

MINUTES

MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON RULES

Call to Order: By Senator Fred Van Valkenburg, on January 10, 1991, at 1:05 p.m.

ROLL CALL

Members Present:

Van Valkenburg, Chairman (D)
Joseph Mazurek, Vice Chairman (D)
Bruce Crippen (R)
Delwyn Gage (R)
Judy Jacobson (D)
Thomas Keating (R)
Paul Svrcek (D)

Members Excused: none

Staff Present: Bob Person, Legislative Council
Greg Petesch, Legal Services of the Legislative Council

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

Announcements/Discussion: Senator Van Valkenburg opened the meeting by stating that its purpose was to hear SR 1 and SJR 4. Although Senator Van Valkenburg is the sponsor of both these resolutions, he asked to suspend protocol of turning over the Chair because there were no witnesses to testify on the resolutions. He stated that the Joint Committee on Rules had meet on January 3, 1991 to consider provisions in the resolutions being presented.

No one was present to testify in favor of or in opposition to the resolutions.

Bob Person proposed amendments to SJR 4. The first amendment would insert "joint" following "House" on Page 10, line 12. Sen. Van Valkenburg noted the importance of this amendment which would assure the involvement of the Senate in the revenue estimate process.

MOTION: Senator Mazurek moved this first amendment. There was no discussion. The amendment was unanimously approved.

Greg Petesch proposed the second amendment by the Legislative Council to allow for bills to be introduced in duplicate with an

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additional title page, instead of triplicate. The current practice is to give the third copy to the press, but usually the press refers to the title page and asks the sponsor for more information. Petesch argued that the amendment would save time and paper. This amendment had been presented to the House Rules Committee earlier in the day. The House recommended that if the Senate approved the idea, the amendment could be inserted into SJR 4 allowing the practice to begin as soon as possible.

MOTION: Senator Svrcek moved that on page 5, lines 23, the word "triplicate" be struck and "duplicate, with an additional title page" be inserted. Senator Mazurek asked Petesch if Bob Anez or anyone from the press had been consulted. Petesch replied that Bob Anez agreed to the proposal. Dave Hunter, Secretary of the Senate, said the proposal made sense from his perspective. The amendment was approved unanimously.

MOTION: Senator Mazurek moved a change in Rule 30-60, page 10, lines 19 and 20, to strike "The reports" on line 19 through "60th day" on line 20. Senator Mazurek commented that the 60th day is a transmittal deadline. He questioned why specific days should be dictated for the reports. Language in statute requires only periodic reports which would allow for more flexibility.

Senator Jacobson agreed with the idea particularly since transmittal deadlines change. She asked the committee if a number of reports should be specified. Senator Van Valkenburg interpreted the statute in discussion as giving the Revenue Oversight Committee discretion on the number of reports it issues. Also, he pointed out that the revenue estimate must be transmitted on the 60th day, and if a report was issued that day, the committee would not have much time to consider the report.

Senator Crippen commented that with this change there would not be anything in the rules to say that the Revenue Oversight Committee would have to issue a report. Senator Keating offered the proposal that reports be issued on the 40th and 45th days which would be helpful for the sub-committees.

Senator Mazurek expressed his concern that the Revenue Oversight Committee not be encumbered by dates.

Senator Van Valkenburg called for a vote on the motion. The motion passed unanimously.

MOTION: Senator Gage moved an amendment to Joint Rule 30-10, page 8, line 14, to strike "and 30-60". The change is a minor correction in the rule. There was no discussion. The motion passed unanimously.

MOTION: Senator Gage moved the amendments affecting bills which mandate interim studies and were discussed at the Joint Rules Committee meeting on January 3, 1991. Senator Gage presented the same arguments discussed then. (See minutes of Joint Rules

Committee meeting 1/3/91.) Senator Van Valkenburg opposed the motion because the House Rules Committee voted against the amendments on January 3. If the Senate Rules Committee adds this amendment, then the resolution will likely go into conference committee which slows the process of adopting rules for the session. The motion failed with the committee members voting as follows: Ayes - Gage, Keating Noes - Mazurek, Jacobson, Van Valkenburg, Svrcek, and Crippen.

MOTION: Senator Svrcek made the motion to adopt SJR 4 as amended. The motion passed unanimously.

Senator Van Valkenburg opened the hearing on SR 1 by explaining that the Senate Rules Committee had met on January 3, 1991 to consider changes in the Senate rules. No changes were proposed then, so SR 1 contained the same Senate Rules as were in effect at the end of the last legislative session. No one appeared to testify on the resolution. No amendments were proposed.

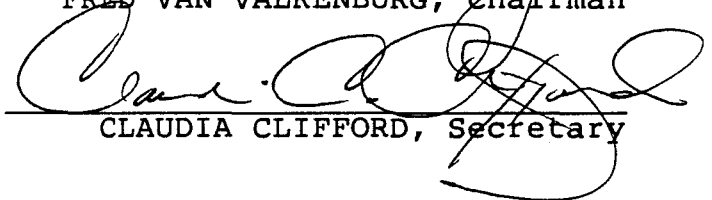
MOTION: Senator Mazurek moved the adoption of SR 1. The motion passed unanimously.

ADJOURNMENT

Adjournment At: 2:10 p.m.



FRED VAN VALKENBURG, Chairman



CLAUDIA CLIFFORD, Secretary

FVV/cac