



Legislative Council

65th Montana Legislature

SENATE MEMBERS

EDWARD BUTTREY
TOM FACEY
JP POMNICHOWSKI
SCOTT SALES
JON SESSO
FRED THOMAS

HOUSE MEMBERS

SETH BERGLEE
JENNY ECK
WYLIE GALT
AUSTIN KNUDSEN
SHANE MORIGEAU
CASEY SCHREINER

COMMITTEE STAFF

SUSAN FOX, Executive Director
TODD EVERTS, Legal Division Director
FONG HOM, Secretary

MINUTES LOG

September 6, 2017
Room 137, Capitol Building
Helena, Montana

Please note: This document is a Minutes Log and provides a notation 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 record 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 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 <http://leg.mt.gov>. On the left-side menu of the home page, select Committees, then Interim. Once on the page for Interim Committees, scroll down to the appropriate committee. The written Minutes Log, along with 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.

COMMITTEE MEMBERS PRESENT

SEN. EDWARD BUTTREY
SEN. TOM FACEY
SEN. JP POMNICHOWSKI
SEN. SCOTT SALES
SEN. JON SESSO
SEN. FRED THOMAS

REP. SETH BERGLEE
REP. WYLIE GALT
REP. SHANE MORIGEAU
REP. CASEY SCHREINER

COMMITTEE MEMBERS EXCUSED

REP. JENNY ECK
REP. AUSTIN KNUDSEN

STAFF PRESENT

SUSAN BYORTH FOX, Executive Director
TODD EVERTS, Legal Director
FONG HOM, Committee Secretary

VISITORS' LIST ([Attachment 1](#))

AGENDA ([Attachment 2](#))

COMMITTEE ACTION

The Legislative Council:

- approved the use of \$247,784 from the IT Reserve Fund to upgrade the House and Senate Vote Systems;
- confirmed the appointment of Jacqueline Lenmark to the National Conference of Commissioners of State Laws; and
- directed staff to prepare a draft budget reduction plan to meet the Executive Branch's budget reduction request and present the plan to the full Council for approval.

CALL TO ORDER AND ROLL CALL

00:00:02 Sen. Thomas called the meeting to order at 10:00 a.m. The secretary took roll. Rep. Knudsen and Rep. Eck were excused. ([Attachment 3](#))

LEGISLATIVE SERVICES DIVISION - Susan Fox, Executive Director

Staff Updates

00:03:33 Ms. Fox provided an update on the Legislative Services Division staff:

- Matt Goldworthy was hired as an IT Programmer;
- Lindsay Krywaruchka was hired as the Communications Manager;
- Trevor Graff was hired as the staff researcher for the Energy and Telecommunications Interim Committee; and
- Jenni Carr was hired as a Committee Secretary.

Ms. Fox also noted that K'Lynn Sloan Harris had taken a position with Montana PBS, and that the Division is in the process of hiring a new A/V Coordinator.

Session Systems Replacement

00:06:47 Ms. Fox discussed the SSR Project Roadmap ([Exhibit 1](#)) and the SSR Projects in Process ([Exhibit 2](#)).

Questions from the Committee

00:09:52 Sen. Buttrey asked about the original date of completion and what the project currently looks like compared to when it started.

00:10:14 Ms. Fox discussed the status of the Committee Management System.

00:10:57 Sen. Pomnichowski asked if the new bill drafting system will work with the existing data and will it be a compatible system for searching bill text.

00:11:22 Ms. Fox explained that they have converted the mainframe to a new system and built a bill drafting and amendments system into it using the same database.

Vote System Upgrade Update

00:12:20 Ms. Fox ([Exhibit 3](#))

NCSL, CSG, PNWER UPDATES

Attendance, travel funds, balances and guidance

00:14:22 Ms. Fox ([Exhibit 4](#))

Additional appointments

00:14:30 Ms. Fox said that there were no additional appointments.

Western Legislative Academy attendees

00:14:35 Ms. Fox provided an overview of the Western Legislative Academy and how a legislator is appointed the Academy.

2017 SESSION AND BILL UPDATES

Initiative and referenda status - Todd Everts, Legal Director

00:16:13 Mr. Everts ([Exhibit 5](#))

Session statistics - Susan Fox

00:17:47 Ms. Fox discussed the number and status of bills that were polled.

00:18:37 Sen. Thomas asked about the timeline of production of the new codes.

BRANCH BUDGET ITEMS

Constituent services account guidance

00:19:09 Ms. Fox ([Exhibit 6](#))

00:21:21 Sen. Thomas asked Sen. Facey and Sen. Buttrey to review the document "Guidance on the Legislative Stipend and Reimbursement for Constituent Services" more thoroughly, along with the other Council members, and to report any concerns to the committee.

00:22:00 Jeff Mangan, Commissioner of Political Practices, commented on the two constituent accounts. He also stated his concerns about constituent services dollars, particularly with information requests.

00:24:20 *Rep. Morigeau arrived at 10:24 a.m.*

SB 261 trigger cuts, pay plan

00:24:50 Ms. Fox reported on the SB 261 triggers ([Exhibit 7](#)) and the impact of the triggers on Program 21 ([Exhibit 8](#)). She also noted the receipt of the memo from the Office of the Budget and Program Planning regarding budget cuts ([Exhibit 9](#)). She discussed the Legislative Branch Budget with the 5% reductions for Programs 20, 21, 27, and 28 ([Exhibit 10](#)).

00:32:21 Sen. Thomas said he would like to have a discussion on the cuts later in the meeting.

00:33:12 Rep. Schreiner said that he recommends moving forward with the 10% proposal immediately.

- 00:33:59 Sen. Sesso asked about the delineation of what the 5 and 5 means to interim committees, and asked for an explanation of the 5% reductions for the general operations program 20.
- 00:34:52 Ms. Fox explained that there is a draft of the first 5% but that is not available for review, and that she is still fine-tuning her analysis of the proposed cuts.
- 00:38:57 Sen. Buttrey discussed informing all interim committees regarding the potential cuts and asking the interim committees to look at ways to trim its committee budget.
- 00:40:43 Sen. Sesso discussed sending a memo directing the interim committees to cut back and delaying a decision by the Council on the proposed cuts.
- 00:42:56 Mr. Everts said that it is the Council's responsibility to make the cuts and then inform the interim committees of that cut.
- 00:44:10 Ms. Fox distributed to the committee the document "Summary 2017 Feed Bill". [\(Exhibit 11\)](#)
- 00:44:52 Sen. Thomas discussed having a conference call with the chairs of the interim committees and giving them a general outline of what is happening with the 5% cut and the additional 5% that is being worked on.

Request budget cuts re 17-7-140, MCA

- 00:45:08 Sen. Buttrey asked about the 17-7-140 cuts and if the Executive is committed to the 10% cuts.
- 00:45:40 Sen. Buttrey discussed not supporting a motion for a 10% cut at this point when the Council doesn't know if a 10% is going to be asked of us.
- 00:45:59 Sen. Thomas said that the Council wants to fully comply with the request and the Council will adopt the necessary measures as they are implemented.

INFORMATION SYSTEMS RESERVE FUND

Request for House and Senate Vote Systems upgrade from IT Reserve

- 00:47:04 Ms. Fox [\(Exhibit 12\)](#)

Motion

- 00:48:35 Sen. Facey moved that Legislative Council approve the transfer of \$247,784 to upgrade the House and Senate Vote Systems.

Vote

- 00:48:56 The motion passed unanimously by voice vote.

Public Comment

None.

COUNCIL BUSINESS

Uniform Law Commission - Susan Fox

- 00:51:00 Ms. Fox gave a brief overview of the Uniform Law Commission, the resignation of Karen Powell, and the Legislative Council's responsibility to appoint someone to replace Ms. Powell.

Presentation on Uniform Law Commission - Todd Everts

00:51:27 Mr. Everts discussed the process of appointing a person to the Uniform Law Commission. He noted that the Council received an application from Ms. Jacqueline Lenmark for the appointment to the Uniform Law Commission. [\(Exhibit 13\)](#)

00:54:18 Ms. Fox referred the committee to Mr. Jonathan Byington's letter that gave an update of his activities as a commissioner on the Uniform Law Commission. [\(Exhibit 14\)](#)

Motion

00:55:19 Sen. Buttrey moved to confirm the appointment of Ms. Jacqueline Lenmark to the National Conference of Commissioners on Uniform State Laws.

Public Comment

None.

Vote

00:57:49 The motion to confirm the appointment of Ms. Jacqueline Lenmark to the National Conference of Commissioners on Uniform Laws passed unanimously by voice vote.

Break (reconvened at 11:24 a.m.)

OTHER COUNCIL BUSINESS

Constituency Services Account

01:26:24 Sen. Buttrey commented that it may be advantageous to list some of the recommendations or guidance on when a portion or all of the constituency service account must be reimbursed in case a legislator had to leave office.

01:26:32 Sen. Thomas asked if anyone had any input regarding Ms. Fox's document.

Request from the governor for budget cuts

Motion

01:27:24 Sen. Sesso moved to direct staff to prepare a draft budget reduction plan for Programs 20 and 21, with the objective to match the Executive Branch reduction request, and once the Executive Branch's request is received, the Legislative Branch Executive Director will work with the Presiding Officer and Vice Presiding Officer of the Legislative Council, to review the draft plan and prepare a final budget reduction plan for presentation to the full Council for approval.

Vote

01:28:32 The motion passed unanimously by voice vote.

01:28:41 Sen. Sesso said that he would encourage the full committee to review the documents that Ms. Fox distributed, particularly the draft of the 5% cuts.

- 01:29:45 Sen. Facey discussed the \$3,000 stipend for travel and expenses.
- 01:30:36 Sen. Sesso discussed his expectation that the Legislative Fiscal Division and the Legislative Audit Division will be making a similar presentation to their committees.
- 01:31:26 Ms. Fox said that the three directors have been trying to be consistent in their applications but she is not certain whether each committee will submit their own plan.
- 01:32:42 Sen. Thomas suggested asking the Legislative Finance and Audit Committees to consider the Legislative Council's motion.

Public Comment on any matter

None.

RECESS

- 01:34:46 With no further business before the committee, Sen. Thomas recessed the meeting at 11:33 a.m., to reconvene at noon at the Barrister's Bed and Breakfast.

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