

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

April 13, 1979

The fiftieth meeting of the State Administration Committee was called to order by Chairman Pete Story on the above date in Room 442 of the State Capitol at the hour of 12:15 P. M.

ROLL CALL: All members of the Committee were present, with the exception of Senators Ryan and Hafferman who were excused.

CONSIDERATION OF SENATE BILL No. 525: Chairman Story announced that this Senate Bill had been given to this Committee for consideration after it was allowed to be introduced by suspension of the rules. The Chairman then called on Senator Stan Stevens, Senate District 4, Havre, sponsor of the Bill, to present his testimony.

Senator Stevens testified that this was a product of the Joint Rules Committee and was felt necessary in order to define and clarify once and for all the question of the legislative override of the governor's veto. This would clear up the question of whether or not, in order to overturn the governor's veto, it requires 2/3 vote of the members present, 2/3 of the legislative members, or 2/3 vote of the members of each house. It qualifies that to the 2/3 vote of the members of each house. The present Constitution makes mention in 8 different places matters which require a majority vote, but the Rules Committee did not feel there was time to address all these issues in this Bill or in this session. It does take 100 votes to pass this out and put it on the general election ballot, so time is pressing. He felt the Legislative Council, during the interim, could take a look at the other different places and address them next session. However, since this particular issue had caused quite a bit of problems this session, they felt it should be handled immediately.

Sen. Brown commented that when the new Constitution was written, all sorts of vague terms were used and questioned if those could not also be included, rather than just the veto question. Sen. Stevens responded that it came before the Rules Committee to address this one issue and there wasn't time to handle the other problems as they said it would take 8 bills. So, they took the most troublesome of the 8 different problems to act on.

Sen. Jergeson added that another reason was that this question was the most unclear. It had been put in the Constitution because of them trying to take care of the unicameral issue.

Sen. Story commented he had pointed out this issue several years ago. He then mentioned that the present language allows the House a definite advantage over the Senate. This Bill would

eliminate the possibility of a problem if the House chose to exercise their advantage. Sen. Story then explained what could happen if a problem arose on an important vote if a person was outside the Chambers when the vote was cast as to whether or not he could be counted.

Sen. Bob Brown moved that Senate Bill No. 525 DO PASS; motion carried by unanimous vote, as Senators Ryan and Hafferman had left their "yes" votes with the Chairman prior to the meeting.

ADJOURNMENT:

There being no further business to bring before the Committee, the Chairman adjourned the meeting at the hour of 12:50 P. M.

Pete Story, Chairman

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date April 13, 1979 Senate Bill No. 525 Time 11:00 a.m.

NAME	YES	NO
Senator Pete Story, Chairman	✓	
Senator George F. Roskie, V. Chairman	✓	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan	✓	
Senator Greg Jergeson	✓	
Senator William F. Hafferman	✓	

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: Senator Bob Brown moved that Senate Bill No. 525
DO PASS; motion carried by unanimous vote, with Senators
Hafferman and Ryan having left their "yes" votes with
Chairman Story prior to the hearing.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

April 13 1979

MR. President

We, your committee on State Administration

having had under consideration SENATE Bill No. 525

Respectfully report as follows: That SENATE Bill No. 525,

Introduced Bill,

DO PASS

Pl.

*Handled April 14 - 79
@ 20:00 -
MOM.*

SENATE BILL NO. 525
STEPHEN BLAGROK VINCENT RANNEY
BY REQUEST OF THE JOINT RULES COMMITTEE

1 shall return a vetoed bill to the legislature with a
2 statement of his reasons therefor.
3 (2) The governor may return any bill to the
4 legislature with his recommendation for amendment. If the
5 legislature passes the bill in accordance with the
6 governor's recommendation, it shall again return the bill to
7 the governor for his reconsideration. The governor shall not
8 return a bill for amendment a second time.
9 (3) If after receipt of a veto message, two-thirds of
10 the members present of each house approve the bill, it shall
11 become law.
12 (4) If the legislature is not in session when the
13 governor vetoes a bill, he shall return the bill with his
14 reasons therefor to the legislature as provided by law. The
15 legislature may reconvene to reconsider any bill so vetoed.
16 (5) The governor may veto items in appropriation
17 bills, and in such instances the procedure shall be the same
18 as upon veto of an entire bill."
19 Section 2. Effective date. If approved by the
20 electorate, this amendment shall be effective July 1, 1981.
21 Section 3. Submission to electorate. This amendment
22 shall be submitted to the electors of the state of Montana
23 at the general election to be held November 4, 1980, by
24 printing on the ballot the full title of this act and the
25 following:

A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VI, SECTION 10,
OF THE MONTANA CONSTITUTION TO CLARIFY THAT A GUBERNATORIAL
VETO MAY BE OVERRIDDEN ONLY BY A VOTE OF TWO-THIRDS OF THE
MEMBERS OF EACH HOUSE OF THE LEGISLATURE AND TO CHANGE THE
REQUIREMENT FOR OVERRIDE OF A GUBERNATORIAL VETO FROM A
TWO-THIRDS VOTE OF THE MEMBERS PRESENT TO A TWO-THIRDS VOTE
OF THE MEMBERS OF EACH HOUSE.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Article VI, Section 10, of The Constitution
of the State of Montana is amended to read:
"Section 10. Veto power. (1) Each bill passed by the
legislature, except bills proposing amendments to the
Montana constitution, bills ratifying proposed amendments to
the United States constitution, resolutions, and Initiative
and referendum measures, shall be submitted to the governor
for his signature. If he does not sign or veto the bill
within five days after its delivery to him, if the
legislature is in session or within 25 days if the
legislature is adjourned, it shall become law. The governor

SB 525
INTRODUCED BILL

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

April 17, 1979

The fifty-first meeting of the State Administration Committee was called by Chairman Pete Story on the above date in the State Capitol.

ROLL CALL: All members of the Committee were accounted for.

CONSIDERATION OF HOUSE JOINT RESOLUTION No. 68: The Chairman, because of the press of time in processing bills on the floor of the Senate and the session deadline fast approaching, requested special dispensation to act on House Joint Resolution No. 68 from Senate President Bill Mathers without a full hearing being called.

Such special dispensation was granted and action was taken on this Resolution by consent of all members of the Committee.

Senator Story moved that House Joint Resolution No. 68, sponsored by Representative Francis Bardanouve, and introduced for the purpose of expressing gratitude to Mrs. Isabel Haynes for donating the Haynes Family Collection of historical photographs and artifacts to the Montana Historical Society, BE CONCURRED IN. Motion passed by unanimous consent of all Committee members. Sen. Story will carry this Resolution on the floor and advise Rep. Bardanouve.

No further business was brought to the Committee at this time.

Pete Story, Chairman

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date April 17, 1979 HOUSE JOINT Bill No. 68 Time _____
RESOLUTION

NAME	YES	NO
Senator Pete Story, Chairman	✓	
Senator George F. Roskie, V. Chairman	✓	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan	✓	
Senator Greg Jergeson	✓	
Senator William F. Hafferman	✓	

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: Upon motion of Sen. Pete Story, House Joint Resolution

No. 68 was unanimously CONCURRED IN.

Senator Story will carry the Resolution on the floor.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

April 17 1973

MR. President

We, your committee on State Administration

having had under consideration House Joint Resolution Bill No. 63

Bardanouve - (Story)

Respectfully report as follows: That House Joint Resolution Bill No. 63,

Third Reading Bill,

DO PASSE BE CONCERNED IN

BA