

MINUTES OF MEETING  
HOUSE RULES COMMITTEE  
MONTANA STATE LEGISLATURE

March 2, 1977

The meeting of the House Rules Committee was called to order by Rep. Meloy, Chairman, on the above date in Room 343 at 1:25 P.M.

Members of the committee present were:

Rep. Bardanoue	Rep. Fagg	Rep. Marks
Rep. Bradley	Rep. Kvaalen	Rep. Meloy
Rep. Driscoll		

Representatives Brand and Moore were absent.

The procedure for handling House Bill 122 was discussed.

Rep. Meloy said there had been talk about handling the bill by chapters. If this were done, the rules would need to be modified. There will be different people handling each of the chapters. Rep. Gerke can make the main motion, but the people presenting the chapters should have a chance to open and close on each chapter. There will be a number of amendments made, and he thought it would be better to have the presentation of the chapter made before the amendments were acted on. That can be handled by an announcement from the chair. He felt they needed to discuss the gag rule because more than five minutes might be needed by the person who presents a chapter. He asked the committee what they thought about allowing Dale Harris and Clyde Peterson to help carry the chapters.

Rep. Marks said he thought it would be a serious mistake to let the staff of the Local Government Commission on the floor. He felt it would be the same as letting Governor Judge or other special interest groups on the floor.

Rep. Meloy said there was no rule that prohibited anyone but lobbyists from being on the floor.

Rep. Bradley said it would be like the fiscal staff being there.

Rep. Marks said he had talked with Rep. Ramirez about it and he thought it would be alright.

Rep. Fagg said it was fine with him.

Rep. Meloy said we couldn't ask them to stay off the floor.

Rep. Driscoll thought they would have to stay on the sidelines.

Rep. Marks mentioned that one of the serious criticisms he had heard expressed was that this was a bill which was written by a state commission.

Rep. Driscoll said that he agreed with Rep. Marks.

Rep. Meloy expressed concern about the information flow. Somebody's got to know how the sections relate.

Rep. Kvaalen asked if Rep. Gerke and Rep. Robbins shouldn't know that by now.

Rep. Meloy said he wasn't sure how familiar they were with the workings of House Bill 122. He asked if anyone had any problems with permitting the person who carries a chapter to open and close on that chapter. The rules would need to be suspended. At the end of one day, it would be moved to pass consideration for the day, then renew the motion the next day. He asked if there was any problem with holding off on the amendments until the closing on a chapter.

Rep. Kvaalen asked if they were talking about a main opening and closing, and then going back for amendments.

Rep. Meloy questioned how we would know when the end of the debate comes.

Rep. Bradley suggested allowing opening remarks, discussion, amendments, and then closing remarks.

Rep. Meloy suggested they allow the presentation to be made, then the amendments, then discussion.

Rep. Bradley asked if a person could open and close on amendments.

Rep. Meloy answered yes. He said that if someone did want to speak twice, then a substitute motion could be made.

Rep. Marks said that if a person makes a substitute motion, then if he closes, a vote would have to be taken.

Rep. Meloy said that a vote wouldn't be taken until the debate on the bill is finished. He said we must be very clear about this from the start.

Rep. Bardanouve asked what would happen if a substitute motion is made to do not pass the bill.

Rep. Meloy said consideration could be passed for the day.

Rep. Bardanouve asked if the first motion will be to do pass.

Rep. Meloy replied yes.

Rep. Bardanouve then asked about the substitute motion.

Rep. Meloy said they would pass consideration of the substitute motion. He explained that the only votes on House Bill 122 would be on the amendments.

Rep. Fagg asked if the substitute motion would be held.

Rep. Meloy said it would be renewed every day.

Rep. Fagg asked if it were conceivable to have a do not pass motion every day.

Rep. Meloy replied no, there would only be a vote at the end.

Rep. Fagg asked if each section would be voted on.

Rep. Meloy replied no.

Rep. Bardanouve asked what would happen if the main motion was to do not pass.

Rep. Meloy said a substitute motion could be made for all motions pending to amend, then they could get back to the substitute motion.

Rep. Bardanouve thought a do not pass motion could not be amended.

Rep. Meloy said the amendments could be taken after the motion was made. He said he had one last thing to be discussed concerning allowing staff on the floor.

Rep. Fagg suggested that they start without them and if they're needed, they could be brought down.

Rep. Bradley asked if the Legislative Council could be available.

Rep. Bardanouve said that they'd had nothing to do with it so far.

Rep. Meloy said that the Legislative Council wanted to have two people on the floor.

Rep. Bradley suggested that they try it without them.

Rep. Meloy asked about the Local Government Commission people.

Rep. Kvaalen said he didn't care as long as they're not speaking.

Rep. Marks said he was concerned about allowing the commission staff on the floor. He felt they were opening themselves up to a lot of criticism.

Rep. Meloy asked why he thought that.

Rep. Driscoll said he would bet the House committee could carry it by themselves.

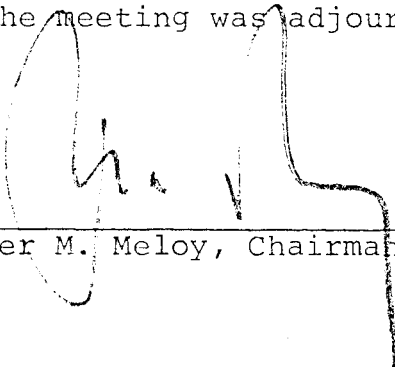
Rep. Bardanouve didn't think there were going to be that many questions.

Rep. Meloy asked if the committee thought just the commission staff should not be allowed on the floor.

Rep. Fagg said that they would probably end up next to Rep. Gerke and that that would look bad, that that would be just baiting the newspapers.

Rep. Driscoll suggested having them sit out in the vestibule.

There being no further business, the meeting was adjourned at 1:45 P.M.



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Peter M. Meloy, Chairman