

MINUTES OF THE LEGISLATIVE ADMINISTRATION COMMITTEE
February 17, 1983

CHAIRMAN MENAHAN called the meeting to order at 5:25 P.M. in Room 343 of the Capitol. Present were Representatives Jan Brown, Curtiss, Zabrocki and Donaldson.

Chairman Menahan called for consideration of HOUSE JOINT RESOLUTION NO. 5, and called on REPRESENTATIVE FABREGA, the sponsor of HJR-5, to address the measure.

Rep. Fabrega, who said he served on the Interim Capitol Planning Committee, said HJR-5 represents one of the options that had been presented to that committee. It includes use of the "gopher hole" of lawn immediately South and adjacent to the Capitol between the far West Wing and the rear exit of the Capitol. It also would have the former Law Library converted to a large hearing room with offices established along its perimeter. These offices would be for use of the Senate. Rep. Fabrega said the alternative should be considered because the House and Senate are at an impasse as to whether the Senate will move its floor session to another area, thus freeing the present chamber for House use in various forms.

Rep. Fabrega said the Montana Supreme Court has ruled that while the planning committee may advise the executive branch, the Legislature itself must speak as one voice as to where it will meet. The committee cannot therefore determine plans. The problem, he said, is that if the House passed a resolution that directed the move of the Senate, it would likely die in the Senate. It therefore makes sense to use an alternative at present, to allow work to go forward and address the central problem to the Senate at a later time. The alternative contained in HJR 5 would do so, he said.

The alternative would maintain the historical integrity of the library, he said, and if in time the Senate moves there the quality of the room would remain. The plans for offices in the Northeast corner of the Law Library were part of the original plan to move the Senate, he said.

During his presentation, Rep. Fabrega referred to architect's plans for Capitol remodeling and the specific proposed floor layout for the Law Library under terms of the proposal contained within HJR-5. The diagrams were available to committee members during the discussion.

Partitioning in the Law Library to create some of the offices and committee rooms, especially those along the east and west sides, would be put up as cheaply and economically as possible because it would eventually come down if the room is converted to the regular Senate Chamber.

HJR-5 would express the proposal as recommended, he said. It has the support of the 'leading Senators', who he said 'were happy with it'.

Rep. Fabrega offered amendments to the bill (attached). They include a deletion of a reference to "relocation of the Senate Chamber," and other changes.

The resolution will "provide authority for the architect to proceed," he said. "With that, we can ask that when this comes to Second Reading we suspend the rules, put it in Third Reading and get it through so that they can act on it before we go on break so that the architects can get going. Every day of delay in this situation could cost us money. Right now the situation is that work is slow and contractors are making very competitive bids and we want to get going also. The work should start immediately, the day after adjournment, so that by the next session it's done."

Rep. Donaldson asked if the House would get more space under this alternative plan. Rep. Fabrega said it would. The only thing not negotiable with the Senate was the move of the upper chamber itself. "The next session is when you fellows get together -- this committee and that other committee -- as to who gets what."

Rep. Donaldson expressed concern that the Senate has 25 offices while the House, with twice as many members, has fewer.

Rep. Zabrocki asked if the walls between the offices to be put in the old Law Library would be solid or temporary. Rep. Fabrega said folding partitions were questionable. He said wood or metal-stud construction would be used.

THERE BEING NO FURTHER QUESTIONS FROM COMMITTEE MEMBERS, CHAIRMAN MENAHAN CALLED FOR REMARKS BY OTHERS IN THE ROOM.

State Architect Phil Hauck endorsed Rep. Fabrega's remarks, and said further that the Senate has agreed to generally move its facilities eastward, yielding more space for the House. He said there is a lot of space for both bodies.

Rep. Fabrega said "this thing gives us the time we need to make better decisions - the option is rather that we do this or we do nothing because if the Senate kills this resolution as originally produced it would be their intention that we submit the Senate resolution saying that the Senate doesn't move. The only way for this stalemate to be broken is if the Supreme Court says that for the purposes of deciding legislative chambers the 'Legislature' means 76, a majority of the 150 members."

Rep. Zabrocki asked about the location of the cafeteria, and its location was pointed out to him.

Rep. Fabrega said the "gopher hole" would be filled in by garden-level construction. Most of the structure to be added would be added below ground level. Above-ground construction would be impractical because of the cost of matching the granite construction of the Capitol.

Rep. Curtiss MOVED the AMENDMENTS, and MOVED the bill DO PASS. The question being called, the motion carried by unanimous voice vote.

Chairman Menahan declared the meeting adjourned.

REP. MENAHAN, Chairman

Conrad Yunker, Secretary