



LEGISLATIVE COUNCIL 68th Montana Legislature

SENATE MEMBERS

Kenneth Bogner
Jason Ellsworth
Steve Fitzpatrick
Pat Flowers
Shannon O'Brien
Susan Webber

HOUSE MEMBERS

Kim Abbott
Alice Buckley
Derek Harvey
Rhonda Knudsen
Matt Regier
Sue Vinton

COMMITTEE STAFF

Todd Everts - Legal Division Director
Jerry Howe - Executive Director
Daniel Rosenberg - Secretary

MINUTES LOG

June 20, 2023
State Capitol Room 137
Helena, Montana

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <https://leg.mt.gov>. From the home page, select the "Committees" drop down menu at the top, then select Administrative or Interim, and the appropriate committee. The written minutes log can be located by expanding the accordion menu for the date of the meeting. Links to the audio/video files can be located by selecting the Video/Audio button on the same page, then the "past/current recordings" button. From there, use the calendar to select the date of the meeting you wish to view/listen to. The written Minutes Log, along with links to the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the Exhibits is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed. Please contact the Legislative Services Division at 406-444-3064 for more information.

MEMBERS PRESENT:

Rep. Matt Regier, Chair (R)
Sen. Pat Flowers, Vice Chair (D)
Rep. Kim Abbott (D)
Sen. Kenneth Bogner (R)
Sen. Jason Ellsworth (R)
Sen. Steve Fitzpatrick (R)
Rep. Derek Harvey (D)
Rep. Rhonda Knudsen (R)
Rep. Sue Vinton (R)
Sen. Susan Webber (D)

MEMBERS EXCUSED:

Rep. Alice Buckley (D)
Sen. Shannon O'Brien (D)

MEMBERS ABSENT:

STAFF PRESENT:

Todd Everts, Legal Division Director
Jerry Howe, Executive Director

Daniel Rosenberg, Secretary

AGENDA [\(Attachment 1\)](#)

VISITORS' LIST

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

10:02:55 Rep. Regier-R called the meeting to order at 10:02 AM. The committee secretary took roll.

EXECUTIVE DIRECTOR UPDATE – Jerry Howe, Director, Legislative Services
New Employee Introductions

10:04:54 Kelly DaSilva, HR Manager, Legislative Services Division

Director Evaluation

10:06:04 Ms. DaSilva

Information Desk

10:07:05 Rep. Regier explained the need to have action items for the Information Desk, Bill Volume Issues and Electronic Legislative Session

10:07:55 Dir. Howe

Committee Questions/ Discussion

10:18:35 Sen. Ellsworth expressed the need to automate the functions of the Information Desk and how to better direct constituents to the resources on the legislative website.

10:20:08 Rep. Knudsen asked Sen. Ellsworth what he meant by automating the Information Desk

10:21:42 Rep. Knudsen suggested that the website contain links to leave messages directly with legislators.

10:23:53 Rep. Vinton commented about the types of tasks the Information desk staff should be given, specifically partisan tasks. She also spoke about the issues of informing the public which legislators are from their district and leaving messages for multiple legislators.

10:25:50 Dir. Howe spoke about the Find My Legislator feature on the Legislative Website. He spoke about creating an electronic solution for sending public comments on Bills.

10:27:40 Rep. Abbott asked about what kind of action item the committee was considering to address the Information Desk issues.

10:28:44 Sen. Ellsworth asked Jaret Coles, Deputy Director of Legal Services about the issue of using partisan staff versus non-partisan staff.

10:29:47 Sen. Flowers spoke about the need for the public to talk to a human being about legislative issues and the staffing issues related to addressing this need.

10:31:38 Rep. Harvey spoke about rebranding the Information desk as a messaging center to clarify its function to the public.

10:32:44 Rep. Knudsen concurred with the need for staff to answer phone calls from the public. She asked if there was a way for Information Desk operators to direct callers to a specific legislator's voice mailbox, email, or printed message.

- 10:34:36 Rep. Regier discussed the benefits that would come from moving to an electronic legislature. He suggested an action item to survey legislators on Bill Volume and an Electronic Legislative Session.
- 10:35:48 Sen. Ellsworth concurred with the need to move towards an Electronic Legislative Session.
- 10:37:05 Sen. Fitzpatrick suggested moving all electronic with the messages from the public.
- 10:38:26 Rep. Regier spoke about how an electronic session would benefit many other aspects of the legislative session besides messaging.
- 10:38:54 Sen. Flowers asked about surveying the legislators on bill volume and how to frame the issue to provide the proper context for the problem.
- 10:40:52 Sen. Fitzpatrick spoke about needing more information about the bill volume problem before making conclusions about how to address it.
- 10:42:28 Rep. Regier commented that the bill volume issue is not about bill restriction.
- 10:42:57 Sen. Ellsworth concurred that limiting the amount of bills a legislator could bring would not be a proper solution to the bill volume issue.

FTE Hiring Schedule

- 10:44:00 Dir. Howe ([Exhibit 1](#))

Committee Questions/ Discussion

- 10:51:02 Rep. Regier asked whether hiring these FTE by January would help in the upcoming session.
- 10:51:23 Rep. Knudsen asked about how the salary offerings were helping or hindering the hiring process.

NCSL, CSG West, Chair LCRG: Action Item

- 10:54:27 Rep. Regier introduced the topic and asked about the status of the House and Senate appointment lists. ([Exhibit 2](#)) ([Exhibit 3](#))
- 10:55:32 Rep. Regier asked for comments on the lists of attendees and suggested approving the lists as presented.
- 10:55:55 Sen. Flowers commented on a statute that required equal representation from both parties and the difficulty of meeting that requirement for the current interim. He concurred with the need to allow late appointments to these committees to meet this requirement.
- 10:56:42 Sen. Fitzpatrick commented that Sen. McKamey expressed interest in being assigned to the NCSL redistricting and elections committee.

MOTION

- 10:57:07 Sen. Harvey moved to add Sen. McKamey to the redistricting and elections committee and approve the legislator assignments to the NCSL committees. ([see Exhibit 3](#))

VOTE

- 10:58:11 The motion passed unanimously.

Committee Questions/ Discussion

- 10:58:18 Rep. Regier discussed the need to assign someone to the River Governance CSG committee.

10:58:49 Sen. Ellsworth recommended Sen. Cuffe to the River Governance CSG Committee.

10:59:16 Rep. Harvey commented that the Senate CSG assignments list is not present.

10:59:40 Sen. Ellsworth commented that the Senate CSG assignment list was complete but not present.

10:59:50 Dir. Howe said that he spoke with Sen. Usher about the Senate CSG committee assignment process and reiterated the importance of assigning a legislator to the River Governance Committee.

11:00:42 Sen. Ellsworth said the Senate CSG list was completed and submitted by Sen. Bogner.

11:01:00 Sen. Bogner spoke about the status of the Senate CSG list.

11:01:38 Marilyn Miller, Secretary of the Senate commented that she had not received the list.

11:02:08 Sen. Bogner spoke about the status of a copy of the list.

11:02:34 Sen. Ellsworth nominated Sen. Cuffe as CSG chair for River Governance committee.

11:03:03 Sen. Flowers commented that it would be procedurally awkward to nominate a legislator who was not on the approved committee assignment lists.

11:03:36 Rep. Regier explained that a motion would be in order when the Senate CSG list is been located.

11:03:47 Rep. Harvey clarified that his motion is to approve the NCSL assignment lists, since the CSG list is not available.

RESEARCH UPDATE – Joe Kolman, Director, Research and Environmental Policy

11:04:06 Mr. Kolman ([Exhibit 4](#))

Committee Questions/ Discussion

11:05:44 Rep. Regier asked about the dates the first floor meeting rooms would be unavailable due to upgrades.

MOTION

11:09:10 Rep. Abbott moved to approve the Rules, Procedures and Guidelines for Interim Committees. ([see Exhibit 4](#))

VOTE

11:09:21 The motion passed unanimously

Committee Questions/ Discussion

11:09:33 Sen. Flowers asked about attendance and funding for NCSL and CSG agenda item.

LEGAL OFFICE UPDATE – Jaret Coles, Deputy Director, Legal Office

11:10:05 Mr. Coles ([Exhibit 5](#)) ([Exhibit 6](#)) ([Exhibit 7](#))

Committee Questions/ Discussion

11:16:33 Rep. Regier asked about the Uniform Electronic Legal Materials Act and the benefits it offers.

2023 Montana Code Annotated Prices: Action Item

11:18:30 Mr. Coles ([Exhibit 8](#))

Committee Questions/ Discussion

11:20:53 Sen. Flowers asked about the price to order one volume of the MCA versus the whole set.

MOTION

11:21:47 Sen. Flowers moved to approve the MCA prices as presented. ([see Exhibit 8](#))

VOTE

11:21:59 The motion passed unanimously

FINANCIAL OFFICE UPDATE – Angie Carter, Financial Manager, Legislative Services Programs 20 and 21 Operating Plan: Action Item

11:22:19 Ms. Carter ([Exhibit 9](#))

Committee Questions/ Discussion

11:26:15 Sen. Ellsworth asked about the benefit of moving the Data Center to Miles City.

11:26:47 Dale Gow, Chief Information Officer, Legislative Services spoke about the executive branch decision to move the Data Center to Miles City.

MOTION

11:27:57 Rep. Harvey moved to approve the Operating plan for Program 20
([see Exhibit 9](#))

VOTE

11:28:12 The motion passed unanimously

Program 21/ Committees and Activity Budget Report

11:28:20 Ms. Carter ([Exhibit 10](#)) ([Exhibit 11](#))

Committee Questions/ Discussion

11:29:40 Sen. Flowers asked whether it would be possible to increase compensation for legislators attending remote conferences to encourage attendance.

11:32:46 Ms. Carter gave an overview of the budget for the legislator activities.

11:35:01 Rep. Regier asked about allocating unused funds from the 2023 biennium for future sessions.

11:35:49 Rep. Vinton asked about the Interstate Compact for Education.

11:37:05 Rep. Regier asked about the need for a motion to pay the dues for NCSL and CSG.

11:38:07 Sen. Ellsworth spoke about the stipend available for legislators attending NCSL or CSG conferences.

11:38:43 Rep. Regier requested a motion to reimburse legislators who attend NCSL, CSG or PWNER conferences.

MOTION

11:39:13 Sen. Ellsworth moved to reimburse legislators up to \$1500 when attending NCSL, CSG, and PNWER conferences; etc.

Discussion on the Motion

11:40:01 Ms. Carter asked about approving legislator reimbursement requests when the allocated funds run low.

11:40:22 Rep. Regier suggested tracking which legislators had attended conferences and managing reimbursement preference based on attendance.

VOTE

11:41:36 The motion passed unanimously.

Committee Questions/ Discussion

11:42:16 Rep. Regier asked about rolling over unused funds for attending conferences to the following year.

11:43:35 Rep. Knudsen asked about where rollover funds were held in the budget in previous years.

11:45:04 Rep. Regier spoke about educational opportunities for staff to be included.

MOTION

11:45:51 Sen. Ellsworth moved to carry-over the \$30,000 balance from the previous session to the current budget for NCSL, CSG, PNWER reimbursement and to allocate \$10,000 of that in totality, \$2,500 to the Majority/Minority in the House and Senate, for partisan staff training.

VOTE

11:46:29 The motion passed unanimously.

MOTION

11:46:52 Rep. Knudsen moved to approve the Operating plan for Program 21.
([see Exhibit 10](#))

VOTE

11:47:15 The motion passed unanimously.

2023 Feed Bill Budget Report

11:47:23 Ms. Carter ([Exhibit 12](#))

RECESS

11:49:16 Reconvened at 11:59:39

LEGISLATIVE SPACE PROJECT UPDATE – Chair, Rep. Knudsen, Legislative Space Workgroup

12:00:04 Rep. Knudsen ([Exhibit 13](#))

Legislative Staffing Needs

12:01:38 Rep. Regier explained the importance of adequate staff space

12:03:02 Carolyn Tschida, Chief Clerk of the House spoke about the legislative space needs for the House.

Committee Questions/ Discussion

12:07:14 Rep. Regier asked about anything that didn't work as far as staffing during the previous session.

Legislative Staffing Needs

12:09:05 Marylin Miller, Secretary of the Senate spoke about the legislative space needs for the Senate. ([Exhibit 14](#))

Committee Questions/ Discussion

12:14:23 Rep. Regier asked about how the Senate was using Room 65 in the Capitol

12:15:35 Rep. Regier asked about the Snack Bar during the session.

12:18:50 Sen. Ellsworth spoke about contracting our Snack Bar services to an outside agency.

Legislative Staffing Needs

12:19:46 Joe Triem, Deputy Director, Legislative Fiscal Division spoke about the legislative space needs for the Legislative Fiscal Division. ([Exhibit 15](#))

Committee Questions/ Discussion

12:24:57 Rep. Regier asked about how much space the Legislative Fiscal Division would need next session.

Legislative Staffing Needs

12:25:30 Director Angus Maciver, Legislative Audit Division spoke about the legislative space needs for the Legislative Audit Division.

Committee Questions/ Discussion

12:28:43 Rep. Regier asked Dir. Angus about the discussions between the Division Directors and the Department of Administration.

Legislative Staffing Needs

12:29:35 Director Jerry Howe, Legislative Services Division spoke about the legislative space needs for the Legislative Services Division.

Committee Questions/ Discussion

12:34:42 Rep. Knudsen asked about shared conference rooms between the three legislative divisions.

12:35:22 Rep. Regier asked about the space needed for the 15 FTE and IT positions in Legislative Services in the capitol.

Legislative Office and Committee Needs: Committee Discussion

12:37:39 Rep. Abbott commented about the need for space used by the press core in the Capitol

12:39:26 Sen. Ellsworth commented that the press could be given space in a building close to the Capitol Building.

12:40:22 Rep. Abbott agreed on the need for private space for legislators and that the space available was inadequate during the previous session. She also commented on the need for a space for nursing parents.

12:42:15 Sen. Flowers commented on the rooms used by Senators during the previous session and what worked and what didn't work.

12:44:56 Sen. Ellsworth commented on the spaces used by the Senate during the previous session and how his Caucus found rooms to meet in.

12:46:27 Sen. Bogner requested to find larger conference rooms for some Senate committees.

12:47:36 Rep. Regier gave an overview of the space needs for the House in the next session. He commented on what permanent changes could be made to the Capitol Building before next session.

12:50:34 Dir. Howe spoke about the space needs of the LSD Financial Office.

Long-range service provider presentation

12:50:59 Ben Lloyd, Vice President, Hennebery Eddy Architects ([Exhibit 16](#))

12:53:37 Gregg Sanders, Associate Principal, Hennebery Eddy Architects

13:03:34 Mr. Lloyd continued the presentation

13:05:55 Mr. Sanders continued the presentation.

Committee Questions/ Discussion

13:08:35 Rep. Regier asked about the proposed timeline for the long-range plan. He asked about the possibility of finding contractors and completing the projects by next session. He asked about the condition of the contractor market. He asked about the cost involved for the long-range plan.

13:11:58 Rep. Vinton asked about incentives for contractors to complete projects early or penalties for missing deadlines.

13:12:51 Rep. Regier asked about the contracting process for the Legislative Space Project.

Committee discussion whether to proceed with the recommended long-range service provider: Action Item

13:15:08 Sen. Ellsworth explained that it seems ambitious to complete the Legislative Space Project over the summer.

13:16:08 Rep. Regier commented on the timeline for long-range planning and that it seemed doable.

13:17:10 Rep. Knudsen commented that the plan was ambitious but would be able to be completed.

13:18:00 Rep. Vinton concurred with Rep. Knudsen.

MOTION

13:18:16 Rep. Knudsen moved to accept the long-range plan proposal by Hennebery Eddy Architects.

VOTE

13:18:23 The motion passed unanimously

MOTION

13:19:11 Rep. Knudsen moved that the expenses for the Management Committee members be paid from the appropriations in HB 856 from the designated portion for the development of the long-range Legislative Branch and Capitol Development

VOTE

13:20:19 The motion passed unanimously.

MOTION

13:21:13 Sen. Ellsworth moved to post online the fiscal notes received after the end of the 2023 legislative session for bills HB 819, HB 128, HB 903, HB 538, SB 506.

VOTE

13:21:20 The motion passed unanimously

Committee Questions/ Discussion

13:22:21 Rep. Regier asked about the status of the fiscal notes received after the end of the 2023 legislative session in HB 2.

13:22:50 Jaret Coles asked for clarification about the motion to use the funds from HB 856 to cover Capital Space Workgroup expenses.

13:24:20 Dir. Howe read the assignments for the CSG committees Senate members.

MOTION

13:28:08 Rep. Abbott moved to accept the Senate CSG committee assignments.
[\(see Exhibit 2\)](#)

VOTE

13:28:18 The motion passed unanimously

MOTION

13:28:30 Sen. Ellsworth nominated Sen. Cuffe as Chair of the River Governance CSG Committee if he accepts.

VOTE

13:29:25 The motion passed unanimously.

Committee Questions/ Discussion

13:29:30 Rep. Regier opened discussion for the next Legislative Council meeting on August 23rd.

13:29:55 Rep. Ellsworth mentioned a possible meeting conflict on Aug. 23rd.

13:30:08 Rep. Vinton said that the meeting on the 23rd would not cause a conflict.

13:30:28 Sen. Flowers mentioned a delegation of legislators going to Ireland.

PUBLIC COMMENT on any matter under the Legislative Council's jurisdiction

13:31:33 None

ADJOURNMENT

13:31:46 Rep. Regier adjourned the meeting at 13:31:46