

MINUTES OF THE MEETING  
RULES COMMITTEE  
April 6, 1981

The Senate Rules Committee met Monday, April 6, 1981 in Room 331 of the State Capitol. Senator Stan Stephens, Chairman, called the meeting to order at 2:35 p.m.

ROLL CALL

All members were present.

ACTION TAKEN ON S.B. 356

"AMENDING 15-36-101 TO PROVIDE A SINGLE 5% SEVERANCE TAX RATE ON PETROLEUM".

This bill was referred to Rules from Committee of the Whole on the question of whether it is constitutional to change the effective date on another bill by passage of a separate bill, and, if in so doing, it changes the intent of the bill.

Senator Blaylock made the motion to send S.B. 356 to Rules because of Senator Lee's amendment to tie the effective date to the passage of S.B. 200. He read from the Montana Constitution C-30, Section 11 which states "A law shall be passed by bill which shall not be so altered or amended on its passage through the legislature as to change its original purpose. No bill shall become law except by a vote of the majority of all members present and voting".

Senator Turnage stated that we have indulged this in past sessions and recited several examples of applicability.

Senator Lee stated we are not changing the original purpose of the bills, and he would not oppose S.B. 356 without the amendment, but there should be a condition here, and if we are going to raise the contingency tax they should be allowed to right off our deduction.

Senator Smith agreed that the effective date does not change the intent of the bills.

Senator Blaylock expressed dissatisfaction with making S.B. 356 hostage to the approval of S.B. 200 and feels the two bills do not have anything to do with each other. He thinks we would be setting a precedent and it is not a good idea.

Senator Norman mentioned that there is a possibility of four different combinations in question here.

Senator Stephens reminded the committee that the summit agreed that these bills would pass from one House to the other.

Senator Lee stated he does not want to interfere with anything the summit has done. He mentioned the possibility of the Governor having time to strip the amendment.

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Senator Turnage commented that one man's hostage is another man's insurance.

Senator Galt moved that the Rules Committee accept Senator Lee's amendment to S.E. 936. Motion carried. Senators Blaylock, Norman, and Graham are recorded voting "no".



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Stan Stephens, Chairman

47th LEGISLATIVE SESSION - - 1981

Date 4-6-81

NAME	PRESENT	ABSENT	EXCUSED
Stan Stephens, Chairman	✓		
Frank Hazelbaker, V. Chrm.	✓		
Jean Turnage	✓		
Allen Kolstad	✓		
Ed Smith	✓		
Jack Galt	✓		
Chet Blaylock	✓		
Bill Norman	✓		
Carol Graham	✓		
Paul Boylan	✓		

Each day attach to minutes.

SENATE COMMITTEE

Rules

Roll call

S.B. 356

Date

4-6-81Senate

Bill No.

356

Time

2:54

NAME	YES	NO
FRANK HAZELBAKER, V. CHRM.	✓	
JEAN TURNAGE	✓	
ALLEN KOLSTAD	✓	
ED SMITH	✓	
JACK GALT	✓	
CHET BLAYLOCK		✓
BILL NORMAN		✓
CAROL GRAHAM		✓
PAUL BOYLAN	✓	
STAN STEPHENS, CHRM.	✓	
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Secretary

Neil McKay

Chairman

Stan Stephens

**Motion:** by Senator Galt that Senator Lee's amendment to S.B. 356 to tie the effective date to the passage of S.B. 200 is in order.

On a ROLL CALL Vote, 7 voting YES, 3 voting NO.

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