

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON RULES

Call to Order: By Jerry Driscoll, Chair, on April 6, 1991, at 4:10 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)

Members Excused: Chuck Swysgood (R)

Staff Present: Eddie McClure

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

Announcements/Discussion:

Speaker ruled that Senate Bill 195 was properly amended on the floor so that it did not change the title and scope of the bill. Rep. Connelly appealed ruling of the Speaker.

Rep. Connelly: The amendments change the intent of the bill. We may have done this in the past to other bills but it does not make it right.

Rep. Gilbert: The title amends subdivision law and the amendments amend the subdivision law.

Rep. Mercer: Cites Joint Rules 40-90 - original purpose. A law may not be passed except by bill. A bill may not be so altered or amended on its passage through either house as to change its original purpose (Montana Constitution, Art. V, Sec. 11(1)). Technically we are amending this rule beyond its intent.

Rep. Harper: Technically this bill does not have its original purpose changed. The subdivision development issue which the title and bill originally addressed is still in the bill.

Rep. Darko: Agrees with the Speaker.

Rep. Brown: The amendments go beyond the scope of the intent.

Rep. Driscoll: Senate Bill 192 was amended on the floor today. Was it amended beyond it's title and intent? If so, do we need to go back and strip the amendments?

Rep. Harper: I do not want to have such a literal interpretation of the Joint Rules. It will tie our hands.

Rep. Mercer: The rule is designed to implement the constitution. We can not change the subject because we need to let the public have a hearing. If we change the subject on the floor the public will not have the opportunity to express their opinions.

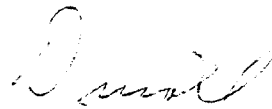
Eddie McClure: Everything that Senator Bengtson wanted is in the bill even though the bill has been extended beyond its original scope. We have done this in the past.

MOTION: by Rep. Kadas: I move Rules Committee up hold the ruling of the Speaker.

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

ADJOURNMENT

Adjournment: 4:30 p.m.



JERRY DRISCOLL, Chair



PAT JACOBSON, Secretary

JLD/phj

RULES COMMITTEE

DATE 4-10-91

PRESENT ABSENT EXCUSED

[illegible]

CSRULES.MAN

HOUSE OF REPRESENTATIVES
RULES COMMITTEE

ROLL CALL VOTE

DATE 4-6-91 BILL NO. SB 195 NUMBER 1

Motion: yes, 10-7, 10-10, 10-12

NAME	AYE	NO
REP. JERRY DRISCOLL, CHAIRMAN	✓	
REP. HAL HARPER, VICE-CHAIRMAN	✓	
REP. DAVE BROWN		✓
REP. PAULA DARKO	✓	
REP. LARRY GRINDE	✓	
REP. MIKE KADAS	✓	
REP. JOHN MERCER		✓
REP. JIM RICE		✓
REP. ANGELA RUSSELL	✓	
REP. BILL STRIZICH	✓	
REP. CHUCK SWYSGOOD		
TOTAL		

Pat Jacobson
Pat Jacobson, Secretary

Jerry Driscoll
Jerry Driscoll, Chairman