a preamble that speaks to the spirit of interim committees:

**Preamble:** Legislative committees operating during the interim between regular legislative sessions have a history of constructively and collectively addressing and, often, resolving critical public policy issues for Montanans. It is the general policy of the Legislature that interim committees reach general agreement on any issue that requires a committee decision. If general agreement cannot be reached, the chairman or chairwoman may call for a vote of the members.

The rules provide that meetings of interim committees and subcommittees must be conducted under the established rules of the Montana Senate as to quorums and parliamentary procedure. Unless otherwise stated, interim committees decide issues by majority rule. During a Legislative session, Senate rules require that legislation requested for introduction by a standing committee must obtain at least a three-fourths vote in favor. (S30-150)

For the 2007-2008 interim, the WPIC voted at the start of the interim that any legislation recommended by the committee obtain a three-quarter vote of the committee (six votes). What follows is the discussion from the minutes of that August 2007 meeting:

**Sen. Elliott suggested on minor issues a majority vote would suffice and a consensus vote should be required on any proposed legislation.**

**Rep. Cohenour agreed there should be a consensus on any proposed legislation from the WPIC. Rep. Cohenour also suggested proxies should be allowed.**

**Sen. Elliott requested a distinction between minor issues and major issues. Minor issues would be procedural, delegation of tasks.**

**Sen. Elliott moved that any legislation recommended by the committee should follow, at a minimum, the requirements for a committee bill which is a three-quarter vote of the committee.**

**Sen. Tash asked whether the WPIC had been charged with enacting new legislation.**

**Ms. Evans responded the WPIC was charged with developing new legislation if the WPIC deemed it was necessary and appropriate and with interpreting existing law.**

**Rep. Cohenour requested Sen. Elliott include a provision for proxies in his motion.**

**Sen. Elliott agreed.**

**Sen. Elliott's motion carried unanimously by voice vote.**

Should the current 2009-2010 WPIC want to amend its rules to address the number of votes needed to introduce legislation, the proposal would need a majority vote at the September meeting, preferably at the beginning of the meeting.

Please contact me if you have questions.

Joe Kolman

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## RULES, PROCEDURES, AND GUIDELINES FOR LEGISLATIVE INTERIM COMMITTEES AND ACTIVITIES

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### **I. QUORUMS/PARLIAMENTARY PROCEDURES**

A. Meetings of legislative interim committees (committees) must be held in the State Capitol unless otherwise designated by the chairman or chairwoman.

B. Notice of regular meetings must be given to the members and the public a minimum of 10 days prior to each meeting.

C. Public notice is accomplished by posting to the Legislative Branch website information about the time, location, and agenda of meetings and through dissemination of the same material to news media, committee members, and interested persons. Staff of the Legislative Services Division (LSD) shall maintain an updated mailing list of persons stating an interest in each committee's activities. Anyone who requests to be included on the mailing list must be included. If practical and feasible, notice may also be given by U.S. mail, e-mail, fax, or other means.

D. A special meeting may be scheduled by a majority of members at any meeting or may be called, with at least 24-hour notice to the members, by the chairman or chairwoman or a majority of a committee. A special meeting may not include agenda items that require a public hearing.