

Senate Rules Committee
April 4, 1985

Senator Van Valkenburg brought the meeting to order with all members being present.

Senator Van Valkenburg stated that the purpose of the meeting was to determine if the Senate should take House Bill 945 into the body for consideration.

Senator Van Valkenburg stated that the rule in question is Rule 6-8. He further stated that the rule makes it clear that if a bill has been introduced and killed in the Senate, the Senate may not consider comparable bills and Senator Stimatz had already introduced a lottery bill into the Senate and that bill had been killed.

Senator Stephens stated that the rule in question has a peculiar ending which seems to allow for the Senate to make individual determinations regarding acceptance of like bills.

Mr. McMaster, from the Legislative Council, stated that he'd sent a memo to Representative Pavlovich commenting on the ability of the Senate to accept House Bill 945. He further stated that Senate Bill 324 was indefinitely postponed which leaves room for the argument that the Senate has not actually taken final action on the like bill and that it has not, in fact, been killed by the Senate.

Senator Van Valkenburg stated that the tradition of the Senate is clearly that a motion to indefinitely postpone a bill is the same as killing the bill.

Representative Pavlovich stated that the main purpose, in his opinion, of a lottery bill should be to raise revenue and he would, therefore, support a 50-50 split in lottery revenue between the state and local governments.

Senator Van Valkenburg asked Representative Pavlovich if House Bill 945, in its current form (monies going to teacher retirement fund) would provide for property tax relief.

Representative Pavlovich stated that the bill allows the public to comment on how they would like the revenue to be spent.

Senator Crippen stated his concern with the outcome of a resolution introduced by Senator Blaylock which would allow the public to better assess each side of the question.

Representative Pavlovich stated that the study may not even occur, as with all resolutions, it would be placed among several resolutions and prioritized.

Senator Norman asked if the Senate might simply suspend the rules to accept the bill.

Representative Pavlovich stated that said suspension would be likely considering the fact that 31 Senators had signed onto the bill. Therefore, to achieve a two-thirds vote for suspension of the rules, only three additional votes would be needed.

Senator Van Valkenburg stated that this might be a possible solution, i.e., if there are 31 Senators who have signed onto the bill, perhaps the Senate Rules Committee might recommend that the rules be suspended rather than construing the rules in a way that might be questionable.

MOTION:

Senator Norman made a motion that the Senate Rules Committee recommend that the Senate suspend its rules to accept House Bill 945.

The question was called. The motion was voted on and passed unanimously.

There being no further business, the Senate Rules Committee was adjourned.



SENATOR VAN VALKENBURG, Chairman