

MINUTES

MONTANA SENATE
53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON RULES

Call to Order: By Senator Greg Jergeson, on February 5, 1993, at
2:00 p.m.

ROLL CALL

Members Present:

Sen. Greg Jergeson, Chair (D)
Sen. Fred Van Valkenburg, Vice Chair (D)
Sen. Bruce Crippen (R)
Sen. Steve Doherty (D)
Sen. Delwyn Gage (R)
Sen. John Harp (R)
Sen. Judy Jacobson (D)
Sen. J.D. Lynch (D)

Members Excused: Senator Steve Doherty

Members Absent: Senator Del Gage

Staff Present: Lynn Staley, Committee Secretary

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

Committee Business Summary:

Hearing: SB 281
Executive Action: SB 281

HEARING ON SB 281

Opening Statement by Sponsor:

Proponents' Testimony:

Opponents' Testimony:

Informational Testimony:

Senator Jergeson called the meeting to order. He said SB 281 was

introduced by Senator Fritz, and in reviewing the bill it was discovered there is within it a statutory appropriation and according to the Rules, appropriation bills are supposed to begin in the House. He stated this problem has occurred during a couple other occasions; Senator Gage had a similar situation and in his bill we suggested that we ought not proceed in the Senate with his bill, and recommended to him that he get it redrafted and started in the House. Senator Jergeson asked Senator Fritz if he had any comments or wished to plead a case.

Senator Fritz said he did not know the Rules, but that this bill was introduced in the last session and one of the reasons it failed was that it didn't have a funding source in it. This year it was drafted with a funding source in it and introduced in the Senate. He asked if the committee decides this is an appropriation bill and should start in the House, does he still have time, or does he pass the deadline, or will this bill be killed on this Rule.

Senator Jergeson said Senator Fritz had not passed the deadline for the introduction of an Appropriations bill.

Senator Harp asked about striking the statutory appropriation out of the bill.

Senator Van Valkenburg said we have allowed that in the past. For instance, in the first committee the bill comes into, you would have an amendment to strike the appropriation. The risk you take in doing that is whether the House of Representatives will accept the bill even though we have stricken the appropriation and whether they will somehow get it into their Rules Committee and say this bill was an appropriations bill that should have never been introduced in the Senate and therefore it is not properly received in the House. If you are willing to take that risk, and certainly if it is transmitted by the 45th day out of the Senate, then there is no problem with considering it in the Senate under those circumstances.

Senator Lynch thinks it should be introduced in the House so the bill stays intact.

Senator Van Valkenburg agreed with Senator Lynch.

Senator Lynch said Senator Fritz will need someone with a bill request left.

Senator Jacobson said she has a request left and would go with Senator Fritz and sign the request. Senator Fritz said he would then find a House sponsor.

Senator Jergeson said that would be the best advice.

Senator Fritz said he would abide by the Committee's wishes.

Questions From Committee Members and Responses:

Closing by Sponsor:

EXECUTIVE ACTION ON SB 281

Motion: Senator Van Valkenburg moved that SB 281 be tabled in the Rules Committee.

Discussion: Senator Jergeson said he would make an announcement on the floor asking people to be especially careful before dropping their bills off at the Secretary of the Senate that they have checked to make sure there will not be a problem like this with their bill.

Motion/Vote:

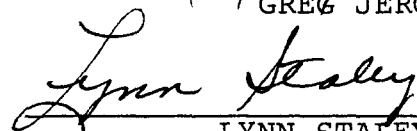
Vote: The motion to table SB 281 carried unanimously.

ADJOURNMENT

Adjournment: The meeting adjourned at 2:10 p.m.



GREG JERGESON, Chair



LYNN STALEY, Secretary

GJ/ljs

ROLL CALL

SENATE COMMITTEE

RULES

DATE _____

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Attach to each day's minutes