

MINUTES OF MEETING
HOUSE RULES COMMITTEE
MONTANA STATE LEGISLATURE

February 8, 1977

The meeting of the House Rules Committee was called to order by Rep. Meloy, Chairman, on the above date in Room 343 at 1:05 P.M.

Members of the committee present were:

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

Also present was Representative Teague.

Senate Bill 9 was discussed. An amendment was offered on the floor of the House which would amend page 12, line 23, as follows: following the word "dice," "except for drink and music at the establishment" was added.

Rep. Meloy said the question was whether the amendment was both within the scope of the title and recodification.

Rep. Bardanouve asked if it made any significant changes to the present law.

Rep. Meloy replied that there was nothing in the law which prohibits playing dice for drink, music, or whatever. He thought it would be a substantive change.

Rep. Teague viewed it as an attempt to clarify present laws. He said that people who partake in bar exercises enjoy shaking dice for music or drink. Lots of people do this, but the legality of it depends on what county it happens in. He thinks it's just a recreational activity at the bar.

Rep. Fagg felt that this amendment would constitute a substantive change.

Rep. Moore stated that the recodification laws were intended to update the statutes of the state of Montana with no substantive changes. He then moved that this amendment be deemed not in order as it constituted a substantive change to a recodification bill.

Rep. Marks agreed that this was definately a substantive change.

Rep. Meloy felt that the amendment would possibly fit within the very broad title of the bill although there is a general rule that no substantive changes could be made. He felt that this would be a substantive change.

Rep. Moore asked whether the change was in conflict with any portion of the law.

Rep. Meloy said that the way it was worded was in conflict. The section being amended was a prohibition section. He didn't think there was anything in the law that permitted the rolling of dice for anything. He said that all things which were prohibited were supposed to be in that section, and he felt that any county attorney would say that this amendment constituted a substantive change.

Rep. Fagg asked if there was anything specific that said we couldn't make substantive changes in recodification bills.

Rep. Driscoll mentioned that on page 11, lines 19-23, the paying of \$10 for a license fee is being deleted.

Rep. Marks thought that it possibly might be included in another section elsewhere.

Rep. Moore stated that the sections aren't always in sequence.

Rep. Driscoll said a substantive change should probably be defined. The section clearly says what activities are illegal. He feels there is a fine line to be drawn here.

A vote was called for on Rep. Moore's motion. Rep. Bradley abstained from voting and all others voted aye. The motion carried.

Rep. Driscoll wanted to discuss possible problems which might come up with HB 122. This bill has 811 pages. He wanted to know if the committee would object if he encouraged the local government committee to bring this bill to the floor a chapter at a time in order to ease the printing load.

Rep. Bardanouve asked if that would mean voting upon each chapter as we went along.

Rep. Driscoll replied that it would. He asked if the committee would agree if he encouraged the chapters to come out one at a time.

Rep. Meloy thought that it might take amendments to other chapters to make the whole thing work.

Rep. Moore remarked that there were many, many related parts to that bill and he felt there would be an awful problem if it were to be handled that way.

Rep. Marks said that the general powers sections would be considered first and that the most drastic changes would be made there.

Rep. Kvaalen asked if the transmittal deadline could be extended for this bill so that it could be considered in whole in a couple of days time.

Rep. Meloy stated that we'd have to get that agreement from the Senate Rules Committee.

Rep. Bardanouve said he was afraid that a coalition would form to pick off the bill piece by piece and that the best way to kill a bill was to break it into small pieces.

Rep. Driscoll thought that Rep. Kvaalen's idea would be a good one if we could get agreement from the Senate. Then it could still be broken into chapters for consideration each day.

Rep. Marks brought up next the question of exactly what a committee bill was.

Rep. Meloy said that a committee bill was a bill that three-fourths of the members of the committee decided to have introduced.

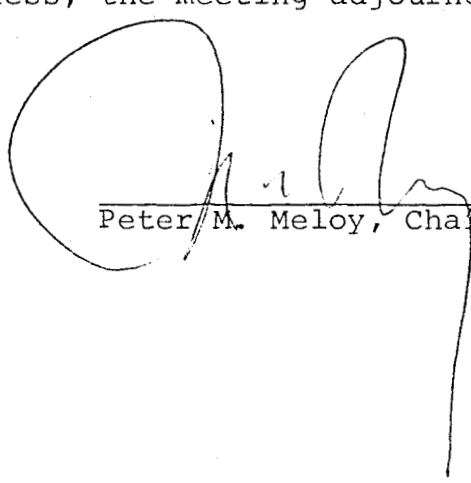
Rep. Marks asked if the bill shouldn't be run before the committee first and wondered if a person could go down to Legislative Council and just say a bill was going to be a committee bill.

Rep. Bardanouve said that anyone can request the drafting of a bill at any time and simply say he is going to have the rules suspended.

Rep. Marks wondered if the committee shouldn't approve the request before drafting.

Rep. Moore said that the bill had to be drafted first.

There being no further business, the meeting adjourned at 1:35 P.M.



Peter M. Meloy, Chairman

February 2 1977

MR. Speaker,

We, your committee on RULES

having had under consideration SENATE Bill No. 9

A BILL FOR AN ACT ENTITLED: "AN ACT FOR THE GENERAL REVISION OF LAWS
RELATING TO GAMBLING."

Respectfully report as follows: That ~~SENATE~~ ~~XXXXXX~~

the amendment to permit the rolling of dice for drink and music is
out of order insofar as Senate Bill No. 9 is a recodification bill
and no substantive changes ought to be made to recodification bills.

~~DO PASS~~
~~XXXXXX~~