

MINUTES OF THE MEETING
LEGISLATIVE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

February 6, 1985

The Legislative Administration Committee was called to order by Senator Chet Blaylock, Chairman, on February 6, 1985 at 4:30 p.m. in room 402 of the State Capitol Building, Helena, Montana.

ROLL CALL: All members of the committee were present.

CONSIDERATION OF SENATE RESOLUTION 2:

A RESOLUTION OF THE SENATE OF THE STATE OF MONTANA EXPRESSING ITS DESIRE TO MOVE ITS CHAMBER.

SENATOR BLAYLOCK turned the chair over to Senator Manning so he could present this resolution as the sponsor of said bill.

Senator Blaylock presented his resolution to the committee stating that President Bill Norman wrote a letter that stopped the bidding process on the renovation of the capitol. This was all done because when the legislature got up here and began to run into it full force as the results of what had been done and the decisions that had been made by the capitol building and planning committee. Due to intervening times and factors, the rising costs, committee room problems they got into a disagreement with the House. Senator Blaylock said that Senator McCallum was very strong in that the Senate keep the Supreme Court Room which they have, and they have cooperated with the House when they need it.

Senator Blaylock said because of the letter he decided to put in the Resolution. The supreme court in the law suite brought by Senator Goodover and Senator Graham, said two different things. On one hand it said that the Senate could make its decision on where it was going to sit and on the next page it says the Legislature. Because the House is not going to move on this he said the Senate should make the decision on does the Senate want to move or not, if they do move they will go down to the old law library and this resolution says that everything on the third and fourth floors west of the rotunda will be controlled by the House of Representatives and everything to the east will be controlled by the Senate. He said that he does not know what guarantees there are.

Legislative Administration

Page 2

February 6, 1985

He said if they decide to move there will be the trade-off. The house will get the present chamber, room 331, and the Senate will take the law library and the area that they have made into a class I committee room. That puts the Senate all on one end and the House on the other like the national capitol. That is the plan.

Senator Blaylock stated that one day the total capitol would be a legislative building. That would mean moving out, except for the secretary of state, OSPI, the Governor and the legislative auditors, all other offices.

The cost factor is questioned.

Senator Blaylock had suggested an informal hearing with questions and answers and he asked Tom O Connell, architect with the Architect and Engineering Division, said that the numbers that were generated way back when the had scheme (a) moving the Senate and (b) not moving the Senate; the identified the cost to do that as approximately \$128,000. This does not mean that is the total cost of renovating that room but whether they move the senate into that space of have committee rooms the differential cost is \$128,000. The cost of renovating the entire space...air conditioning, electrical system, etc. if approximately \$462,000.

Senator Eck asked if the \$462,000 would include air conditioning etc. if it were committee rooms too.

Tom O Connell said it would not matter what it is.

Senator Goodover arose to say that he believes that this meeting is out of order because there is no way the president of the Senate can supercede the orders given by Capitol Planning Committee on the meeting that was held last year where the committee acted to approve the substitution of oak to rod iron hand rails in the new towers and the wings for the newly planned bronzed hand rails for an estimated savings of \$63,000. Instructed the architect to prepare a list of recommended additive alternates considered for inclusion in the bid documents. It instructed the architect to proceed with plans for the bid opening for the remaining work by January 1985. That order still stands. He asked Senator Kolstad and Senator McCallum to find out for the benefit of the Senate document of what basis the president of the Senate can stop an order.

He said that he was told he could not put in a Resolution the day after the last day for Introducing bills and Resolutions and now he finds that is not true after he fould this one was coming out.

Senator Mazurek suggested that they were here to hear SR 2.

Senator Brown spoke as a proponent and said that he believes it would be good to have wings so that one would be House and one Senate. He emphasized the importance of retaining the historical pictures, etc. that are so important to the value of this building. He said that he will vote for this resolution if there is a condition that the House leave the chamber in tact and used as a legislative hearing room.

Senator Towe spoke as a proponent and stated that it does make sense to have the Senate at one end of the Capitol and the House at the other. This eliminates the scramble. He called attention to the Louisiana chambers that has so much room.

Senator Eck spoke as a member of the Capitol Improvement Committee and said that all sides had concern that the first plans would not be adequate. She also indicated that money is put into other historic sites and could see no reason for not supporting the preservation of the paintings and other historic objects in the Capitol.

Senator Thayer spoke to the approval of expanding and the preservation.

Senator Mazurek said that he would like to get all the technical problems aside, whether or not the bid was stopped and asked Senator Goodover, why he resists moving to the law library and suggest that it is pure sentiment over the chamber.

Senator Goodover said that the idea of moving the chamber away from where it is now is objected to because it does provide good communication between the House and the Senate plus the fact that the lobbyists are available to both. The message center is also located in the present center area. He said that the chambers is a historic room. He stated that his main reason is communication and making contacts. Three and one-half months every two years are as long as we are here and we try to make it is comfortable as possible but the taxpayers could care less, in fact it would suit them if we were here only 30 days. They could care less about our comfort. I would hate to think that we would spend taxpayers money to give every legislator an office as Nevada has and who has admitted it is a poor and expensive plan

Senator McCallum asked what is going to happen on the second floor.

Senator Blaylock stated that the Resolution does not speak to this. He said that this is not a partisan thing...it is how the capital will operate.

Senator Blaylock closed by stating that this Resolution asks the Senate what they want to do. Since Senator Norman wrote this letter, I believe it is now the Senate's decision.

Senator Goodover stated that he thinks the decision was made when the Senate gave its O.K. and the Supreme Court awarded it.

Senator Mazurek said that the old Supreme Court room is being used every hour of every day. The Judiciary Committee will not sit in there the next three days so there can be four hour hearings in the morning and is persuaded that there are enough large hearings that another large hearing room like that would be appropriate. He said he understands the sentiment and logic and if they do not move to the law library at this time it may never be available again.

Senator Blaylock said that he has talked to Senator Brown often and sympathizes with his stand, but that area west will be controlled by the House and he does not know how they can tell the House what they are to do.

Senator Towe addressed the committee, said Bob Pearsons, legal council, and they pointed out to him that they passed a law last session shown in the codes as 2-17-109, subsection 4, "If future Senate bodies should determine that the location of the Senate Chambers is to be moved, the Department of Administration shall keep and amintain the physical structure and location of the present Senate Chambers as a single room which shall be used for legislative purposes. Such room shall not be divided in any manner, and the artwork and height of the ceiling shall be maintained and preserved." This is the law of the land unless someone chooses to introduce a bill that has to be concurred in by both Houses and signed by the Governor to chage it. The Supreme Court language that says that we have control over where the Senate sits probably would not affect that law because once we move out of it and have made that decision, we would no longer have any authority.

Senator Towe continued by saying that there is another argument. In 1969, the Senate was completely remodled. Only the ceiling with the paintings were left. When the Capitol was built in 1900 it cost \$285,000 which included the chandeliers and art work. The art work is beautiful but historically inaccurate. If you look at Lewis and Clark it looks as though

though their heads were put on someone else's bodies and when you look up and see Thomas Jefferson sitting at the table with Napoleon signing the Louisiana Purchase, historically that is inaccurate because Napoleon never met Thomas Jefferson. Inaccurate or not, it is art work and Senator Towe said that he would be unhappy to see it destroyed or putting more than one wall across the floor would also destroy the view.

Senator Mazurek moved that the amendment read by Senator Towe and shown as follows; do pass.

1. Page 1, line 25.
Following: "chamber"
Strike: "."
Insert: "; and

WHEREAS, section 2-17-109(4), MCA, requires that the present Senate chamber be preserved as a single, undivided room to be used for legislative purposes."

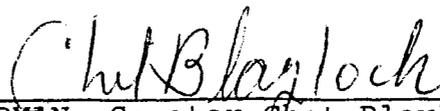
Senator Goodover asked if the architect could tell them what the plans are they have now for four committee rooms in the chambers in plan one.

Phil Hauck, State Architect, said that in their original plan for the Senate Chamber, they did have four committee rooms on the 2nd and 3rd floors. They were conscious of the work and planned a legislative lounge on the 4th floor. If this is not to come about, they are going to have to go back to staff and add to committee rooms they have underground or they will be short.

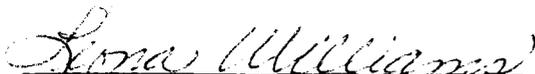
Senator Mazurek stated that this Resolution does not ask for anything more than moving the Senate Chambers.

Question was called and a roll call vote, Exhibit 1, was taken. Motion passed unanimously.

The meeting adjourned at 6:45 p.m.



CHAIRMAN, Senator Chet Blaylock



Leona Williams, Secretary

STANDING COMMITTEE REPORT

February 6 1985

MR. PRESIDENT

We, your committee on **LEGISLATIVE ADMINISTRATION**

having had under consideration **SENATE RESOLUTION** No. **2**

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EXPRESSING THE DESIRE OF THE SENATE TO MOVE ITS CHAMBER

Respectfully report as follows: That **SENATE RESOLUTION** No. **2**

be amended as follows:

1. Page 1, line 25.
Following: "chamber"
Strike: "."
Insert: "; and

WHEREAS, section 2-17-109(4), MCA, requires that the present Senate chamber be preserved as a single, undivided room to be used for legislative purposes."

AND AS AMENDED
BE ADOPTED

~~XXXXXX~~
DO NOT PASS

~~XXXXXXXXXX~~
DO NOT PASS

SENATOR CHET BLAYLOCK,

Chairman.

