MINUTES OF THE MEETING
JOINT RULES COMMITTEE
THIRD SPECIAL SESSION OF THE
49th LEGISLATURE

June 19, 1986

The second meeting of the Joint Rules Committee was called to order by Chairman Fred Van Valkenburg at 1:00 p.m., with all members present.

Chairman Van Valkenburg stated the purpose of the meeting was to discuss items the Legislative Council may not consider within the scope of the Governor's call. He stated that the bill drafting deadline had passed, and that all bill drafting requests within the scope of the call should be in. Further, any requests made after 5:00 p.m. of the previous night would not be honored.

Mr. Petesch of the Legislative Council advised the committee about revenue enhancement bills not within the scope of the call. The first bill drafting request before the committee was a request by Senator Bengtson for a tax amnesty bill which had been determined to be a tax revenue bill not within the call.

Senator Bengtson briefly addressed the committee. She stated that she had no strong feelings about the bill, but thought it was a good idea and had had favorable comments on it. She informed the committee that she would not bother garnering the required signatures for a petition should the committee deem her request outside the scope of the Governor's call. But she urged the committee to approve the bill and provide a hearing on the bill.

Representative Quilicy asked what the bill would do.

Senator Bengtson stated that it would provide a short period of time in which people could "come clean" and pay their taxes. She stated that a strong enforcement follow-up would be necessary for a successful tax amnesty program.

Representative Quilicy stated that it was a revenue enhancement bill and was up to the committee to determine if it was within the scope of the Governor's call.

Senator Bengtson stated that the bill would not cost the state any money, and the only opposition to the bill she'd heard was that people shouldn't be absolved of their duty to pay taxes.

Representative Vincent stated that Senator Bengtson was presenting them with a revenue enhancement bill, and as such it would not be considered within the call. He added that the bill was a good idea, however.

Chairman Van Valkenburg asked if there were further questions on the bill drafting request of Senator Bengtson's. Being none, he suggested going through the list of requests and taking action on them after discussion.

Mr. Petesch stated that the next four bills regarded the University system and OPI, to study programs with an eye toward consolidation, to be made/reported to the 50th Legislative Assembly. The requests were made by Senators Halligan, Jacobson, and Neuman, and Representative Cobb.

Senator Halligan deferred to Senator Jacobson.

Senator Jacobson stated that the bill came about because as the subcommittee on education worked through meetings the previous week, there were certain recurrent suggestions for solving some of the problems in the University system. She stated that she agreed on the joint resolution with the Board of Regents, in fact, the Board had told her that such a study would be very helpful to them if a positive statement could be made about what the legislature wants in terms of long-term direction for the University system.

Representative Donaldson stated that he supported the resolution as a necessary measure for the work before the 1987 Legislature.

Chairman Van Valkenburg asked if there were further questions. He reminded the committee that they were to determine whether requests were within the scope of the call, they were not to simply discuss the merits of various requests.

Mr. Petesch stated that the closest part in the resolution which might allow it to come under the Governor's call, would be the statment in the call embracing "legislation aimed at implementing program changes."

Representative Brown stated that he considered the request within the scope of the call.

Chairman Van Valkenburg asked Mr. Petesch to continue with the next subject.

Mr. Petesch stated that there were three requests which while not considered germane to the call, were considered germane to an issue within the call, namely the pay freeze. Representative Lory had requested one, Senator Aklestad had requested two.

Representative Lory stated that he considered his request to be within the scope of the call because it directly tied to the wage freeze of public employees.

Senator Aklestad stated that his first bill would give the Governor latitude to go into collective bargaining with bargaining

groups. He stated that he thought it important that the special session consider his bill or they would be putting the 1987 Legislature in the same constraints the 1985 session was in. I.e., by waiting until 1987 to address the issue, successful legislation would still not be implemented until 1989.

Chairman Van Valkenburg asked the committee if they had any questions.

Representative Harper asked Representative Lory why he didn't simply amend the wage freeze bill.

Mr. Petesch stated that that would only be possible if the title of the bill were changed.

Representative Lory stated that he felt it was cleaner to deal with the issue in a separate bill.

Mr. Petesch then informed the committee of two resolutions pending. One was requested by Representative Winslow, regarding study of the sale of the Youth Treatment Center in Billings. The second one requested by Senator Neuman, regarding a tax study to be conducted by the Revenue Oversight Committee.

Representative Winslow stated that he had no problem with Representative Addy's bill regarding the Youth Treatment Center, but still urged support for the resolution as it would call for guidelines regarding to whom and how the sale of the center should be conducted.

Chairman Van Valkenburg suggested that Representative Addy's bill could simply be amended to address Representative Winslow's concerns.

Mr. Petesch agreed that that would be the best course of action.

Representative Marks asked Mr. Petesch if the other tax bill was necessary.

Mr. Petesch informed the committee that the Revenue Oversight Committee already had the authority to conduct such a study.

Chairman Van Valkenburg then turned the committee's attention to the matter of the 5:00 p.m. deadline. He informed the committee that if bills were delivered on that day they must be introduced by 5:00 p.m.

Representative Vincent, Speaker of the House, agreed.

Representative Marks stated that delivery could not be considered consummated until the bill is signed by the sponsor, thus if there should be a flaw in delivery, delivery is incomplete.

Chairman Van Valkenburg asked Mr. Petesch if they could have all bills ready by 3:00 p.m., June 19, 1986.

Mr. Petesch replied yes, they would make every effort to accommodate the request.

Chairman Van Valkenburg then suggested two alternatives to the committee. Either they could propose an absolute introduction deadline or they could adopt a reasonable time standard.

Senator Norman stated that another option would be to ask that bills be held and have the sponsor explain to the committee what the hold up was.

Representative Vincent stated that he liked the idea of an absolute deadline of 5:00 p.m. on Friday or Saturday.

Chairman Van Valkenburg asked the committee how it would propose to enforce such a deadline. He suggested that the committee could pass a motion which would direct the Secretary of the Senate and the Chief Clerk of the House that no bills may be introduced after a certain date.

Representative Ramirez asked whether that would apply to the special session as called by the Governor, or to concurrent sessions as well.

Chairman Van Valkenburg stated that the deadline would apply to the special session as called by the Governor only. He then suggested that the committee adopt a special rule that would allow introduction of bills that the Joint Rules Committee deems appropriate to introduce.

MOTION: Representative Marks moved that those bills dealing with matters determined to be within the scope of the Governor's call should have an introduction deadline of the 6th legislative day at 5:00 p.m.

The question was called. The motion carried with all members voting aye, except for Representative Ramirez who voted no.

Chairman Van Valkenburg then asked the committee to consider the bill drafting requests previously discussed. The first was the tax amnesty bill requested by Senator Bengtson.

Representative Harper stated that the bill was a good idea, but as a revenue measure should be determined outside the scope of the call.

MOTION: Representative Addy moved that the Rules Committee find Senator Bengtson's tax amnesty bill beyond the scope of the Governor's call.

The question was called. The motion carried unanimously.

Chairman Van Valkenburg then asked the committee to consider the joint resolution directing study of educational programs by the Board of Regents or the OPI.

MOTION: Representative Quilicy moved that the joint resolution be considered within the scope of the call.

Represenative Keyser stated that he did not consider the joint resolution to come within the scope of the call.

Representative Quilicy asked Mr. Petesch's opinion of the matter.

Mr. Petesch agreed with Representative Keyser, that the joint resolution should not be considered within the scope of the call.

Representative Vincent stated that he did not consider the joint resolution to come within the scope of the call.

Representative Moore stated that in order to show a spirit of cooperation, the committee should deem the joint resolution to be within the scope of the call.

The question was called. The motion failed.

Chairman Van Valkenburg then asked the committee to consider the bill requests of Representative Lory and Senator Aklestad.

Representative Harper requested that the motions to consider the bill requests of Representative Lory and Senator Aklestad be separated.

MOTION: Representative Harper moved that Senator Aklestad's bill drafting request be considered outside of the scope of the Governor's call.

The question was called. The motion carried unanimously.

MOTION: Representative Harper moved that Representative Lory's bill drafting request be considered within the scope of the call.

Representative Ramirez stated that the committee should decide whether the request was within the scope of the call, not whether Representative Lory should amend the pay freeze bill or introduce separate legislation to address his concerns.

Representative Quilicy stated that he thought Representative Lory should simply amend the bill.

SUBSTITUTE MOTION: Representative Harper made a substitute motion that Representative Lory's request be deemed within

the scope of the call, and as such Representative Lory could choose to introduce a bill or amend the pay freeze bill.

The question was called. The motion carried with Senator Crippen and Representative Keyser voting no.

Chairman Van Valkenburg stated that the next consideration before the committee was the tax study and the Youth Treatment sale study.

Representative Moore stated that the tax study was not within the scope of the call.

MOTION: Representative Moore moved that the request for a tax study be considered not within the scope of the call.

The question was called. The motion carried unanimously.

Chairman Van Valkenburg directed the committee's attention to the request regarding the Youth Treatment sale.

Representative Quilicy stated that the Department of Institutions had already been studying the issue.

MOTION: Representative Quilicy moved that the request by Representative Winslow calling for a study of the Youth Treatment sale be deemed outside the scope of the Governor's call.

Representative Ramirez asked if the sale was a program change.

Representative Addy said it was.

Representative Ramirez stated that it should be considered within the scope of the call.

Senator Crippen stated his support for the bill, but said that he had difficulty with the fact that the bill seemed designed for the sale to a specific corporation. He stated that he shared Representative Winslow's concerns because there was a lot more to the sale of the center than one might suspect at first glance.

Representative Quilicy stated that the study would simply delay the sale of the center for two years.

SUBSTITUTE MOTION: Representative Brown made a substitute motion that Representative Winslow's bill not be considered germane to the Governor's call.

The question was called. The motion carried with Senator Crippen voting no, and Representatives Marks, Moore, Ramirez and Schultz voting no. All other members voted aye.

Chairman Van Valkenburg asked the committee if there were further matters pending discussion.

Representative Ramirez stated that he would like to consider the matter of a deadline for introducing bills not within the scope of the Governor's call.

Chairman Van Valkenburg informed him that there was a 6th day deadline for introducing bills.

Representative Ramirez querried whether the committee should make a determination regarding bills outside the scope of the call and a transmittal deadline.

Representative Marks asked Chairman Van Valkenburg if he would be willing to propose rules for both issues on the succeeding legislative day.

Chairman Van Valkenburg agreed and requested that the committee meet again at 1:00 p.m., Friday, June 20, 1986.

MOTION: Representative Marks moved that the meeting adjourn until the following day at 1:00 p.m.

Chairman Van Valkenburg adjourned the meeting.

Chairman Van Valkenburg

Secretary Kelly Jean Beard