

MINUTES OF THE MEETING
JOINT RULES COMMITTEE

DECEMBER 13, 1986

The meeting of the Joint Rules Committee was called to order by Chairman, Senator Fred Van Valkenburg, on December 13, 1986 at 11:15 a.m. in Room 415 of the State Capitol.

ROLL CALL; All members were present with the exception of Representative Dave Brown from Butte.

PURPOSE OF THE MEETING: Senator Van Valkenburg stated that the purpose of the meeting was to clarify certain rules and questions before the beginning of the session.

FISCAL NOTES: Senator Van Valkenburg stated that some bills are being heard without fiscal note being available to the committee. He stated there should be plenty of time allowed to receive the fiscal note before the bill is scheduled for hearing.

Representative Vincent commented that statute states that only the presiding officer of each house can order the fiscal note, Joint Rules 6-36.

Representative Marks stated that Dave Hunter, the Budget Director, is concerned about Sponsor's Fiscal Notes.

Senator Norman read the present rule.

Representative Iverson stated that the Legislative Council should have an idea which bills require a fiscal note and could notify the proper people and perhaps shorten the time involved this way.

Representative Hannah brought up the question of confidentiality. Some legislators do not want the contents of their bill disclosed.

Senator Van Valkenburg stated that a subcommittee would be appointed of both House and Senate members and report back on January 2, when the full Joint Rules Committee meets.

JOINT COMMITTEE: A joint committee will be appointed in both the House and Senate made up of members of the Taxation Committees to research the available revenue this biennium. This will insure a strong effort between both houses.

Representative Marks stated that he would like to see this developed, especially at this time.

Representative Vincent felt that it was a good idea to precede with the idea giving it very careful consideration.

Senator Van Valkenburg stated that he would consult with the Taxation Chairmen from both houses and also the leadership regarding this matter.

TIME SCHEDULES: Senator Van Valkenburg stated that he would hope that both houses could operate under a time schedule which would be neutral and operable for both houses.

Representative Marks stated that this is a very good idea, however, it needs to be flexible as we get into the session.

Senator Norman commented that as the session goes on everyone could work together and make the necessary changes.

LEGISLATIVE GOVERNANCE: Representative Marks stated that the overall governance of the Legislature, both short term and long term, is of concern to the public. There is some support for a joint committee to work on this matter.

Senator Aklestad remarked that the general public and everyone's constituents are very concerned about the number of bills which are appearing each session. Departmental bills are large in number.

Representative Iverson stated that there should be Legislative Improvement Committee.

Senator Van Valkenburg stated that he would like to study this during the session and then come up with a suggestion. He felt that this is a good approach to the problem.

Representative Vincent stated that the Legislative Committee would have a hard time finding the time to study this problem, perhaps there should be some ex officio members.

Senator Norman stated that there was an interim committee that did just this thing, that is where the five bill limit came from.

Representative Quilici suggested that bills of the same subject matter should be reviewed.

Senator Van Valkenburg felt that this would be most appropriate as a joint resolution to go into place after following session.

Representative Marks suggested that perhaps the special committee could meet early.

Senator Himsl stated that the problem is with the committee system. Committees could start screening bills more carefully and act accordingly.

Representative Mercer stated that you cannot prevent legislators from introducing bills. He, too, agreed that the committees could start screening bills more carefully.

Senator Van Valkenburg suggested that the President of the Senate and the Speaker of the House should confer on this matter and appoint a select committee to come up with a resolution or a bill taking care of the problem.

MOTION: A motion was made by Representative Hannah to change Joint Rule 6-6 by deleting subsections B and C from Section 1. The effect is that agency and interim committee bills will be included within the five bill limit on each legislator if the drafting request is made after the start of the Legislative Session. The intent of the rule change is to strongly encourage agencies and those interested in interim committee bills to get drafting requests in as soon as possible and to pre-introduce these bills prior to the start of the session.

Representative Hannah stated that a committee bill would be a relief valve in this situation.

Representative Marks reported that at the Legislative Council meeting held earlier it was announced that the agency bills have not been requested at this time.

Representative Mercer stated that he did not agree with changing rules in the middle of the stream.

Discussion was held regarding the notifying the legislators and the heads of state agencies about the upcoming change. Senator Van Valkenburg stated that as the chairman of the Joint Rules Committee, he would be glad to send a letter to all of the state agencies and the legislators informing them as soon as possible about this change.

Representative Hannah stated that this is a real problem and perhaps interim committees and state agencies will get their acts together and get their bill drafting requests into the Legislative Council.

Senator Jacobson stated that they will not be getting much notice.

Representative Vincent stated that this will have little impact on limiting the number of bills introduced. He then questioned exactly how this would affect the state agencies.

MOTION: The question was called on Representative Hannah's motion to change Joint Rule 6-6, on page 25 of the current rule book. Motion carried unanimously.

HEARINGS: Senator Aklestad asked if agencies can come to hearing and testify without being asked.

Senator Van Valkenburg stated that is part of their right to freedom of speech. It is also their responsibility.

Senator Himsl stated that the agencies have that right.

Representative Iverson stated that he does not allow people to rise and take a neutral stand on bills in his committees.

Senator Blaylock stated that both houses should encourage people when they are testifying to take a stand one way or the other, but not to remain neutral.

Representative Vincent stated that sometimes there is such a thing as neutral testimony. It is given purely for informational purposes.

Senator Aklestad suggested that perhaps a memo should be sent to the departments and government agencies encouraging them to take a stand during hearings.

Representative Marks stated that if a person gets out of line at a hearing that the chairman of the committee should be able to handle the situation.

Senator Van Valkenburg suggested a letter or memo be sent to the chairmen of all of the standing committees from the chairman of the Joint Rules Committee addressing this matter.

TRANSMITTAL DEADLINES: Senator Van Valkenburg suggested that some of the transmittal deadlines should be adjusted. He brought up the problem that arose last session with appropriation and revenue bills.

Everyone felt that there was a definite need for some change and adjustment in the deadlines to better serve all of the people.

Senator Van Valkenburg suggested that the Transmittal Deadlines be changed for Appropriations and Revenue bills to the following: Senate Revenue Bills -- 65th day; House Appropriations and Revenue bills -- 65th day; Senate Amendments to Appropriations Bills -- 80th day; Amendments to Revenue bills back to the House of origin -- 80th day.

MOTION: A motion was made by Representative Ramirez that the transmittal deadlines for appropriation and revenue bills should be the following:

TRANSMITTALS:

SENATE REVENUE BILLS	65TH DAY
HOUSE APPROPRIATIONS AND REVENUE BILLS	65TH DAY
SENATE AMENDMENTS TO HOUSE APPROPRIATION BILLS	80TH DAY
AMENDMENTS TO REVENUE BILLS BACK TO HOUSE OF ORIGIN	80TH DAY

Motion carried with all those present voting "yes" with the exception of Representative Vincent.

SIGNATURES: Senator Himsl brought up the question of signatures from both houses being put on bills. He felt that the separation of the houses should be recognized.

Senator Norman stated that this arrangement of allowing signatures from both houses came from the Interim Committee on Legislative Reform.

Senator Van Valkenburg stated that this matter could be considered by the select committee on Legislative Improvement.

Diana Dowling, director of the Legislative Council was in attendance.

Mrs. Dowling had a prepared amendment regarding clericals. See attachments.

She then asked for the opinion of the Committee regarding having the Rules Book typeset this session. The end product would be a more readable book. It would be a longer thinner version, which would still fit in one's pocket. The color code would also be retained.

Representative Marks asked about the cost. Mrs. Dowling stated that it was not known at this time what the cost would be.

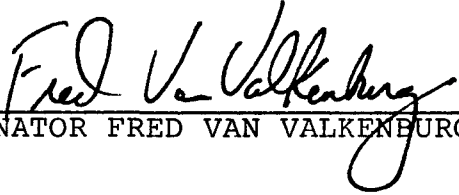
John Northey, from the Legislative Auditor's Office handed out a memo which he recently sent to Scott Seacat, the director of his department regarding "Approving Authority for Legislative Expenses". See attachments.

Representative Marks stated that the House Legislative Administration Committee has agreed to sponsor a resolution to cover this setting up some guidelines.

Joint Rules Committee
December 13, 1986
Page 6

John Northey stated that perhaps the Legislative Improvement Committee could deal with this matter.

ADJOURN: With no further business the meeting was adjourned.


SENATOR FRED VAN VALKENBURG

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