

January 9, 1987

please. Go ahead, Mr. McFarland.

SENATOR McFAELAND: It would read as follows in the first sentence, it would read: Each committee to whom bills, constitutional amendments, resolutions are referred, shall by an affirmative vote of three or more members of the committee, designate which bills, constitutional amendments and resolutions should receive a public hearing. And then I have inserted this additional sentence: Bills not receiving an affirmative vote of three or more members of the committee shall not receive a public hearing. And then the Morehead amendment would continue as proposed. I think that clarifies the ambiguity about the three votes because it was the intent, when this Morehead amendment was proposed, that three members of any committee, if they voted affirmatively, could require a public hearing, but that if you could not get three votes for such a public hearing on any committee that a public hearing would not be held. And we took into account that all Standing Committees have seven, eight or even nine members, so we thought approximately a third of the members voting could thereby compel a public hearing on a bill. But if there were six or five or four or more against it, then you would not have the public hearing, if you could not get more than three in support of it. I've been listening with great interest to the comments being made this morning about the idea of every bill having a public hearing and I think that is a very noble goal, and I think it is a great concept that we need to advance because the idea is that all bills should be given a legitimate public hearing, to hear both the pros and the cons of certain bills so that the Legislature can be fully informed about all aspects of particular bills, and that is a very noble concept. The problem is in practice how that concept has worked and has been applied in the Legislature. Now I have been here a short time last session. I am just about to complete my first full year in the Legislature and I have seen some of the way committee hearings are conducted, and I have also been here before as... and sat in on committee hearings before I was appointed to the Legislature, and I saw how those hearings were conducted as well. The problem we are trying to confront with the Morehead amendment and my suggested amendment to it is the problem of the perfunctory hearings that are conducted whereby the only reason for holding the hearing is to comply with the requirement that a public hearing be held. Public hearings are held on bills that have no chance whatsoever of passing in the Legislature, and public hearings are held on bills which have no chance whatsoever of even getting out of committee, and that is the problem we are trying to address. It has been my