

MINUTES OF THE MEETING
OF THE
JOINT RULES COMMITTEE

January 22, 1985

The Joint Rules Committee was called to order by Senator Fred Van Valkenburg, Chairman, at 4:45 p.m. All members were present with Representative Moore excused.

FIRST ORDER OF BUSINESS: IVERSON'S LETTER REGARDING THE SELECT COMMITTEE ON WATER MARKETING

Senator Van Valkenburg briefly outlined Representative Iverson's letter for the Joint Rules Committee. The letter requested guidance from Senator Van Valkenburg and the Joint Rules Committee on proper procedure for reimbursing outstanding expenses of members who are no longer legislators. Additionally, the letter requested guidance on the membership and chairmanship of the committee with the absence of three members.

Representative Ramirez stated that his understanding of Mason's was that the committee should simply continue with those members still present.

Further discussion by Representative Marks reiterated the position that a quorum would suffice without bringing in new members.

MOTION: Representative Ramirez made a motion to advise the Select Committee on Water Marketing of the Joint Rules Committee's position as outlined above.

The question was called.

MOTION CARRIED: The motion carried unanimously.

SECOND ORDER OF BUSINESS: SENATOR HAFHEY'S BILL: CLARIFICATION ON PROCEDURE

Senator Van Valkenburg stated that Senator Haffey would be introducing a bill that would not require appropriating money yet may have a fiscal note attached.

Senator Haffey delineated portions of the bill and stated that it would, in essence, "move" money from one department to another.

Additionally, Senator Haffey stated that the bill would have the future impact of increasing benefits for public employees' retirement. Senator Haffey emphasized that the bill would not appropriate additional money, but would indirectly move money from one agency into another to provide for said benefits.

Representative Quilici asked Senator Haffey if the benefits were increased, must not the amount paid into the benefits also increase?

Senator Haffey concluded that indeed, the amount paid into the benefits would increase, but this would still not require appropriation of additional funds.

Senator Van Valkenburg restated the Senate Rules Committee's position that this bill should not be an appropriations measure due to the fact that it does not appropriate money. Thus, he stated the Senate Rules Committee was simply looking for a consensus from the Joint Rules Committee that a bill would not be defined as an appropriations bill unless it did, in fact, appropriate additional money.

Representative Marks stated that both houses review bills with fiscal impact all the time, but they are not considered to be appropriations bills unless they do, in fact, appropriate money.

MOTION: Representative Ramirez made a motion to propose that unless a bill contains direct appropriation measures it would not be considered under appropriations.

Senator Van Valkenburg stated that Senator Haffey would have a copy of his bill circulated among the Joint Rules Committee members and if there were any problems another Joint Rules Committee meeting would be called.

The question on the motion of Representative Ramirez was called.

MOTION CARRIED: The motion passed unanimously.

THIRD ORDER OF BUSINESS: JOINT RULE 7-12 (BLOCK SCHEDULING)

Senator Van Valkenburg posed a question to the House Rules members, asking if they felt the House was in compliance with Joint Rule 7-12 which reads as follows:

"A committee block scheduling system will be implemented in the Senate and House of Representatives. The schedule will be coordinated between houses and will be adjusted according to the legislature's work load."

Representative Vincent stated that said rule is open to interpretation.

Senator Van Valkenburg stated that with the Senate being in session at 3:00 p.m., Senators may be and have already been called upon to present bills in committees while they should be in session.

Representative Vincent stated that the conflicts were minimal at this point, and perhaps any changes should wait until there are more severe conflicts.

Senator Stephens then stated that he appreciated Representative Vincent's point, however it was essential that regardless of the hour either house convenes, activities must be coordinated. Additionally, Senator Stephens stated that unless Representative Vincent had some compelling reason to want the House to convene at a different time than the Senate, it seemed odd to add frustrations to an already inherently frustrating situation.

Representative Vincent then suggested that the Senate should change their session from 3:00 p.m. to 1:30 p.m. to match the House schedule. Representative Vincent maintained that by convening at the earlier time, the House would save somewhere near \$60,000 in overtime savings to support staff and other personnel simply by keeping the schedule as is.

Senator Norman suggested that perhaps the inconvenience to the public would not be worth the savings, especially since the savings is merely a projection as yet unsubstantiated.

Senator Crippen stated that an obvious suggestion might be to have the House cut down on the rhetoric on the floor.

Representative Quilic stated that by going into session at the earlier time, there is less rhetoric on the floor because members have meetings and committee hearings to attend later.

Representative Ramirez said that he didn't foresee being able to put such a tight rein on floor discussion.

Representative Vincent stated that if problems arise, the House would adjust their schedule at that time. Representative Vincent agreed that the House takes too much time on the floor but also reminded the Senate members that the House has twice as much work to get through before transmittal.

Senator Christiaens said that he'd heard from the public a concern about bills being backlogged and the need to have evening sessions.

Representative Vincent stated that he would try to avoid any

evening sessions and might be able to juggle schedules elsewhere, e.g., some committees meet at 9:00 instead of 8:00 a.m. and this could easily be changed.

Senator Van Valkenburg stated that it was not the intent of the Senate to argue with the House schedule, rather, the consideration is in regards to the Senate not being consulted or worked with on the schedule as dictated by the Joint Rules. When Representative Vincent stated that he planned to proceed as is, Senator Van Valkenburg asked that he indicate to all Committee Chairmen that they should not schedule Senate Bills to be heard during Senate session hours.

Representative Ramirez asked for cooperation between the houses but declined to suggest when the best time to convene might be.

Representative Vincent stated that he was open to discuss the subject, and expressed interest in seeing the Senate move on the issue as well.

Senator Van Valkenburg suggested to Representative Vincent that he and the President of the Senate, Senator Norman, might get together and talk about the schedule. Senator Van Valkenburg stated that he hoped a compromise could be reached between the two of them. Additionally, he pointed out to Representative Vincent that the House had adopted this new and different schedule with neither discussion nor consent from the Senate.

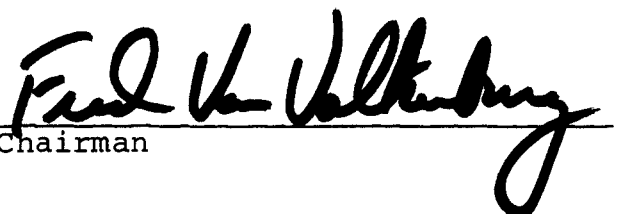
Representative Vincent agreed to meet with Senator Norman to discuss the matter.

FOURTH ORDER OF BUSINESS: ADJOURNMENT

MOTION: There being no further business, Representative Addy made a motion to adjourn.

The question was called.

MOTION PASSED: The motion carried unanimously; the meeting was adjourned.


Chairman

Secretary



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January 7, 1985

TO: Senator Fred Van Valkenburg, Chairman
Joint Rules Committee

FROM: Representative Dennis Iverson, Chairman
Environmental Quality Council

RE: The Select Committee on Water Marketing

House Bill 908 established the Select Committee on Water Marketing which has nearly completed the study of water policy assigned to it by the 1983 Legislature. The Select Committee elected Jean Turnage as Chairman and John Shontz as Vice Chairman. As of January 7, 1985 neither of those committee members is a legislator.

Under procedures established by the Select Committee and the Legislative Council the Chairman of the Select Committee approves all requests for payment of any expenses incurred by the Select Committee. Certain expenses of the Select Committee are outstanding and need a signature to be paid. In addition, the Select Committee may need to meet again prior to its termination July 1, 1985, as provided in HB 908.

I would very much appreciate it if the Joint Rules Committee would give the remaining members of the Select Committee guidance on the membership and chairmanship of the Select Committee now that three of its members are no longer legislators. Should the Select Committee elect a new Chairman and who should be responsible for approval of outstanding Select Committee expenses?

Thank you for your consideration in this matter.

DI:ee

HOUSE MEMBERS

REX MANUEL
CHAIRMAN
RALPH S. EUDAILY
ROBERT L. MARKS
JOHN VINCENT

SENATE MEMBERS

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DIRECTOR, LEGAL SERVICES

January 3, 1985

Secretary of State Jim Waltermire
State Capitol
Helena MT 59620

Dear Jim,

In case you haven't heard, the Joint Rules Committee voted to raise the cost of Legislative Proceedings to \$400. No other change in that fee schedule. We expect early passage of the Joint Resolution adopting the Rules.

Sincerely,

A handwritten signature in cursive script that reads "Diana".

Diana S. Dowling
Executive Director

cc: Marian Campbell
Barb Buda
Bob Person
~~Senator Fred Van Valkenburg~~

HELEN2/h/Waltermire



The Big Sky Country

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MEMORANDUM

To: Senator Fred Van Valkenburg

From: Senator Stan Stephens

Subject: Interns and Aides

Date: January 8, 1985

There are seven Republican senators utilizing interns or aides during the current session. They are:

Senators McCallum, Keating, Story, Aklestad, Hager, Smith and Crippen.

Senators McCallum and Aklestad are sharing an intern as are Senators Story and Smith.

SGS

bfs

A handwritten signature, likely of Senator Stan Stephens, written in dark ink.

MINUTES OF THE CONFERENCE COMMITTEE ON

SENATE JOINT RESOLUTION 3

February 4, 1985

Senator Fred Van Valkenburg opened the meeting with roll call in which all members were present.

Senator Van Valkenburg stated that the main reason for calling the Conference Committee meeting was to discuss and determine the transmittal deadline for revenue bills originating in the Senate. He stated that the Senate had amended the bill to indicate the 70th day but the House had struck that amendment and put in its place, the 50th day.

Representative Ramirez stated that he'd thought the House and Senate had compromised at designating the 60th day.

Senator Van Valkenburg stated that he thought that was exactly why the Conference Committee needed to sit down and talk about the deadline. He further stated that the way the Conference Committee Report (as written by House members) was put together allowed only ten days between receiving the bills and having to send them back. Secondly, he added, it is a time when the House is very busy acting on transmittal of appropriations bills. He further proposed that the date of transmittal for House amendments to Senate revenue bills be the 75th day.

Representative Ramirez stated that the only problem he saw with Senator Van Valkenburg's proposal was that if the Senate could get the revenue bills over to the House by the 50th day, the House could get the amendments back to the Senate by the 70th day. Thus, once all was transmitted, all would know exactly how things fit together as a package. Representative Ramirez stated that the House was simply attempting to "get things going back and forth as a package, but it's no big deal."

Representative Marks stated that he wasn't sure the 70th day was unreasonable.

Representative Ramirez asked Senator Van Valkenburg why the Senate had struck the 85th day.

Senator Van Valkenburg corrected Representative Ramirez indicating that the House had struck the 85th day.

Representative Ramirez stated that the idea had been to avoid a last minute crunch, but that chaos seems inevitable.

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Senator Stephens suggested that if there were any future problems, they could be corrected at that time by suspending the rules.

Senator Van Valkenburg stated that suspension of the rules requires a two-thirds vote which would probably be difficult to achieve. Senator Van Valkenburg then questioned if 10 days was an adequate amount of time to effectively consider any amendments to Senate revenue bills.

Representative Ramirez suggested moving the date for transmittal of Senate revenue bills back to the 55th day.

Senator Stephens suggested that the 70th day deadline on transmittal of House amendments to Senate revenue bills would be fine as long as the House was confident it would be able to adequately consider all bills.

Representative Ramirez then suggested the 55th and 70th day as being a fair compromise to avoid "summarily executing the Senate bills."

Senator Van Valkenburg stated that it was more important to the Senate to have the 60th day deadline to allow the Senate ample time to review revenue needs.

Representative Harper said that he would talk with Representative Vincent about the Senators' proposal.

Representative Marks made a motion to adopt the Conference Committee Report.

Senator Van Valkenburg stated that the motion would be to approve the Conference Committee Report with the change in transmittal deadline from the 50th day to the 60th day, for revenue bills originating in the Senate. This change is in reference to two places in the Conference Committee Report, page 34, line 25, and page 35, line 2.

The question was called. The motion was voted on and passed unanimously.

Senator Van Valkenburg outlined a problem existing between the Fiscal Analyst, Judy Rippingale, and the Chief Clerk of the House, Ed Smith. The problem regarded cassette tapes which the Fiscal Analysts have traditionally kept in order to reference committee meetings. The Chief Clerk of the House had recently informed Judy Rippingale that she may no longer keep the tapes but that they were to be the property of the Historical Society.

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Judy Rippingale had expressed her concern over this new policy to Senator Van Valkenburg and she had requested that he bring it up in Senate Rules Committee, or in Joint Rules Committee, to determine the interpretation of the rules.

Senator Van Valkenburg stated that since the members of the Conference Committee were participating in a Free Conference Committee, they might consider the problem and search for a solution.

Representative Marks questioned why Ms. Rippingale wanted to keep the tapes, and why Mr. Smith felt they should be the property of the Historical Society.

Senator Van Valkenburg stated that Mr. Smith felt that the tapes were "minutes" and as such, were the property of the Historical Society. Ms. Rippingale, on the other hand, had stated that the fiscal analysts need the tapes for reference.

Senator Stephens stated that he thought the Historical Society should receive written, transcribed minutes only and that Mr. Smith was being ridiculous in his demand.

Senator Van Valkenburg then asked the committee if it was their feeling that a Joint Rules Committee meeting should be called or might he simply send a letter to Mr. Smith expressing the wishes of the Conference Committee to have the Fiscal Analyst's Office maintain ownership of the tapes.

Representative Ramirez made a motion that Senator Van Valkenburg write a memo to Mr. Smith stating that the matter of tapes would be looked into, but in the meantime, it is the determination of the Conference Committee that the tapes should stay at the Fiscal Analyst's Office. The second part of that motion shall be to have the Fiscal Analyst's Office and the Historical Society explain their procedures for storing tapes in order to determine if they are being properly stored for long-term preservation.

The question was called. The motion was voted on and passed unanimously.

There being no further business, Senator Christiaens made a motion to adjourn. The motion carried unanimously.


SENATOR VAN VALKENBURG Chairman