





MINUTES OF THE MEETING  
RULES COMMITTEE  
50th LEGISLATIVE SESSION

February 17, 1987

The tenth meeting of the House Rules Committee was called to order by Chairman Tom Hannah on Tuesday, February 17, 1987 at 12:30 in Room 428-A of the State Capitol.

ROLL CALL: All members were present with the exception of Reps. Eudaily, Mercer and Ramirez who were previously excused.

CONSIDERATION OF HB 702: AN ACT ESTABLISHING A LEGISLATIVE REORGANIZATION AND IMPROVEMENT COMMISSION TO CONDUCT A STUDY OF THE LEGISLATIVE BRANCH OF STATE GOVERNMENT.

Rep. John Vincent, House District #80, chief sponsor of HB 702 explained that he introduced this bill because he and Rep. Bob Marks, co-sponsor, think it is time to take a serious look at the reorganization and improvement of the legislature. This bill is modeled after an approach taken by the state of Minnesota. He is confident that they could put together a commission that could do a top-rate job. Under the appointment provisions, as few as four or as many as eight members could be selected to serve on the commission. A \$15,000 appropriation was placed in the bill for purposes of seed money. He feels that we need to start from scratch in order to make these needed improvements in the legislative branch. He further said that if HB 721 (annual sessions) passes and if the legislature disciplines itself with an approach such as this one, we can initiate a "new air of politics in Montana."

PROPOSERS: Rep. Bob Marks, co-sponsor, stated his support for the bill and offered amendments. (See Exhibit 1.) He believes that it is time to look at legislative restructuring.

Roger Tippy, speaking for himself and as a lobbyist, feels that Rep. Vincent has offered a good approach in studying the legislative branch of government during the interim. He said he'd see what he could do to generate additional donations from private corporations if this bill passes.

Kim Wilson, representing Common Cause, testified in support of the bill. There is a need for some kind of legislative reform in this state because of some of the problems the legislature is now experiencing. We need to look at the big picture and put all the pieces together. He also believes the ability of the public to take part in the process will increase. He informed the committee that Common Cause possesses much more material and information on this subject and will assist the commission if it comes about.

Jeanne-Marie Sonvigney, representing the League of Women Voters, spoke in support of the bill and submitted written testimony. (See

Exhibit 2.) She said the legislative process is becoming more complex with each session, and LWV thinks that this kind of a commission could be very helpful in making the process as efficient, responsive, and smooth-running as possible.

OPPONENTS: none

In closing, Rep. Vincent said that he has a philosophical problem with one of Rep. Marks' amendments -- the one that would eliminate the director's duty to hire staff and fix compensation. He feels that this amendment would potentially present a conflict of interest.

There being no questions, hearing closed on HB 702.

CONSIDERATION OF HB 731: AN ACT TO REVISE THE MEMBERSHIP AND DUTIES OF THE LEGISLATIVE COUNCIL; TO CENTRALIZE ALL STAFF SUPPORT SERVICES FOR THE LEGISLATIVE BRANCH UNDER THE LEGISLATIVE COUNCIL; TO PLACE LEGISLATIVE EMPLOYEES UNDER THE STATE CLASSIFICATION AND PAY PLAN.

Rep. Dennis Rehberg, House District #88, sponsor, said this bill is an attempt to combine our legislative branches into one under one director. He said it is not an attempt to interfere with anyone's turf, and it does not change any statutory functions. It would place our state legislative employees under the state pay plan; thus, their wages would be frozen along with other state employees. It would set up a 12-member Legislative Council, and the staffing pattern would be determined by the Legislative Council.

Rep. Rehberg referred to a flow chart handout to inform the committee of how this system would work. (See Exhibit 3.) He said the Council would be expected to have this reorganization in place by November 1, 1988. He feels passage of this bill would eliminate some of the individual battles on pay plans, new equipment purchases, etc.

PROPONENTS: none

John Northey, from the Legislative Auditor's Office, said he appeared neither as a proponent or an opponent to the bill, but he did want to point out to the committee some potential problems. His specific concern was related to whether the bill would violate Article 5, Section 10, Subsection (4) of the constitution with regard to whether a post audit committee is to supervise post-auditing duties. A second concern he raised was whether there would be a problem in terms of the federal government accepting the work of the auditor if the auditor's strict independence is violated. He cited examples of national standards that are available outlining the nature of the independence that would be necessary. He further sees the potential problem of an administrator working for two bosses. Who will determine those priorities and control the allocation of staff?

OPPONENTS: None

Chairman Hannah opened the meeting up for questions. Rep. Marks said the only committee that is really being done away with is the old Legislative Council, and this bill would only expand the Council. Rep. Rehberg said that was correct.

Rep. Vincent questioned why the Council was being expanded from 8 to 12 members. Rep. Rehberg didn't really have an explanation for the expansion.

There being no further questions, Rep. Rehberg closed. He said he understood the issue raised by Mr. Northey dealing with the independent audit, but he feels this bill can be addressed to guarantee the independence of audits. The main question we must ask ourselves is whether or not we want to consolidate and change the structure of the process.

There being no further questions, hearing closed on HB 731.

CONSIDERATION OF HB 597: AN ACT PERMITTING RADIO BROADCAST OF COMMITTEE OF THE WHOLE PROCEEDINGS OF LEGISLATIVE SESSIONS; AUTHORIZING AN APPROPRIATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Rep. Kelly Addy, House District #94, sponsor of HB 597, said this bill is an effort to bring the pre-session idea of broadcasting floor debates into a reality. He briefly went through the bill and commented accordingly.

PROPONENTS: F. Woodside Wright, speaking on behalf of himself, said the broadcasting of floor debates is a good idea. It may have some difficulties conceptually, but because of the interest shown by the general public, he feels it would be of benefit. He advised the committee to start small instead of trying to set up a major system, and he suggested it be tried for a session or two. He said the legislature could require a certain number of subscribers before the system is implemented. Also, a limited number of 800 lines could be established. He believes the legislature has the opportunity to open the legislative process by allowing general access to most of the general public. A copy of his written testimony was marked Exhibit 4 and attached hereto.

There were no further proponents.

OPPONENTS: none

The meeting was opened to questions. Rep. Brown expressed his concern about the possibility of the sale of political publications, etc.

There being no further questions, Rep. Addy closed.

Chairman Hannah indicated that there are presently five bills in committee awaiting executive action. Following a brief discussion and because a quorum wasn't present for voting purposes, the committee agreed to schedule another meeting for the purposes of taking action on these bills. Chairman Hannah agreed with hesitancy to schedule the meeting for Thursday morning, February 19th at the hour of 6:00 a.m.

It was further brought to the attention of the committee that Rep. Timothy Whalen has introduced two bills over the five-bill limit, and the bills have already been scheduled for hearing. The committee briefly discussed this matter and decided a number of things could be done to rectify it: namely, a motion to suspend the rules could be made from the floor to allow for the introduction of these bills.

ADJOURN: There being no further business, the meeting adjourned at 1:45 p.m.

  
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Rep. Tom Hannah, Chairman

Proposed Amendments to HB 702

1. Page 2, beginning on line 7

Following: "commission."

Strike: "The" through "meeting." on line 8

2. Page 2, line 15

Following: "Staff"

Strike: "and facilities." through "needed" on line 20

Insert: "(1) The legislative agencies as deemed appropriate by the commission shall provide staff and services to perform research and to coordinate the work of the commission."

3. Page 2, beginning on line 21

Strike: subsection (2) in its entirety

4. Page 3, line 21

Following: "1988"

Insert: ", or to any special session of the legislature prior to December 1, 1988"

5. Page 4, line 6

Following: "date."

Insert: "(1)"

6. Page 4, following line 7

Insert: "Termination date. (2) This act terminates on December 31, 1988."

2/17/87

League of Women Voters

## HB 702 CREATE LEGISLATIVE REORGANIZATION COMMISSION

The League of Women Voters of Montana supports HB 702. We are strong supporters of responsive and efficient governmental processes, and this includes the legislative process. We also are strong advocates of giving citizens every opportunity to participate in the governmental process if they so choose.

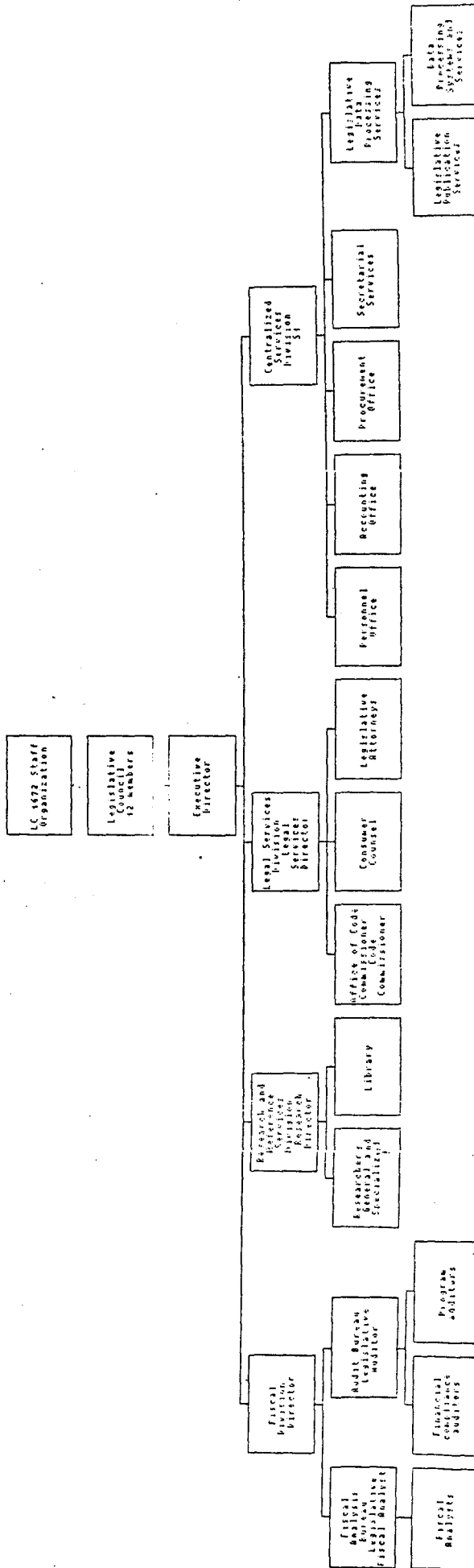
We followed the two interim committees that dealt with legislative improvement very closely and felt that they did a good job of trying to make the administration of the Legislature more efficient...some of their ideas were accepted, and of course, some fell by the wayside. But, it surely was a step in the right direction, and there was some improvement over what was before; but we think there are still a number of areas that need to be looked at...the size of the legislature, meeting more than every other year, how to deal with the number of bills that are introduced during a session, the number and size of interim committees, just to name a few.

Another appealing part of this bill is the inclusion of citizens on the committee. Citizens see the legislative process in a different light than legislators...and may see the administrative area somewhat more objectively because we are not as close to the situation.

The legislative process is becoming more complex with each session, and we think that this kind of a commission could be very helpful in making the process as efficient, responsive, and smooth-running as possible. We ask that you give this bill a do pass.

Joy Bruck  
LWV of Montana





TESTIMONY IN FAVOR OF HB 597

My name is F. Woodside Wright. I appear today on behalf of myself to speak in favor of the provisions of House Bill 597. As members of the committee know, I have earlier appeared before you in support of a concept essentially the same as House Bill 597. It was somewhat broader in concept as it would also allow connection of telephone service to the public address system of the House for purposes of allowing individuals to have a dedicated line to listen to proceedings of this Legislative body while in session. House Bill 597 would provide the basic technical requirements for broadcast of those services and should provide the necessary technical equipment for hookup of telephone lines. Any special connectors could be covered by the subscriber.

The committee's concerns earlier focused on costs and genuine public access to the proceedings. The connector for a dedicated line should cost no more than \$300 for a line. The same cost would be necessary for an 800 line unless the state's 20 person conference capability could be utilized. Basic charges for Mountain Bell hookups currently are: for one business line \$51.87 with a one time charge of \$86.35 plus time and materials. An 800 line has a one-time charge of \$59.50, then a monthly charge of \$15.85 with a charge per hour of use as follows: for the first 9 hours, \$16.50, second 15 hours, \$15.00, third 24 hours, \$13.50, on through a series of other charges until the last one would be a charge of \$11.00.

For the business or dedicated private line, the user would pay all those charges, plus an access fee. This fee could be determined either by the Dept. of Administration or the Legislature and would be based on an allocated cost to cover that portion of any equipment necessary to provide the service, and further that fee could be used to fund part of the 800 service. Those individuals who desired to seek access to the Legislative sessions and who were unable to afford a dedicated line would have access to the sessions. The success of this portion of the service would depend upon the number of lines that could be allocated for the 800 service and the number of subscribers who paid an access fee.

As the Legislature currently controls its public address system, I believe it is not necessary for any special legislation to establish an access fee and charges for telephone hookup. Using the funding provided in House Bill 597 and the basic technical requirements for establishing the broadcast capability should provide an adequate base to assure cost control as well as genuine public access to the proceedings of the Legislature. It will also provide the opportunity for individuals who desire to pay for telephone access.