

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON SENATE RULES

Call to Order: By Chairman Gage, on January 6, 1989 at 3:30 p.m.
in Room 331 of the State Capitol.

ROLL CALL

Members Present: Senators: Del Gage, Jack Galt, Bruce Crippen,
Bill Farrell, Judy Jacobson, Bill Norman, Fred Van Valkenburg

Members Excused: None

Members Absent: None

Staff Present: None

Chairman Gage stated that Senators Van Valkenburg, Norman, Jacobson and Farrell were involved in the re-drafting of the Senate Rules this summer. The intent of the redraft was to reflect in the rules what has actually been happening in the legislature and also delete as much as possible what is statutory.

Senator Van Valkenburg added that the proposed Senate Rules contain a lot of material that used to be in the Joint Rules. The reason being that the House of Representatives, upon adjournment in 1987, reformed their rules to include a majority of the material that was contained in the Joint Rules. In 1988 the Senate began revising their rules in order for the Senate to function effectively and include additional rules not covered in the Joint Rules.

Senator Galt told the committee members that Senator Crippen wanted all Judicial nominations to go through the Judiciary Committee. Traditionally, Judicial appointments have been referred to the State Administration Committee regarding the appointments of District, Supreme Court, Workman's Compensation and Water Court judges. It is up to the discretion of the President of the Senate as to what committee the appointments are referred to. It was the consensus of the Senate Rules Committee to let the President designate what committee will hold hearings on the appointments.

Senator Chet Blaylock was recognized by the chair. Senator Blaylock pointed out that the present Joint Rules and Senate Rules are the rules of the 48th legislature. Chapter Six of the Rules states in part that there can be nothing before the committees of this legislature unless it is in the form of a bill, a simple resolution or a joint resolution. All that is before the State Administration Committee now is the list of nominees for the different posts. He strongly suggests that in the future the nominations be in the form of a resolution, an in-depth hearing regarding the appointees be held, and the public have adequate notification of committee hearing dates and times so that their input can be heard.

Senator Crippen made a motion that the Governor's appointments were properly presented before the Senate and referred to committee under the 48th Legislative Rules.

Motion Passed

Senator Blaylock recommended that the future Senate Rules have language stating the three day hearing notice if the Committee does not want the list of nominees in the form of a resolution.

PROPOSED SENATE RULES REVISIONS

CHAPTER 2 - DECORUM

S20-60. **Floor Privileges.** Senator Norman made a motion to amend subsection (e) the language "rules Committee" be struck and "President" be inserted. Subsection (e) would read: The President shall be allowed to make exception for visiting dignitaries.

Motion Passed

S20-70. **Distribution of Materials on Floor.** Senator Norman made a motion to strike "on any measure being considered by the legislature" from the rule. The rule would read: No materials may be distributed on the Senators' desks in the Chamber unless such material bears the signature of the bearer and a Senator and has been approved by the President.

Motion Passed

CHAPTER 3 - COMMITTEES

S30-20. Standing Committees. Senator Norman made a motion that Bills and Journals be added to the Standing Committee listing and that the subsequent Committees be renumbered.

Motion Passed

S30-30. Select Committee on Long Range Planning. Senator Jacobson made a motion to strike the first two sentences and insert the word "members" in the heading after the word "committee". The rule would read: **S30-30. Select Committee Members on Long Range Planning.** Select committee members may participate and vote as members of the Committee on Finance and Claims on issues considered by them as members of the select committee.

Motion Passed

CHAPTER 7 - NOMINATIONS FROM THE GOVERNOR

S70-20. Introduction and first reading of nominations. Senator Norman made a motion that under (1) subsection (a) the language "and referred to Committee on State Administration" be struck and insert, following item (c), an additional item; item (d), which says "referred to committee". The rule would read:

- (a) received by the President;
- (b) delivered to the Secretary of the Senate;
- (c) read under Order of Business number 4, Messages from the Governor.
- (d) referred to Committee;

Motion Passed

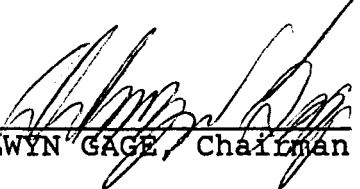
S70-30. Committee process. Senator Jacobson and Norman made a motion that under (1) (a) the language "on State Administration be struck and after the word "shall" insert "after public notice. The rule would read: The Committee shall, after public notice, hold hearings on the nominations.

Motion Passed

Senator Van Valkenburg made a proposal to the committee that the meeting be adjourned in order to give the committee members time to study the proposed rules and make further recommendations.

Senator Gage added that the proposed revision of a rule that listed questions that required other than a majority vote for its further consideration be added to the proposed rules as an Appendix.

The meeting was adjourned at 5:30 p.m.



DELWYN GAGE, Chairman

DG/mo

ROLL CALL

SENATE RULES COMMITTEE

DATE January 6

51 LEGISLATIVE SESSION 1989

NAME	PRESENT	ABSENT	EXCUSED
SENATOR DEL GAGE	✓		
SENATOR JACK GALT	✓		
SENATOR BRUCE CRIPPEN	✓		
SENATOR BILL FARRELL	✓		
SENATOR JUDY JACOBSON	✓		
SENATOR BILL NORMAN	✓		
SENATOR FRED VAN VALKENBURG	✓		

Each day attach to minutes.