

APPENDICES

Scenario #1: Virtual Session -- Phase I

Under this scenario, the vast majority of legislators participate remotely, primarily from home, with a few exceptions. Generally, fewer than 25 staff and legislators (Groups no greater than 10) would be in the Capitol for each legislative day. It is anticipated that most Legislative leadership would be in the building. Most staff would not be in the building. Public participation would be remote. This option assumes that during the 2021 Legislative Session, legislation and amendments are distributed electronically. It assumes public participation is virtual only.

Decision Point:

- ✓ What protocols for testing and for symptomatic persons in the Capitol Building need to be adopted?
- ✓ Legislative Services Division Information Technology is planning to provide a suite of applications that legislators would install on their own devices
 - Currently, IT staff manage an average of 3 devices per legislator (get device on the network, help load email applications, and other support as requested), so in some cases one legislator may have a tablet, cell phone, and a PC. A primary device would need to be designated to determine what device is supported. Leadership could limit the number of devices per legislator to reduce costs and impact on support resources.
 - Currently and for next session, legislators are offered a “mtleg.gov” email address that is managed by IT. Usage of these addresses is not uniform. Legislators have historically shown a preference to use their own personal devices as opposed to state-issued devices, which requires regular changes in passwords and two-step authentication. Legislators will need to have either a state-issued email account or provide a primary email address. This would allow a legislator to use their existing or new device and have legislative applications along with their personal applications.
 - Legislators will be provided with web-based links to access "virtual legislator" applications and will be provided a thumb-drive to install specific applications on a personal device. Local IT support could be reimbursed, and remote IT support would be available. Certain programs in the applications provided to legislators include: Zoom, Teams, Email, Chrome, remote voting, multifactor authentication application, Legislator Portal (tent.), etc.
 - Decisions needed to implement include:
 - Security requirements and protocols (multifactor authentication, passwords)
 - Increases in legislative technology allowances to purchase or upgrade existing devices? This option may require a statutory change, and a new appropriation adopted.
 - Provide protocols for virtual voting and authentication.
 - Time in November-December for testing applications with individual legislators (and request holdovers and unopposed legislators to take part in October)?

- Plan time in November-December for testing to ensure proper Internet connections (and request holdovers and unopposed legislators to take part in October)?
- Provide checklist to or contact legislators to check that their own existing or new devices meet requirements to ensure participation?
- Purchase printers/paper for legislators participating virtually?

Legislative Process

➤ Swearing-in and Call to Order

- Snapshot of legal requirements: See [Applicable Remote Session Constitutional, Statutory, and Legislative Rule Provisions](#)
- Options to meet legal requirements
 - If continuity of the Legislature is severely compromised during a disaster/emergency, leadership from each chamber may be present in the Capitol building and electronically swear-in the members in each house remotely and call to order each chamber if a majority of members in each house were electronically present.
 - A majority of members of each house are in Helena and in the chambers (and galleries) for swearing in. If members must be sworn in remotely, a process will be developed to assure that the proper paperwork is submitted.
 - Alternate days are used for swearing in and call to order of the two bodies to reduce numbers in the building.
 - A majority of members in each house convene in Helena outside of the Capitol building in facilities that allow for social distancing.
 - Other options?

➤ Adoption of Session Rules

- Snapshot of legal requirements: See [Applicable Remote Session Constitutional, Statutory, and Legislative Rule Provisions](#)
- Options to meet legal requirements
 - Rules committees meet prior to start of session to outline requirements and draft rules for virtual participation. This could be a remote or hybrid meeting. Rules are adopted promptly after swearing-in to allow for new processes.
 - Rules provide parameters and protocols for remote participation and/or use of sites off campus.
 - Other options?

➤ Length of session and/or timing of session

- Snapshot of legal requirements: See [Applicable Remote Session Constitutional, Statutory, and Legislative Rule Provisions](#)
- Options to meet legal requirements:
 - A shortened session, with limitations on what committees meet and what business is covered is agreed to by leadership and incorporated into rules.
 - Session days occur intermittently or on a schedule determined by leadership.
 - House and Senate meet on alternate days in the House chambers, allowing the Senate to be used as meeting space.
 - Other Options?

➤ **Legislation**

○ Bills

- In a virtual setting, staff could draft and process the 1,000-1,500 proposals typically introduced in a regular session. Scheduling and hearing that many proposals would be a challenge but could be accomplished with additional session staff and likely remote locations around the Capitol complex and/or Helena or around the state.

○ Options for drafting, picking up, and introducing legislation

- Rules could be adopted to limit the number of bills each member can request and/or introduce. Options for additional drafts, with the approval of majority and minority leadership, could be developed.
- Bill drafters could follow up with a legislator by phone or email or other remote applications after receiving a bill draft request.
- Research work and drafts could be provided to members by emailing PDFs of the document, followed up by an email or phone call to ensure receipt and respond to any additional requests.
- Leadership would likely be in the Capitol. Options for majority and minority leadership to pick up and put bills for introduction in the hopper could be established.
- Other Options?

○ Committee Hearings

- In an entirely virtual setting, it would be challenging for all of the budget subcommittees, the 13 permanent, parallel standing committees, House Appropriations, and Senate Finance and Claims to all meet based on current rules, with all of those meetings broadcast live and/or streamed on the website. Technologically, all committee rooms and both chambers will have remote capability and be able to be video-streamed from the legislative website. However, with modified schedules, and additional session staffing, funding, and potential meeting locations it could be achieved.

○ Options for limiting committee hearings

- Rules could be adopted to alter committee schedules or to reduce the number of committees. This could, in part, be addressed based on bill draft limitations, if enacted.
- Depending on the number of legislators who are remote or in the building, committee sizes may need to be limited.
- Rule changes and funding could provide for additional virtual meeting places around the Helena campus and additional session staff to assist with those meetings.
- Other Options?

➤ **Legislative Action**

○ Quorum

○ Options for establishing Quorum

- A member would be considered "present" when calculating a quorum if the member is:
 - participating in a floor session in person; or
 - participating remotely in a floor session and able to communicate electronically using approved video/audio conferencing and remote voting software.
- The journal of the day's proceedings could include the name of each member remotely participating on that day.
- The quorum for convening could be ascertained by a verbal roll call or vote, and

attendance could be recorded by the Secretary and the Chief Clerk.

- Floor Action
 - In a virtual setting, rules may need to be adopted to establish a procedure by which members certify the accuracy of the members' votes. In other states, they have used a roll call vote with a visual confirmation, and some states follow up with the vote sheet and having a legislator certify that that was their true and correct vote
- Options for voting
 - Electronic options, or apps, could be used for floor votes. Currently, International Roll Call is installing a remote voting option to the House and Senate voting systems for use by legislators remotely using a secure web link. Two-factor authentication is required. Procedures would have to be developed to coordinate the remote voting and videoconferencing applications.
 - The identity of each member participating remotely could be verified through multifactor authentication. This process could be accomplished as follows:
 - The member participating remotely logs into the video conferencing software program. This process could serve as the initial verification of the member's identity.
 - The use of the video conferencing software's video capabilities could serve as a second method to verify the member's identity. A member who is participating remotely would be asked to turn on the conferencing software's video capabilities; however, if technical difficulties or insufficient internet bandwidth make it impossible for the remotely participating member's video to be shown, the prior method of authentication could be sufficient to authenticate the members' identity and actions and they still may participate remotely in the session.
 - Voice votes could be used from a remote setting with authentication in place. The Vote Clerk could call the names of those who do not vote via the voting machine. The vote clerk could enter the vote into the voting system. After all members have voted, the Speaker/President could call for the voting machine to be closed and announce the vote.
 - Other options?
- Committee Action
 - Traditional roll call voice votes should be sufficient. The committee secretary would record the votes with the new system which incorporates them into the minutes and makes them available to the Secretary of the Senate and Chief Clerk.

Decision Point:

- ✓ What modifications are needed in the legislative process to function properly in a virtual setting?
 - Length and timing of session?
 - Floor session and committee scheduling?
 - Limitations on bill drafts or hearings? Changes in location and/or additional staff?
 - Authentication of members' actions is necessary.

Public Participation

- Public, media, and lobbyist participation
 - Legal requirements: Public participation is constitutionally required. Audio and video streaming of legislative session proceedings and committee hearings and virtual public involvement would allow the public to participate in the legislative process and comply with constitutional requirements. Current rules require testimony from proponents, opponents, and informational witnesses allowed on every bill or resolution.
 - Options to meet legal requirements
 - Revise rules to allow or require virtual public participation.
 - Public access and participation in legislative activities includes all members of the public, lobbyists, and media. Is media treated the same as the public?
 - Access to the press rooms in the Capitol Building is granted by the Executive Branch and would not be affected.
 - All meetings and floor sessions are streamed live on www.leg.mt.gov and one hearing or floor session is broadcast on the Montana Public Affairs Network (MPAN) to view only.
 - Public testimony could be taken through the remote application. To participate, the public could email a staffer with their name and a request to testify. Staff could send a calendar invite with instructions for joining and participating. This would require at least 1 day of lag before each hearing. This may require additional staffing.
 - Each committee also could provide for oral public comment on the agenda. Rules may need to specify that testimony received via email will be entered into the record (minutes).
 - The information desk could be converted to be electronic, delivering messages by email. We are currently working on the ability to upload public comments and the web messages to be enabled to send to a committee.
 - Other options?

Decision Point:

- ✓ For this scenario, is it acceptable to allow only virtual public participation by the methods described above? Are their additional methods necessary?
- ✓ If not, what testing and protocols for symptomatic persons in the Capitol Building need to be adopted?

Staffing

- In a virtual setting, there would be an increased demand for IT assistance and staffing. Regular LSD and LFD staff also could continue to participate remotely.

- In an entirely virtual setting, each committee would likely need three staffers. A committee staffer, a virtual room manager, and a secretary. As discussed above, to staff all committees at this level would require additional funding to hire additional, temporary staff.
- Regular meeting staffers would be able to prepare bills, prepare amendments as in the past and with an additional session staffer to manage virtual meeting links and public participation for each meeting in coordination with the committee secretary and presiding officer.
- Options for staffing committees
 - Committee staff, a virtual meeting manager, and a secretary could participate remotely.
 - One staffer may be required to participate in-person, but this may be limited if staffer is one of the categories that makes them vulnerable or unable to attend in person.
 - Other Options?
- Options for chamber floor staffing
 - In a virtual or hybrid setting, identifying which "rostrum" staff would be needed in person and identifying which session staff could conduct their role remotely is necessary. The new Chamber applications will allow many staffers to work from their office or remotely.

Decision Point:

- Safe workplace policies may need to be adopted for permanent staff by the staff directors and policies for the senate and House staff and legislators.

Facilities and Technology

- **In a virtual setting Legislative leadership and a limited number of staff would still be needed in the building.**
 - Options for determining who should be in the building
 - Leadership could determine who from their caucus would be in the building and work with the Secretary and Chief Clerk to determine what session staff would be in the building.
 - The LSD Executive Director and Legislative Fiscal Analyst, in consultation with the management team, would determine what nonpartisan staff would be in the building. Committee presiding officers, secretaries, and virtual room managers would need to be trained and informed of the new processes.
 - Other options?
 - General Technology Procedures
 - Each member should make themselves available to IT staff to test equipment and software. Leadership could require members to participate in training and/or practice sessions which has been successful in other legislatures. Mock sessions are also highly recommended.
 - Members who have concerns about their ability to participate remotely due to their internet network or technology issues could be encouraged to:
 - Contact your service provider;
 - Access technology to get a better signal;
 - Find a location with a better connection;
 - Participate from a Helena location.

- Legislators may need additional funding for this (for example additional money to rent a location with a better connection).
- Staff would make every effort to connect members participating remotely. However, if a technological connection is deemed to not be possible, action could proceed without that member's participation, and the presiding officer could mark the member as "excused" for roll call and voting.
- To the extent possible, members could be asked to participate from a fixed location that appears professional and has a reliable internet connection. Alternate locations such as libraries or other public buildings could be arranged as needed.
- For committee meetings, the usual hearing scheduling process would be used. The secretary and remote room manager would coordinate. If public wished to speak, they must make a request via email. Information on proponents, opponents and informational testimony could be obtained in the request process for the presiding officer to gauge whether time limits are necessary. The presiding officer would direct the meeting and when ready, ask the remote room manager who is wishing to testify.
- Any Q&A function could be disabled in Zoom setting and be conducted using the ordinary committee and testimony processes.
- The committees' websites and LAWS could be used to distribute amendments and other materials. If the chat feature is used, members and staff would need to be aware that they are creating a public record by using this feature.
- For remote participation, multifactor authentications and certain applications must be mandatory.

Decision Point:

- ✓ What level of facility and technological support would be needed in a largely virtual setting?

Scenario #2: Hybrid, Virtual Session -- Phase II

Under this scenario, legislators and staff have the option of participating remotely from their home or remotely from other locations in Helena, or even around the Capitol building. It also includes a limited number of legislators in the building. To maintain social distancing, about 50-100 legislators and staff likely would be in the building for the duration of each legislative day (groups no larger than 50 or plans to allow for social distancing are advised). Under this option, committees are paperless, unless specific requests are made. The House and Senate clerks determine the use of paper in the chambers. To limit the numbers in the building, the public, including lobbyists and the media, participate remotely in legislative activities.

Decision Point:

- ✓ As outlined under scenario #1, leadership would need to determine the applications legislators install on their own devices. Security protocols would need to be adopted.
- ✓ Each chamber could change the rules to allow the leadership of that chamber to adopt regulations related to remote participation or adopt joint rules for a consistent procedure for the whole legislature.
- ✓ Prior to participating remotely, rules could be adopted, for example, a member could be required to notify the caucus leader and/or the Secretary of the Senate or Chief Clerk of the member's intent to participate remotely.
- ✓ What testing and protocols for symptomatic persons in the Capitol Building need to be adopted?

Legislative Process

- **See Scenario #1**
- **Legislation**
- Bill Drafting
 - See Scenario #1
- Options for drafting, picking up, and introducing legislation
 - Bill drafters could follow up with a legislator by phone or email or other remote application after receiving a bill draft request. Drafters could also keep limited in-office hours posted for meetings with legislators and stakeholders. Meetings would be subject to social distancing requirements.
 - Research work and bill drafts could be provided to members by emailing PDFs of the document, followed up by an email or phone call or other remote application to ensure receipt and respond to any additional requests. Hardcopies of bill drafts could be provided to those members maintaining office space in the Capitol.
 - Options for those in Helena to pick up and put bills for introduction in the hopper for remote participants could be established in rule.
 - Other Options?
- Committee Hearings

- **See Scenario #1**
- Options for limiting committee hearings
 - Rules could be adopted to alter committee schedules or to reduce the number of committees. This could, in part, be addressed based on bill draft limitations, if enacted.
 - If committee size is maintained, larger meeting rooms inside the Capitol would require scheduling and room changes and other meeting rooms outside the Capitol could be rented for committee meetings. This would also require additional funding.
 - Committee size and/or virtual participation vs. in-room participation could be addressed through appointments by the Speaker and the Senate Committee on Committees.
 - To limit the possible spread of contagions carried on paper, paper copies of bills and amendments could be limited and be handled by as few persons as possible, potential printing on demand or upon request. (This may require a rule change.)
 - Remote participation and written testimony from witnesses would be required. The ability to upload written testimony in addition to email messages is being explored.
 - Special consideration to address the presence of media in the Capitol building or on the chamber floors could be given by leadership. Access to the press rooms is granted by the Executive Branch and would not be affected.
 - Certain witnesses could be invited to participate in the building. If invited in the building or the committee rooms, the following should be considered:
 - A decision would be needed from leadership to determine who (chair, vice-chair, leadership?) issues and approves an invitation to participate in-person.
 - Invited witnesses could be asked not to provide paper handouts or to provide only one copy for electronic distribution to members. Members of the public could be directed to distribute materials to committee members only through email or webform to staff and/or members directly.
 - Invited witnesses could be required to stand at a microphone to eliminate having to disinfect the witness chairs and tables between witnesses.
 - Alternate day schedules for House and Senate and class of committee may be advised.
 - Other Options?
- **Legislative Action**
- Quorum
 - See Scenario #1
- Committee and Floor Action
 - See Scenario #1
 - Additional options for floor action
 - Members could have the choice of either sitting at their desks, sitting in the gallery, or participating remotely under certain conditions, potentially from their offices.
 - The Chief Clerk in the House and Secretary of the Senate could make the new seating charts in consultation with caucus leadership. Remote participation would need to be established prior to the start of session by each caucus.
 - Included in the mix above, members could participate remotely from locations in Helena outside the Capitol.

- Temperature testing and COVID testing requirements and protocols would need to be planned for, adopted, potentially funded, and a mechanism for enforcement developed. Members experiencing symptoms or at high-risk of serious illness from COVID- 19 would be required to stay home and notify and coordinate through their leadership.
- Aides and staff not essential for the floor session would not be allowed on the floor to allow for social distancing.
- Floor amendments could be displayed upon request on the screen in the chamber. Floor amendments also could be made available on the website before they are moved. Remotely participating members could access amendments through the website or other electronic means (remote voting system, legislator portal).
- In the chamber, members and staff could be encouraged not to use paper whenever possible. The Chief Clerk in the House and the Secretary of the Senate could determine protocols regarding materials that are printed and distributed.
- Other options?

Decision Point:

- ✓ What modifications are needed in the legislative process to function properly in a hybrid setting?
 - Regulation of remote participation?
 - Length and timing of session?
 - Limitations on bill drafts, committee size, or hearings? Changes in location and/or additional staff?
 - Authentication of remotely participating members' votes and other actions are necessary.

Public Participation

- **Public Participation**
 - Legal requirements: See Scenario #1
 - Options to meet legal requirement.
 - The public could be required to participate remotely (through a Zoom link) as they currently do under the Phase II interim committee guidelines.
 - The information desk could be converted to be electronic, based on emails.
- **Media Participation**
 - Legal requirements: See Scenario #1
 - Options to meet legal requirements
 - Members of the media would be considered public and be expected to participate remotely in legislative proceedings. Access to the press rooms is granted by the Executive Branch and would not be affected. In order to meet legal requirements, all legislative actions will be streamed, recorded, and when appropriate, remote participation would be allowed.
- **Lobbyist Participation**
 - Legal requirements: See Scenario #1
 - Options to meet legal requirements
 - Lobbyists, like the public, would be required to participate remotely (through a

Zoom link) as they currently do under the Phase II interim committee guidelines.

Decision Point:

- ✓ What level of public participation should be allowed in a hybrid, virtual setting and how should that participation occur? State and local guidelines may restrict the number of people that are allowed in a gathering and guidance would need to be sought to determine whether that applies within a chamber or legislative meeting room, or to public or other areas of the Capitol in particular.
- ✓ Enforcement protocols would need to be solidified, taking into consideration the various roles of persons in the building and the type of situation and space involved. Enforcement: Sergeant-at-Arms, Securitas (facilities only), Montana Highway Patrol (contract with GSD), Lewis and Clark County Public Health Department, Helena Police Department.

Staffing

- In a hybrid, virtual setting, there would be an increased demand for IT assistance and staffing. Regular LSD and LFD staff also would participate both remotely and in the building.
- **See Scenario #1**
- Options for staffing committees
 - In a hybrid, virtual setting, each committee would likely need three staffers. A committee staffer, a virtual room manager, and a secretary.
 - If feasible, committees could be staffed by a minimum of one in-person staffer. Committee secretaries could work remotely to allow for additional space in the meeting room.
 - Additional LSD staff and IT staff would need to be available, either in person or remotely, to assist the committee with remote participation. This may require additional staff and additional funding. It is unlikely that all committees could meet as currently scheduled.
 - Fiscal analysts could generally work remotely and be available to answer economic, fiscal policy, and forecast-related questions via phone, email, or video conferencing.
 - The page program should be discussed and limited in some capacity; page duties may be different in a hybrid, virtual setting.
 - Other Options?

Facilities and Technology

- In a hybrid, virtual setting, requirements for personal protections, health screenings, and social distancing guidelines are necessary for those in the building. Protocols for committee meetings and floor proceedings would be necessary but on a smaller scale than in a hybrid, socially distanced setting.
- Options for social distancing guidelines
 - LSD management could explore schedules, with staff working from home part of the day and in the building part of the day. This may require additional discussion about transportation to and from the Capitol and parking.
 - See Scenario #3

- Other options?
- General Technology Procedures
 - See Scenario #1
 - Other options?

Decision Point:

- ✓ What requirements for personal protections, health screenings, testing, and social distancing guidelines are necessary?
 - Protocols for committee meetings?
 - Protocols for floor proceedings?
 - Differences for legislators, staff, public, media?

DRAFT

Scenario #3: Hybrid, Socially Distanced Session -- Phase II

Under this scenario, legislators, witnesses, and the public are provided with the option of participating remotely or in person. While some participate in the building, others participate remotely from home or from a few set locations in Helena. Increased in-person, public participation is allowed. And between 250-500 are in the Capitol throughout a legislative day. Groups should be limited to 50 persons in areas open to the public. To maintain social distancing, the timing of various activities throughout the day would need attention. Sergeants would need to enforce social distancing and maintain a consistent count and inventory of people participating in committee hearings and/or floor sessions. Social distancing may require use of the galleries for legislators which may limit the areas available to the public. Under this option, paper copies are only provided in committees and during floor sessions for in-person attendees. Amendments and bill information continues to be posted on a website or accessed through a portal for remote participants.

Legislative Process

- **Swearing-in and Call to Order**
 - Modifications to the chambers would be necessary so 100 House members and 50 Senators could be 6-feet apart. This could be accomplished through use of remote technology either inside or outside the chamber and use of the galleries. Some virtual participation may be necessary.
 - Options for Swearing-in
 - Spacing, including legislators participating from the gallery, could be pursued.
 - Plexi-glass dividers and mask requirements could be implemented on the chamber floors.
 - Limits on guests and/or options for virtual interaction could be established. Options for family members to take part virtually could be explored.
- **Adoption of Session Rules**
 - See Scenario #1
- **Length of session and/or timing of session**
 - See Scenario #1
- **Legislation**
 - Bill Drafting
 - Bill drafting would be unaffected.
 - Committee Hearings
 - With social distancing requirements, the size of committees or the number of members participating in-person would need to be revisited. Social distancing would not allow for 20+ person committees to meet in the Capitol rooms and a high-volume of in-person public participation. Use of the chamber floors for larger committees could be considered.
 - If committee size is maintained, larger meeting rooms outside the Capitol could be rented for committee meetings. This would also require additional funding.

- Maintaining both remote and hybrid capability could lessen the stress on room size and social distancing.
- Options for limiting committee hearings
 - See Scenario #2
 - Other Options?
- **Legislative Action**
- Quorum
 - A quorum of members could likely be socially distanced on the floor of each chamber; however, a few members could be seated in the gallery.
- Committee and Floor Action
 - See Scenarios #1 and #2

Decision Point:

- ✓ What modifications are needed in the legislative process to function properly in a session with social distancing in place?
 - Timing and scheduling of activities? Additional meeting locations and funding?
 - Reduction in committee size or number of committees?

Public Participation

- **Public Participation**
 - Legal requirements: See Scenario #1
 - Options to meet legal requirement.
 - Public committee testimony and participation would still occur, however access to the committee rooms would need to be limited to allow for social distancing. Overflow rooms could be available, although compliance with social distancing guidelines and the number of committees meeting (if all committees regularly meet in the Capitol, overflow rooms are unavailable) may limit the number of people who can be admitted at one time to these rooms or limit the number of committees that can meet. The public could be encouraged to listen and submit testimony online.
 - The public could be allowed to participate remotely (through a Zoom link) as they currently do under the Phase II interim committee guidelines.
 - Members of the public could have space available to them in the gallery in the House and Senate chambers that follows social distancing guidelines.
 - Compliance with social distancing guidelines may limit the number of members of the public who can be admitted at one time. Sergeants could be asked to keep a count of the number of people entering the gallery area and remind people about distancing requirements.
 - All members of the public could be required to follow health and social distancing guidelines, including wearing a face covering.
 - Microphones that are used for public testimony could be covered using disposable socks and participants could be asked to adjust microphones with a fresh tissue.

- The information desk could be converted to be electronic, based on emails.

➤ **Media Participation**

- Legal requirements: See Scenario #1
- Options to meet legal requirements
 - Members of the media could be kept off the chamber floors and have space reserved in the gallery that follows social distancing guidelines. There are sound ports in the Senate gallery that would allow the same feed that some access now. Compliance with social distancing guidelines may limit the number of members of the media who may be admitted at one time on either the chamber floor or gallery.

➤ **Lobbyist Participation**

- Legal requirements: See Scenario #1
- Options to meet legal requirements
 - Lobbyists, like the public, could be allowed to participate remotely (through a Zoom link) as they currently do under the Phase II interim committee guidelines.
 - During floor work, if there is not enough room in the gallery, members of the public and lobbyists could be allowed to watch floor proceedings in the Old Supreme Court Chambers or other meeting rooms. Compliance with social distancing guidelines could limit the number of people allowed in a room..

Decision Point:

- ✓ What level of public participation should be allowed in a hybrid, socially distanced setting and how should that participation occur?
- ✓ Enforcement protocols would need to be solidified, taking into consideration the various roles of persons in the building and the type of situation.

Staffing

- With social distancing, limitations on the number of session and full-time staff in the building would need to be discussed.
 - Committee secretaries and committee staff could generally be in the room during meetings, but remote capability would be available.
 - LSD management could explore schedules, with staff working from home part of the day and in the building part of the day. This may require additional discussion about transportation to and from the Capitol and parking.
 - Regular session staff could be maintained. Offices outside the Capitol may need to be explored or options for rotating schedules to limit people in the building.
 - Rostrum staff would also be in the chambers. But scheduling options could be explored to allow people to work from home as well.
 - The page program would continue; however, there could be limits placed on the number of pages.

Facilities and Technology

With a hybrid, socially distanced session, extensive requirements for social distancing guidelines need to be developed for the public areas of the building at least, and recommended to adopt protocols for committee meetings and floor proceedings.

➤ Options for public protections:

- Separate protocols for legislators and legislative staff, and the public should be developed. Coordination with the Executive branch would be necessary for the public areas of the Capitol Building. Coordination with the division directors, Secretary of the Senate and Chief Clerk would be necessary for legislative staff. Leadership would be encouraged to communicate with caucuses about protocols.
- Health screenings could be provided at the main entrances. If temperature checks are administered, anyone with a temperature over 100.4 would be asked to leave. If they are experiencing any symptoms, they would be asked to leave. As ever, enforcement of this policy will require support by leadership.
- Anyone who is at high-risk of serious illness from COVID-19 or who is experiencing symptoms (including fever, cough, general aches and pains, and fatigue) could be asked to stay home and not come to the Capitol. Remote accommodations would be made as discussed for legislators, staff, and the public.
- Members and staff could be asked to wear masks or facial coverings that they bring from home. Members of the public could be asked to wear masks or facial coverings that they bring from home. Masks could be nonmedical grade. Additional masks could be made available for members, staff, and others, if needed.
- Members and staff could be asked to wear gloves when handling papers and other materials, which could be made available upon request.
- Hand sanitizer could be placed in the chambers, committee rooms, and in public areas.
- If possible, everyone in the building could be asked to carry sanitizing wipes for door handles, faucets, and other high-contact items.
- Everyone could be encouraged to bring their own water, food, etc. Communal water coolers could be removed to decrease high contact items.
- Signage on restrooms about occupancy and cleaning could be posted.
- Tissues could be placed by the elevators to be used to push the buttons.

➤ Options for social distancing in the chambers and committees

- Should microphone coverings be pursued, for only public microphones? (Note: there is now a microphone at each legislator's desk on the floor.)
- Staff could prop open doors to the chambers and meeting rooms so that no one needs to touch doorknobs. Everyone in the chambers could be especially mindful of the items that they handle.
 - If the chamber or committee recesses, session staff could sanitize surfaces and items that persons frequently contact. IT staff must be involved in the disinfection of any state-owned electronics.
 - Cleaning could be conducted in meeting rooms each morning and afternoon.
 - Plexiglas partitions could be ordered and placed between members' desks where 6-foot social distancing is not feasible.

- Other options?
- Options for health screenings - explore testing options?
 - All public entering the building could undergo a health screening, including a temperature check. All members of the public could enter the building through the South Side entrance in a line which follows social distancing protocols.
 - The North Side entrance could be open as a staff and member entrance, with voluntary health checks for legislators only.
 - A fever is 100.4 or higher is a symptom of the coronavirus. Anyone whose temperature is over 100.4 could be given health recommendations, be sent home, and given information about how to participate in the legislative process remotely.
 - Should a testing protocol be developed for consideration by leadership? This would require coordination with the Executive Branch and Lewis and Clark County.
 - What are protocols for the various categories of symptomatic, testing positive, quarantine, return to Capitol, etc.
- Options for social distancing guidelines and enforcement
 - Everyone could be asked to practice social distancing in the Capitol, staying a minimum of 6 feet apart from others.
 - Members could adhere to social distancing guidelines, being mindful to stay at least 6 feet away from others. Seating in the chamber may be altered to include some members sitting in the gallery and at other locations in the chamber. A limited number of microphones could be made available in the gallery for members who wish to speak or take turns in smaller groups and coming to the floor to speak. This may require the purchase of wireless microphones.
 - Members could work with their caucus and session staff to plan to follow social distancing guidelines. Session staff could be encouraged to work from home when possible. Members also could limit access to their physical offices.
 - Protocols and schedules could be established so only one member is working in each office at a time.
 - Non-partisan staff could follow the guidance from the head of their division who would determine if they need to be in the building or can work from home.
 - Areas in the Capitol that previously allowed larger groups of people to gather in confined spaces (the rotunda) could be closed to the public. This could include the House and Senate lobbies and, in the basement, the former-cafeteria area. If not closed, greatly limited by number (GSD would have to enforce). Consideration should be given to whether food is allowed at all or only pre-packaged food and beverages.
 - Communal refrigerators, kitchens, copy machines, printers, mailboxes, etc. could either have limited use or be sanitized frequently. Staff could post signage directing use.
 - Large group tours or visits to the building could be cancelled.
- General Technology Procedures
 - See Scenario #1
 - Other options?

Decision Point:

- ✓ What requirements for social distancing guidelines are necessary?
 - Protocols for committee meetings?
 - Protocols for floor proceedings?
 - Protocols for the building?

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Scenario #4: Regular Session -- Phase III

Under this scenario, legislators, witnesses, staff, and the public participate in person. Social distancing is voluntary. On a "normal" day during a legislative session, an average 800-1,000 people are in the Capitol. Under this option, paper copies are provided in committees and during floor sessions as in the past and business would be conducted much as it has been in the past. There may still be a need to accommodate vulnerable legislators or staff with remote participation. Symptomatic persons should be sent home.

Legislative Process

- **Swearing-in and Call to Order**
 - On January 4, legislators would be sworn in. It would be up to legislators to determine if limitations on guests or altered seating arrangements were implemented.
 - See Scenario #3
 - Other options?
- **Adoption of Session Rules**
 - The Rules committees would meet and adopt rules. Rules may still need to address limited virtual participation in the event there are vulnerable populations that must be accommodated or if there is a return to Phase II.
- **Length of session and/or timing of session**
 - A full 90-day session could occur.
- **Legislation**
 - Bill Drafting
 - Bill drafting would be unaffected.
 - Committee Hearings
 - It would be up to leadership to determine whether committee size was altered or whether members participated in a format as they have in the past.
 - Other options?
- **Legislative Action**
 - Quorum
 - Quorum would be unaffected.
 - Committee and Floor Action
 - Committee and floor votes would primarily occur in person with staff recording those votes in person. For floor votes, remote voting would still be available subject to leadership discretion.

Decision Point:

- ✓ Would leadership provide direction or enforcement to promote voluntary actions?
 - Timing and scheduling of activities? Additional meeting locations and funding?
 - Reduction in committee size?

Public Participation

- **Public Participation**
 - Legal requirements: See Scenario #1

Options to meet legal requirements

- See Scenario #2 & #3
- **Media Participation**
 - Legal requirements: See Scenario #1
 - See Scenario #3
- **Lobbyist Participation**
 - Legal requirements: See Scenario #1
 - Options to meet legal requirements
 - See Scenario #3

Decision Point:

- ✓ Would any restrictions on when or how the public participates be needed?

Staffing

- Staff would be primarily in the building for session. Vulnerable staff would continue to work remotely as their position and responsibilities allow and accommodations are required.

Facilities and Technology

- These would be determined by leadership and developed by LSD in consultation with majority and minority leadership.

Decision Point:

- ✓ Are there steps to take to encourage personal responsibility in a regular setting?
 - Signage?
 - Other modifications?

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