

MINUTES OF THE MEETING  
STATE ADMINISTRATION COMMITTEE  
MONTANA STATE SENATE

March 13, 1987

The thirty-sixth meeting of the State Administration Committee was called to order by Chairman Jack Haffey on March 13, 1987 at 10:00 a.m. in Room 331 of the State Capitol.

ROLL CALL: All committee members were present.

The hearing was opened on House Bill 721.

CONSIDERATION OF HOUSE BILL 721: Representative Fred Thomas, House District 62, Stevensville, was sponsor for this bill entitled, "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE MONTANA CONSTITUTION TO REQUIRE THAT THE LEGISLATURE MEET IN ANNUAL SESSIONS FOR 60 LEGISLATIVE DAYS IN ODD-NUMBERED YEARS AND FOR 45 LEGISLATIVE DAYS IN EVEN-NUMBERED YEARS; TO PROVIDE LIMITATIONS ON THE BUSINESS THAT MAY BE CONDUCTED IN EACH SESSION; AND PROVIDING AN EFFECTIVE DATE." This bill would, upon approval of the voters of Montana, require that the Legislature meet each year. The bill would change the system that is used to conduct business presently. It would allow the legislature to meet each year for a shorter term and require them to limit the business that is conducted. He noted the primary reason he had brought the bill before the legislature was to develop a better system of conducting business and to allow more people to participate in the process. He felt the lengthy sessions Montana currently has prohibits many people from even considering running for office. He stated it might eliminate the need for special sessions also. He offered six amendments to the proposal. (EXHIBIT 1) The legislature would meet for 60-day sessions in odd-numbered years to consider revenue and appropriations legislation and any subject not defined to be in this category would require a two-thirds vote of each house in order to be introduced. In even-numbered years they would meet for 45-day sessions and, again, a topic that was not considered to be general would have to have a two-thirds vote in each house to be introduced. The amendments would strike the language referring to annual sessions and would eliminate taking bills that were tabled in one session from being brought back into another session and clarify language for the ballot. He noted there would be complete concentration on the budget in odd-numbered years and he felt this would allow more legislators to get involved in appropriations. There would also be more time in the interim to draft and prepare bills.

PROPONENTS: Representative John Vincent, House District 80, Bozeman, distributed a graphic of how the system would work. (EXHIBIT 2)

He noted he had spent years studying legislative management and was convinced it is good business management to have annual sessions. The upper half of the chart demonstrated the way the system now works and the lower section reflected how the proposed legislation would operate. He felt the workload would be much more evenly distributed. He stated if deadlines were set that conceivably on the first day of a general session nearly all bills would have been drafted, introduced and all hearings would already be scheduled which would be much more efficient. He also noted the benefits of this legislation. It would result in a more business like workload, result in more involvement of all legislators in budget making and taxation, increase public awareness, increase constituent legislative contact, result in more substantive committee work, reduce the need for specials sessions, result in greater legislative control of the bureaucracy and increase legislative credibility. He felt it would result in a savings also. He noted this is a carbon copy of the system the State of Utah now has and is very similar to Wyoming also. He noted there would be no carryover legislation from prior sessions and that a two-thirds vote would be required to introduce other legislation. The system would be much more accountable he felt.

Eric Feaver, with the Montana Education Association, stated they were in support of the bill for the same reasons that had been voiced by Rep. Vincent and Rep. Thomas.

Kim Wilson, with Common Cause, distributed a fact sheet which summarized what other states are doing in this area and noted the time and money the state has spent on special sessions recently. (EXHIBIT 3) He noted traditionally they have always been in favor of annual sessions for accountability and they feel this system would allow greater pre-session planning and give the citizens more opportunity to have involvement also. The amendments being proposed would add control and still allow flexibility to deal with emergencies. He felt it would reduce the need for special sessions also. He felt people are frustrated with the present system and that perhaps the people are ready for annual sessions at this time.

Jeanne-Marie Souvigny, from the Montana League of Women Voters, noted the League supports annual sessions and have for a number of years. She noted the legislators would have to discipline themselves to make annual sessions work and would need to limit the number of bills and the type of bills introduced. The legislators themselves believe there is a need for annual sessions she felt but need to convince the public of this also.

Bob Correa, of the Bozeman Chamber of Commerce also supported the bill.

OPPONENTS: Mons Teigen, representing the Montana Stockgrowers, stated they were in favor of biennial sessions. Before consideration of annual sessions he felt there should be more discipline on the part of members of the legislature to form a strong rules committee that would eliminate duplicate type of bills. He realized that 90 days is a long time but was not sure that annual arrangements would be that beneficial. He noted the cost that annual sessions would create in state agencies. He felt the system was not "broke enough to need fixing" at this point.

Lorna Frank, from the Farm Bureau, stated they strongly opposed annual sessions. She felt that some of the procedures used now just need to be tightened up and urged the proposal do not pass.

Don Ingels, representing the Montana Chamber of Commerce, urged that the committee concur with the amendments that have been proposed. He added the Chamber was opposed to the bill before the amendments were introduced.

QUESTIONS ON HOUSE BILL 721: Senator Lynch asked Rep. Thomas to explain how the bill would work regarding introduction of new legislation. He stated new bills could be introduced with a motion in both houses and a two-thirds vote of each house. Senator Hofman asked what this would do for the workload of the council. Rep. Thomas noted that everything that has to be done now is done in a very short span of time and this would help spread out the workload. He expected there would be some savings realized also. Senator Haffey asked if holdover senators could request bills at any time and Rep. Vincent stated the restrictions regarding this are in legislative rules now and that he felt new rules could be adopted which would accomodate this procedure. He did not guarantee that the council staff would be reduced but it would definitely not be expanded. Senator Rasmussen asked how many days the Utah Legislature meets and was told they meet each year for 45 days. Wyoming has general business in odd-numbered years for 40 days and in even-numbered years they discuss budget matters for 20 days. Rep. Vincent noted however that some of the days they are actually in session are not counted so you are looking at a longer time period than 20 days. Senator Rasmussen wondered if 60 days was just too long a time period. Rep. Thomas stated he too favored a shorter time frame but after consultation with others felt this would not leave enough time for a budget session. Rep. Vincent stated one would have to research what actually constitutes a legislative day. In some cases he thought Wyoming might bring in the main appropriations committee a month prior to the session. He wondered if this would be very receptive in our state however.

Senator Anderson asked if more bills would be drafted with nine months of interim time. Rep. Vincent felt this could be established through rules. Senator Lynch noted that right now one could conceivably use 18 months to draft new legislation and felt too this could be established through rules. Senator Rasmussen asked what the feelings were to change the timeframe from 60 to 50 days. Rep. Thomas stated he preferred a shorter timeframe also but felt it should be discussed with those who are on Finance and Claims Committees first. Rep. Vincent noted there would be increased efficiency so it might be possible to shorten the time but if there were controversial issues there might need to be more days to work them out. Senator Harding felt there should be more bill screening done. Rep. Vincent noted our system is very antiquated and that most states are much more restrictive of the type of legislation introduced. With a Ways and Means Committee one could restrict what bills would be heard but he felt the prospects of such a committee were not great at this point. Senator Hofman stated he had changed his mind about annual sessions since he has been serving here but thought perhaps a 50 day session might be easier to sell to the public. Rep. Thomas felt with a concentrated effort on either budgeting or general topics it might be possible to have a shorter time period. Senator Hirsch felt the possibility of the legislature disciplining themselves would be difficult and felt even with a two-thirds vote it would be hard to limit the number of bills. Rep. Thomas stated this was the reason he wanted to tighten this down by requiring a two-thirds vote of each house. He felt there is more and more support growing for a Ways and Means Committee and that the legislators themselves should be more cautious before introducing legislation. Senator Harding wondered if people would have to serve on both taxation and budget committees. Senator Haffey asked what "continuous body" meant. Rep. Thomas stated this allows legislators to request bills in the interim but it could also be interpreted to those bills that had been tabled in prior sessions and that is the reason for the specific amendment.

Rep. Thomas began his CLOSING remarks. He stated he felt limiting the time to 45 days would eliminate some procrastination. There would be more time to have the bills fine tuned before they were heard which would be helpful he noted. He felt the legislature could pick up on current issues that needed addressing such as workman's compensation, tort issues and budget matters that were critical. The bill would be effective in 1991 which would provide a two-year period to get prepared. It would escalate some of the clout of the Senate and they would be in a better position to approve or disapprove of appointments. He felt it was critical to put this on the ballot again as the time was right. It would allow more people to run for office and eliminate the need for special sessions. The hearing was CLOSED on House Bill 721.

Senate State Administration  
March 13, 1987  
Page Five

EXECUTIVE ACTION ON HOUSE BILL 721: Senator Hofman MOVED TO ADOPT THE SIX AMENDMENTS PROPOSED BY REPRESENTATIVE THOMAS. The motion was seconded and the motion passed unanimously. Senator Rasmussen felt 60 days was too long a period of time and noted that Utah does their business in 45 days. He felt 50 days was a much better timeframe. He then MOVED THAT HOUSE BILL 721 BE AMENDED TO SAY 50 DAYS RATHER THAN 60. Senator Harding seconded the motion. The motion carried with Senators Haffey and Abrams voting "no."

Senator Hofman made a MOTION THAT HOUSE BILL 721 AS AMENDED BE CONCURRED IN. Senator Harding seconded the motion. The motion carried with Senators Farrell and Hirsch voting "no."

The meeting was adjourned at 11:25 a.m.

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SENATOR JACK HAFFAY, Chairman

ROLL CALL

SENATE STATE ADMINISTRATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 3/13/87

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NAME	PRESENT	ABSENT	EXCUSED
SENATOR JACK HAFFEY	X		
SENATOR WILLIAM FARRELL	X		
SENATOR LES HIRSCH	X		
SENATOR JOHN ANDERSON	X		
SENATOR J. D. LYNCH	X		
SENATOR ETHEL HARDING	X		
SENATOR ELEANOR VAUGHN	X		
SENATOR SAM HOFMAN	X		
SENATOR HUBERT ABRAMS	X		
SENATOR TOM RASMUSSEN	X		

Each day attach to minutes.

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
TED SOLTIS	COMMON CAUSE	HB# 721	X	
Frank-Marie Scunprey	MT League of Women Voters	HB 721	X	
Mons Tergey	mt. Stockgrowers	721		X
Eric Flaver	MEA	721	X	
George Frank	MT. Farm Bureau			X
Joe Ingels	MT Chamber of Commerce			X
Mar Wilke	Common Cause	721	✓	

PROPOSED AMENDMENTS TO HOUSE BILL 721  
(Third Reading)

1. Title, line 9.  
Following: "MEET"  
Strike: "IN ANNUAL SESSIONS"
2. Page 2, line 5.  
Following: "members of"  
Insert: "each house of"
3. Page 2, line 10.  
Following: "members of"  
Insert: "each house of"
4. Page 2, line 11.  
Following: "legislature."  
Insert: "No bill introduced for consideration in one session of the legislature may be carried over for consideration in any other session."
5. Page 2, lines 23 and 24.  
Following: "meet" on line 23  
Strike: the remainder of line 23 through "sessions" on line 24  
Insert: "each year, with limitations on business to be conducted"
6. Page 2, line 25 through page 3, line 1.  
Following: "meet" on line 25  
Strike: the remainder of line 25 through "sessions" on page 3, line 1  
Insert: "each year, with limitations on business to be conducted"



NOV-DEC '90  
 Preparation for All-inclusive general and budget session.  
 Legislative organization  
 Bill Drafting work load next to unmanageable

JANUARY - APRIL '91  
 ALL-INCLUSIVE General and Budget Session  
 "The Pressure Cooker" that doesn't work"

MAY '91

Interim Committees  
 "The Great Waste" 18 months of "down time"

OCTOBER '92  
 SENATE STATE ADMIN.  
 EMERGENCY NO. 2  
 3-18-87  
 HB 921

1993 (print) SESSION

NOV-DEC '90  
 Preparation for BUDGET SESSION  
 Dramatically reduced BILL DRAFTING work load, future work load = More time for orderly session preparation and legislative organization

JAN-MAR '91  
 60 day BUDGET SESSION  
 "Emergency Provision for non-budget legislation"

MARCH 15 - OCTOBER 15 '91  
 Bill Drafting for General Session (9 v. 2 months)  
 A. Increased Public Awareness of Proposed Legislation  
 B. Greater Constituent-Legislator Contact because future session assured  
 C. Some Standing Committees could hold hearings on proposed legislation of substantial public interest.

NOV-DEC '91  
 GENERAL SESSION PREPARATION  
 "Emergency Provision for Budget legislation"

JAN-FEB '92  
 45 day GENERAL SESSION

MARCH '92  
 8 v. 18 months, "down time"  
 Primary Elections in June  
 SAME BENEFITS

OCTOBER '92  
 More rational, business-like distribution of work load  
 Involvement of all legislators in budget making and transition.  
 Greater public awareness  
 Elections "closer" to legislative session, greater accountability.  
 Increased Constituent-Legislator Contact  
 More substantive committee work  
 Reduce likelihood of costly special session  
 Greater legislative control of bureaucracy  
 Improved legislative credibility  
 Increase number of citizens who could serve  
 Decrease "unnecessary" turnover burnout  
 Enhance contribution involvement of freshman legislators

1993 (print) SESSION

\* spending and transition

JOHN VINCENT SPEAKER



# COMMON CAUSE/MONTANA

P.O. Box 623  
Helena, Montana 59624

(406) 442-9251

SENATE STATE ADMIN.

EXHIBIT NO. 3

DATE 3-18-87

FILE NO. HB 721

## FACT SHEET ON ANNUAL SESSIONS

1. As state populations have grown and governments become more complex, the trend has been toward annual sessions:

- In 1939, 44 states had biennial sessions.
- In 1961, 31 states had biennial sessions.
- Today, only 7 states, including Montana, have biennial sessions.

2. Special sessions in Montana have increased dramatically since 1981, the last time the public voted against annual sessions.

- Special sessions were held sporadically prior to 1981. For instance, special sessions were held in 1967, 1969 and two in 1971.

- In the five years prior to 1986, the legislature met in special session 28 days at a cost of \$976,000.

- In 1986, the legislature met on an additional 18 days in annual sessions.

- The total cost of special sessions 1981-86 far exceeded one million dollars.

- The 1985 legislature, including special sessions, met 109 days.

3. Annual sessions create the mechanism for a more efficient legislature, one that is more orderly and responsive to the needs of the people than the current biennial sessions.

# STANDING COMMITTEE REPORT

MARCH 13

87

..... 19.....

MR. PRESIDENT

## SENATE STATE ADMINISTRATION

We, your committee on.....

HOUSE BILL 721

having had under consideration..... No.....

third reading copy ( blue )  
color

### CONSTITUTIONAL AMENDMENT REQUIRING 45-DAY ANNUAL SESSIONS Thomas (Beck)

HOUSE BILL 721

Respectfully report as follows: That..... No.....

1. Title, line 9.

Following: "MEET"

Strike: "IN ANNUAL SESSIONS"

Following: "FOR"

Strike: "60"

Insert: "50"

2. Page 1, line 23.

Following: "than"

Strike: "50"

Insert: "50"

3. Page 2, line 5.

Following: "members of"

Insert: "each house of"

4. Page 2, line 10.

Following: "members of"

Insert: "each house of"

5. Page 2, line 11.

Following: "legislature."

Insert: "No bill introduced for consideration in one session of the legislature may be carried over for consideration in any other session."

~~XXXXXXS~~

~~XXXXXXXXS~~

(Continued)

.....  
Chairman.

6. Page 2, lines 23 and 24.

Following: "meet" on line 23

Strike: the remainder of line 23 through "sessions" on line 24

Insert: "each year, with limitations on business to be conducted"

7. Page 2, line 25 through page 3, line 1.

Following: "meet" on line 25

Strike: the remainder of line 25 through "sessions" on page 3,  
line 1

Insert: "each year, with limitations on business to be conducted"

7071b/C:JEANNE\WP:jj

AND AS AMENDED  
BE CONCURRED IN

.....  
SENATOR JACK RAFFEY, Chairman