

MINUTES

MONTANA SENATE 53rd LEGISLATURE - REGULAR SESSION

JOINT COMMITTEE ON LEGISLATIVE ADMINISTRATION

Call to Order: By Senator Blaylock, on January 9, 1993, at 8:00 a.m.

ROLL CALL

Members Present:

Sen. Chet Blaylock, Chair (D)
Sen. Mignon Waterman, Vice Chair (D)
Sen. Bruce Crippen (R)
Sen. Dorothy Eck (D)
Sen. Ethel Harding (R)
Sen. Judy Jacobson (D)
Rep. Larry Grinde (R)
Rep. Harriet Hayne (R)
Rep. Wm. "REd" Menahan
Rep. John Mercer (R)
Rep. Jim Rice (R)
Rep. Ted Schye (D)
Rep. Bill Strizich (D)

Members Excused: None

Members Absent: Rep. Ed Grady

Staff Present: Sylvia Kinsey, Secretary and members of the Legislative Council

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: Legislative Branch Computer System Plan,
A Study on the Use of Computers by
Legislators; Attache pay SJR 2, HB 21

Executive Action: Legislative Branch Computer System Plan
and Attache pay SJR 2, HB 21

HEARING ON LEGISLATIVE BRANCH COMPUTER SYSTEM PLAN

Senator Blaylock said the Legislative Council had a plan to present on a study of the computer system and asked Mr. Person to explain the procedure.

Overview by Council:

Bob Person, Executive Director, Legislative Council said the report would be the Legislative branch system plan and the legislative budget hearing is scheduled for Monday, January 11.

Hank Trenk handed out (exhibit 1) a book entitled "Legislative Branch Computer System Plan". He gave some background by saying the computer system planning process originated out Legislative Branch Agencies beginning to implement different computer systems that seemed to have a lack of coordination and were implementing different types of systems. During the 1989 session Rep. Nisbet introduced HB 496 which established a planning process for the Legislature. This bill became Title IV, Chapter 11 part 4 of MCA, and established a computer system training council consisting of two representatives from the House, two from the Senate, the Executive Director of the Legislative Council, (which is the chair), the Legislative Auditor, the Legislative Fiscal Analyst, the Executive Director of EQC, the Consumer Council and a representative of the Dept. of Administration who was a non-voting member but was there to advise the Council on data processing and policy functions established by the executive data. The Computer System Planning Council must submit it's plan to each successive legislature. 5-11-405 MCA requires that the plan be approved and adopted jointly by the House and Senate Legislative Administration Committees. Mr. Trenk said the Computer System Planning Council has met, reviewed and updated it's plan and is now submitting this plan.

Mr. Trenk summarized the plan (exhibit 1) for the committee, see pages 4, 5 and 6 of exhibit 1. He pointed out that if there is a central plan it makes sense to support it with a central budget. He referred to page 36 which is a plan detailing that budget.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

None

Questions From Committee Members and Responses:

Senator Crippen said the Senate has made a deal with the Dept. of Administration and asked if the \$80,000 is part of the contract, and if the Department of Administration (DOA) is making a profit on this or is it because we have to tie in with the Novell system. Mr. Trenk said he felt the DOA does this as a service at

the request of the Senate. In some cases you are getting a good rate on the rent of those computers. This ties in with the plan because the computers you have rented from DOA follow the standards outlined in this plan.

Senator Crippen asked if Senators or Representatives bought their own computers would they have to be compatible, and was told yes.

Chair Blaylock asked if the Council wants a direction from this Joint Legislative Committee that we agree or do not agree with the plan on hooking in computers. Mr. Trenk said he felt adopting or not adopting the plan or exempting that from the plan would be your prerogative. Chair Blaylock said the Council would like us to adopt the plan but we would be free to make exceptions to the plan.

Chair Blaylock said when we put the computers into the Senate in '88-'89, we had people in the Senate arguing bitterly for the sort of thing they wanted as opposed to what was being used in the rest of the places. He felt it would be prudent if we would say we are going to go with one plan. This would be a better use of taxpayers money, and as Mr. Trenk has pointed out if other computer systems are added on it would be dangerous to the system if we overload it. Mr. Trenk had also pointed out the time involved in hooking up private computers that are not compatible and Chair Blaylock did not think that staff time should be wasted.

Senator Crippen said then if the computer is compatible they can hook it up, if not they will not and Chair Blaylock answered yes.

Representative Menahan asked if you hook up personal computers, would they be used for Legislative or private business work. Senator Blaylock said they would probably have to rely on the people the same as we do with our telephones. We passed the rule that said we could call our private businesses and homes.

Representative Menahan said his objection would be the example of a life insurance salesman calling all over to try to sell insurance. He did not feel a personal computer should be hooked up for private business.

Senator Crippen said if they bring their own private computer and plug it in, they have the modem etc. but it is not on the system, there is still a cost. He asked if they go one step further if it would increase the cost.

Senator Eck said if you bring your own computer and you are doing your own business, you have no reason to hook into the state system.

Senator Waterman said there should probably be some guide lines if you were accessing the state system and you would like some state information. She felt there should be some guide lines for

everybody on using them for personal use, but the more we can encourage use of computers the better.

Chair Blaylock said Mr. Trenk had alluded to the problem in the Senate on the budgeting and the \$100,000 that was put into the budget for the Houses. He asked if that \$100,000 deals with this computer plan. Mr. Person said there is sort of a combination of different things. There is a certain amount in the central budget that will apply toward the Senate, but the Senate has other issues to think about which Senator Van Valkenburg can explain.

Senator Van Valkenburg, President of the Senate, said for clarification, the Feed Bill, as introduced and passed through the House of Representatives, does not include the \$100,000 for computers. There was a discussion prior to the introduction of the bill about putting in \$100,000 for the purchase of computers but a decision was made prior to the drafting and introduction of the bill to not seek the money that will apply to the purchase of computers. We are in a contract with the DOA that provides for the lease of computers through the '95 session and there is rent money in the Feed bill to cover that purpose. Mr. Person pointed out the lease of computers and the proposed plan are different issues.

Representative Mercer, Speaker of the House said if we are looking for a unified plan, this appears to be a good idea, but thought it might be wise to spend more time on the plan before taking action. He asked how much more this plan will cost than what we are doing at the present time. Mr. Trenk said computer expenses are an on-going thing because computers have a life span of five to six years before they start wearing out. Part of that budget has replacement cost in it for computers that are already in place that are five years old or older. The spread sheet has about 95% of the budgets that Legislative Agencies are putting in for next biennium. There are a few things unique to each agency they have kept in their own budget. The Feed Bill carries some of the House and Senate computer budget.

Representative Mercer said he was assuming that if we had a unified plan it might save us money in the long run. He asked if this was going to cost us more to adopt the plan or will it save money as we go along. Mr. Trenk said he believed it would save and that it had already saved money.

Senator Blaylock asked if Representative Mercer wanted to delay action on this decision and was told to vote on this bill today, he would be voting on faith. If the other members are willing to proceed he would be willing to do so.

Senator Blaylock said he felt computer illiterate but knew that we have come "light years" in the way things are done at the present time and computers have been a large part of that. With the number of state agencies we have, and since this is a big

part of how we run state government, the better we can do it the better we are serving the people.

Bob Person agreed with Mr. Trenk and Senator Blaylock when they suggested computers are going to play an increasingly large role in the manner in which information is processed in an organization such as the Legislature. There will be a natural pressure to apply technology to these kinds of things. The question of whether it will be less expensive to adopt this particular plan, any plan, or to allow it to go in the natural order of things is the question. It is easy to say it is much more likely to be economical and well thought out to do it through the means of a planning process. The fact that the representatives of the Senate, House and all of the Legislative agencies meet periodically and talk about these things now, makes it more practical to have a central budget to do something. The budget portion of the plan needs, deserves and will get additional scrutiny in the appropriation process. It will continue to need critical judgement in the incorporation of funding.

Closing by Sponsor:

None.

EXECUTIVE ACTION ON LEGISLATIVE BRANCH COMPUTER SYSTEM PLAN

Motion: Senator Waterman moved ADOPTION OF THE LEGISLATIVE BRANCH COMPUTER SYSTEM PLAN.

Discussion: Representative Grinde said he was unclear on the dollar amounts. In looking at the budget, each agency will be responsible for a certain portion in regard to computers. He asked if this is either in the existing budget or in the budgets being presented and if this is start up costs or operational costs. Mr. Person said the budget that is in this plan is the budget that is in the Legislative Council's portion of House Bill 2 which is up for discussion Monday in the subcommittee. The allocation to the individual agencies that is listed in that spread sheet is also summarized very well in the Legislative Fiscal Analyst (LFA) write up and is based on the matter on which the principles were applied to the development budget. It is mostly operational because a great deal of the funding is directly tied to the plans approach to maintaining the system at the current level of technology. As Mr. Trenk said, there is replacement cost in there, there is some enhancement, but is principally replacement costs and not really start-up. This is an on-going concern.

Representative Grinde asked what this plan is going to cost us now in general fund money and if that is the figure given. Mr.

Person answered yes.

Representative Mercer asked if we adopt this plan today, is that something these agencies, including the Council, will then take to the Appropriation Committee and say "this plan has been adopted so therefore we need these additional funds put into our budget" or will they say "this plan has been adopted and we are going to save money within our budget and therefore the following sums can be removed". He asked what they will say budget-wise as a bottom line figure. Mr. Person believed all the agencies feel that the total demand is less than it would be otherwise. His approach to the subcommittee will be that they need to look at this and develop an understanding of it because it is the most significant change in the Legislative Council's budget.

Senator Eck asked if this is in addition to what is in the various agency budgets already? Mr. Person said yes and no, but this is a conceptional change being proposed in this plan. It is proposing that costs related to the kinds of issues and services that are in this plan be in a central budget, not in an agency budget. If this concept had not taken place, the process would have been different and the agency directors, to the extent they had identified needs along these lines, would have gone through the separate budgeting process and there would have been amounts of money in the agency budgets considered separately. Those amounts are not there now, by agreement and direction of the plan those amounts were all put together in this area, developed and analyzed from a central point of view. The kinds of potential changes you see there, is the sharing of file service, as an example, between LFA and the Auditor, where now one machine can serve the needs of both. It is a conceptional change from the agency by agency consideration. This is not a duplication of requests.

Representative Mercer requested the members of the House to wait to act on this and request a rapid review of the plan by the LFA to give us the impact of the plan. He was concerned about agencies coming to the subcommittees saying they have to have money to comply with the central plan.

Senator Waterman asked if this had been analyzed and included in the budget report and Mr. Person handed out a sheet (exhibit #3) and said this was a good summary to go by.

Representative Mercer asked if this was an analysis of this system plan and Mr. Person answered yes. Mr. Mercer said he did not feel this (exhibit # 3) talked about what it does with the other agencies, it just shows it costs \$700,000 and outlines the central network budget.

Chair Blaylock said in regard to Representative Mercer's concern, that would be in individual budgets, rather than in the Legislative Council so the cost would be approximately the same. Mr. Person said he felt that was a fair statement, and did not

believe any particular agency developed a budget separate from this one since this was the way it was done. He said he did not know if they could retrace those steps, but it could perhaps be tried.

Senator Eck said it appeared to her the alternative to adopting the plan would be to allow various agencies to go their own way and include in their budgets each year the new maintenance, software, etc., and there is good reason to believe that would be more costly than something that was done according to a plan.

Senator Jacobson said the point is whether it would be more costly or less costly. Computer equipment is costly and that cost has been rising, but one of the objectives the Finance and Claims Committee have tried to reach is to centralize these things so the left hand knows what the right hand is doing. She felt the Legislative branch is trying to coordinate this in the same manner the DOA coordinates for the rest of state government to the best of their ability. For the sake of compatibility and efficiency she felt this was a good way to go.

Senator Harding felt it was prudent to have an overall plan, since if we go separate ways we probably cannot even estimate how much it would cost. Since we have gotten into computers, it will never cost us less, it will always cost more, and we have to plan on that, but need to do whatever will work the best.

Senator Waterman said we go to the Legislative Auditor and to the Legislative Council for information and we have just put an extra \$20,000 or so in the budget so the select committees can do so. We are developing all of these separate systems which cost money, and she was not sure the \$20,000 would have been necessary if it had been possible to share information. She said at some point we will have to go back and do a unified system and the longer we let people develop their own systems, the more it will cost.

Vote: The motion TO ADOPT THE LEGISLATIVE BRANCH COMPUTER SYSTEM PLAN was ADOPTED. The motion PASSED with Rep. Grady absent and Rep. Grinde voting NO.

HEARING ON A STUDY ON THE USE OF COMPUTERS BY LEGISLATORS

Opening Statement by Legislative Council:

Hank Trenk, Legislative Council said HJR 23 sponsored by Rep. Lee in the '91 session requested a study on use of computers by Legislators. He read from (exhibit # 2) pages 1 of the exhibit and various paragraphs on other pages on background, what other states are doing, etc. He said the appendix gave information on costs for developing a prototype and developing a full implementation of the system.

Chair Blaylock asked if, as speaker, Rep. Mercer had a computer

in his office and was told no, there were not enough computers for him to have one, but he would use one if he had it.

Senator Van Valkenburg said he was using a computer and would like the Speaker to have one also.

Chair Blaylock said the leadership, if they use them, should have them. Given the state of Montana's finances at the present time, he felt only the leadership should have them. If people want to bring their own personal computers and hook into the system, provided they are compatible, it should be all right.

Senator Jacobson asked Representative Mercer what he would use a computer for and was told he would like to have one to use. At the present time if he wanted one he would have to take it away from someone else. He would use it for word processing, bill status, etc. He said his experience since using a computer is that it gives much more work production. He felt that in time living without a computer would be much like living without a telephone. At this time he would agree with the Chairman, with our present financial condition, we have no business looking at providing a computer for every member.

Senator Jacobson mentioned Zip Mail and other conveniences, but said bill status was easy to find now. She did feel if she had a computer she would be more inclined to do some of her own mail and free up time in the word processing room.

Rep. Schye said he had his own computer in his office and uses it a lot. He had not even asked if it could be hooked on the system but if it could be, he would use it for other things as well.

Senator Waterman said as they can be made available for Legislators who can bring their own, there should be some guide lines for hook-up and use. Writing their own letters rather than going through the dictaphone will save time in the secretarial pool so they don't have to retype letters that are either being done on our personal computers or dictating. In our office we do them, they do not have to be retyped, you can send your disk up and the person in the secretarial pool does not have to retype it. She felt it would be a time saver for Legislative staff. She agreed we should not be buying them now, but that there should be some guide lines available as Legislators are buying or updating their own computers so they would be compatible.

Mr. Trenk said the advantage to having the same setup as the staff, was that the Council felt instead of a regular PC, it would be better for Legislators to have a "milkbook PC", which is a little PC that flips up. The reasoning was if they were used on the desk on the floor, that would be the better approach, they would be portable and you could take them to the committee room. There would be a place where you plug into the network there, you could take it home at night and dial into the network. The Council made no recommendation whether to proceed or not to

proceed. The recommendation is that if the Legislature wants to proceed with this system, this is how it should be done.

HEARING ON HOUSE JOINT RESOLUTION 2

Opening Statement by Legislative Council:

Bob Person, Executive Director, Legislative Council said Rep. Hayne felt as long as HJR 2 is the resolution that governs the manner in which the staff of the House and Senate are paid, and is designed to be joint, that it would be worthwhile for the joint committee to consider it. If there are any changes to be made, those could be jointly decided. The resolution is fundamentally the same as in the past with one major exception. When the Legislature adopted HB 509, the matrix structure for paying state employees was thrown out. This resolution had been tied closely to the matrix organization that was in the law and it was necessary for the legislature to come up with some other means determining how staff would be paid. Senator Blaylock, Representative Menahan and the prior staff leadership of the House and Senate worked on this before the matrix that goes from page 4 to 5 was developed. This matrix was developed by the breaking up of the matrix that is in the statute in regard to the entrance and market levels, calling them levels instead of steps so it would not be confused with the old step system. Level 1 is a little higher than an entry since in the old matrix it was step 2 for Legislative employees. The decision was made after the caucuses to go with that plan in the resolution. There were a few changes in the positions, mostly eliminating the positions that have not been used for a number of sessions. The differential in lieu of benefits remains at 50 cents.

Questions From Committee Members and Responses:

Representative Mercer asked if the comparison between what people were paid last time and what they are being paid this time had been made. He asked how this chart compares to former chart. Mr. Person said he had not gone through the entire current staff to see where they would have been on the previous matrix. Joyce Andrus worked on this quite a bit and did a number of examples with each alternative. She had picked examples through the range which she brought to the discussions, but Mr. Person had not had the opportunity to do the entire staff.

Representative Mercer asked if, roughly speaking, would someone be paid on the average through all these employees the same, less or more under this matrix than if we had stayed with the previous one. Mr. Person said more. One of the real struggles was to try to come up with something that would not reduce the pay for some of the people and increase others. This matrix had a tendency to pull down the amount of increase the higher level people would have received and brought up some of the lower level people.

Chair Blaylock said as he recalled, those on the lower levels

received a slight raise and reduced some of the higher paid people such as the Secretary of the Senate and the Chief Clerk of the House.

Rep. Menahan agreed and said this matrix was the lesser cost of the two.

HEARING ON HOUSE BILL 21

Opening Statement by Sponsor:

Representative Menahan asked Gregg Petesch to go over the bill.

Proponents' Testimony:

Gregg Petesch, Legislative Council, said this bill was sponsored by Rep. Menahan on behalf of the Legislative Council. This bill clarifies and codifies the way things are currently being done. Unfortunately Data Processing Services were not around at the time the Council duties were drafted and that has been included. This clarifies that the Legislative Council provides staff assistance to the Administrative Code Committee and Revenue Oversight Committee. Those statutes, when drafted, said those committees could hire their own staff and there has never been a direct statutory link between them and the Council, although the Council has provided the staff to them. This became a concern during this interim when the Administrative Code Committee was involved in some litigation and Mr. Petesch had to go before the Council to get permission to provide excess services to the Administrative Code Committee. This bill clarifies that the Council provides that assistance as well as some publication duties within the Council. Previously the Research Division had been assigned the duty of publishing the Legislative Review publication but has never published it, the Council has that responsibility and this just clarifies what it does.

A vote was taken on these two bills since they are in the House presently.

EXECUTIVE ACTION ON HOUSE JOINT RESOLUTION 2

Motion/Vote: Representative Menahan moved HJR 2 BE ADOPTED. The motion PASSED unanimously.

EXECUTIVE ACTION ON HOUSE BILL 21


Motion/Vote: Representative Menahan moved HOUSE BILL 21 DO PASS. The motion PASSED unanimously.

ADJOURNMENT

Adjournment: 9:40 a.m.


SENATOR CHET BLAYLOCK, Senate Chair


REP. HARRIET HAYNE, House Chair


SYLVIA KINSEY, Secretary

CB/sk

ROLL CALL

SENATE COMMITTEE Joint Legislative Admin. DATE 4/9/93

NAME	PRESENT	ABSENT	EXCUSED
Senator Chet Blaylock	✓		
Senator Dorothy Eck	✓		
Senator Bruce Crippen	✓		
Senator Ethel Harding	✓		
Senator Judy Jacobson	✓		
Senator Mignon Waterman	✓		
Rep. Ed Grady		✓	
Rep. Larry Grinde	✓		
Rep. Harriet Hayne	✓		
Rep. Wm. "Red" Menahan	✓		
Rep. John Mercer	✓		
Rep. Jim Rice	✓		
Rep. Ted Schye	✓		
Rep. Bill Strizich	✓		

FC8

Attach to each day's minutes

EX-2

DATE _____
BILL NO. _____

Joint Leg. Adm. Com.
~~SENATE EDUCATION~~
EXHIBIT NO. 2
DATE 1/9/93
BILL NO. _____

A STUDY ON THE USE OF COMPUTERS BY LEGISLATORS

October 1992

A Report to the 53rd Legislature From the Legislative Branch Computer System Planning Council

Published by



Montana Legislative Council

Montana Legislative Council
State Capitol, Room 138
Helena, Montana 59620
(406) 444-3064
FAX: (406) 444-3036

January 9, 1993

Exhibit No. 1, "Legislative Branch Computer System Plan", is an interim report by the Legislative Branch Computer System Planning Council. The original is stored at the Historical Society at 225 North Roberts Street, Helena, MT 59620-1201. The phone number is 444-2694.

January 9, 1993

Exhibit No. 2, "A Study on the Use of Computers by Legislators," is an interim report by the Legislative Branch Computer System Planning Council. The original is stored at the Historical Society at 225 North Roberts Street, Helena, MT 59620-1201. The phone number is 444-2694.

E. Hall

~~SENATE EDUCATION~~

EXHIBIT NO. 1

DATE 1/9/93

BILL NO. _____

LEGISLATIVE BRANCH COMPUTER SYSTEM PLAN

October 1992

A Report to the
53rd Legislature From the
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Operating expenses increase by \$149,394 due to: 1) a \$105,986 increase in contracted services including a \$40,000 increase in computer costs and a \$55,000 increase in publishing costs; 2) a \$30,000 increase in repair and maintenance; and 3) a \$10,000 increase in travel. Some of the computer cost increase and most of the repair and maintenance increase is due to the Legislative Branch Central Network budget.

Operating expenses decrease in fiscal 1995 because approximately \$335,000 budgeted in fiscal 1994 for publication of the Montana Code Annotated does not continue.

Equipment increases due to the Legislative Branch Central Network budget, which adds \$302,681 in fiscal 1994 and \$338,880 in fiscal 1995. The Legislative Council has included approximately \$50,000 over the biennium for code production equipment, miscellaneous office equipment, and computer equipment not contained in the Legislative Branch Central Network budget.

Fiscal 1992 transfers consist of the administrative appropriation to the State Library for reapportionment support services, which is not continued in the 1995 biennium.

Table 2 provides a breakdown of the total Legislative Branch Central Network budget.

In the Legislative Branch Central Network budget: 1) contracted services consists of network service and tape storage charges; 2) supplies represents backup tapes, tape drive cleaners, and other supplies necessary to maintain branch file servers; 3) repair and maintenance includes funds for the network file server, network administrator workstation, and portable computer maintenance costs (hardware repair and maintenance for existing equipment is contained in individual agency budgets); 4) training consists of file server hardware and software training for network administrators; and 5) software and equipment is the level required to implement and maintain the branch-wide network.

Table 2 Legislative Branch Central Network Budget			
Object of Expenditure	FY 1994 Budget	FY 1995 Budget	1995 Biennium Total
Contracted Svcs	\$6,878	\$6,878	\$13,756
Supplies	2,852	2,852	5,704
Repair/Maintenance	13,530	13,530	27,060
Training	5,000	5,000	10,000
Software	56,091	61,090	117,181
Equipment	<u>246,590</u>	<u>277,790</u>	<u>524,380</u>
TOTAL	\$330,941	\$367,140	\$698,081

Table 3 shows the allocation of these costs among the legislative agencies.

Table 3 Legislative Branch Central Network Budget Biennial Totals by Legislative Branch Agency			
Object of Expenditure	Operating Expenses	Equipment	1995 Biennium Total
Legislative Auditor	\$19,404	\$152,595	\$171,999
Legislative Fiscal Analyst	10,414	122,256	132,670
Legislative Council	25,127	200,507	225,634
Environmental Quality Council	75	21,025	21,100
Senate	750	74,394	75,144
House	<u>750</u>	<u>70,784</u>	<u>71,534</u>
TOTAL	\$56,520	\$641,561	\$698,081

In fiscal 1992, the Legislative Council spent \$38,915 of a \$69,530 general fund appropriation for the Legislative Branch Computer Network budget modification. These expenditures are included in the fiscal 1992 columns on the agency and program tables above. The fiscal 1993 general fund appropriation for the Legislative Branch Computer Network modification is \$70,166.