

M I N U T E S
SERVICE COMMITTEE
OF THE
LEGISLATIVE COUNCIL

July 16, 1980

A meeting of members of the Service Committee of the Legislative Council was convened at 9:30 a.m. in the Speaker's Committee Room of the State House on Wednesday, July 16, 1980. Chairperson Stromer and Senator Rush were present and agreed to discuss some of the matters which would be discussed by the Committee after a quorum is present. Also present were:

Serge Garrison, Legislative Service Bureau
Dave Bailey, Legislative Service Bureau
Bill Angrick, Citizens' Aide
Diane Bolender, Legislative Service Bureau

Chairperson Stromer indicated that he had received correspondence from Representative Roger Halvorson, Majority Leader of the House, suggesting that the Service Committee meet with some or all of the members of the House Administration Committee to coordinate a salary schedule for research employees of the House of Representatives comparable to that for employees of other legislative agencies. He noted that the position of Research Analyst in the Legislative Service Bureau begins with Grade 22, that the House has a range of Grades 23 through 28 and the Senate Research Analysts are Grade 24. He suggested that a review of the problem with House and Senate members would be beneficial in equalizing the salaries.

Chairperson Stromer also noted a problem that has been present in the House of Representatives concerning reclassification of employees to higher grades and placing the employee at the number of steps in that grade based upon the employee's entire service as a state employee. He suggested that the Committees could review salary schedules for similar positions in other state agencies and private enterprise.

Senator Rush agreed that the Service Committee could look at the issue.

Chairperson Stromer asked for comments from Mr. Bailey about the definition of the word "occurrence" in the recently enacted gift law for the purpose of clarifying the rules for legislative employees which were adopted at the previous meeting of the Legislative Council. Mr. Bailey stated that a recent Opinion of the Attorney General has defined "occurrence" as a question of fact and the definition depends upon the total circumstances in each situation. Chairperson Stromer explained that the Senate rules require senators and donors to report any gifts of over \$15 and the House rules require only that the donor must report any gifts over \$15 to members of the House.

Representative Ingwer Hansen arrived at the meeting at 10:25 a.m. and participated in discussion relating to the applicability of the statute to gifts received out-of-state. It was noted that many gifts received by a public official out-of-state would be excluded from the gift law because of the inability of the donor to influence the recipient. Mr. Garrison noted that the gift law gives the Legislative Council the authority to adopt rules for its employees.

Senator Willard Hansen arrived at the meeting and Chairperson Stromer called the meeting to order at 10:35 a.m.

Representative Hansen expressed the belief that the rules should be more specific relating to a definition of the term "occurrence". Senator Hansen commented that the term "occurrence" is used in insurance transactions and has been defined in a series of court cases to mean a continuous unbroken chain of events. Mr. Garrison interjected that a continuous unbroken chain of events may include lapses of time. Senator Hansen agreed. Representative Hansen suggested that the three-day "Governor's Days" in Clear Lake would collectively be considered an occurrence.

Chairperson Stromer summarized that it appears that Senator Hansen is suggesting that an occurrence means a function regardless of time frame that seems to include a continuous unbroken chain of events.

Representative Hansen moved that legislative employees be prohibited from accepting more than \$25 in one day. Discussion followed relating to various provisions of the gift law, and it was noted that receipt of expenses for a speaking engagement is not included in the reporting requirements and that the dollar limits specified in the law apply to an individual and gifts to family members are calculated separately.

Senator Hansen expressed opposition to Representative Hansen's motion. It was noted that the gift law prohibits receipt of gifts in excess of the value of \$50 for an occurrence. Chairperson Stromer ruled that Representative Hansen's motion was out of order because the assignment given to the Service Committee was not to develop rules more stringent than the law, but to define the term "occurrence". Representative Hansen asked that his motion be amended to define occurrence as a 24-hour period. Senator Hansen again expressed opposition to the motion. Senator Hansen asked that Chairperson Stromer's summarization of his remarks be restated for the Committee. Chairperson Stromer had summarized that occurrence means any function regardless of the time frame that seems to include a continuous unbroken chain of events. The Committee did not act upon Representative Hansen's motion but agreed to present Chairperson Stromer's definition to the Legislative Council without recommendation but as a suggestion from

the Service Committee. Senator Hansen asked that language be included to state that the gift requirements relate to the receipt of a gift from a single donor. Senator Rush suggested that the directors of the legislative agencies be given an opportunity to comment upon the definition.

The Committee adjourned at 11:10 a.m.

Respectfully submitted,

DIANE BOLENDER
Senior Research Analyst