

HOUSE RULES COMMITTEE

26 January 1979

Chairman Dussault called the meeting to order at 11:05 am in Room 434. All members were present except Representatives Bardonov and Ramirez who arrived late.

Chairman Dussault then opened the hearing on House Bill 237. Representative Marks testified as the chief sponsor of the bill. He gave to the committee copies of the statutes currently covering the Priorities Committee (attached). Senator Stephens then spoke in favor of the bill. Chairman Dussault asked for more proponents and for opponents of the bill. Hearing none, she invited the committee to ask questions of those testifying. Following a discussion of questions about the bill, Chairman Dussault closed the hearing on HB 237.

She then opened the hearing on HB 174. As chief sponsor of the bill Representative Vincent spoke. Joy Bruck representing the League of Women Voters, spoke in favor of the bill. There were no opponents to the bill. Chairman Dussault recessed the hearing on HB 174 so that the committee could hear testimony on HB 254 before questions were asked.

Representative Metcalf then spoke as the chief sponsor of HB 254. There were no other proponents of the bill. Joy Bruck, representing the League of Women Voters, spoke against the bill. Questions from the committee followed. Hearing no other proponents or opponents, Chairman Dussault closed the hearing on HB 254.

Chairman Dussault stated the the bills would be discussed and that action on the bills would be taken at a later date.

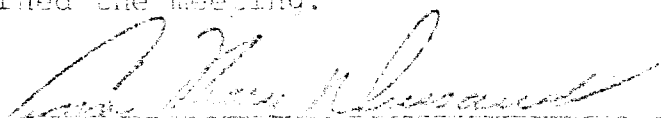
Chairman Dussault then announced that the action taken at the last House Rules Committee meeting regarding the change in the transmittal deadline from the 60th to the 70th day would be reported out. She said that with no objections action on Chapter 11 would await a rewrite of the chapter. There were no objections. Representative Moore move that action on Chapter 11 await a rewrite of the chapter. The motion passed unanimously.

Representative Moore then moved that we submit a new house rule H2-2 to the floor for consideration. The motion was amended to state that the committee accept a new H2-2 to read as follows:

H 2-2. Lobbying on the floor of the House of Representatives is prohibited during the session and within two hours prior to the commencement of a session and within one-half hour after recess or adjournment.

All members of the committee voted aye, except Speaker Gerke and Representative Kvaalen voted no. The motion carried.

Chairman Dussault then adjourned the meeting.



RULES COMMITTEE

House of Representatives 46th Legislature

Date 26 January 1979

Motion: Attendance

Bill No. _____

	Yes	No	
Baudanoue		✓	
Brand	✓		
Gerke, Vice Chair	✓		
Huennekens	✓		
Kvaalen	✓		
Moore	✓		
Ramirez	✓		
Sivertsen	✓		
Vincent	✓		
Dussault, Chair	✓		
TOTAL	9	1	

RULES COMMITTEE

House of Representatives
46th Legislature

Date 36 January

Motion: More money that we accept to admit house rule 2.2.

Bill No. _____

	Yes	No	
Bardanoue	✓		
Brand	✓		
Gerke, Vice Chair		✓	
Huennkens	✓		
Kvaalen		✓	
Moore	✓		
Ramirez	✓		
Sivertsen	✓		
Vincent	✓		
Dussault, Chair	✓		
TOTAL	8	2	

INTRODUCED BY House Bill No. 237
House Committee on Rules
Adopted by the House
REQUEST OF THE INTERIM SUBCOMMITTEE NORMAN

ON LEGISLATIVE IMPROVEMENT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE METHOD BY WHICH INTERIM LEGISLATIVE STUDIES AND STUDY COMMITTEES ARE SELECTED; AMENDING SECTIONS 5-5-211, 5-5-216, AND 5-11-105, MCA; AND REPEALING SECTIONS 5-5-221 AND 5-5-222, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 5-5-211, MCA, is amended to read:

"5-5-211. Appointment and composition of joint subcommittees. (1) The standing committees and subcommittees of the house and the committee on committees of the senate shall appoint subcommittees from recommended members of the senate and the house in each body to meet jointly on those bills and resolutions that are designated as such by the priorities committee legislative council for interim study. The legislative council shall appoint subcommittees from among those members recommended. The composition of each subcommittee shall be as follows:

(a) four members of the house standing committee appointed by the chairman of the standing committee, no more

than two of whom may be of one political party; and
 (b) four members of the senate standing committee appointed by the chairman of the standing committee, no more than two of whom may be of one political party.

(2) The chairman of the standing committee may appoint himself to the subcommittee in the event a member recommended by the speaker of committee on committees declines to serve, the legislative council may appoint a member of the respective house and party to serve in his place."

Section 2. Section 5-5-216, MCA, is amended to read: "5-5-216. Recommendations of subcommittees. A subcommittee appointed for the purpose of making a study assigned by the priorities committee designated legislative council may make recommendations for legislation. These recommendations and the study report shall be submitted to the legislature at the next regular session."

Section 3. Section 5-11-105, MCA, is amended to read: "5-11-105. Powers and duties of council. (1) In a question of statewide importance arises when the legislature is not in session and a subcommittee has not been appointed to consider the question, the legislative council shall, with the concurrence of the priorities committee, assign the question to an appropriate subcommittee.

1 (2) The legislative council shall supervise the
2 activities of the council staff.

3 (3) The legislative council shall assist in the
4 preparation and submission of all standing and select
5 committee and subcommittee reports and recommendations to
6 the legislature.

7 (4) This section shall not be construed to permit the
8 council to approve or disapprove of any substantive portions
9 or recommendations of a standing or select committee or
10 subcommittee report.

11 ~~SEC. 4. SECTION 4.~~ Selection and assignment of
12 interim studies. (1) Immediately following adjournment and
13 after the legislative council shall prepare a list of study
14 requests adopted. A copy of the list shall be distributed
15 to each legislator with a request that the legislator rank
16 the study requests in the order of importance he ascribes to
17 them. The lists, with the priorities assigned, shall be
18 returned to the legislative council.

19 (2) The legislative council shall review the priority
20 lists returned by legislators, review estimated costs and
21 staff assistance associated with the requested studies, and
22 designate those studies to be assigned. In designating
23 studies, the legislative council may combine requests as one
24 study when the subject matter of those requests is closely
25 related. The legislative council shall group related studies

1 together and shall designate the number of committees to be
2 appointed.

3 (5) The legislative council shall inform the speaker
4 of the house and committee on committees of the senate of
5 those studies that have been selected and the number of
6 subcommittees to be appointed. The speaker, committee
7 committees, and legislative council shall then proceed with
8 5-5-211 to appoint the subcommittees.

9 Section 5. repealer. Sections 5-5-221 and 5-5-222
10 ACA, are repealed.

11 Section 6. Effective date. This act is effective on
12 passage and approval.

-End-

(2) Each subcommittee shall prepare such bills and resolutions as, in its opinion, the welfare of the state may require for presentation to the next regular session of the legislature.

(3) Each subcommittee shall keep accurate records of its activities and proceedings.

History: En. 43-716 by Sec. 8, Ch. 431, L. 1973; amd. Sec. 1, Ch. 44, L. 1974; amd Sec. 15, Ch. 309, L. 1977; R.C.M. 1947, 43-716(4).

5-5-216. Recommendations of subcommittees. A subcommittee appointed for the purpose of making a study assigned by the priorities committee may make recommendations for legislation. These recommendations and the study report shall be submitted to the legislature at the next regular session.

History: En. 43-716 by Sec. 8, Ch. 431, L. 1973; amd. Sec. 1, Ch. 44, L. 1974; amd Sec. 15, Ch. 309, L. 1977; R.C.M. 1947, 43-716(5).

5-5-217 through 5-5-220 reserved.

5-5-221. Legislative committee on priorities — composition. (1) There is a legislative committee on priorities which is composed of eight members of the house rules committee, no more than four of whom may be of the same political party, and eight members of the senate rules committee, no more than four of whom may be of the same political party.

(2) The committee on priorities shall be appointed at the same time as all other standing committees.

History: En. 43-717 by Sec. 9, Ch. 431, L. 1973; amd. Sec. 16, Ch. 309, L. 1977; R.C.M. 1947, 43-717(1), (2).

5-5-222. Duties of committee on priorities. The committee on priorities shall consider resolutions requesting council studies and all other study requests and establish and prepare a list of priorities from among them. The committee shall transmit the list to the legislative council before the end of each regular session and shall assign the bills and studies to the appropriate standing committee in the order in which the studies and bills appear on the list of priorities. The committee shall assign as many studies and bills as the resources of the council will allow.

History: En. 43-717 by Sec. 9, Ch. 431, L. 1973; amd. Sec. 16, Ch. 309, L. 1977; R.C.M. 1947, 43-717(3).

Part 3

Appointments by Governor

5-5-301. Governor to transmit list of appointments to legislature. Within 10 days after the meeting of the legislature, the governor must transmit to the legislature a list of all appointments made by him, under the provisions of 2-16-506, during recess of the legislature.

History: En. Sec. 371, Pol. C. 1895; re-en. Sec. 146, Rev. C. 1907; re-en. Sec. 146, R.C.M. 1921; Cal. Pol. C. Sec. 351; re-en. Sec. 125, R.C.M. 1935; R.C.M. 1947, 392.

House BILL NO. *174*

Introduced by Varent

A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE MONTANA CONSTITUTION TO PROVIDE THAT THE LEGISLATURE SHALL MEET IN ANNUAL SESSIONS AND TO PROVIDE LIMITATIONS ON THE BUSINESS THAT MAY BE CONDUCTED IN EVEN-NUMBERED YEARS; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Article V, section 6, of the Montana Constitution is amended to read:

"Section 6. Sessions. The legislature shall meet each odd-numbered year in regular session of not more than 99 legislative days be a continuous body for 2-year periods beginning when the newly elected members take office. The legislature shall meet once a year in a regular session of not more than 60 legislative days in odd-numbered years and at least once in 40 legislative days in even-numbered years. The regular session in even-numbered years shall be limited to legislation relating to the budget and financing and all other legislation which has been approved for introduction by a two-thirds vote of the members of either house. The legislature may increase the limit on the length of any

subsequent session. The legislature may be convened in special sessions by the governor or at the written request of a majority of the members."

Section 2. Effective date. If approved by the electors, this amendment shall be effective January 1, 1990.

Section 3. Submission to electorate. This amendment shall be submitted to the electors of the state of Montana at the general election to be held November 6, 1979, by printing on the ballot the full title of this act and the following:

☐ FOR annual sessions.

☐ AGAINST annual sessions.

-End-

HB 174

INTRODUCED BILL

The League of Women Voters of Montana has supported annual legislative sessions for years. At each session, and during the interim, we see an even greater need for the legislature to meet annually. It seems that with each session, more bills are introduced and have to be dealt with while, at the same time, an ever growing budget must be handled. We think dealing with budget and general legislation separately could be more efficient.

As for interim activities, they, too, seem to be growing - more studies are done, more oversight committees are established; there seems to be a continuous flow of legislators in and out of Helena. We think much of the interim activities could be handled during the budget year - not all legislators would be involved at all times with budget concerns. Would this not be more economical?

And, speaking of economics, although we have not been able to get any figures, a biennial session plus 21 months of interim activities must be coming close to equalling annual sessions in cost.

Another thought we had - the recommendations of the Legislative Improvement Committee incorporated into this session could be used for annual sessions making them work a great deal better than in 1973-74. We have been of the belief that the rules which governed the '73-'74 sessions were not very conducive to a smooth and efficient session.

For these reasons, and many more that we have spoken about over the past several years, we urge your support of this bill.

Joy Buck Attorney