

DAILY ROLL CALL

HOUSE RULES COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date February 19, 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

February 19, 1987

The eleventh meeting of the House Rules Committee was called to order by Chairman Tom Hannah on Thursday, February 19, 1987 at 11:40 in Room 437 of the State Capitol.

ROLL CALL: All members were present with the exception of Reps. Addy and Eudaily who were previously excused.

E X E C U T I V E S E S S I O N

ACTION ON HB 702: Rep. Vincent moved HB 702 DO PASS. Rep. Marks moved his amendments to HB 702 which had been submitted at the hearing on February 17th. (A copy is attached and marked Exhibit 1.) His amendments would substitute the need for a commission director and staff. A staff would be provided by the legislative agencies as the commission deemed appropriate.

Rep. Vincent said he has a problem with the amendment which he believes would take away the independence of the commission. He said there is a question of objectivity, one of credibility and a question of whether or not we want to place people on the spot of having to analyze themselves for the purpose of determining if they will continue to exist or if their functions will be altered significantly. He said he would prefer to reduce the seed money in the bill from \$15,000 to \$5,000 in order to preserve their independence.

Chairman Hannah entertained a motion to pass amendments 4, 5, and 6 of Exhibit 1. The motion was moved by Rep. Quilici and CARRIED unanimously on a voice vote. The committee continued to discuss the three related amendments. By adopting these amendments, Rep. Vincent feels he would be put at a tremendous disadvantage when trying to raise money from enough private corporations.

Rep. Mercer said his major concern wasn't the issue of raising enough money, but his concern has to do with the idea of maintaining independence. He said we need to improve ourselves, and the commission will be stacked with people like ourselves who are already a part of the process. If we exclude these people by not allowing them to come and work with us in order to improve the system, it could possibly create a defense mechanism and end up having the reverse effect.

Rep. Ramirez said he would rather raise the money to hire a professional consultant who is familiar with legislative reorganization. Rep. Vincent said it was possible to have a very high quality commission full of knowledgeable people. Rep. Ramirez admits that improvement is needed, but he questioned whether or not a commission should be created for this purpose. What we really need is for someone to study our system while we are operating and in session.

Rep. Quilici said that we don't know how to resolve those problems. Legislators serving on the commission could tell us what the problems are, but we need some outside expertise to help us solve them. He feels that existing staff could continue to be utilized.

The question was called on the motion to adopt amendments 1, 2, and 3, and the motion CARRIED on a voice vote.

Rep. Vincent feels the amendments kill the bill with regards to obtaining private funding. Rep. Mercer pointed out that it will be difficult to obtain this private money if we ourselves don't have solid feelings for this kind of approach.

Rep. Vincent moved that HB 702 DO PASS AS AMENDED. The motion CARRIED on a voice vote with Rep. Ramirez voting "no."

ACTION ON HB 398 and HB 115: Rep. Mercer said he was left with the idea during the last discussion pertaining to these bills that there was very little support for them. He feels, however, that the committee should move one out on the floor for purposes of debate since it is a controversial issue.

Rep. Brown said he still strongly opposes these bills. He feels that legislators are now responsible in this area. His main concern in moving one of the bills out for debate is one of time.

Rep. Iverson pointed out that every time the legislature deals with this subject, we run into a constitutional question. To pass them out on the floor and then end up killing them would not be in anyone's best interest.

Rep. Ramirez stated that he has absolute problems with introduction limitations. Alternate approaches could be looked at such as 1) limiting staff support and 2) implementation of a screening committee. It was Rep. Brown's feelings that although the screening process may be reasonable, he doesn't like the idea of eliminating staff support. Rep. Marks commented that there should be a sorting out process as the present system is not working well.

Although Rep. Quilici agrees that we need to get a handle on this, he doesn't think limitation is the way to resolve the problem. Rep. Marks doesn't think a constitutional problem exists. The question is whether or not we want to have a bill limitation.

Rep. Vincent said his main concern with bringing the bill out for debate has to do with time. The debate will more than likely be lengthy. According to Bob Person, acting director of the Legislative Council, Rep. Vincent was informed that the number of bills being introduced has stabilized over the past few sessions, and bill introductions are not skyrocketing as perceived by many. He

pointed out that the problem lies in the bill drafting procedure. Some bills are never introduced resulting in a waste of man hours.

Rep. Mercer moved TO TABLE HB 115. The motion CARRIED unanimously.
Rep. Mercer moved TO TABLE HB 398. The motion CARRIED unanimously.

ACTION ON HB 597: Rep. Marks moved TO TABLE HB 597. The question was called and the motion CARRIED on a voice vote with Reps. Vincent and Addy voting "no." (Rep. Addy left a proxy vote.)

ACTION ON HB 731: Rep. Vincent moved TO TABLE HB 731. He said this is a complicated bill that needs further study. For purposes of discussion, he withdrew his motion to table.

Because Rep. Mercer was unable to be present for the hearing on this bill, he asked Rep. Rehberg to explain its intent. Rep. Rehberg said he introduced the bill as a result of his own frustration as chairman of the Appropriations Subcommittee on General Government and Highways. This bill will attempt to pool all the resources while still maintaining the statutory independent functions of the committees. Rep. Rehberg submitted amendments (Exhibit 2) in an attempt to take care of the concerns expressed during the hearing.

Rep. Quilici doesn't think this proposal will work. He figured that one committee would "call all the shots" for the whole legislature.

Rep. Ramirez said some kind of administrative body which will coordinate staff is needed.

Rep. Brown said he sees a few problems. The coordination of the agencies has been a problem in the past. He thinks we need to operate this expertise around the legislature; he doesn't like the one-commission idea.

Rep. Ramirez said the problem will never be solved by a study committee or commission. Our problem is that this body never agrees on how it will be done, because we don't have anyone making a decision for us.

In response to a question asked by Rep. Iverson, Scott Seacat, Legislative Auditor said these amendments submitted by Rep. Rehberg will go a long way in resolving the committee's concerns brought forth at the hearing.


Rep. Brown moved to adopt the amendments re the independence of audits. The motion CARRIED unanimously on a voice vote.

Rep. Ramirez moved to amend the bill by reducing the number of members serving on the commission from 12 to 8. The main reason for this was because of the cost savings involved. The question was called, and the motion CARRIED unanimously.

Referring to the body of the bill, Rep. Vincent still feels this approach is too fast.

Rep. Quilici moved a substitute motion TO TABLE HB 731. The motion FAILED 4-5 with Reps. Marks, Mercer, Ramirez, Iverson and Hannah voting against it. Rep. Ramirez moved HB 731 DO PASS AS AMENDED. The motion CARRIED 5-4 on a voice vote with Reps. Addy, Vincent, Quilici and Brown dissenting.

ADJOURN: There being no further business, the meeting adjourned at 12:40 p.m.



Rep. Tom Hannah, Chairman

STANDING COMMITTEE REPORT

February 19 19 87

RULES

Mr. Speaker: We, the committee on _____

HE 731

report _____

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached

Rep. Tom Hannah

Chairman

(CENTRALIZE STAFF SUPPORT FOR LEGISLATURE UNDER REFORMED LEGISLATIVE COUNCIL)

BE AMENDED AS FOLLOWS:

1. Title, line 5.

Strike: "MEMBERSHIP AND"

2. Title, line 9.

Strike: "5-11-101,"

3. Title, line 10.

Strike: "5-13-302, 5-13-303,"

4. Page 1, line 15 through page 2, line 6.

Strike: Section 1 in its entirety

Renumber: Subsequent sections

5. Page 2, line 15.

Strike: "The"

Insert: "Except as provided in subsection (3), the"

6. Page 3,

Following: line 24

Insert: "(3) The legislative council may not approve or disapprove the performance of any post-audit duties provided by law to be performed by the legislative auditor or supervised by the legislative audit committee, and shall provide support for such activities as determined necessary by the legislative audit committee. The legislative council and the legislative audit committee shall develop procedures to ensure the independence of audits performed by the legislative auditor as required by law."

7. Page 6.

Following: line 23 ⁶ ⁷

Strike: Sections 7 and 8 in their entirety

Renumber: subsequent sections

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STANDING COMMITTEE REPORT

February 19 19 87

RULES

Mr. Speaker: We, the committee on _____

HB 702

report _____

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached

Rep. TOM EANNAH

Chairman

(CREATE LEGISLATIVE REORGANIZATION COMMISSION)

BE AMENDED AS FOLLOWS:

1. Page 2, beginning on line 7

Following: "commission."

Strike: "The" through "meeting." on line 8

2. Page 2, line 15

Following: "staff"

Strike: "and facilities." through "staff." on line 4

Insert: "The legislative agencies, as deemed appropriate by the
commission, shall provide staff and services to perform
research and to coordinate the work of the commission."

3. Page 3, line 21

Following: "1988"

Insert: ", or to any special session of the legislature prior to
December 1, 1988"

4. Page 4, line 6

Following: "date"

Strike: "."

Insert: "and termination date. (1)"

5. Page 4, following line 7

Insert: "(2) This act terminates on December 31, 1988."


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Proposed Amendments to HB 702

1. Page 2, beginning on line 7

Following: "commission."

Strike: "The" through "meeting." on line 8

2. Page 2, line 15

Following: "Staff"

Strike: "and facilities." through "needed" on line 20

Insert: "(1) The legislative agencies as deemed appropriate by the commission shall provide staff and services to perform research and to coordinate the work of the commission."

3. Page 2, beginning on line 21

Strike: subsection (2) in its entirety

4. Page 3, line 21

Following: "1988"

Insert: ", or to any special session of the legislature prior to December 1, 1988"

5. Page 4, line 6

Following: "date."

Insert: "(1)"

6. Page 4, following line 7

Insert: "Termination date. (2) This act terminates on December 31, 1988."

Amendments to HB 731 (introduced copy)

1. Title, line 10.

Strike: "5-13-302, 5-13-303,"

2. Page 2, line 15.

Strike: "The"

Insert: "Except as provided in subsection (3), the"

3. Page 3.

Following: line 24

Insert: "(3) The legislative council may not approve or disapprove the performance of any post-audit duties provided by law to be performed by the legislative auditor or supervised by the legislative audit committee, and shall provide support for such activities as determined necessary by the legislative audit committee. The legislative council and the legislative audit committee shall develop procedures to insure the independence of audits performed by the legislative auditor as required by law."

4. Page 6.

Following: line 23

Strike: Sections 7 and 8 in their entirety

Renumber: subsequent sections