

MINUTES OF THE MEETING  
LEGISLATIVE ADMINISTRATION COMMITTEE  
MONTANA STATE SENATE

February 17, 1983

The seventh meeting of the Legislative Administration committee was called to order by Senator Kolstad, Chairman, in Room 405 of the Capitol building at 8:00 a.m. on the above date.

ROLL CALL: All committee members were present.

CONSIDERATION - SENATE BILL 451: Senator Stan Stephens, Senate District 4, introduced the bill and stated that it would centralize the administration of Legislative support services; creating a Legislative services committee to replace the Legislative Council, the Legislative Finance Committee, the Legislative Audit Committee, the Enviromental Quality Council and other Legislative committees amending several sections and providing an immediate effective date for a portion of the act. He stated that most of these supplemental committees have come into being since 1975. He stated that the bill was based on the experience of other states, most of them in the western part of the United States, and how they manage their legislatures. These states do a satisfactory job with fewer people and less money.

This committee will consist of an equally bipartisan 12 member committee that consists of the president and minority leader of the Senate and two members appointed by each of them and the speaker and minority leader of the House of Representatives and 2 members appointed by each of them. This committee would appoint an executive director that would answer to the 12 member committee.

Members of committees and councils terminated by this act shall serve until October 1, 1983. The legislative services committee created by this act must be appointed, must organize, and must employ an executive director prior to October 1, 1983 but may not assume other functions until October 1, 1983.

The first question that will come up will be can 12 people take over the work of all these committees and the council. It is being done very effectively in several states. He gave several examples where fewer people in several states were handling the work. He stated that Montana has allowed the legislative bureaucracy to grow too large and also the salary structures are too large. "I share in this guilt. I am a part of this." Some of our top people get comparable salaries to our Supreme Court judges.

Senator Kolstad asked if there were any proponents to the bill. Their being none he asked for opponents.

OPPONENTS: Senator Towe, spoke in opposition to the bill stating that expertise was needed in handling many of the state's problems especially those handled by the Coal Tax Oversight Committee. The state and local governments could lose millions and millions if the problems were not handled correctly. He also stated that most states have

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annual sessions and being Montana has biennial sessions, we have to have more employees.

Being no further opponents Senator Kolstad asked if there were any questions from the committee.

Senator Mazurek: The bill does state that this 12 member committee could appoint committees, is that correct?

Senator Stephens: The committee would have authority to form an oversight draft committee.

Senator Mazurek: Would there be more demand on individual time by creating a 12 member board?

Senator Stephens: The committee is only meeting 4 times a year in Wyoming.

Senator McCallum: We know the Supreme Court struck down the Legislative Finance Committee. Would this mean transferring authority to 12 people.

Senator Stephens: No.

Senator Graham: I don't see how this 12 member committee is going to solve all the problems. They will come up against the same thing as the council. We come in once a month and have to leave some decisions up to the director. The director can't do it all.

Senator Stephens: This committee is going to be detached. I think we take the pressure away. I think that it is going to have to be proven that this committee can do better. If it doesn't work, then we can bring it up at the next session.

Senator Graham: I can see that salaries have gotten out of hand. I think that being on this committee is going to be a tough assignment. You are going to have to spend a lot of time or leave it up to the director. I don't like that.

Senator Stephens: We cannot prove this will work. We cannot rely on other states. We are not going to chop salaries. I realize salaries are good. The director will have to make tough decisions.

Senator Graham: We are one of only a few states that meet every two years and other states meet every year, so we need more interim committees.

Senator Marbut: Is there a replacement for budgeting?

Senator Stephens: Just overhaul budgeting.

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Senator Marbut: Are salaries out of line? Do you have any figures?

Senator Stephens: No.

Senator McCallum: If you keep department heads you cannot cut salaries. Do you envision that you can reduce the staff. I agree that we are getting out of hand. This super director that you are going to hire, will you have to pay him \$60,000? Diane is making about \$46,000 right now and some are making \$40,000.

Senator Stephens: Senior executive capability is less than \$60,000, \$45,000 in some states.

Senator McCallum: If you create anything in government it grows. I have a fear that it will grow.

Senator Stephens: It has not happened in other states. Revenue has been saved by cutting committees.

Senator McCallum: You would have to have faith in the director and he would have to justify the support of the committee.

Senator Stephens: He would have to be a strict prudent manager.

Being there were no more questions from the committee the hearing on Senate Bill 451 was closed.

CONSIDERATION OF SJR 12: Senator Towe, District No. 34, sponsor of the resolution stated that SJR 12 bequests that any plan for remodeling the State Capitol to include office space for each legislator, by that I mean a desk, a phone and a filing cabinet. It could be a larger room with work space for 3 or 4 legislators. If the remodeling was done now instead of 6 or 8 years from now, it would save money.

Their being no proponents or opponents to the bill, Senator Kolstad asked for questions from the committee.

Senator Marbut: Do you have a fiscal statement for this?

Senator Towe: No.

Senator Graham: I visited Nevada recently and found out that each of the Legislators had an office. Upon talking to them, I found out that they did not use the offices as their constituents could not find them in these offices and they felt they should be where the action is.

Senator Marbut: I agree with the concept but feel that we can get by with work space instead of individual offices.

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Senator Towe: This is just a resolution not a law.

Senator Graham: Senator Towe, have you seen the new plans. I believe they do allow some office space.

Senator Towe: I have not seen the new plan.

Senator McCallum: We should look at the plan before we vote on this resolution.

Senator Kolstad then closed the hearing on SJR 12.

CONSIDERATION - SENATE JOINT RESOLUTION 13: Senator Eck, sponsor of the resolution, stated that during the last 2 years there has been a good deal of discussion about establishing an ethics committee. This resolution would establish a joint legislative committee on ethics and prescribe its functions. There is some need for a way to deal with ethical situations. Senator Turnage feels that it could be handled through rules rather than law. According to the people who have dealt with this situation, you need to establish what is illegal and what is unethical and what is just tacky.

Representative Cal Winslow, House District 65, who is sponsoring a bill in the House dealing with ethics in the executive branch of government, supported the resolution. He thought the resolution would be good as it would help to develop trust in our voters. He felt it would not have to be statutory but could be handled with the rules process.

Jonathan Motl, Common Cause, spoke briefly in support of the resolution.

There being no opponents, Senator Kolstad asked for questions from the committee.

A brief discussion was held and most of the questions pertained to whether or not the rules could be enforced if there was no law. Senator Mazurek stated that this bill came about after a situation that happened in the last session. The legislator was not reelected. He felt that voters take care of ethical problems.

Senator McCallum stated that between the people and justice, they will be prosecuted.

The hearing on SJR 13 was closed.

CONSIDERATION OF HOUSE JOINT RESOLUTION 17: Senator Kolstad introduced John Larson to explain the bill as he felt he was better informed. John stated that there were only a few changes from last year and also stated that the pages were being paid \$3.50 per hour which was 1.2 cents less than last year.

Senator Mazurek made a motion that HJR 17 DO PASS.

The motion was carried unanimously.

Senator McCallum made a motion that SJR 13 BE TABLED.

The motion was carried unanimously.

There being no further business before the committee, they adjourned at 9:26 a.m.

  
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ALLEN C. KOLSTAD, CHAIRMAN

ROLL CALL

## LEGISLATIVE ADMINISTRATION

COMMITTEE

48 th LEGISLATIVE SESSION -- 1983

Date 2-17-83

[illegible]

SENATE COMMITTEE LEGISLATIVE ADMINISTRATION

Date February 17, 1983 SJR Bill No. 13 Time 9:42

NAME	YES	NO
SENATOR MC CALLUM, Vice-Chairman	x	
SENATOR MARBUT	x	
SENATOR GRAHAM	x	
SENATOR MAZUREK	x	
SENATOR KOLSTAD, Chairman	x	

BETTY JAKOVAC  
Secretary

ALLEN C. KOLSTAD  
Chairman

Motion: Senator McCallum made a motion that SJR 13

BE TABLED. Motion carried unanimously.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

February 17, 1983

MR. President:

We, your committee on LEGISLATIVE ADMINISTRATION

having had under consideration House Joint Resolution Bill No. 17

Respectfully report as follows: That House Joint Resolution Bill No. 17

BE CONCURRED IN

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y/c



DATE 2-17-83

COMMITTEE ON Legislative Admin. BILL NO. \_\_\_\_\_

# VISITOR'S REGISTER

[illegible]

(Please leave prepared statement with Secretary)