

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON RULES

Call to Order: By Jerry Driscoll, on April 4, 1991, at 2:00 p.m.

ROLL CALL

Members Present:

Jerry Driscoll, Chairman (D)
Hal Harper, Vice-Chairman (D)
Dave Brown (D)
Paula Darko (D)
Larry Grinde (R)
Mike Kadas (D)
John Mercer (R)
Jim Rice (R)
Angela Russell (D)
Bill Strizich (D)
Chuck Swysgood (R)

Staff Present: Greg Petesch, Attorney and Joyce Andrus, Chief Clerk.

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion:

Rep. Driscoll discusses Chairs ruling on House Bill 795. What constitutes final action on a House bill? Is it upon passage of third reading or is it when it comes back from the Senate with Senate amendments? Following rules are discussed: H40-120, H40-220(2), H50-150(7), H50-150(9).

Rep. Mercer: Based on H50-150(7) A motion to approve a bill to appropriate the principal of the coal trust fund needs three-fourths of each house. This bill did not receive a 3/4 vote of this house. The argument made on the floor is that this is not the final passage, but these are specific rules that we have in the House and a bill can not proceed unless it satisfy those things. We could do this for every bill that does not make it through the House.

Rep. Harper: Look at H40-120 to see that it needs only a majority vote to proceed with action.

Rep. Mercer: This bill needs a 3/4 vote to leave the House. Why would you need this rule if any coal bill could simply go over to the Senate on a simple majority? The bill has failed as

a matter of law if it does not get the 3/4 vote. This is a House rule.

Rep. Harper: Reads H40-220(2).

Rep. D. Brown: H40-120 was put in the 1985 session to clear up final vote and last action of that body.

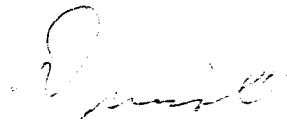
Rep. Swysgood: Concerning H40-220(2) we still have to go back to H50-150(7) because we are dealing with a question that requires more than a majority vote. Regardless of it going to Senate or not. The final approval out of the House requires a 3/4 vote.

MOTION by Rep. Kadas: I move Rules Committee up hold the ruling of the Chairman that House Bill 795 pass with a majority of the House.

Motion CARRIED Reps. Driscoll, Harper, D. Brown, Darko, Kadas, Russell and Strizich voting yea. Reps. Grinde, Mercer, J. Rice and Swysgood voting nay.

ADJOURNMENT

Adjournment: 2:30 p.m.



JERRY DRISCOLL, Chair



PAT JACOBSON, Secretary

JLD/phj

HOUSE OF REPRESENTATIVES

RULES COMMITTEE

ROLL CALL

DATE

4-4-91

NAME

PRESENT

ABSENT

EXCUSED

[illegible]

CSRULES.MAN