

MINUTES

**MONTANA SENATE
57th LEGISLATURE - REGULAR SESSION
COMMITTEE ON LEGISLATIVE ADMINISTRATION**

Call to Order: By **CHAIRMAN DUANE GRIMES**, on March 27, 2001 at 4:30 P.M., in Room 350 Capitol.

ROLL CALL

Members Present:

Sen. Duane Grimes, Chairman (R)
Sen. John Cobb, Vice Chairman (R)
Sen. Tom A. Beck (R)
Sen. Vicki Cocchiarella (D)
Sen. Dan Harrington (D)
Sen. Dale Mahlum (R)
Sen. Mignon Waterman (D)

Members Excused: None.

Members Absent: None.

Staff Present: Lois Menzies, Legislative Branch
Stephen Maly, Legislative Branch
Mary Gay Wells, Committee Secretary

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

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 144, 3/25/2001
Executive Action: HB 144 BCAA

{Tape : 1; Side : A; Approx. Time Counter : 0; Comments : The tape did not work for the hearing. The tape was started at the executive action session.}

HEARING ON HB 144

Sponsor: REP. MARK NOENNIG, HD 9, BILLINGS

Proponents: Jerry Driscoll, Self, Helena
SEN. EMILY STONINGTON, SD 15, Bozeman
Brian Cameron, Representing League of Women
Voters in Montana

Opponents: None

Opening Statement by the Sponsor:

REP. MARK NOENNIG, HD 9, BILLINGS. He testified the bill would establish a state government broadcasting service which would provide gavel to gavel coverage of the legislative and administrative proceedings. The bill would allow an increase in the lobbyists' license fees to support the broadcasting service and would also authorize a general fund loan which would provide appropriations to the Legislative Services Division.

REP. NOENNIG explained the State of Washington was the model for the proposed system which currently provides audio access to all committee hearings. He understood that the Lieutenant Governor of Washington had originally opposed the plan and had since changed his mind, stating that the constituents of the state were in strong support of the system.

REP. NOENNIG commented that the Interim Committee had also looked at the system offered by the State of Minnesota. He reported that the Minnesota House and Senate were recorded by different television stations which created the problem of coordinating broadcast times.

REP. NOENNIG cited it was the unanimous feeling of the interim sub-committee to model the system on the State of Washington. He explained the Legislative Council had been encouraged to prepare the present set-up in the capitol.

According to **REP. NOENNIG**, funding of the system could be a problem. He maintained the long-term distribution system could be transmitted by fiber optic cable, satellite or the internet. He explained that originally 1.3 million dollars had been set aside in appropriations to pay for the television cameras and began the process of negotiating with cable companies. He indicated they were currently looking for grants to add more funding to the project.

REP. NOENNIG offered (HBO14401.alk) **EXHIBIT(les69a01)** as an amendment to HB 144.

Proponents' Testimony:

Jerry Driscoll, representing himself, rose in support of HB 144. **Mr. Driscoll** reasoned the increase in lobbyist fees would be worth the money if it were used to purchase extra speakers.

SEN. EMILY STONINGTON avowed support for HB 144 and informed the committee she had been part of the interim sub-committee that had worked on the project. She believed the proposal had incorporated the best of other plans into a solid choice for Montana. **SEN. STONINGTON** theorized huge opportunities could develop through a legislative broadcasting service. She contended the process would evolve from floor coverage of the House and Senate to committee hearings and supreme court hearings.

Opponents' Testimony: None

Questions from Committee Members and Responses:

SEN. MIGNON WATERMAN wondered if the lobbyist fee would go to the general fund. She also queried if the system would deal with profit or non-profit contributions. **REP. NOENNIG** reiterated that \$50 of the lobbyist fee would go to the general fund and \$100 would go to a special revenue account. He believed the fees would be a non-profit contribution. He reminded the committee that the Washington system was entirely funded by their legislature. He surmised the broadcasting system would have to sell commercial time if the system were deemed a "for profit" corporation.

SEN. JOHN COBB asked how the general fund loan would be repaid. **REP. NOENNIG** affirmed the increase in lobbyist fees would pay for the loan.

SEN. COBB wondered if money saved because of early adjournment could be transferred to this account. **Lois Menzies** reported that this money had been used for other projects in the past.

SEN. VICKI COCCHIARELLA felt the bill addressed the issue of providing audio and visual access to people outside the building. She questioned what the bill would do for providing better access inside the building. **REP. NOENNIG** explained that the original conception had been for televisions throughout the capitol and no

speakers. He contended the speakers were added later with money appropriated from the television appropriations.

Larry Driscoll declared that the televisions at the coffee bar were worthless. He professed his desire, as a lobbyist to add more speakers instead of televisions.

SEN. COCCHIARELLA stated her desire to offer an amendment that would include lobbyist input, on an advisory level, when determining where to place speakers inside the capitol. She handed in a letter requesting such **EXHIBIT (les69a02)**.

CHAIRMAN DUANE GRIMES voiced concerns with a broadcasting system in that things will change. He'll have to buy better suits.

REP. NOENNIG contended the purpose of the cameras would be to allow the citizens a more active role in the legislative process. He cited his belief that the cameras would be forgotten after the first five minutes.

CHAIRMAN GRIMES handed in a letter from the League of Women Voters of Montana **EXHIBIT (les69a03)**. The hearing room had been changed at the last minute and **Brian Cameron**, who had planned on attending the hearing and entering the letter himself, was not at the actual hearing. **CHAIRMAN GRIMES** felt that even though the hearing was over, he wanted the letter entered into the minutes.

The committee adjourned at 5:07 p.m. and was scheduled to meet again after the 5:00 p.m. floor session adjourned.

{Tape : 1; Side : A; Approx. Time Counter : 0; Comments : The committee reconvened at 7:00 p.m. and the tape was running.}

EXECUTIVE ACTION ON HB 144

Motion: SEN. COBB moved that **HB 144 BE AMENDED (EXHIBIT 1)**
HB014401.ALK.

Discussion:

CHAIRMAN GRIMES explained the amendments. It returned the amount back to \$1.3 million dollars to seek grants, gifts, etc. The second part of the amendment added the words "and expend" to follow "seek **and expend** grants, gifts, etc."

Vote: Motion that **TO AMEND HB 144 BE ADOPTED** carried unanimously.

CHAIRMAN GRIMES inquired what the \$1.3 million would be spent on. Would it be primarily equipment or what. **Stephen Maly** responded that it would depend on how much is available. The \$60,000 loan will ensure that someone is raising money and continuing a minimal amount of programming to cover some interim committee activity or other special events. This would keep the system running and the product being generated. The main function for that amount of money is to ensure the money is being raised and a crew of competent people is doing the work. For this session, \$40,000 had been used. When other monies are raised, the principal need would be more infrastructure: cameras and the ability to cover hearings. That is the next stage. The other major component of effort would be to get it to the public. Right now it is a closed circuit. The internet service goes to the campus but not beyond that. It can be very costly depending on how much the private sector wants to give.

CHAIRMAN GRIMES said if there were just enough money to add cameras, is that what the committee would want. He thought if there needed to be any policy set, the committee should do it now.

SEN. COBB wanted to know how much this would cost on a yearly basis when it was up and running. **Mr. Maly** replied that currently other states, like Connecticut who is new to the field, is spending about \$1.5 million per year. They are on a four year budget cycle. At the end of the four years they will decide whether to continue or not. Washington State, Montana's model so to speak, with high quality service, spends about \$3 million per year. However, at least \$1 million of that is an in-kind contribution by AT&T of an allocated channel that is almost statewide. Thinking ahead, that would be the direction Montana should go. By demonstrating the capability to generate the programming in a gavel to gavel style, Montana should entice the cable, satellite provider or telecommunications firms, who do high speed internet, to give them the transmission capacity. That would make the operation here at the capitol cost about \$200,000 for human resources. The infrastructure would be expensive. The cameras that Washington installed cost \$15,000 a piece.

SEN. COBB offered that the state is going to have to put a budget together for the operation of this system.

CHAIRMAN GRIMES was concerned about who would continue to put this together and run it if **Stephen Maly** were to leave. **Lois Menzies** related that **Mr. Maly** has contributed greatly to this operation, but this would not just be a project for only one

person. There would be others who would contribute and take it the next step.

SEN. DALE MAHLUM wondered if advertisement could be sold.

Mr. Maly replied that idea had come up in the study process. There are two basic models. One is a C-span model where industry supports everything. There are two states in the union that operate that way. The rest are publicly funded with either in-house operations or are farmed out to a non-profit. Public television is showing a lot of interest in "enhanced underwriting." Montana PBS shows identifications of corporate sponsors now. That is a possible avenue.

CHAIRMAN GRIMES expressed another concern of what this idea would do to the citizen's legislature. It has been said that would not be a problem and the legislators would forget about the cameras in five minutes. Not everyone is a good public speaker. This is probably the way to go, but it will change the legislature.

SEN. MACK COLE related that when they went to Washington and Minnesota, they did not hear any negative comments about this issue. There are cameras and speakers in the Senate right now and it doesn't seem to make a great deal of difference to the Senators.

SEN. TOM BECK did confirm that on the Senate floor, he forgot that cameras were rolling. He is normally quite shy. He felt that the public would like to have this very much. This would be a way for legislators to get their message out to the public.

SEN. MIGNON WATERMAN declared that Montanans would have a better understanding of the sales tax or other issues if they could see and hear these debates.

SEN. COLE offered that he had a conference over mt.net and the sound was as clear as if they had all been in the same room. When he had been in Washington, they told him that people do tune into the issues that they have an interest in. Sometimes there aren't a lot of people watching. It comes and goes but is available.

Motion/Vote: **SEN. COBB** moved that **HB 144 BE CONCURRED IN AS AMENDED. Motion carried unanimously. Sen. Cole will carry the bill.**

ADJOURNMENT

Adjournment: 7:15 P.M.

SEN. DUANE GRIMES, Chairman

MARY GAY WELLS, Secretary

DG/MW

EXHIBIT (les69aad)