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APPROVED
BOARD OF DIRECTORS
DATE MAY 12 1967

May 8, 1967

TO: Citizens League Board of Directors
FROM: Legislative Procedures Committee, Peter Seed, Chairman
SUBJECT: Interim Report

INTRODUCTION

We have found an urgent need for a substantial modernization of the procedures and operations of the Minnesota Legislature since we began our review three months ago. We are now well along in our deliberations and expect to submit a final report with findings and recommendations shortly after the end of the 1967 session. Our goal is to recommend ways in which the Legislature can strengthen itself as a viable, democratic arm of government. In this way we hope to help rally the kind of public support the Legislature has needed and deserved for a long time in its quest to improve itself.

Our final report will include several major recommendations, including such fundamental questions as the size of the Legislature and length and frequency of sessions. These recommendations will be addressed to the Legislature during the period before the 1969 session for action during the 1969 session.

We have determined, however, that there are certain vitally important actions which definitely should not be delayed until 1969. They do not represent any fundamental changes in the legislative process. They involve matters which are under active consideration by the 1967 Legislature. Most important of all, they reflect some of the most immediate needs of the Legislature as mentioned to us by legislators. Therefore, we are submitting this interim report.

RECOMMENDATIONS

I. Permanent Committee Staff

Recommendation

We recommend that the 1967 Legislature empower the Rules Committees of the House and Senate each to hire a minimum of six additional full-time, year-round, professional employees to be assigned to the regular "standing" committees of the Legislature. These employees would gather information, arrange hearings, assist in drafting reports and provide other services to committees. They should be selected based on their training, knowledge and competence in the subject matter of the committees they will be servicing and should be provided with adequate clerical staff. We envision that a salary range of \$10,000-\$15,000 annually would be required to attract top grade professional employees for the committees.

Sufficient funds should be appropriated to enable these employees to be hired as soon as possible after the end of the 1967 regular session so that they can provide service to the standing committees of the House and Senate during the interim before the 1969 session and, of course, continue as employees during the 1969 session and thereafter.

Each employee would not necessarily be assigned to only one committee, although in certain cases, such as Civil Administration or Taxes, this may be necessary. One employee could serve a group of committees with similar responsibilities, perhaps organized during the interim as task forces. Our committee has discussed at length the need for substantial reduction in the number of committees of the Legislature and will be making specific findings and recommendations in this regard in our final report.

It should be clearly understood that it would not be possible, even by combining committees during the interim, to provide adequate staff assistance for all committees of the Legislature with only six additional professional employees for each House. In the long term more staff would be required.

Discussion

The Minnesota Legislature urgently needs to further equip itself with its own staff in making informed decisions on issues affecting the people of Minnesota. Traditionally, the Legislature has relied upon employees in administrative departments of state government and upon lobbyists for the bulk of its ideas and information. This has changed somewhat in recent years. The House Appropriations Committee and the Senate Finance Committee now hire permanent, year-round professional staff.

One of the most significant changes was approval of a bill in 1963 which permitted a continuation of the regular, standing committees of the Legislature during the interim between sessions so that these committees could work on major issues to be faced in upcoming sessions. The intensification of interim activity is highly desirable, but the effort, to be truly effective, must be well serviced. Work of standing committees would be significantly aided if full-time professional staff were available. If the 1967 Legislature authorizes such professional staff, interim committees can be serviced during the interim before the 1969 session.

The importance of committee staffing is well recognized in the House and Senate. During the 1967 session rules of both bodies authorized the hiring of about six committee research clerks. However, only about one half of the authorized number were hired because of the difficulty in obtaining qualified personnel only for a five-month period while the Legislature is in session. If the 1967 Legislature acts to authorize year-round professional staff for committees, these employees can be hired so that committees in the 1969 session will be adequately staffed and not go without staff because temporary employees cannot be found.

A major obstacle to the realization of full-time professional committee staff is the large number of committees -- 32 in the House and 20 in the Senate. Workload differs substantially among committees. Some committees, with their present responsibilities, would not individually need full-time committee staff during the interim. But a combination of committees with similar responsibilities could well support a full-time staff. Neither the House nor the Senate can adequately staff all their committees, even with some committees combined, with only the addition of six professional committee employees in each body. In the long run more employees will be needed. Our recommendation represents a good start in this direction. We chose six professional committee staff for each of the House and Senate because that is the number which was authorized for the 1967 session.

We considered, and rejected, the possibility of utilizing the Legislative Research Committee (LRC) to provide professional staff for standing committees. The LRC is a semi-independent legislative agency headed, according to statute, by a committee of one Representative and one Senator from each of the state's congressional districts. LRC is charged under state law with compiling information on subjects as the Legislature may decide and to service, upon request, administrative, secretarial and professional assistance to interim committees of the Legislature.

As a matter of fact, the director of LRC said that since the activation of standing committees of the Legislature in the interim, LRC no longer involves itself in research projects which can be covered by a standing committee.

Several legislators frankly acknowledged to us that they do not use the services of LRC and do not believe that the LRC should provide staff to the standing committees. We will discuss the role of the LRC in greater detail in our final report and will make specific recommendations as to its future. We have concluded, though, that the LRC as presently structured is not adequate to provide staff for the standing committees of the Legislature. One of the major shortcomings of the LRC is that it is not directly responsible to the leadership of the House and Senate and does not have the confidence of the leadership.

II. Commission on Legislative Procedures

Recommendation

We recommend that the 1967 Legislature authorize an interim study commission to review all questions of legislative procedures, operations and space needs and to make recommendations to the 1969 Legislature. The commission should be adequately funded (\$100,000 would be a reasonable minimum) to conduct the necessary research and develop recommendations. It is imperative that the commission be appointed by and adequately represent the leadership of both the House and Senate and Conservative and DFL caucuses. The commission should include representation from first-termers in the Legislature. Senate File 1477 authored by Senators Popham, Dosland and Holmquist and its companion in the House, House File 1879 authored by Reps. Frenzel, R. W. Johnson, Renner, Gustafson and France, would set up a permanent commission on legislative operations. It should be passed.

It is suggested that non-legislators serve on the commission or be appointed as an advisory committee to the commission.

Discussion

The Legislature has been gradually making improvements in its procedures and operations, including such improvements as electronic voting and the above-mentioned activation of standing committees during the interim and the authorization for research assistance to committees during the session on a limited basis. However, there has not been a unified, overall review of the entire legislative process, which recently has taken place in many other states. For example, major reports on modernization of the Legislature were submitted this year in Indiana, Washington, Maryland, Illinois and Utah, among others. Wisconsin recently completed an intensive study of its Legislature.

In our meetings with legislators of both parties we have found a surprising degree of agreement on the need for major improvements, some of which would require constitutional amendments. Returns from our questionnaire to legislators also revealed this agreement.

Legislators cannot be expected to conduct an intensive study of possible legislative improvements during a regular session because of the press of other issues. An interim commission would be able to identify the problem areas clearly and recommend solutions.

The interim commission would need an adequate appropriation so that extensive comparative data could be obtained from other states. It may be desirable for members of the commission to visit Legislatures in other states or invite representatives from other Legislatures to come to Minnesota to meet with the commission. A professional staff would be needed to service the commission.

The commission needs to be representative of the leadership of both houses. Success of recommendations not only is contingent upon support from the leadership, but also legislative leaders are among those most closely acquainted with various problems. It is also desirable that freshman members of the Legislature be appointed to the commission. The thoughts and ideas of first-termers would be most beneficial in pointing out areas of concern which might otherwise be overlooked by veteran members who may have become accustomed to certain practices and procedures.

We see a further need for an independent, non-legislative voice. This could be accomplished by the Legislature appointing non-legislators to the commission or by the appointment of an advisory committee. A detached view by a group of highly respected non-legislators undoubtedly would provide insights into problems which might otherwise be overlooked, such as the availability of bills, journals and reports to the general public. In almost every case in other states, non-legislators have been asked to serve. Another advantage of appointment of members of the public is that it would enhance the prospects of public support for improvements which might be suggested.

Specifically, an interim commission should concern itself at least with the following issues:

- Length and frequency of legislative sessions.
- Size of the Legislature.
- Overall staff assistance to the Legislature.
- Utilization of office space in present Capitol building and long-term space needs.
- Need for a first-class legislative library.
- Number and size of committees.
- Role of County Delegations in the metropolitan area.
- Availability of bills and committee records.
- Means to ease end-of-session "log jams".
- Pre-session orientation programs for new legislators.

We will be making recommendations to the Legislature -- hopefully to a legislative interim commission, if one is established -- on most or all of these issues in our final report.

III. Immediate Expansion of Office and Committee Space

Recommendation

We urge that the Commissioner of Administration, in allocating soon-to-be-available space in the main Capitol building, give top priority to badly needed office space for legislators and staff and for hearing rooms.

Discussion

A new office building now is under construction across the street on University Avenue from the Capitol. When completed, this building will provide space for several constitutional officers and state department heads who now are housed in the Capitol. If the Legislature is able to obtain the vacated space in the Capitol for its own use, a substantial expansion of office space for legislators and staff will be made for the 1969 session. Also, the number and size of committee rooms will be increased.

BACKGROUND

The Legislative Procedures Committee has been meeting since mid-February. The following persons have met with the committee and provided valuable testimony: Edward A. Burdick, chief clerk, House of Representatives; Louis Dorweiler, Jr., director, Legislative Research Committee; Rep. Paul Overgaard, Albert Lea; Rep. Robert F. Christensen, St. Paul; Sen. Nicholas Coleman, St. Paul; Joseph J. Bright, Revisor of Statutes; Dr. Theodore Mitau, Macalester College; Rep. William Frenzel, Golden Valley; former Rep. Robert Latz, Minneapolis; Sen. Jerome Hughes, Maplewood; Attorney General Douglas M. Head, a former state representative; F. Robert Edman, private consultant to legislative committees and commissions; Sen. Gordon Rosenmeier, Little Falls; Rep. Lloyd Duxbury, Caledonia, Speaker of the House; Sen. Wayne Popham, Minneapolis; Rep. Ray Johnston, Blaine, and U. S. Congressman Donald Fraser, Minneapolis, a former member of the State Legislature.

The committee has held 12 meetings to date, 10 of them being 3½-hour evening sessions. In addition a steering committee has met for three evening meetings.

Active committee members are Peter Seed, chairman; Lawrence Benson, Mrs. John I. Coe, F. Keith Emery, John R. Finnegan, Thomas V. Firth, Terrence M. Fruth, Mrs. Warren Goss, Lloyd Graven, James R. Heltzer, Mrs. Marie House, Arthur Ingersoll, Gunner Isberg, James Jacobs, Lawrence E. Kelley, Richard Lamberton, Leif Larson, Martin McGowan, Rogert Montgomery, Lee Nelson, Roger Noreen, Mrs. Michael Richdorf, Robert Sands, Delano H. Siewert, Edward J. H. Smith, Rolfe Worden, J. E. Hulse, Mrs. A. W. Ludwig, Charles Backstrom, Sam Hanson, Peter Meintsma, Daniel Magraw, Mrs. Earl F. Colborn, Jr., Clyde E. Allen, Jr., Mark H. Rodman and Barry Schuler.