

MINUTES
SENATE RULES COMMITTEE

The Senate Rules Committee met on April 7, 1977 in room 331 of the capitol. Senator Stan Stephens called the meeting to order at 4:26 p.m. All senators were present. Senator Thiessen arrived after roll call. The minutes of the following meetings were approved; March 16, March 18, March 21, March 28, March 29, April 1, 1977.

Senator Stephens then said that before the committee was a letter written by Representative Meloy. He then asked Senator Murphy to discuss the letter. (This letter is Attachment I)

Senator Murphy said that he thought that the House had gotten very liberal in their interpretation of what constitutes an appropriation or revenue bill. He said that an agreement was made with the House leadership and some sponsors of bills, that this would be agreed to. He then stated that unless something is really out of line, they should go by the content of the letter and not cause too many problems that would hang up action on bills.

Senator Hazelbaker said that he didn't think we had agreed on this in a joint rules meeting.

Senator Murphy said that we didn't agree and that he thought the House leadership had gotten themselves into a very embarrassing position.

Senator McOmber then said that he thought we should put the question to the body. Senator Mathers agreed with this.

Senator Stephens asked if they were talking about only 1 bill. The committee agreed that all the other bills had been transmitted and they were only talking about 1 bill.

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Senator Mathers moved that House Bill 592 be taken off the table and the chairman make a motion that action be allowed on the bill, and that it be sent to another committee. Senator Hazelbaker seconded the motion and it was approved unanimously by a voice vote.

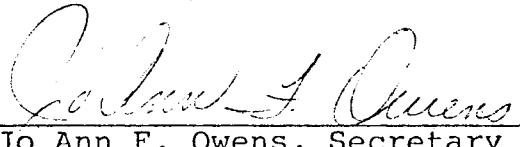
Senator Stephens then read a letter from the office of the Governor concerning House Bill 808. He said that in the letter they are asking that the same thing be done, and that the bill be sent to State Administration. The committee agreed. (letter is Attachment II)

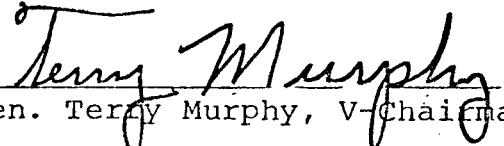
Senator Stephens explained the trouble with Senate Bill 377 and House Bill 62. He then asked if the committee would agree to suspend the rules to introduce another bill that would correct these problems. The committee agreed.

Senator Mathers then said that he felt a letter should be sent to the leadership of the House advising them of the committee's decision to accede to their request. Senator Stephens was authorized to write this letter.

There was no further business, The meeting adjourned at 4:36 p.m.

Respectfully submitted,


Jo Ann F. Owens
Jo Ann F. Owens, Secretary

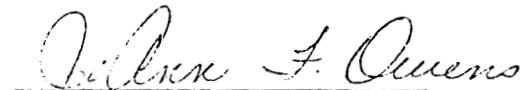

Terry Murphy
Sen. Terry Murphy, V-Chairman

SENATE RULES COMMITTEE

ROLL CALL VOTE ON _____

DATE 4/7/77

Present	Absent	Name of Member	Aye	No	Not Voting
✓		HAZELBAKER, Frank			
✓		McOMBER, Gordon			
✓		MATHERS, Bill			
✓		MURPHY, Terry V-Chm.			
✓		ROBERTS, Joe			
✓		STEPHENS, Stan, Chm.			
<i>late</i>		THIESSEN, Cornie			
✓		TURNAGE, Jean			


Secretary

MOTION:



The Big Sky Country

ATTACHMENT I

MONTANA STATE HOUSE OF REPRESENTATIVES

MAJORITY LEADER
PETER M. MELOY

DISTRICT NO. 29
LEWIS AND CLARK COUNTY
CAPITOL STATION
HELENA, MONTANA 59601

805 S. RODNEY
HELENA, MONTANA 59601
(406) 443-3473

April 7, 1977

TO: Senator Terry Murphy
Chairman, Joint Rules Committee

FROM: Representative Peter M. Meloy

[Handwritten signature of Peter M. Meloy]

In the earlier Joint Rules Committee meetings when the subject of transmittal deadlines was discussed, I made it very clear that the House was putting all bills with a negative fiscal impact into the Appropriations Committee. It has also been the position of the House, and I believe that was the understanding in the Joint Rules Committee, that these bills would be treated as revenue bills for transmittal deadline purposes. Because of that understanding, House members willingly permitted bills which either passed second reading or could have passed second reading before the transmittal deadline for non-revenue bills, to be re-referred to the Appropriations Committee.

It has been called to my attention that the Senate is not treating House bills which have fiscal impact and were referred to the Appropriations Committee in the House as "revenue bills" for transmittal deadline purposes. This not only is inconsistent with the understanding we had in the Joint Rules Committee, but also is unfair to the House members who permitted their bills to be re-referred to the House Appropriations Committee.

I might also add that we accepted two Senate bills after the transmittal deadline for non-revenue bills even though they did not strictly qualify as revenue bills within the Joint Rules' definition on the grounds that they did have a negative fiscal impact and had been referred to the Senate Finance and Claims Committee. In order to avoid a reaction from House members to the Senate policy, it is my suggestion that we convene a Joint Rules Committee meeting as soon as possible to resolve the problem.

cc: Senator Stan Stephens

State of Montana
Office of The Governor
Helena 59601

ATTACHMENT II

THOMAS L. JUDGE
GOVERNOR

April 7, 1977

MEMORANDUM

TO: Senator Stan Stephens, Chairman
Senate Rules Committee

FROM: Bruce Nelson, Administrative Assistant *Bruce Nelson*

SUBJECT: House Bill 808

House Bill 808 was introduced originally at the request of the Governor by Representative John Driscoll as House Bill 522. The measure was passed on second reading on February 9, however, because an amendment by the sponsor changing the fund from a "gubernatorial" to "public" fund, was outside the scope of the title, the bill was referred to the Rules Committee. The Rules Committee re-introduced the bill as House Bill 808 and after it passed second reading, it was referred to the Appropriations Committee. On April 2, the House passed the measure for a third time on second reading and after suspending the rules, gave final third reading approval the same day.

HJR 34 creating an Ad-Hoc Committee to recommend legislation regarding distribution and administration of the fund to the 1979 Legislature has been approved by both houses.

BN/bw