

HOUSE JOINT RESOLUTION 46

IN THE HOUSE

February 16, 1979	Introduced and referred to Committee on State Administration.
February 19, 1979	Rereferred to Committee on Rules.
February 22, 1979	Committee recommend bill, do pass.
February 23, 1979	Second reading, as amended. On motion by chief sponsor, Representatives Gerke, Ramirez, Dussault and Siversten added as sponsors. Considered correctly engrossed. Third reading, passed.

IN THE SENATE

February 23, 1979	Introduced and referred to Committee on State Administration.
March 6, 1979	Rereferred to Committee on Rules.
April 20, 1979	Died in Committee.

1 House JOINT RESOLUTION NO. 46
 2 INTRODUCED BY FAGE

3
 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 5 REPRESENTATIVES OF THE STATE OF MONTANA TO AMEND THE JOINT
 6 RULES TO INCORPORATE A PARALLEL REVISED COMMITTEE STRUCTURE
 7 FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES AND TO
 8 ASSIGN GENERAL AREAS OF RESPONSIBILITY FOR LEGISLATIVE
 9 OVERSIGHT TO THE COMMITTEES OF THE LEGISLATURE; AMENDING
 10 JOINT RULES 3-14, 6-4, AND 7-6.

11
 12 WHEREAS, the Legislature finds itself currently
 13 directing the operation of a state government with budget
 14 requirements in excess of \$1 billion and employing
 15 approximately 7,000 persons; and

16 WHEREAS, the potential for development of the state's
 17 mineral and timber reserves as well as the great likelihood
 18 for growth in our agriculture and business communities in
 19 the future may lead to a potential for growth in the size
 20 and complexity of government; and

21 WHEREAS, in order to adequately represent the people of
 22 Montana and to obtain sufficient information to set policy
 23 and guide its implementation, a new capacity for legislative
 24 oversight and policy study must be developed; and

25 WHEREAS, this capacity must be developed in a manner

- 1 that will:
- 2 (1) not abuse the constitutional prerogatives of
 - 3 either the executive or legislative branches of government;
 - 4 (2) respect the wishes of Montana's people that the
 - 5 Legislature be in session for the minimum necessary time;
 - 6 (3) establish a system whereby legislative business
 - 7 can be conducted in a timely and prudent manner;
 - 8 (4) give the Legislature the ability to advise and
 - 9 oversee state government agencies as they carry out
 - 10 legislative policy;
 - 11 (5) provide the Legislature with a much greater
 - 12 ability to be informed about state issues, thus making the
 - 13 Legislature a more effective body; and
 - 14 (6) enable the Legislature to guide the development of
 - 15 state government so as to enable the accomplishment of
 - 16 meaningful programs with efficiency and in a manner
 - 17 responsive to the needs of the state and its taxpayers.

18
 19 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 20 OF REPRESENTATIVES OF THE STATE OF MONTANA:

21 That there is a new section in the Joint Rules of the
 22 Montana Legislature, numbered 7-13, that reads:

23 "7-13. The standing committees of the house and senate
 24 are:

- 25 (1) Agriculture, Livestock, and Irrigation

-2- *HJR 46*
 INTRODUCED BILL

1 (2) Budget and Program Planning
 2 (3) Business and Industry
 3 (4) Community Affairs
 4 (5) Education
 5 (6) Fish and Game
 6 (7) Highways and Transportation
 7 (8) Institutions
 8 (9) Judiciary
 9 (10) Labor and Employment Relations
 10 (11) Legislative Administration
 11 (12) Natural Resources and Conservation
 12 (13) Public Health, Welfare, and Social Services
 13 (14) Revenue
 14 (15) Rules
 15 (16) State Lands and Administration
 16 Each house shall provide for the appointment of
 17 standing committees in its rules.
 18 Each house may provide for additional committees as it
 19 finds necessary for its internal operation."
 20 BE IT FURTHER RESOLVED, that there is a new section in
 21 the Joint Rules of the Montana Legislature, numbered 7-14,
 22 that reads:
 23 "7-14. Legislative standing and interim committees
 24 shall advise and oversee executive branch agencies in
 25 accordance with the following assignments:

1 (1) Agriculture, Livestock, and Irrigation -
 2 Departments of Agriculture and Livestock
 3 (2) Budget and Program Planning - Governor's Office of
 4 Budget and Program Planning
 5 (3) Business and Industry - Departments of Business
 6 Regulation, Professional and Occupational Licensing, and
 7 Public Service Regulation
 8 (4) Community Affairs - Department of Community
 9 Affairs
 10 (5) Education - State Board of Education and Office of
 11 the Superintendent of Public Instruction
 12 (6) Fish and Game - Department of Fish and Game
 13 (7) Highways and Transportation - Department of
 14 Highways
 15 (8) Institutions - Department of Institutions
 16 (9) Judiciary - the State Judiciary, Department of
 17 Justice, Commissioner of Campaign Finances and Practices,
 18 and State Law Library
 19 (10) Labor and Employment Relations - Department of
 20 Labor and Industry and Capitol Employees Credit Union
 21 (11) Natural Resources and Conservation - Department of
 22 Natural Resources and Conservation
 23 (12) Public Health, Welfare, and Social Services -
 24 Departments of Health and Environmental Sciences and Social
 25 and Rehabilitation Services

1 (13) Revenue - Department of Revenue
 2 (14) State Lands and Administration - Departments of
 3 Administration, Military Affairs, and State Lands"

4 BE IT FURTHER RESOLVED, that Joint Rule 3-14 is amended
 5 to read:

6 "3-14. The offices of the Legislative Council shall
 7 serve both the Senate and House of Representatives as
 8 required.

9 The Council staff shall prepare payrolls for signature
 10 and prepare a bimonthly financial report and distribute the
 11 report to legislative leaders in each house and to members
 12 of the Senate ~~Committee--on--Finance--and--E-tims~~ and House
 13 ~~Committee-on-Appropriations~~ Committees on Budget and Program
 14 Planning."

15 BE IT FURTHER RESOLVED, that Joint Rule 6-4 is amended
 16 to read:

17 "6-4. All appropriation bills shall originate in the
 18 House of Representatives.

19 The general appropriation bills shall embrace nothing
 20 but appropriations for the ordinary expenses of the
 21 legislative, executive and judicial branches of state
 22 government, interest on public debt and for public schools.
 23 All other appropriations shall be made by separate bills,
 24 each embracing but one subject (Montana Constitution, Art.
 25 V, Sec. 11(4)). Appropriation bills for the operation of the

1 legislature shall be introduced by the chairman of the House
 2 Committee on Appropriations Budget and Program Planning."

3 BE IT FURTHER RESOLVED, that Joint Rule 7-6 is amended
 4 to read:

5 "7-6. All bills providing for an appropriation of
 6 public money may first be considered by a joint committee
 7 composed of the members of the Senate ~~Committee-on-Finance~~
 8 ~~and--E-tims~~ and the House ~~Committee--on--Appropriations~~
 9 Committees on Budget and Program Planning, and then by each
 10 separately. Meetings of the joint committee shall be held
 11 upon call of the chairman of the House Committee on
 12 Appropriations Budget and Program Planning who shall be
 13 chairman of the joint committee."

-End-

HJR 46

1 HOUSE JOINT RESOLUTION NO. 46

2 INTRODUCED BY FAGG, GERKE, RAMIREZ, DUSSAULT, SIVERTSEN

3
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF MONTANA TO AMEND THE JOINT
6 RULES TO INCORPORATE A PARALLEL REVISED COMMITTEE STRUCTURE
7 FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES AND TO
8 ASSIGN GENERAL AREAS OF RESPONSIBILITY FOR LEGISLATIVE
9 OVERSIGHT TO THE COMMITTEES OF THE LEGISLATURE; AMENDING
10 JOINT RULES 3-14, 6-4, AND 7-6; AND PROVIDING AN EFFECTIVE
11 DATE.

12
13 WHEREAS, the Legislature finds itself currently
14 directing the operation of a state government with budget
15 requirements in excess of \$1 billion and employing
16 approximately 7,000 persons; and

17 WHEREAS, the potential for development of the state's
18 mineral and timber reserves as well as the great likelihood
19 for growth in our agriculture and business communities in
20 the future may lead to a potential for growth in the size
21 and complexity of government; and

22 WHEREAS, in order to adequately represent the people of
23 Montana and to obtain sufficient information to set policy
24 and guide its implementation, a new capacity for legislative
25 oversight and policy study must be developed; and

1 WHEREAS, this capacity must be developed in a manner
2 that will:

3 (1) not abuse the constitutional prerogatives of
4 either the executive or legislative branches of government;

5 (2) respect the wishes of Montana's people that the
6 Legislature be in session for the minimum necessary time;

7 (3) establish a system whereby legislative business
8 can be conducted in a timely and prudent manner;

9 (4) give the Legislature the ability to advise and
10 oversee state government agencies as they carry out
11 legislative policy;

12 (5) provide the Legislature with a much greater
13 ability to be informed about state issues, thus making the
14 Legislature a more effective body; and

15 (6) enable the Legislature to guide the development of
16 state government so as to enable the accomplishment of
17 meaningful programs with efficiency and in a manner
18 responsive to the needs of the state and its taxpayers.

19
20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
21 OF REPRESENTATIVES OF THE STATE OF MONTANA:

22 That there is a new section in the Joint Rules of the
23 Montana Legislature, numbered 7-13, that reads:

24 *7-13. The standing AND INTERIM committees of the
25 house and senate are:

1 {1}--Agriculture-Livestock-and-Irrigation
 2 {2}--Budget-and-Program-Planning
 3 {3}--Business-and-Industry
 4 {4}--Community-Affairs
 5 {5}--Education
 6 {6}--Fish-and-Game
 7 {7}--Highways-and-Transportation
 8 {8}--Institutions
 9 {9}--Judiciary
 10 {10}--Labor-and-Employment-Relations
 11 {11}--Legislative-Administration
 12 {12}--Natural-Resources-and-Conservation
 13 {13}--Public-Health-Welfare-and-Social-Services
 14 {14}--Revenue
 15 {15}--Rules
 16 {16}--State-Lands-and-Administration
 17 (1) AGRICULTURE AND BUSINESS
 18 (2) COMMUNITY AFFAIRS
 19 (3) FINANCE
 20 (4) HUMAN SERVICES
 21 (5) LEGAL SERVICES
 22 (6) RESOURCES AND CONSERVATION
 23 (7) REVENUE
 24 (8) STATE GOVERNMENT
 25 Each house shall provide for the appointment of

1 standing committees in its rules.
 2 Each house may provide for additional committees as it
 3 finds necessary for its internal operation."
 4 BE IT FURTHER RESOLVED, that there is a new section in
 5 the Joint Rules of the Montana Legislature, numbered 7-14,
 6 that reads:
 7 "7-14. Legislative standing and interim committees
 8 shall advise--and--oversee--executive--branch SERVE IN AN
 9 OVERSIGHT CAPACITY TO STATE agencies, in accordance with the
 10 following assignments:
 11 {1}--Agriculture--Livestock--and--Irrigation--
 12 Departments-of-Agriculture-and-Livestock
 13 {2}--Budget-and-Program-Planning--Governor's-Office-of
 14 Budget-and-Program-Planning
 15 {3}--Business--and--Industry--Departments-of-Business
 16 Regulations-Professionals--and--Occupational--licensing--and
 17 Public-Service-Regulation
 18 {4}--Community--Affairs-----Department--of--Community
 19 Affairs
 20 {5}--Education--State-Board-of-Education-and-Office-of
 21 the-Superintendent-of-Public-Instruction
 22 {6}--Fish-and-Game--Department-of-Fish-and-Game
 23 {7}--Highways--and--Transportation-----Department--of
 24 Highways
 25 {8}--Institutions--Department-of-Institutions

1 ~~(9)---Judiciary-----the--State--Judiciary--Department-of~~
2 ~~Justice--Commissioner-of-Campaign--Finances--and--Practices~~
3 ~~and-State-Law-Library~~

4 ~~(10)-Labor--and--Employment--Relations---Department-of~~
5 ~~Labor-and-Industry-and-Capitol-Employees-Credit-Union~~

6 ~~(11)-Natural-Resources-and-Conservation---Department-of~~
7 ~~Natural-Resources-and-Conservation~~

8 ~~(12)-Public-Health--Welfare--and--Social--Services---~~
9 ~~Departments--of-Health-and-Environment--Sciences-and-Social~~
10 ~~and-Rehabilitation-Services~~

11 ~~(13)-Revenue---Department-of-Rvenue~~

12 ~~(14)-State-Lands-and-Administration-----Departments--of~~
13 ~~Administration--Military-Affairs--and-State-Lands"~~

14 BE IT FURTHER RESOLVED, that Joint Rule 3-14 is amended
15 to read:

16 "3-14. The offices of the Legislative Council shall
17 serve both the Senate and House of Representatives as
18 required.

19 The Council staff shall prepare payrolls for signature
20 and prepare a bimonthly financial report and distribute the
21 report to legislative leaders in each house and to members
22 of the Senate ~~Committee-on--Finance--and--Eetms~~ and House
23 ~~Committee-on-Appropriations~~ Committees on Budget-and-Program
24 Planning FINANCE."

25 BE IT FURTHER RESOLVED, that Joint Rule 6-4 is amended

1 to read:

2 "6-4. All appropriation bills shall originate in the
3 House of Representatives.

4 The general appropriation bills shall embrace nothing
5 but appropriations for the ordinary expenses of the
6 legislative, executive and judicial branches of state
7 government, interest on public debt and for public schools.

8 All other appropriations shall be made by separate bills,
9 each embracing but one subject (Montana Constitution, Art.
10 V, Sec. 11(4)). Appropriation bills for the operation of the
11 legislature shall be introduced by the chairman of the House
12 Committee on Appropriations ~~Budget--and--Program-Planning~~
13 FINANCE."

14 BE IT FURTHER RESOLVED, that Joint Rule 7-6 is amended
15 to read:

16 "7-6. All bills providing for an appropriation of
17 public money may first be considered by a joint committee
18 composed of the members of the Senate ~~Committee-on-finance~~
19 ~~and--Eetms~~ and the House ~~Committee--on--Appropriations~~
20 ~~Committees--on Budget-and-Program-Planning~~ FINANCE, and then
21 by each separately. Meetings of the joint committee shall
22 be held upon call of the chairman of the House Committee on
23 ~~Appropriations~~ Budget-and-Program-Planning FINANCE who shall
24 be chairman of the joint committee."

25 BE IT FURTHER RESOLVED, THAT THERE IS A NEW SECTION IN

1 THE JOINT RULES OF THE MONTANA LEGISLATURE, NUMBERED 6-6-1
2 THAT READS:
3 "6-6-1. THE LEGISLATIVE COUNCIL MAY DRAFT ANY NUMBER
4 OF BILLS FOR EACH LEGISLATOR PROVIDED THAT THE BILL REQUESTS
5 ARE MADE PRIOR TO THE FIRST LEGISLATIVE DAY, FOLLOWING THE
6 FIRST LEGISLATIVE DAY A LEGISLATOR MAY SUBMIT NOT MORE THAN
7 TWO DRAFTING REQUESTS TO THE LEGISLATIVE COUNCIL. BILLS
8 MEETING THE FOLLOWING CONDITIONS DO NOT COME UNDER THIS
9 LIMIT:
10 (1) THE BILL HAS BEEN FOUND TO HAVE BEEN DRAFTED IN
11 SUBSTANTIALLY FINAL FORM BY THE RULES COMMITTEE OF THE HOUSE
12 IN WHICH IT WAS INTRODUCED; OR
13 (2) THE BILL'S CONCEPT HAS BEEN PRESENTED TO AN
14 INTERIM COMMITTEE AND WAS APPROVED DURING THE INTERIM BY
15 THAT COMMITTEE FOR DRAFTING."
16 BE IT FURTHER RESOLVED, THAT THIS RESOLUTION IS
17 EFFECTIVE UPON ADJOURNMENT OF THE REGULAR SESSION OF THE
18 56TH LEGISLATURE.

-End-