

HB 149 INTRODUCED BY ADDY, ET AL.
REQUIRE SOUND RECORDING OF LEGISLATIVE FLOOR
SESSIONS

1/12	INTRODUCED		
1/12	REFERRED TO RULES		
1/12	FISCAL NOTE REQUESTED		
1/16	FISCAL NOTE RECEIVED		
1/21	HEARING		
1/23	COMMITTEE REPORT--BILL NOT PASSED		
1/24	ADVERSE COMMITTEE REPORT ADOPTED	47	26
1/26	RECONSIDERED ADOPTION OF ADVERSE COMMITTEE REPORT	52	47
1/28	2ND READING NOT PASSED	58	39

1 INTROSUCED BY HB BILL NO. 149
2 Adley
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT
5 LEGISLATIVE COMMITTEE OF THE WHOLE PROCEEDINGS OF
6 LEGISLATIVE SESSIONS BE SOUND RECORDED; ESTABLISHING
7 ARCHIVES FOR SOUND RECORDINGS AT THE MONTANA HISTORICAL
8 SOCIETY; AND AMENDING SECTIONS 2-6-101 AND 5-2-103, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Sound recordings of floor
12 sessions required -- delivery to department. (1) Sound
13 recordings, produced on equipment selected by the department
14 of administration for compatibility with equipment for
15 reproduction by the state archives, must be made by the
16 house and senate journal clerks, assisted by the state
17 archivist, of every committee of the whole proceeding of the
18 senate and house of representatives for each regular and
19 special session of the Montana legislature.

20 (2) Within 10 days after the adjournment sine die of a
21 regular or special session, the house and senate journal
22 clerks shall deliver all sound recordings to the department.

23 NEW SECTION. Section 2. Cataloging of recordings --
24 delivery to state archivist. (1) Pursuant to 2-6-203, the
25 department, assisted by the state archivist, shall catalog

1 the sound recordings required by [section 1] in a manner it
2 considers best suited to carry out the efficient and
3 economical use, maintenance, preservation, and disposition
4 of the recordings.

5 (2) The department shall deliver the cataloged sound
6 recordings to the state archivist. On delivery, the state
7 archivist is the official custodian of the recordings.

8 NEW SECTION. Section 3. Storing and safekeeping of
9 legislative sound recordings. The board of trustees of the
10 Montana historical society shall set apart a suitable room
11 in the buildings under its jurisdiction for the storing and
12 safekeeping of sound recordings of committee of the whole
13 proceedings of legislative sessions.

14 Section 4. Section 2-6-101, MCA, is amended to read:

15 "2-6-101. Definitions. (1) Writings are of two kinds:

- 16 (a) public; and
- 17 (b) private.
- 18 (2) Public writings are:

19 (a) the written acts or records of the acts of the
20 sovereign authority, of official bodies and tribunals, and
21 of public officers, legislative, judicial, and executive,
22 whether of this state, of the United States, of a sister
23 state, or of a foreign country;

24 (b) public records, kept in this state, of private
25 writings, except as provided in 22-1-1103.

1 (3) Public writings are divided into four classes:
 2 (a) laws;
 3 (b) judicial records;
 4 (c) sound recordings;
 5 ~~†~~(d) other official documents;
 6 ~~†~~(e) public records, kept in this state, of private
 7 writings.

8 (4) All other writings are private."

9 Section 5. Section 5-2-103, MCA, is amended to read:

10 "5-2-103. Time and place of meeting. Each regular
 11 session of the legislature shall be convened at the seat of
 12 government at 12 noon on the first Monday of January of each
 13 odd-numbered year or, if January 1 is a Monday, on the first
 14 Wednesday. The legislature shall meet at other times when
 15 convened by the governor or by the written request of a
 16 majority of the legislators or, when the legislature is in
 17 session, by a recorded vote of a majority of the
 18 legislators. All committee of the whole proceedings of the
 19 senate and house of representatives for each regular and
 20 special session of the legislature must be sound recorded
 21 pursuant to [sections 1 through 3]."

22 NEW SECTION. Section 6. Codification instructions.

23 (1) Sections 1 and 2 are intended to be codified as an
 24 integral part of Title 2, chapter 6, part 2, and the
 25 provisions of Title 2, chapter 6, apply to sections 1 and 2.

1 (2) Section 3 is intended to be codified as an
 2 integral part of Title 22, chapter 3, part 2, and the
 3 provisions of Title 22, chapter 3, part 2, apply to section
 4 3.

-End-

STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB149, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring that legislative committee of the whole proceedings of legislative sessions be sound recorded; establishing archives for sound recordings at the Montana Historical Society and amending Section 2-6-101 and 5-2-103, MCA.

ASSUMPTIONS:

1. Quality reel-to-reel tape recorders and tapes are needed to produce archival quality records.
2. Duplicate reference cassette tapes must be produced for public use.
3. Estimate 1460 total hours of House and Senate deliberations of committee.
4. An additional .75 FTE, grade 7 position, would be necessary to duplicate, process, index, store and maintain the tapes.
5. Legislative staff would make the recordings and label the tapes.

FISCAL IMPACT:

	<u>FY88</u>	<u>FY89</u>
<u>Expenditures:</u>		
Personal Services	\$ 10,812	\$ 10,812
Equipment	12,490	0
TOTAL	\$ 23,302	\$ 10,812

Funding:

There would be a general fund cost of \$23,302 in FY88 and \$10,812 in FY89.

Revenues:

N/A

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

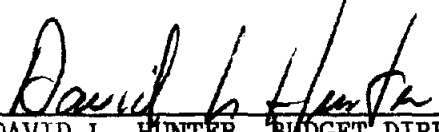
N/A

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

Continuing costs of \$28,084 per biennium for personnel, tapes and storage boxes will be necessary.

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

N/A

 DATE 1/15/87
DAVID L. HUNTER, BUDGET DIRECTOR
Office of Budget and Program Planning

 DATE _____
KELLY ADDY, PRIMARY SPONSOR
Fiscal Note for HB149, as introduced.

HB 149

LC 0337/01
COMMITTEE ON RULES
RECOMMEND DO NOT PASS
ON MOTION, PRINTED AND
PLACED ON SECOND READING

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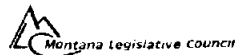
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