

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

March 17, 1987

The thirty-eighth meeting of the State Administration Committee was called to order by Chairman Jack Haffey on March 17, 1987 at 10:00 a.m. in Room 331 of the State Capitol.

ROLL CALL: All committee members were present.

EXECUTIVE SESSION ON HOUSE JOINT RESOLUTION 10: Senator Farrell MOVED TO ADOPT TWO AMENDMENTS TO HOUSE JOINT RESOLUTION 10. He stated if the sole purpose of the convention was not for a balanced budget then Montana would automatically withdraw their ratification. He noted there was great concern that the constitution might be revamped. His second amendment would give the Congress six months after ratification to enact a constitutionally balanced budget amendment or to propose such an amendment. He noted that nine other states have incorporated this language into their resolutions. The State of Tennessee had given Congress 60 days to enact a balanced budget amendment after ratification. He felt there was support for a balanced budget amendment but not for a constitutional convention that would be opened up for any other purpose. (EXHIBIT 1)

Senator Lynch opposed the amendments and noted that the very suggestion of proposing amendments to HJR 10 indicated that there were problems with the resolution. If a convention were to be convened there would be no stopping it once it began because the "horse would already be out of the barn" he said. He felt that regardless of what is done to the bill that people are against having a constitutional convention.

Senator Harding wanted clarification that the first amendment called for a balanced budget amendment and the second one stated that if Congress does not act in six months then there would still be a constitutional convention. She stated she was opposed. On a roll call vote to adopt the proposed amendments by Senator Farrell, the motion failed 8-2 with Senators Farrell and Hirsch voting "yes."

Senator Rasmussen then proposed an amendment to take the call for a constitutional amendment out of the bill and call on Congress to submit a balanced budget amendment to the states for action. This would just put Montana on record to Congress of being in favor of a balanced budget. He then MOVED TO ASK CONGRESS TO SUBMIT A BALANCED BUDGET AMENDMENT TO THE STATES FOR THEIR ACTION.

Senate State Administration

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Senator Lynch opposed this motion and suggested a committee resolution instead stating this intention. He said that the public knows that HJR 10 is a call for a constitutional convention and felt the committee should vote the bill up or down. Senator Vaughn agreed and said it would only add more confusion in people's minds. Senator Anderson also agreed and felt the committee should vote the measure up or down also. Senator Rasmussen then WITHDREW HIS MOTION. Senator Haffey stated he thought perhaps a previous session of Legislature had sent such a resolution encouraging Congress to balance the budget. If so, a simple Senate Resolution could possible be prepared reaffirming these earlier actions.


Senator Lynch then MOVED THAT HOUSE JOINT RESOLUTION 10 BE NOT CONCURRED IN. Senator Hofman made a SUBSTITUTE MOTION TO TABLE HJR 10. Senator Harding asked why he wanted to table the proposal. Senator Hofman stated he had been told this would be one way to leave the bill in committee so that it would not come up on an adverse report on the floor. Senator Lynch opposed the motion. He felt that the people wanted some positive action taken and the bill should not be left in limbo. Senator Hirsch felt the bill should be brought out on the floor and also opposed the substitute motion. Senator Haffey asked Senator Hofman if he felt tabling the bill was a way for the bill to die and he stated this was correct. Senator Hofman then WITHDREW HIS MOTION.

On a vote of Senator Lynch's motion THAT HOUSE JOINT RESOLUTION 10 BE NOT CONCURRED IN the motion passed 9-1 with Senator Hirsch voting "no."

Senator Lynch asked Eddy McClure to research writing a simple resolution to make sure Montana reaffirms their desire that Congress be encouraged to balance the budget and send an amendment to the states.

The meeting was adjourned at 10:20 a.m.

cd


SENATOR JACK HAFFEY, Chairman

ROLL CALL

SENATE STATE ADMINISTRATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 3-17-87

NAME	PRESENT	ABSENT	EXCUSED
SENATOR JACK HAFNEY	X		
SENATOR WILLIAM FARRELL	X		
SENATOR LES HIRSCH	X		
SENATOR JOHN ANDERSON	X		
SENATOR J. D. LYNCH	X		
SENATOR ETHEL HARDING	X		
SENATOR ELEANOR VAUGHN	X		
SENATOR SAM HOFMAN	X		
SENATOR HUBERT ABRAMS	X		
SENATOR TOM RASMUSSEN	X		

Each day attach to minutes.

DATE MARCH 17, 1987

COMMITTEE ON SENATE STATE ADMINISTRATION

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppo
Don McCracken	Liberty Lobby	HR 10		<input checked="" type="checkbox"/>
Harland Geer	" "	"		<input checked="" type="checkbox"/>
Richard Lee Fern	Americans United + Liberty Magazine			<input checked="" type="checkbox"/>
Ralph F. Wynn	SDA Church	"		<input checked="" type="checkbox"/>
Naomi Powell				<input checked="" type="checkbox"/>

SENATE DATE _____
EXHIBIT NO. _____
DATE 3-17-87
BILL NO. HSR 10

Proposed Amendments to HJR 10
(Third Reading)

1. Page 2, line 2
Following: "exceptions."
Insert: "This application and request must be considered void, rescinded, and of no effect in the event that such convention not be limited to such sole purpose."

2. Page 2, line 3.
Following: line 2
Insert: "(2) That if the Congress of the United States proposes, within 6 months after the legislatures of two-thirds of the states have made application for such convention, an amendment to the Constitution of the United States similar in subject matter to that contained in this resolution, then this application for a convention is no longer of any force or effect, and the convention may not be held."
Renumber: subsequent subsections

ROLL CALL VOTE

STATE ADMINISTRATION

SENATE COMMITTEE

Date March 17, 1987 HJR Bill No. 10 Time 10:17 a.m.

<u>NAME</u>	<u>YES</u>	<u>NO</u>
SENATOR JACK HAFHEY	X	
SENATOR WILLIAM FARRELL	X	
SENATOR LES HIRSCH		X
SENATOR JOHN ANDERSON	X	
SENATOR ETHEL HARDING	X	
SENATOR ELEANOR VAUGHN	X	
SENATOR SAM HOFMAN	X	
SENATOR HUBERT ABRAMS	X	
SENATOR TOM RASMUSSEN	X	
SENATOR J. D. LYNCH	X	

Carol Duval
Secretary

Senator Jack Haffey
Chairman

Motion: MOTION BY SENATOR LYNCH HOUSE JOINT RESOLUTION 10
NOT BE CONCURRED IN. Motion passed 9-1.

ROLL CALL VOTE

STATE ADMINISTRATION

SENATE COMMITTEE _____

Date March 17, 1987 HJR _____ Bill No. 10 Time 10:15 a.m.

NAME	YES	NO
SENATOR JACK HAFHEY		X
SENATOR WILLIAM FARRELL	X	
SENATOR LES HIRSCH	X	
SENATOR JOHN ANDERSON		X
SENATOR ETHEL HARDING		X
SENATOR ELEANOR VAUGHN		X
SENATOR SAM HOFMAN		X
SENATOR HUBERT ABRAMS		X
SENATOR TOM RASMUSSEN		X
SENATOR J. D. LYNCH		X

Carol Duval
Secretary

Senator Jack Haffey
Chairman

Motion: MOTION BY SENATOR FARRELL TO ADOPT HIS PROPOSED
AMENDMENTS TO HJR 10. MOTION FAILED 8-2.

STANDING COMMITTEE REPORT

MARCH 17

87

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MR. PRESIDENT

SENATE STATE ADMINISTRATION

We, your committee on.....

having had under consideration..... **HOUSE JOINT RESOLUTION** No. **10**

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CALL FOR CONSTITUTIONAL CONVENTION FOR BALANCED FEDERAL BUDGET
Sands

Respectfully report as follows: That..... **HOUSE JOINT RESOLUTION** No. **10**

NOT BE CONCURRED IN

~~DO PASS~~

~~DO NOT PASS~~

.....
SENATOR JACK HAFPEY

Chairman.