

MINUTES OF THE MEETING  
RULES COMMITTEE

January 17, 1985

The meeting of the Rules Committee was called to order by Chairman Jack Ramirez on January 17, 1985, at 2:45 p.m. in Room 312-1 of the Capitol Building.

ROLL CALL: Roll was called with all members present.

SENATE JOINT RESOLUTION 3: The meeting opened with a discussion of SJR-3, with a statement by Sen. Fred VanValkenburg. Sen. VanValkenburg stated that the Senate had changed the transmittal deadline for revenue bills from the 50th day to the 70th days of the session. That change is reflected in SJR-3, Section 6-34, p. 34-35 (Third Reading, 2nd Printing copy).

Although there is some question about whether that change was mistakenly printed in Section 6-34, the Senate is in general agreement that a 70-day transmittal deadline is appropriate, and that body could better serve the citizenry with a 70-day, rather than a 50-day transmittal period.

Sen. VanValkenburg stated that although a negotiated compromise was possible, he urged the House to accept the 70-day period noted in the amendment to SJR-3, which occurred late last session.

Rep. Ramirez asked if Sen. VanValkenburg was suggesting that an incorrect cite-- not noted an amendment by underlining would have the effect of changing a statute. Sen. VanValkenburg replied that he did not want to get wrapped up in a lawyer's argument over the issue, but rather was requesting that the House view this instance as an opportunity to agree that a 70 day transmittal period would serve the state better. He also stated that he was not prepared to say the change was mistakenly made.

Discussion on SJR-3 closed and Chairman Ramirez opened discussion on HB-9 and HJR-3.

HOUSE BILL 9 and HOUSE JOINT RESOLUTION 3: Both measures were introduced by Rep. Ralph Eudaily at the request of the Legislative Council. Both set out provisions for instances when statements of intent must accompany legislation.

Bob Pyfer, staff attorney for the Legislative Council, explained that the measures clarify the Legislative History Act by providing an explanation of when a statement of intent is required to accompany a bill. The measures provide that if new language

in a bill refers to the adoption and enforcement of rules, a statement of intent must be attached. HB-9 and HJR-3 do not affect the prerogative of a committee to add a statement of intent to any bill.

OTHER BUSINESS: Rep. Dennis Iverson asked the committee to consider the situation of the Select Committee on Water Marketing created by the 48th Legislature to study and propose a "water package" during this session. Rep. Iverson explained that the committee had been made up of eight members, but only 4 of those members had returned to this session. He requested direction from the committee on how the water committee could complete the business before it in the absence of a quorum. That business includes the payment of outstanding bills, signing off the committee's final report, and meeting to consider suggestions proposed by DNRC and the Governor's office.

Upon discussion and research, the committee determined that Mason's Manual indicates that when vacancies occur in a committee, a quorum will consist of a majority of the remaining members. The committee voted unanimously to adopt that interpretation of Mason's rules. A copy of these minutes will serve as a letter from the Rules Committee to the Joint Rules Committee reflecting the decision to abide by that interpretation.

Ed Smith, Chief Clerk of the House, then asked the committee to consider the question of whether amendments should remain attached to a bill when the bill is passed for the day following second reading. Smith explained that there is no consistency in the House now; sometimes amendments are stripped from bills before the next day's session, and sometimes amendments remain attached to bills.

Rep. Harper moved that any properly made motion to amend, properly passed, would move with that bill, whether on the floor or in committee.

Rep. Marks noted that in the absence of a clear rule, Mason's prevails. Section 938 applies in this case. The committee interpreted Section 398 of Mason's to allow amendments to remain attached to a bill, and Rep. Keyser moved to adopt the committee's interpretation.

Rep. Marks moved to postpone consideration of the matter until determining the Senate procedure in similar situations. He was told that the Senate strips amendments, and withdrew his motion.

Rep. Brown moved that if a bill comes up as amended and goes over to another day, all amendments be stripped and the bill be considered anew the following day.

Rep. Ramirez stated that discussing and acting on amendments is cumbersome, and that having amendments travel with a bill could save a considerable amount of time.

Reps. Keyser and Brown withdrew their previous motions, and the committee considered the motion made by Rep. Harper that all amendments properly made and approved in the committee of the whole, action committees, and standing committees remain attached to the bill throughout further action.

All members voted in favor of the motion except Rep. Brown.

The committee took up executive action on SJR-3.

Rep. Marks moved to amend the Resolution to hold the deadline for Senate transmittal of revenue bills to 50 days, rather than 70, reinserting the language stricken by the Senate.

Rep. Marks suggested that the committee request a report on the history of the issue, to determine what rules the House must operate under. He requested a written report from the Legislative Council.

The committee unanimously passed Rep. Mark's motion to amend the resolution to its previous form, limiting the transmittal date to 50 days.

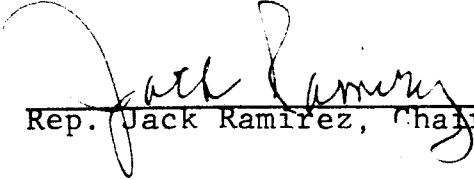
Robert Person, research director for the Legislative Council, told the committee that he viewed the 70-day provision as an error.

Rep. Ramirez said that for the time being, the House would operate under the assumption that the old rule, of a 50-day transmittal period, will hold.

The committee began executive action on HJR-3 and HB-9. Rep. Brown moved to pass both measures, citing the intended elimination of unnecessary paperwork.

Rep. Vincent moved to pass both measures, and all voted in favor of that motion except Rep. Keyser.

Upon motion of the chair, the meeting was adjourned at 4:30 p.m.

  
Rep. Jack Ramirez, Chairman

DAILY ROLL CALL

## RULES

COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date January 17, 1985

[illegible]

# STANDING COMMITTEE REPORT

January 21

19 85

MR. SPEAKER

We, your committee on RULES

having had under consideration HOUSE RESOLUTION ~~SEN~~ No. 1

Second reading copy ( Yellow )  
color

## TO ADOPT HOUSE RULES

Respectfully report as follows: That HOUSE RESOLUTION Bill No. 1  
be amended, as follows:

Page 5, following line 11

Insert: "NEW SECTION. H3-5. After an amendment to a bill has been adopted in a committee or committee of the whole, the amendment adheres to the bill until it is removed by a specific action of the committee or until final disposition of the bill by the committee."

and as amended,

DO PASS

# STANDING COMMITTEE REPORT

January 17 19 85

Page 1 of 2

MR. **SPEAKER**

We, your committee on **RULES**

having had under consideration **SENATE JOINT RESOLUTION** **SM** No. **3**

**Third Reading** reading copy ( **blue** ) **Second Printing**  
color

## TO ADOPT JOINT RULES

Respectfully report as follows: That **SENATE JOINT RESOLUTION** **SM** No. **3**

Be amended, as follows:

1. Page 34, line 23.

Following: line 23

Insert: "Revenue bills originating in the Senate shall be transmitted to the House on or before the 50th day, unless two-thirds of the members present and voting in the House determine that the bill may be transmitted after the 50th day. House amendments to such bills shall be transmitted by the House to the Senate on or before the 70th day unless two-thirds of the members present and voting in the Senate determine that such an amendment may be transmitted after the 70th day."

2. Page 34, line 25.

Following: "House"

Insert: "originating in the House"

**DOCKET**

3. Page 34, line 25 through line 1 on page 35.  
Strike: "FROM THE ORIGINAL HOUSE"  
Insert: "to the Senate"
4. Page 35, line 2.  
Following: "Senate"  
Strike: "RECEIVING HOUSE"  
Insert: "Senate"
5. Page 35, line 8.  
Following: "day."  
Insert: "Senate amendments to such bills shall be transmitted by the Senate to the House on or before the 85th legislative day unless two-thirds of the members present and voting in the House determine that such an amendment may be transmitted after the 85th day."

And as amended  
DO PASS

# STANDING COMMITTEE REPORT

.....January 17..... 19 85.....

MR. SPEAKER.....

We, your committee on RULES.....

having had under consideration HOUSE..... Bill No. 9.....

Introduced..... reading copy ( White )  
color

## STATEMENTS OF INTENT FOR NEW AUTHORITY ONLY

Respectfully report as follows: That HOUSE..... Bill No. 9.....

DO PASS



# STANDING COMMITTEE REPORT

.....January 17..... 19 85.....

MR. **SPEAKER**.....

We, your committee on.....**RULES**.....

having had under consideration.....**HOUSE JOINT RESOLUTION**.....~~SEN~~ No. **3**.....

**Introduced** reading copy ( **White** )  
color

**JOINT RULES CHANGE EXEMPTING EXTENSIONS OF AUTHORITY  
FROM STATE. OF INTENT**

Respectfully report as follows: That.....**HOUSE JOINT RESOLUTION**.....~~SEN~~ No. **3**.....

DO PASS