

DAILY ROLL CALL

HOUSE RULES COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date January 3, 1987

NAME	PRESENT	ABSENT	EXCUSED
HANNAH, Tom (Chairman)	✓		
MARKS, Bob (Vice Chairman)	✓		
ADDY, Kelly	✓		
BROWN, Dave	✓		
EUDAILY, Ralph	✓		
IVERSON, Dennis	✓		
MERCER, John	✓		
RAMIREZ, Jack	✓		
QUILICI, Joe	✓		
VINCENT, John	✓		

MINUTES OF THE MEETING
RULES COMMITTEE
50th LEGISLATIVE SESSION

January 3, 1987

The second meeting of the House Rules Committee was called to order by Chairman Tom Hannah on Saturday, January 3, 1987 at the hour of 2:30 p.m. in Room 415 of the State Capitol.

ROLL CALL: All members were present.

A copy of the proposed rule changes which were adopted at the first House Rules Committee meeting was submitted for the committee's review. (Exhibit 1) Bob Person with the Legislative Council informed the members that a clean resolution would then be drafted for introduction.

Chairman Hannah pointed out the changes made to the Rules which were adopted during the last meeting. Rep. Brown brought up the proposed rule change having to do with prohibiting legislative aides to the floor of the House during sessions. He feels that this rule change would seriously limit the competency of the process by excluding the kind of reasonable help that legislators need and demand.

It was Rep. Marks' opinion that conversations with aides and interns be limited to the lobby. He is concerned with the present distraction problem that many House members deal with. He further suggested that the two front rows of the upper gallery (34 seats) together with the far upper side seats (total of 20 seats) could be reserved for legislators' family members. Rep. Eudaily felt there would be a problem in securing these areas. In response, Rep. Iverson said reservation signs in the Senate seem to work in addition to having security personnel in charge of enforcing it.

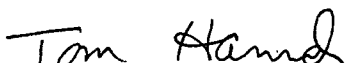
Rep. Quilici stated that he still has concerns with the proposed rule change prohibiting lobbyists from the floor. Rep. Ramirez said he liked the rule change because it is an easy rule to enforce. He also feels that legislators need some privacy which this proposed rule change would provide. Both Reps. Hannah and Iverson feel that House members need a place of their own to go and be able to work in privacy. Rep. Iverson said he thinks the answer may be to adopt a three hour rule. Rep. Hannah remarked that legislators still may not have those four hours to get their work done.

Rep. Brown questioned how to deal with the constant flow of messages that will be going through the floor doors.

Rep. Brown moved to reconsider action taken on H2-1 of the Rules. Rep. Addy said he feels very strongly that legislators need a place of retreat without interruption. The question was called, and the Motion to Reconsider Action CARRIED 6-4. (See Roll Call Vote No. 1.) Rep. Brown further moved to propose a rule change on page 77, H2-1 of the Rules of the Montana Legislature, 49th Legislature - 1985 2 hours and one-half limitation to 3 hours and 1 hour. The question was called, and the motion FAILED due to a tie vote. (See Roll Call Vote No. 2.)

Rep. Vincent said that given the sensitivity of this proposed rule change concerning limitation of access, he felt this idea could be presented to each of the caucuses followed by a report back to this committee as to the sentiments of other House members. Rep. Iverson, Rep. Marks and other committee members agreed with this idea. It was their feeling that there should be a substantial amount of support in order to make these kinds of changes.

ADJOURN: Upon motion of Rep. Quilici, the meeting adjourned at 3:20 p.m.



Rep. Tom Hannah, Chairman

1 HOUSE RESOLUTION NO. _____

2 INTRODUCED BY _____

3
4 A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA TO ADOPT RULES IN ADDITION TO THE JOINT RULES TO
6 GOVERN ITS PROCEEDINGS.

7
8 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE
9 OF MONTANA:

10 That the following rules ^{be} ~~are~~ adopted:

11 CHAPTER 1

12 Presiding Officer -- Decorum,

13 Order, and Debate

14 H1-1. The House of Representatives shall elect one of
15 its members Speaker. The House shall choose its other
16 officers and shall be the judge of the elections, returns,
17 and qualifications of its members.

18 H1-2. The House shall elect one of its members Speaker
19 pro tempore, who shall perform all of the duties of the
20 Speaker in the absence of that officer and on such other
21 occasions as the Speaker may request.

22 H1-3. No member shall speak for longer than 30 minutes
23 in debate on any one motion or question; however, in
24 Committee of the Whole, no member may speak over 5 minutes
25 on any motion except the member who made the motion on the

1 immediately pending question, and that member shall have 5
2 minutes to close.

3 H1-4. No member shall speak more than once on the same
4 question without the unanimous consent of the House, unless
5 he has proposed or introduced the immediately pending
6 question, in which case he may speak in reply after all
7 members choosing to speak have spoken.

8 H1-5. If the motions "do pass" and either "do not
9 pass" or "indefinitely postpone" both fail on second
10 reading, a motion to reconsider is in order in Committee of
11 the Whole. ~~If a motion to reconsider then fails, the bill~~
12 ~~shall be reported to the House as having failed to pass~~
13 ~~second reading.~~

14 H1-6. ~~Subject to Joint Rules 1-2 and 1-3,~~ Only the
15 following persons may be admitted to the floor of the House
16 during sessions: legislators; legislative officers and
17 employees whose presence is necessary for the conduct of the
18 business of the session; ~~legislative aides and interns,~~
19 accredited members of the press, radio, and television; and
20 former legislators; ~~members' spouses and their children, and~~
21 ~~guests of legislators.~~ The Committee on Rules may make
22 exceptions for visiting dignitaries.

23 CHAPTER 2

24 Meetings, Quorums, and Attendance

25 H2-1. Lobbying on the floor of the House of

1 Representatives is prohibited during-the-session-and--within
2 2--hours--prior--to-the-commencement-of-a-session-and-within
3 one-half-hour-after-recess-or-adjournment.

4 CHAPTER 3

5 Committees

6 H3-1. The standing committees of the House are as
7 follows:

- 8 1. Agriculture, Livestock and Irrigation
- 9 2. Appropriations
- 10 3. Business and Labor
- 11 4. Education and Cultural Resources
- 12 5. Fish and Game
- 13 6. Highways and Transportation
- 14 7. Human Services and Aging
- 15 8. Judiciary
- 16 9. Legislative Administration/Bills and Journal
- 17 10. Local Government
- 18 11. Natural Resources
- 19 12. Rules
- 20 13. State Administration
- 21 14. Taxation

22 The first named member of a committee is the chairman,
23 and in his absence the next named member, and so on.

24 H3-2. The Committee on Rules shall consist of the
25 Speaker, the Republican-house-leader, the-Democratic-floor

1 majority leader and other members of the Democratic majority
2 party appointed by the Speaker, and the Republican--floor
3 minority leader, and other members of the Republican
4 minority party appointed designated by the Republican--house
5 minority leader and appointed by the Speaker. The Speaker
6 shall appoint the--Democratic--members--and--the--Republican
7 house--leader--shall--appoint the Republican members of other
8 standing committees, select committees, and house membership
9 on joint committees and conference committees. Each--leader
10 shall--make--his--appointments--after--good--faith--consultation
11 with--his--counterpart.

12 H3-3. The Speaker, Republican-house majority leader,
13 Democratic--floor--leader, and Republican--floor minority
14 leader shall be ex officio members on all committees.

15 H3-4. (1) All bills having "do pass" committee
16 recommendations shall be deemed adopted and shall be placed
17 on second reading unless they are referred to a committee by
18 motion duly made on Order of Business No. 6.

19 (2) If the committee report is that the bill "do not
20 pass", the--bill--shall--be--posted--by--the--Chief--Clerk--of--the
21 House--and--the--members--of--the--House--have--24--hours--in--which--to
22 indicate--in--writing--to--the--Chief--Clerk--that--they--wish--to
23 have--the--bill--debated,--If--twenty--members,--including--at--least
24 one--third--of--the--appointed--members--of--the--committee--making
25 the--report,--so--indicate,--the--bill--will--be--placed--on--second

1 reading--for--debate.--If--no--such--indication-is-made, the
 2 committee report will be voted on on Order of Business No.
 3 2.

4 (3)--A--tie-vote-in-a-standing-or-select-committee-on-a
 5 question-of-whether-a-bill-"do-pass"-or-"do-not-pass"-or-"be
 6 concurred-in"-or-"be-not-concurred-in"-shall-result--in--the
 7 committee---reporting---the---bill---to--the--House--without
 8 recommendation.--All-bills--reported--without--recommendation
 9 shall--be--placed-on-second-reading-unless-they-are-referred
 10 to-a-committee-by-motion-duly-made-on-Order-of-Business--No-
 11 6.

12 (4)--Whenever--there-is-a-tie-vote-of-the-House-members
 13 of--a--conference--committee--to--approve---the---conference
 14 committee-report, the-report-shall-be-submitted-to-the-House
 15 for-consideration-without-recommendation.

16 H3-5. After an amendment to a bill has been adopted in
 17 a committee or Committee of the Whole, the amendment adheres
 18 to the bill until it is removed by a specific action of the
 19 committee or until final disposition of the bill by the
 20 committee.

21 H3-6.--By--the--first--legislative--day--there-shall-be
 22 appointed--a--revenue--subcommittee--of--the--Committee---on
 23 Taxation--made--up--of-members-of-the-Committee-on-Taxation.
 24 The-subcommittee-shall-be-appointed-in-the--same--manner--as
 25 members--of--standing--committees--as--provided-in-H3-2.--The

1 first-named-member-of-the-subcommittee-is-the--chairman--and
2 in-his-absence-the-next-named-member,-and-so-on.-The-revenue
3 subcommittee---shall--review--state--revenue--and--recommend
4 estimated-revenue--levels--for--the--next--biennium--to--the
5 Committee-on-Taxation-by-the-18th-legislative-day.

6 CHAPTER 4

7 Rules

8 H4-1. (1) A motion to amend or adopt a rule of the
9 House shall be referred to the Committee on Rules, which
10 shall report no later than the next legislative day. Unless
11 recommended by the Committee on Rules, no House rule shall
12 be amended or adopted except by a two-thirds vote.

13 (2) A House rule may be suspended temporarily for a
14 specified purpose by a two-thirds vote.

15 H4-2. Mason's Manual of Legislative Procedure governs
16 the proceedings of the House of Representatives in all cases
17 not covered by these rules.

-End-

ROLL CALL VOTE

HOUSE RULES

COMMITTEE

DATE 1/3/87

BILL NO. _____

NUMBER 1

NAME	AYE	NAY
ADDY, Kelly	✓	✓
BROWN, Dave	✓	
EUDAILY, Ralph	✓	
IVERSON, Dennis	✓	
MERCER, John		✓
RAMIREZ, Jack		✓
OUILICI, Joe	✓	
VINCENT, John	✓	
MARKS, Bob - Vice Chairman	✓	
HANNAH, Tom - Chairman		✓

TALLY

6 4

Marcene Lynn
Secretary

Tom Hannah
Chairman

MOTION: Rep. Brown moved to RECONSIDER ACTION taken on H2-1 of
the Rules. The question was called and the motion CARRIED 6-4.

ROLL CALL VOTE

HOUSE RULES

COMMITTEE

DATE 1/3/87

BILL NO. _____

NUMBER 2

NAME	AYE	NAY
ADDY, Kelly		✓
BROWN, Dave	✓	
EUDAILY, Ralph	✓	
IVERSON, Dennis	✓	
MERCER, John		✓
RAMIREZ, Jack		✓
QUILICI, Joe	✓	
VINCENT, John		✓
MARKS, Bob - Vice Chairman	✓	
HANNAH, Tom - Chairman		✓

TALLY 5 5

Marcene Lynn
Secretary

Tom Hannah
Chairman

MOTION: Rep. Brown moved to propose a rule change on page 77, H2-1 of the
Rules of the Mont. Legislature - 1985 which would change the 2 hours and one-
half-hour limitation to 3 hours and 1 hour. The motion FAILED due to a tie
vote.
