

DAILY ROLL CALL.

## HOUSE RULES COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date April 24, 1987

MINUTES OF THE MEETING  
RULES COMMITTEE  
50TH LEGISLATIVE SESSION

April 24, 1987

The fourteenth meeting of the House Rules Committee was called to order by Chairman Tom Hannah on Friday, April 24, 1987 at 12:40 a.m. of the State Capitol.

ROLL CALL: All members were present.

Chairman Hannah announced that the question before the committee had to do with a dispute over rules interpretation of the ability of the House to take failed Senate amendments from a conference committee and place them on third reading with a simple majority vote.

Bob Person, acting director of the Legislative Council, had been asked to research the question as to whether or not a motion to withdraw a matter from conference committee would be the same as taking it from a regular committee. In reviewing section 491 of Mason's Rules, he said he couldn't find any evidence where it could not be done.

Rep. Marks said the question in his mind dealt with the bill's present position. Al Abramson, chief clerk's office, said the bill is presently on the rostrum in the possession of the bills clerk.

Rep. Brown said under section 491, a simple majority on the floor could bring a bill back to the floor for further action of the House. He said the last vote, which was a voice vote, was to send the bill (HB 884) to a regular conference committee which still exists since the House refused to allow the bill to be sent to a free conference committee. This motion (Rep. Driscoll's floor motion) would simply take the bill from a committee and put it back before the full body.

Rep. Mercer stated the House rules indicate Mason's Rules come into play only when our rules don't speak to the issue. He said we are trying to get a reconsideration of the House rejection to the Senate amendments. He further cited Joint Rule 5-4.

Rep. Brown believes Rep. Mercer's application of Rule 5-4 is not correct. If that application were made in that fashion, said Brown, then no one could blast a bill out of committee.

Rep. Mercer disagreed, saying that a committee's action does not hold the same weight as the full House taking action a bill.

Rep. Iverson agreed that the conference committee actions were different, according to section 643 of Mason's Rules. He further cited section 644, which would indicate that had a report been issued, the conference committee would not exist.

Rep. Vincent asked the question what constitutes final rejection of a conference committee. The only time a conference committee finally completes its work is when the gavel comes down and the House adjourns, he said.

Rep. Addy said precedence should be persuasive, too. He pointed out there was no final report of that conference committee. He thinks the committee needs to determine whether or not the bill can be brought before the body again.

Rep. Ramirez said no matter what the committee decides, all the body needs in order to overrule the Rules Committee is a majority vote. Rep. Marks said that is probably the case. Rep. Ramirez said there is a difference of opinion as to the interpretation of this rule and suggested the question be called in order to expedite the matter.

Rep. Marks moved the motion made by Rep. Driscoll on the floor would be the majority motion.

Rep. Ramirez said he doesn't believe it's likely that the body will overrule the Rules Committee.

The question was called on the motion that the Driscoll motion is in order and the majority vote will cause it to pass. A roll call vote was taken, and the motion CARRIED 7-3.

ADJOURN: A motion having been made, the meeting adjourned at 1:00 a.m.

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Rep. Tom Hannah, Chairman

**ROLL CALL VOTE**

## HOUSE RULES

## COMMITTEE

DATE April 24, 1987 BILL NO.

NUMBER

## TALLY

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Marcene Lynn  
Secretary

Tom Hannah  
Chairman

MOTION: Rep. Marks moved the motion made by Rep. Driscoll on the floor would be the majority motion. The motion CARRIED 7-3.