

MINUTES OF MEETING
HOUSE RULES COMMITTEE
MONTANA STATE LEGISLATURE

January 28, 1977

The meeting of the House Rules Committee was called to order by Rep. Meloy, Chairman, on the above date in Room 343 at 3:00 P.M.

Members of the committee present were:

Rep. Bardanouve	Rep. Fagg	Rep. Meloy
Rep. Bradley	Rep. Kvaalen	Rep. Moore
Rep. Driscoll	Rep. Marks	

Rep. Brand was absent.

Also present were Representatives Scully and Mular.

HB 194 was discussed. This bill was referred to the Rules Committee for a determination of whether the amendment was within the scope of the title.

Rep. Meloy said the problem seemed to be that the amendment mentions electrically operated games.

Rep. Moore stated the bill specified which games could have cash prizes.

Rep. Scully said that the amendment would allow particular games to have a cash prize; that is, prizes could be awarded for bingo games operated in that particular way.

Rep. Meloy then read paragraph (1)(a) of HB 194, including Rep. Scully's amendment, as follows: "'Bingo." In which prizes are awarded on the basis of designated numbers or symbols on a card which conform to numbers or symbols selected at random," "but not including an electrically or mechanically operated game or games wherein an electrically or mechanically operated device is used other than a device used to announce the numbers or symbols as they are drawn." Rep. Meloy remarked that this appeared to define out of "bingo" the element of chance.

Rep. Scully felt that the amendment more specifically defined those games in which cash can be paid. He said that the question was if his amendment goes beyond the scope of the title. He felt that bingo games which are operated mechanically should not have cash prizes and that games that are non-mechanically operated should have cash prizes.

Rep. Meloy felt that the definition of bingo was being amended by doing this and that the effect of the amendment would be to kill keno.

Rep. Moore mentioned that there was no mention of keno in these definitions and Rep. Bardanoue remarked that keno is not mentioned anywhere in the law.

Rep. Marks moved that the amendment be deemed out of order as not being within the scope of the original title.

Rep. Scully stated that the amendment was not out of order, it was just in the wrong place.

Rep. Meloy asked Rep. Marks if he would amend his motion.

Rep. Marks amended his motion to deem the amendment out of place.

A vote was taken and the motion carried unanimously.

HB 133 was then discussed. Rep. Meloy stated that the Legislative Council wasn't sure about what to do regarding this bill. Rep. Meloy said that what Rep. Johnston wanted to do with this bill was to make the director the department head. The Legislative Council said that this can't be done by amending 82A-2003, that all sections would have to be amended if this were done. Rep. Meloy said that what Rep. Johnston really wanted to do was to make the director responsible for hiring and firing employees.

Rep. Moore said he thought the intent was to put the director on the same level of administration as other state officers.

Rep. Meloy stated that what Rep. Johnston intended was to have the hiring and firing of employees under the jurisdiction of the director. He reported that what the Rules Committee agreed to yesterday was not what Rep. Johnston wanted to do. He then asked if there were any objections to allowing the director to hire and fire employees.

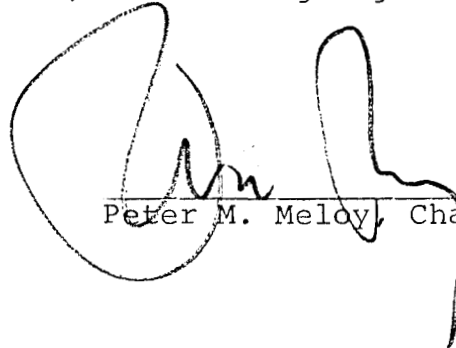
Rep. Kvaalen felt that that would be stretching the rules.

Rep. Driscoll wondered if a Rules Committee bill could be made on this.

Rep. Driscoll then moved that the proposed amendments be deemed not within the scope of the title.

A vote was taken. Representatives Moore, Kvaalen, Meloy, Driscoll and Bardanouve voted aye. Representatives Bradley, Fagg, and Marks did not vote. The motion carried.

There being no further business, the meeting adjourned at 3:20 P.M.

A large, stylized handwritten signature in dark ink, appearing to read 'P. Meloy', is written over a horizontal line.

Peter M. Meloy, Chairman