



PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

**SB 310 STEERING COMMITTEE**  
**66th Montana Legislature**

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**Legislative Finance Members**

Sen. Ryan Osmundson  
Sen. Tom Jacobson  
Rep. Ken Holmlund  
Rep. Mike Hopkins  
Rep. Marilyn Ryan

**Legislative Council Members**

Rep. Kim Abbott  
Rep. Wylie Galt  
Sen. Margie MacDonald  
Sen. JP Pomnichowski  
Sen. Jon Sesso (LFC)  
Sen. Fred Thomas

**Committee Staff**

Susan Fox - Executive Director  
Todd Everts - Legal Director  
Fong Hom - Secretary

**MINUTES LOG**

January 14, 2020  
Room 137  
Capitol Building  
Helena, Montana

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**ROLL CALL**

**Members Present:**

Sen. Ryan Osmundson, Chair

**Members Excused:**

Sen. Jon Sesso  
Rep. Ken Holmlund

**Members Absent:**

**Staff Present:**

Susan Fox, Executive Director  
Fong Hom, Secretary

## **Committee Business Summary**

### **CALL TO ORDER/ROLL CALL**

08:04:00 Sen. Ryan Osmundson called the meeting to order at 8:04 a.m. The secretary called roll. Sen. Jon Sesso and Rep. Ken Holmlund were excused.

### **OPENING REMARKS**

08:05:26 Sen. Osmundson gave an overview of the meeting.

### **LEGISLATOR AND PUBLIC COMMENT**

08:06:20 Sen. Dee Brown said that Montana is only one of few states that meet every other year. She believes annual sessions would be good for those who have families.

08:08:36 Sen. Sue Malek said she would like to see a citizen commission. She expressed her concerns about the pay issues.

08:12:16 Sen. Jill Cohenour suggested starting the session later, for example, in February. She also suggested more senior mentoring, hosting another "Legislative Week" during session.

08:16:20 Sen. Diane Sands said that a delayed start of session is a good idea; supports the interim committee process; strengthen the interim committees by adding more more members to the committee. She also likes adding budget members to the committees.

08:22:49 Sen. Ken Bogner said annual session would be beneficial, especially for the freshmen who aren't able to get to Helena. He would reduce session length to 45 days with transmittal occurring at the end of the odd year session. A "Legislative Week" would be more beneficial if done in the fall.

08:25:32 Sen. John Esp said that it makes sense to have annual sessions where you don't have to commit to 4 months away from your business, ranch, or farm. Recruiting good candidates would be easier for people to commit to annual sessions.

08:28:17 Rep. Denley Loge said that the start of the session is where he sees the inefficiencies. One thing that could be changed would be the time where you are sworn in, then hold off everything for about a week so you can draft some bills and those bills could be distributed to committees. When session reconvenes, the committees could go right to work.

08:30:00 Tara Jensen, Co-Director, Montana Budget & Policy Center, said that annual sessions would be a monumental change. She encouraged a deep analysis on how other states run their annual sessions. If you move to a budget session and a policy session, you will still run into issues around predictability of budgeting and volatility of revenue.

08:33:54 Eric Feaver, Montana Federation of Public Employees, said that it was the vote of the people that established the biennial sessions in odd-numbered years for 90 days.

08:34:58 Rep. Willis Curdy said that seeing what it takes to be a legislator and the time commitment, he has moved to favoring biennial sessions. He also said that there is a need to strengthen interim committees.

08:38:55 Sen. Doug Kary said that it would be beneficial to bring the newbies to Helena to participate in a mock budget session. He also said that annual sessions would benefit the state of Montana.

08:41:25 Rep. Rodney Garcia said that he would like a 50-day annual session, one for budget bills and one for policy bills.

08:42:43 Sen. Mary Ann Dunwell said that she isn't sure that legislative improvement points towards whether there are annual sessions or whether it is 45 days a year. She would like to open the process to the public.

08:50:19 Sen. Fred Thomas and Sen. Kary discussed the 2017 Special Session and the major legislature dealing with the budget.

08:55:45 Sen. JP Pomnichowski said that the 2017 Special Session over the projected budget shortfall could not have been done one or two months later. The timing was such that we needed to convene and pass a budget solution and so it could not have been completed two months later.

08:56:10 Rep. Marilyn Ryan asked how a shorter session would be beneficial to members unless there is an educational component that is tied in early. What is it about an annual session that would make it easier for a new delegate.

08:57:03 Sen. Kary said during the first session that should be a budget session where you have new members come up and are being introduced to the other members, they go through orientation, and then they only deal with budget. Those new members get to see the budget bills and they get to experience committee meetings first-hand. When they leave, they only know the budget because that is all that they worked on. They will have almost an entire year to gather information and to craft legislation.

08:59:19 Sen. Margie MacDonald and Sen. Diane Sands discussed building on the interim process to include more cross pollination between budget and policy. Interim committees should spend more time on understanding the budget.

09:02:19 Sen. MacDonald asked how Sen. Sands sees annual sessions impacting the kinds of thoughtful, less highly charged partisan engagement that occurs during the interim.

09:03:12 Sen. Sands said that having annual sessions would disempower and make it more difficult to have the kind of institutional memory, the expertise around issues, and the process that are created through interim committees. She said that she was not in favor of annual sessions and she thinks that we need to invest in the development of expertise in terms of skills and content knowledge and that is best done during the interim committee process. Sen. Sands spoke to former legislators who believed that annual sessions would be detrimental to interim committees.

09:04:39 Sen. MacDonald commented on how term limits have impacted the Legislature. She asked Sen. Sands how the calendar can be managed to

compensate or mitigate against the changes that have come about due to term limits.

- 09:06:05 Sen. Sands said that those people who were on the budget committee made a difference in a way that none of us really do anymore because of that lack of institutional knowledge. They bring a different level of weight and expertise to the forming of the budget as well as policy that we are not going to see again because of term limits. We have to find strategies that work with term limits. Budget training for all was helpful in the past. Understanding administrative rules as a tool. How to use staff for research and some partisan staff in the interim. Delaying session for a month.
- 09:10:35 Sen. Thomas asked Sen. Sands about her discussion about work on interim committees. If you take that interim work which is for the next session, how do we make this next legislature the best one. He is torn with the thought that the interim committee's work would be for the next legislative body, and how do we deal with the one that we are currently in and how do we make it as best as we can.
- 09:12:22 Sen. Sands said that the interim process of having multiple meetings in multiple places gives legislators more insight, bringing in expertise, the ability of the public to participate is improved through the interim process.
- 09:16:59 Sen. Kary asked Sen. Sands if new legislators would be assigned to all the budget committees. Sen. Sands said that the impact would be on people who would be willing to run and serve.
- 09:19:24 Sen. Pomnichowski said in conversations with legislators on annual sessions or budgeting or changing budget and policy committees, she has had discussions on the way we silo ourselves between purely policy committees and purely budget.
- 09:22:41 Sen. Cohenour said that her comment is a follow up to Sen. Thomas' discussion on how to strengthen the process between now and the next session and still abide by the fact that the people voted for biennial sessions. That is a mandate that we should take into the interim process. Having the budget people on those committees to assist policy committees should be something that leadership should look to for every interim. Meeting around the state is important. She doesn't understand how to do that if we were meeting annually.
- 09:26:04 Sen. Al Olszewski said said that we are hearing so much about the importance of putting budget people on policy committees. The truth is, we need to put policy people on budget committees.
- 09:27:22 Sen. Bruce Gillespie said that it is useful to make serving and running as user-friendly as possible. It is easier to get away for two months every year than for four months every other year; but, he wants to be fiscally conservative and it costs a lot to put on a session. The costs of a session would be on the negative side.
- 09:28:59 Rep. Katie Sullivan said it would be great to be in both policy and budget committees.

- 09:30:15 Rep. Laurie Bishop said that interim work is valuable and having data around the efficacy of legislation that comes out of the interim as opposed to just making statements about it would be helpful to the committee.
- 09:34:25 Rep. Dunwell supports integrating the policy and budget pieces. She likes the idea of repealing term limits.
- 09:39:45 Rep. Dave Fern said that if we go down the road of annual sessions, you must show fidelity towards the constitution and if any changes are necessary to move to a biennial session, we need to take into consideration the restrictions we have and the adjustments we have to make within our constitution. If we keep the status quo, let's consider the value of this Legislative Week and what we are doing and why we are trying to do it and build on it continually. If annual sessions are adopted, the content should be restricted to either policy, fiscal year to year, and retain some semblance of the interim committee structure.
- 09:45:31 Sen. Dick Barrett said his sense is that we have locked ourselves into a process which is a one-way street, which is, we look at a policy, it comes to the body, the body approves it, it goes to the Finance Committee, and then the budget committee really has very few options, it's either yes or no, or we can afford this or we can't afford this. The role of the budget committee is just to prioritize the use of our resources. They should not be limited to just the decision to approve or not approve based on the fiscal note. There should be a way that the budget committee, instead of just saying up or down on a policy based on the fiscal note, there should be a way for the budget committee to go back to the policy committee and say, do you think this is a good idea, we don't have enough money to do it the way you are proposing. It seems to him that in thinking about this process going into the future, whatever you do in terms of mixing and matching memberships of these policy and budget committees, we should get away from this automatic thing that says a policy bill with a fiscal note gets referred to the budget committee and the budget committee says yes or no. It should be a back and forth process.
- 09:48:17 Rep. Jasmine Krotkov addressed Sen. Thomas' question on how to support the first-term legislators when they first get to session. She would like to see more mentoring.
- 09:50:26 Jaime MacNaughton said that if the Legislature went to annual sessions, that would impact lobbyists reporting and disclosure to the Commissioner of Political Practices Office. It would also impact candidates running for office. She prefers biennial sessions. She commented on interim committees holding meetings off-site. It is important that the vote goes to the people of Montana.
- 09:54:23 Sen. Cary Smith said that those people that are on policy committees need to have an understanding of what is going on in the budget committees.
- 09:56:29 Sen. Duane Ackney talked about putting up reader boards in the House and Senate. He also said that he likes annual sessions and discussed limiting the number of bills that can be introduced.

09:58:17 Rep. Mary Caferro said she doesn't see how annual sessions would change the silo. She asked about the costs of putting on a session, and the time commitment for people running for office. She said she does not support annual sessions.

10:00:38 Rep. Chris Pope said annual sessions should be constitutionally mandated.

**ADJOURNMENT**

10:02:03 Sen. Osmundson adjourned the meeting at 10:02 a.m.

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