

MINUTES OF THE MEETING
LEGISLATIVE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

March 3, 1983

The ninth meeting of the Legislative Administration Committee was called to order by Senator Kolstad, Chairman, at 9:00 a.m. on the above date in Room 405 of the Capitol Building.

ROLL CALL: All committee members were present except Senator Mazurek.

CONSIDERATION - HOUSE BILL 268: Representative McBride, House District 85, sponsor of the bill stated that it was actually a simple bill to allow for reimbursement of the midday meal for members of certain boards, etc. who are residents of the city or town in which the meeting is being held. She also explained the fiscal note. (Please see Exhibit No. 1)

Being there were no further proponents, questions were then asked by the Committee.

Senator Marbut: What happened to the 15 mile radius in the original bill?

Representative McBride: The 15 mile clause is already included in the administrative rules (for the department) which are used to regulate travel expenses. This bill would only include the people listed on Page 2 Subsection 3 of the bill. This does not include Deer Lodge employees.

Nick Rotering, Department of Institutions, stated that the amendment was put in because it would violate our present contract.

Being there were no further questions, the hearing on House Bill 268 was closed.

CONSIDERATION OF HOUSE JOINT RESOLUTION 5: Representative Fabrega, House District 44, sponsor of the resolution, stated that he thought some of the Committee had already seen the proposed use of the Law Library in the original bill. He stated that originally the Senate Chambers would be moved to the old Law Library and the money was appropriated and the bonds have been sold. Two state Senators petitioned the Montana Supreme Court for a declaratory judgment that House Bill 872 violated the Montana Constitution and several other Montana statutes and the Supreme Court granted the declaratory judgment and enjoined the Department of Administration against further proceedings with respect to the Capitol remodeling until consent of the Legislature has been obtained for relocation of the Senate Chambers.

This resolution is a compromise that the Senate does not move and that the Law Library would not be destroyed. The alternative plan

would place committee rooms between the House and Senate. The part that is of particular interest is on Page 4 lines 4 through 6 stating that the Senate would not be moved and the Law Library would become a large committee room with adjacent committee rooms and/or offices. There would be leadership offices and committee rooms for each body and the extra space would be allocated for office purposes between the Senate and House of Representatives proportionate to the number of members in each House.

There being no further proponents or opponents, Senator Kolstad called for questions from the Committee.

Senator Graham: I would recommend that we amend the bill to take out "without limitations the location of legislative chambers".

Representative Fabrega: I would have no problem with that. Later on on Page 4, line 16 it states that the Capitol Building and Planning Committee be advisory only to the Department of Administration on all matters relating to Legislative space in the Capitol renovation project.

Senator Graham: This 16 member committee, who is included? Is it all legislative people?

Representative Fabrega: There are 6 members from the Senate, 6 members from the House, the director of the department of administration, one architect, a representative of the governor's office, and the director of the Lewis and Clark areawide planning organization who shall serve as a nonvoting member. It is an advisory committee not an interim committee. They would have no power to act, only advise.

Senator McCallum: On page 2 line 8 and 9, I would move to strike "without limitations the location of legislative chambers".

Representative Fabrega: The word "including" would remain?

Senator Kolstad: Yes

The motion was carried by unanimous decision.

Senator Marbut then asked how they would handle the space available. He thought they should have some criteria for space such as seniority, etc.

Representative Fabrega: They would try to have semi-private offices for the legislators who wanted them. The order of criteria would be House and Senate Chambers and Leadership offices first, committee rooms would be second and any other space would be available for legislative offices.

Senator Kolstad: Representative Fabrega, you would like to have the House have one-half the space.

Representative Fabrega: One-third Senate and two-thirds House.

Senator Graham inquired as to the offices being given to the legislators who have served the longest and Representative Fabrega agreed that they should go by seniority.

Grant Crossman of the firm of Crossman, Whitney and Griffin, the architects drawing the plans, answered several questions from the committee on cost of elevators versus escalators and the construction of the building in regard to danger from earthquakes. Mr. Crossman stated that the cost of escalators over elevators was very prohibitive. An elevator costs about \$85,000 versus \$180,000 for an escalator and an escalator also takes 5 times as much room. He also stated that the elevator shaft would make the building more seismic resistant. He also informed the committee that earthquake joints had to be put in the north wall and also the east wing.

Representative Fabrega closed by saying that this bill should be acted upon as soon as possible so it would allow enough time for the remodeling to be completed by the next session.

Senator McCallum made a motion to concur in House Bill 268.

Motion was unanimously concurred in.

Senator Marbut made a motion to hold House Joint Resolution 5.

Senator Kolstad stated that House Bill 656 was similar and they should hold on until it came before the committee.

Representative Fabrega said that this bill pertained to office space throughout the city. It had no authority outside the Capitol.

Senator Kolstad scheduled a meeting for Monday, March 7 at 9:30 a.m. to take action on HJR 5.

Being there was no further business, the meeting adjourned.



ALLEN C. KOLSTAD, Chairman

ROLL CALL

LEGISLATIVE ADMINISTRATION

COMMITTEE

48 th LEGISLATIVE SESSION -- 1983

Date 3-3-83

[illegible]

DATE 3-3-83

COMMITTEE ON Legislative Admin.

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

STANDING COMMITTEE REPORT

..... March 3, 19 83

MR. **PRESIDENT:**

We, your committee on **LEGISLATIVE ADMINISTRATION**

having had under consideration **HOUSE** Bill No. **268**

REP. McBRIDE (SEN. GRAHAM)

Respectfully report as follows: That **HOUSE** Bill No. **268**

J.C.

OK

March 2, 1983

Representative Kathleen McBride
House of Representatives
State Capitol
Helena, Montana 59620

Dear Representative McBride:

House Bill 268 is scheduled for hearing on March 3, 1983, before the Senate State Administration Committee. The committee meets in Room 331 at 10:00 a.m. Attached is an explanation of the bill and a copy of the fiscal note.

If you have any questions concerning the bill, John Northey or I will be available at the hearing to answer these questions.

Sincerely,



Scott A. Seacat
Deputy Legislative Auditor

SAS/jjbb

Attachments

Quilley

EXPLANATION OF HOUSE BILL 268
ALLOWING FOR A MIDDAY MEAL ALLOWANCE
FOR MEMBERS OF STATE BOARDS, COMMISSIONS, COUNCILS,
AND LEGISLATIVE SELECT AND INTERIM COMMITTEES

This bill amends the statutes relating to meal allowances by adding the following language: appointed members of state boards, commissions and councils, and members of select and interim committees shall be entitled to a midday meal allowance on days they are attending a meeting of the board, commission, council or committee within a 15 mile radius of their residence. This provision does not apply to members of legislative committees during a legislative session.

Since lunches are a regular occurrence during committee and board meetings, this amendment allows members who are residents of the city or town in which the meeting is being held to be reimbursed for their lunch. Currently only members of boards attached to the Department of Commerce can claim a midday allowance.

STATE OF MONTANA

REQUEST NO. 314-83

FISCAL NOTE

Form BD-15

In compliance with a written request received February 3, 19 83, there is hereby submitted a Fiscal Note for House Bill 268 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 268 is a bill prohibiting an employee from receiving a meal allowance when in travel status if he is less than 15 miles from his headquarters or home. It also permits an appointed member of a state board, commission, or council or a member of a legislative committee to receive a midday meal allowance.

COMMENTS:

The introduced bill and second reading for House Bill 268 would have no fiscal impact. The 15 mile clause is already included in the administrative rules (for the department) which are used to regulate travel expenses. Also, it is assumed that the appropriate agency involved could absorb the costs of the midday meal allowance described in Section 2-18-502 (3) MCA.

FISCAL NOTE 11/T/1


BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-8-83