

MEMORANDUM TO COMMITTEE

FROM: Research Department, Kansas Legislative Council June 22, 1967
TO: Special Joint Committee on Legislative Facilities
RE: Conference with International Roll-Call Corporation

June 21, 1967

10:00 a.m.

Conferees were Marshall F. Thompson, President, International Roll-Call Corporation, and Service Representatives William Pitts and Bernard Pitts. Other persons in attendance were William Hale, State Architect, and John Webb and Frank Applegate from the architectural services division; John Weeks, Revisor of Statutes; and Richard Ryan and Ben Barrett from the Research Department.

Mr. Thompson and his associates demonstrated their equipment which included a vote tabulating device, voting stations, indicator board, miniature vote indicator for the Speaker, reading stand, and the switchboard mechanism.

Vote Tabulating Device

The vote tabulating device uses printed forms which would be provided under the service contract by the International Roll-Call Corporation. The device perforates "yes", "no", and "not voting". At the same time, perforations show the number of the bill, the date and the total vote. Each vote sheet is punched in triplicate and as many copies can be made of a particular vote as might be desired.

The unit is capable of punching four columns of votes at once: the count requires 6 1/2 seconds. The recorder is run by a synchronous motor drive system which recently replaced a magnet ejection unit. The unit is said to be durable and trouble-free.

The present vote tabulating equipment is located in the reading clerk's rostrum and is much larger than the International Roll-Call unit, therefore, a new vote tabulating unit could easily be located in the rostrum. The unit could also be housed under a table or in some other inconspicuous place.

The size of the tabulating paper used in the machine as adapted for the Kansas House would be approximately 8 1/2" x 9 1/2". The vote tabulator seems to operate at least as quietly as the present unit and the votes are tabulated more rapidly.

Voting Stations

The voting stations recommended for use in Kansas are plastic. A toggle switch indicates "yes" or "no" votes. Green and red markings correspond on the voting station and on the vote indicator board to show the "yes" and "no" votes on a bill. The station also includes a dust cover and a switch for summoning pages.

International Roll-Call can provide locks for the voting stations and indicator lights for recording "present". The roll call equipment now in the House has the "present" light. Mr. Thompson's position was that a "present" light was unnecessary as the roll could easily be taken by recording "yes" votes each morning. The "present" button adds more equipment to maintain and, since it is not indispensable, Mr. Thompson discourages its use and he said that very few states now have the "present" light on their indicator boards.

Mr. Thompson discouraged the use of locks on the voting machines stating that his experience indicated the locks proved more of a nuisance than the service. However, should Kansas prefer them, locks would be furnished at the voting stations.

International Roll-Call representatives stated that the voting stations could be adapted with little difficulty to the desks in the Kansas House.

Indicator Board

The indicator board for Kansas would be approximately 6 feet wide and about the same height or slightly smaller than the present indicator board. Names of the members would be posted in any order preferred in this state.

Recently, International Roll-Call has developed neon lighting behind the names to make them stand out more prominently on the indicator board. Mr. Thompson pointed out that although most states list the names of the legislators in alphabetical order, there is at least one state which lists them by political party. The board would be arranged in the manner Kansas requested.

The indicator board is lighted and does not use relay switches. International Roll-Call stated that this point was important because the elimination of relay switches increases the dependability of the equipment. Mr. Thompson stated that the present roll call equipment uses relay switches in the indicator board.

The indicator board can show the names of the representatives, how they voted on each bill or resolution, and the running vote total (totals show every six seconds while voting is occurring).

Also, the bill number is shown as well as an abbreviated form of any particular phase of the legislative process. For example, if the House wished to show the number of a bill being considered in the Committee of the Whole, the indicator board would show the bill number and the abbreviation for "Committee of the Whole".

Because the board can show running totals, it would be unnecessary to take an actual vote to get a recurring total. The running totals would immediately give the House this information.

The capacity of the board demonstrated in Kansas is 125. Other units have been built to handle much larger bodies, but they are somewhat larger and more expensive.

Speaker's Miniature Vote Indicator

International Roll-Call would provide a miniature vote indicator unit for the Speaker of the House. The unit would show the names of the representatives and their "yes" or "no" vote on a bill. The Speaker would also have push button controls for opening the rolls for voting, locking the machine, and resetting the vote indicating unit.

The Speaker's miniature indicator board can be arranged in any position desired by the Speaker. For example, it could be set up to show the House seating chart or the political affiliation of the membership. The Speaker would also have an indicator showing the vote total on the bills.

The unit is smaller than the present vote indicator provided for the Speaker.

Reading Stand

Controls are mounted on the reading stand which light up a number of different items on the indicator board. For example, one switch can light up an abbreviated "third reading". Also, "bill number", "joint resolution", "concurrent resolution", "quorum", "motion", "second reading", etc., are other items that can be lighted on the indicator board from the reading stand. The bill number is shown and Mr. Thompson stated that a machine designed for use in Kansas would probably be wired to handle bills numbering up to 2,999. The equipment can be adapted to accommodate more bills if it should become necessary in the future.

The reading stand control would allow 12 items to light up on the indicator board. Four of the 12 would be required for the bill numbering system, and the others could be designed to fit the special requirements of the Kansas House.

Switchboard

The switchboard is housed in a locked metal cabinet. It takes less than 1/3 the present space required for this equipment.

Acquisition and Service

Mr. Thompson stated that he preferred an arrangement with the state to install equipment (the state would pay for the installation) and to maintain it on the basis of yearly service contracts. In Kansas, the installation cost would be \$17,500. The state would pay the total sum in the form of partial payments as the work progresses, withholding 10 percent until completion of the installation. After installation, the state would pay an annual rental of \$7,500.

Ordinarily International Roll-Call does not guarantee the annual rental price for more than a year at a time. However, Mr. Thompson said that he would be willing to guarantee the \$7,500 annual rental to the state of Kansas for a period of up to three years, but the company would not commit itself beyond that time. The company has a guaranteed annual rent agreement for a specified length of time with only one other state.

The contract would state that either party could terminate the agreement upon 90 days notice prior to the payment date. The contract makes no requirements as to the length of time that Kansas must keep the equipment. Mr. Thompson stated that he believed that once the equipment is installed, the State would be pleased with its operation and would keep it for a number of years.

The rental agreement includes all service to the machine, as well as keeping it up-to-date with the addition of the most recent developments made by the company. For example, since the company has developed the back lighting for the indicator boards, it will eventually install back lighting in all of the indicator boards now being operated under service agreements in the various states at no additional cost to those states. It was stated that none of the International Roll-Call machines is ever inoperable for more than one day. When a malfunction occurs, the state should immediately call the company and report the problem. A man is flown to the state and should have the machine repaired by the time the House convenes the next legislative day.

Mr. Thompson stated that the company preferred this kind of agreement to having an electrician, untrained in the International Roll-Call equipment, work on the machine. To the state, the Company policy results in a roll call machine that functions properly at all times and which is kept up-to-date as developments are added to improve the system. The annual rental fee also covers all of the printed roll call sheets. The roll call sheets can be delivered within 48 hours of the time an order is received by the Company.

The only item not covered by the service agreement is the replacement of under-floor wiring when it becomes worn. This would probably not occur more than once in every 20 or 25 years.

Mr. Thompson indicated that the present voting machine conduits which are owned by Kansas would be sufficiently large to handle the wiring for his equipment. The company would completely replace the present wiring with their own and, at the same time, install sound equipment if the legislature should so desire. They do not manufacture sound equipment themselves, and it would be considered separate from the roll call equipment. The company would not maintain the service contract on the sound: it would only purchase the equipment and install it.

It was reported that it would be possible to install a roll call unit within 30 days, but the company representatives preferred to have as much time as possible allowed for the installation.

Rental agreement figures are based solely upon the size of the legislative body. In legislatures having as many as 160 legislators, the annual rental is \$10,000. For legislatures the size of the Kansas House the rental is \$7,500.

The International Roll-Call Corporation recommends against purchasing their machine, although it is for sale. They pointed out that Arizona paid \$88,000, 12 years ago for their roll call equipment which, at that time, included a sound system. This was the last time an International Roll-Call machine was purchased. Since then, all others are under rent-service agreements. The estimated cost for an up-to-date machine is about \$100,000.

Mr. Thompson pointed out that some states which have purchased roll call equipment have been able to maintain it adequately, but many have not. The purchase arrangement has the disadvantage of not keeping the machine up-to-date with new developments in roll call equipment.

All International Roll-Call boards and page boards would be located wherever the Kansas Legislature would want them, but the most convenient location would be in their present positions because conduit to the boards is already installed.

On a lease-purchase agreement, International Roll-Call would place a one or two-year limit on exercising a purchase option. The Company does not stretch this kind of agreement out over a number of years.

Mr. Thompson stated that the machines were not insured by his company because the cost of insuring all roll call equipment in the states would be prohibitive. He realized that if a natural disaster occurred and his equipment were destroyed, the

loss would have to be absorbed by the company. However, since capitol buildings are rarely destroyed, the company has been willing to take the risk.

If a state desires to have a certain item included in the roll call equipment to fit its own needs or wants, the system will be built to accomodate that request. For example, the New York Senate requested that an automatic "yes" vote arrangement be installed at the voting stations so that a Senator could come in the morning and vote an automatic "yes" on all measures considered during that day. If he decided later to vote "no" on an issue, he would simply change the switch to the "no" position for that bill. However, if he did not switch back to the automatic "yes", a vote of "no" would be recorded for him on all other bills considered that day. Therefore, New York requested that International Roll-Call install a device for an automatic "yes" vote, a manual "no" vote, and an automatic switchback to the automatic "yes" for the rest of the day. Such alterations as these can be provided at the request of the state for no increased cost in the annual rental.

International Roll-Call now has rental and maintenance contracts with 19 states and the United Nations, maintenance contracts with 3 states, service on-call arrangements with 5 states, and they maintain American Signal Equipment in 10 more states. (The American Signal Company was purchased by International Roll-Call in 1950 and the company is committed to maintain this equipment.)

Copies of the roll call sheets and a sample copy of the standard roll call rental and maintenance contract of the company were left on file in the Research Department.

LEGISLATIVE COUNCIL ACT

Act 412, 1965, p —; eff January 1, 1966.

AN ACT to create the legislative council; to prescribe its membership, powers and duties; to create a legislative service bureau to provide staff services to the legislature and the council; to create a law revision commission; to create a legislative fiscal agency; and to repeal certain acts and parts of acts.

The People of the State of Michigan enact:

§ 2.13S(1) Short title.] SECTION 1. This act shall be known and may be cited as the "legislative council act".

§ 2.13S(2) Definitions.] SEC. 2. As used in this act:

- (a) "Council" means the legislative council.
- (b) "Bureau" means the legislative service bureau.
- (c) "Commission" means the law revision commission.

§ 2.13S(3) Legislative council; membership; appointment; filling vacancies; terms of office; expenses.] SEC. 3. There is created within the legislative branch of state government a bipartisan legislative council to consist of the speaker of the house, the majority leader and 5 other members of the house to be appointed by the speaker, not less than 2 of whom shall be members of the minority party, and the majority leader of the senate and 6 other members of the senate to be appointed in the same manner as standing committees are appointed, not less than 2 of whom shall be members of the minority party. Members shall be appointed or removed in the same manner as members of standing committees are appointed or removed in each house. Vacancies shall be filled in the same manner as original appointments. Members shall serve terms concurrent with their term in the legislature and until their successors are appointed and qualified. Members of the council shall be entitled to reimbursement for expenses incurred in the administration of their duties.

§ 2.13S(4) Officers; meetings; quorum; reports; investigative powers; subcommittees.] SEC. 4. Annually the council shall elect from its membership a chairman and vice chairman who shall be from different houses. The chairmanship shall alternate between the senate and the house of representatives. The council shall meet at least quarterly, but special meetings shall be held on call of the chairman or a majority of the members of council. The council shall prescribe rules for its own procedure. A majority of the council constitutes a quorum but a smaller number may transact routine business and receive reports from the staff. A majority of the membership shall concur in any recommendation of the council. The council shall report its findings and recommendations to the legislature on or before December 15 of each year, and may accompany its report with proposed bills to carry out any of its recommendations. The chairman

of the council or any member designated by him, upon majority vote of the council may administer oaths, subpoena witnesses and examine books and records of any persons, partnerships or corporations involved in a matter properly before the council. The council may create subcommittees which may include members of the legislature who are not members of the council. Noncouncil members of subcommittees shall be entitled to the same reimbursement of expenses and compensation as members of the council.

§ 2.138(5) Legislative service bureau; director; qualifications; compensation.] SEC. 5. The council shall maintain bill drafting, research and other services for the members of the legislature in a bureau to be known as the legislative service bureau which is hereby created. The bureau shall consist of a legislative reference library, a research section and a statute revision section. The council shall appoint a director of the legislative service bureau who shall serve at the pleasure of the council. The director shall devote his full time to the duties of his office, shall be qualified by experience and ability to conduct the work of his office and shall receive such compensation as fixed by the council.

§ 2.138(6) Director; ex officio positions; personnel powers; responsibilities; general programs and policies; enforcement of rules and regulations.] SEC. 6. The director shall be the secretary of the council and chief administrative officer of the bureau. With the approval of the council, the director shall employ such employees as may be necessary and fix their compensation within the appropriation made by the legislature for this purpose. The director shall have charge of the routine management of the bureau and may incur such expenses as may be necessary for carrying out the provisions of this act, to be paid out of appropriations made by the legislature for the operation of the bureau. The council shall be responsible for the general program and policies of the bureau and for the preparation and enforcement of rules and regulations concerning the services to be rendered.

§ 2.138(7) Legislative reference library; research services; assistance to legislative committees.] SEC. 7. The bureau shall maintain a legislative reference library containing material which may be of use in connection with legislation. Upon request, the bureau shall furnish research services to members of the legislature. The bureau shall furnish such technical and other assistance to legislative committees as may be authorized by the council.

§ 2.138(8) Drafting of bills and resolutions; statutes and session laws, classification and printing; catchlines, indexes and tables.] SEC. 8. The bureau shall:

(a) At the request of the members of the legislature draft bills and resolutions or amendments to bills and resolutions, and examine, check and compare pending bills with other pending bills and existing laws to avoid so far as possible contrary or conflicting provisions.

(b) Prepare a definite plan for the order, classification, arrangement, printing and binding of the statutes and session laws.

(c) Prepare catchlines, indexes and tables for the public and local acts of each session of the legislature.

§ 2.138(9) Secretariat for commission on intergovernmental cooperation; commissioners on uniform laws, appointment, duties.] SEC. 9. The bureau shall be the secretariat for the commission on intergovernmental cooperation created by Act No. 232 of the Public Acts of 1941, as amended. The council shall appoint 3 suitable persons who with the director of the bureau or his staff representative shall be the commissioners on uniform state laws for this state. The commissioners may meet and confer with commissioners of other states to bring about uniformity of state laws and shall report to the council annually. The expenses of the commissioners shall be paid from appropriations made to the council upon vouchers approved by it.

Statutory references.

Act No. 232 of 1941, above referred to, is §§ 4.143(1)-4.143(12), *infra*.

§ 2.138(10) Advice on pending legislation; furnishing of information; confidentiality of information.] SEC. 10. No employee of the bureau shall urge or oppose legislation but upon request shall aid and assist the members of the legislature by advising as to bills and resolutions and by furnishing to them the fullest information upon all matters within the scope of the bureau relating to their public duties. No employee of the bureau shall reveal to any person outside the bureau the contents or nature of any matter not yet published without the consent of the person bringing the matter before the bureau.

§ 2.138(11) Compiled laws, conformity to statutes and constitution; preservation of material; publication of material.] SEC. 11. The bureau shall maintain the text of the statutes, the constitution, the index and other matter included in the compiled laws and make the same conform to the statutes and constitution as thereafter added, altered, repealed or amended. The bureau shall preserve such parts of the catchlines, indexes and tables prepared for the public and local acts as may be useful in maintaining the general statutes contained in the compilation. Any of the materials so maintained, by agreement made with the director upon approval of the council, may be used in the publication for any department or agency of the state or political subdivisions thereof of such portions of the constitution and statutes as may be agreed upon.

§ 2.138(12) Law revision commission; membership; appointment; terms of office; filling vacancies; qualifications.] SEC. 12. The law revision commission is created to consist of the chairman of the committees on judiciary of the senate and house of representatives and the ranking minority member of each of such committees, and the director of the legislative service bureau, all of whom shall be members *ex officio*, and 4 additional members, who shall not be members of the legislature and who are to be appointed by the legislative council. The members first appointed by the legislative council shall be appointed for such terms that the term of 1 member will expire on

each succeeding December 31. The term of a member thereafter appointed, except to fill a vacancy occurring otherwise than by expiration of term, shall be 4 years from the expiration of the term of his predecessor. A vacancy in the office of a member appointed by the legislative council occurring otherwise than by expiration of term, shall be filled by the legislative council for the remainder only of the term. The legislative council shall designate 1 of the appointed members as chairman of the commission. At least 3 members appointed by the legislative council shall be attorneys admitted to practice in the courts of this state.

§ 2.133(13) Compensation of commission; personnel powers.]

SEC. 13. Each member of the commission, other than the ex officio members, shall receive an annual salary of \$6,000.00 and all members shall be reimbursed their actual and necessary expenses incurred in the performance of their official duties. The commission may appoint such employees as may be needed, prescribe their duties, and fix their compensation within the amount appropriated for the commission.

§ 2.133(14) Duties of law revision commission.] SEC. 14.

The law revision commission shall:

(a) Examine the common law and statutes of the state and current judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed reforms.

(b) Receive and consider proposed changes in the law recommended by the American law institute, the national conference of commissioners on uniform state laws, any bar association or other learned bodies.

(c) Receive and consider suggestions from justices, judges, legislators and other public officials, lawyers and the public generally as to defects and anachronisms in the law.

(d) Recommend, from time to time, such changes in the law as it deems necessary in order to modify or eliminate antiquated and inequitable rules of law, and to bring the law of this state, civil and criminal, into harmony with modern conditions.

(e) Report its findings and recommendations from time to time to the legislative council and annually, on or before January 1 of each year, to the legislature, and, if it deems advisable, to accompany its report with proposed bills to carry out any of its recommendations.

§ 2.133(15) Repeal.] SEC. 15. Act No. 196 of the Public Acts of 1909, as amended, being sections 8.51 to 8.55 of the Compiled Laws of 1948, and Act No. 383 of the Public Acts of 1941, as amended, being sections 4.301 to 4.305 of the Compiled Laws of 1948, are repealed.

Statutory references.

Act No. 196 of 1909, above referred to, is §§ 2.311-2.315, infra; Act

No. 383 of 1941 is §§ 2.125(1)-2.125(5), supra.

§ 2.133(16) Fiscal agency; creation; chairman; appointment of members.] SEC. 16. There is created an agency to be known as the fiscal agency to be of service to the appropriations committee of

the senate. It shall be governed by a committee of 3 members, including the chairman and 2 other members of the committee to be appointed by the chairman, 1 from the minority party.

§ 2.138(17) Effective date.] SEC. 17. This act shall take effect January 1, 1966.

§§ 2.311-2.315] (Repealed by Pub Acts 1965, No. 412, eff January 1, 1966. Current provisions for commissioners on uniform laws are under § 2.138(9).)

[PUBLIC ACT NO. 413]

§ 15.1023(Sa) Compliance with federal law; limitation on expenditures; annual report.] SEC. Sa. The state board of education may take any necessary action consistent with state law to comply with the provisions of Public Law 329 of the 89th Congress, known as the "Higher education act of 1965" to strengthen the educational resources of Michigan colleges and universities and to provide financial assistance for student in post-secondary and higher education through a program of administration, research and consultation. The state board of education may accept and expend federal funds available under such provisions and promulgate rules and regulations as may be necessary for the conduct of this program. This shall not be construed as authorization to expend nor to incur any obligation to expend any state funds in excess of any amount which may be appropriated for such purpose by the legislature. Any funds appropriated shall be paid out of the state treasury in accordance with any fund accounting procedures necessary to assure proper distribution of and accounting for federal funds paid to the state.

The state board of education shall submit to the legislature on or before April 1 of each year a report of projects conducted under the provisions of Public Law 329 of the 89th Congress during the preceding year.

History.

Added by Pub Acts 1965, No. 413, and eff Dec 17.

Statutory reference.

Public Law 329 of the 89th Congress, above referred to, is 20 USC —.

[AMENDMENT TO GCR 403]

Rule 403 Motion for Change of Venue Properly Laid.

The venue of any civil action properly laid, or of an appeal from any order, decision, or opinion of any state board, commission, or agency, authorized under the laws of this state to promulgate rules and regulations, may be changed to any other county by order of the court upon timely motion by one of the parties, for convenience of parties and witnesses, or, in the case of appellate review of the administrative proceedings aforementioned, for convenience of counsel, or when an impartial trial cannot be had in the county wherein the action is pending.

History.

As amended 1965, eff Jan 1, 1966.

punished for such offense by a fine of not more than five thousand dollars. [L. 1909, ch. 170, § 8; Feb. 19; R. S. 1923, 46-208.]

46-209. Act not to apply to public corporation. This act shall not apply to any municipal or other public corporation or its accredited attorneys, agents or representatives, while acting for such municipal or other public corporation. [L. 1909, ch. 170, § 9; Feb. 19; R. S. 1923, 46-209.]

46-210. Attorney general to prosecute. It shall be the duty of the attorney general, upon complaint made to him, to bring prosecution under the provisions of this act. [L. 1909, ch. 170, § 10; Feb. 19; R. S. 1923, 46-210.]

Article 3.—STATE LEGISLATIVE COUNCIL

Cross References to Related Sections:

Senate chamber designated as meeting place, see 75-2219.

Bar Journal References:

Mentioned in explaining the operation of the office of revisor of statutes, Franklin Corrick, 6 J. B. A. K. 284, 293 (1938).

46-301. Members; appointment; chairman and vice-chairman; party representation; vacancies. That there is hereby created a legislative council, which shall consist of ten senators and fifteen representatives, to be appointed by the president of the senate and the speaker of the house of representatives before the close of the 1933 session of the legislature and during each regular session thereafter, such appointments to be approved by a majority vote of the respective houses. The president of the senate shall be ex officio member and chairman, and the speaker of the house shall be ex officio member and vice-chairman.

The party representation on the council shall be in proportion generally to the relative number of members of the two major political parties in each house of the legislature. The president of the senate and the speaker of the house shall prepare their list of appointees so that the whole membership of the council shall include representation from each congressional district and representative from each of the more important political parties of both houses.

When the legislative council determines that any vacancy exists in the membership of the council the chairman shall appoint some other member of the senate to fill such vacancy if the person previously filling such position was

a senator and the vice-chairman shall appoint some other member of the house of representatives to fill such vacancy if the person previously filling such position was a member of the house of representatives. [L. 1933, ch. 207, § 1; L. 1943, ch. 192, § 1; March 10.]

Research and Practice Aids:

States 34.
C. J. S. States §§ 42, 45-47.

CASE ANNOTATIONS

1. Mentioned in holding Kansas Turnpike Authority Act (68-2001 to 68-2020) valid. State, *ex rel.*, v. Kansas Turnpike Authority, 176 K. 683, 694, 273 P. 2d 198.

2. Cited in dissenting opinion in case upholding validity of state finance council. State, *ex rel.*, v. Fadely, 180 K. 652, 687, 308 P. 2d 537.

46-302. Government and state welfare information; legislative program. That it shall be the duty of the council to collect information concerning the government and general welfare of the state, examine the effects of previously enacted statutes and recommend amendments thereto, deal with important issues of public policy and questions of state-wide interest, and to prepare a legislative program in the form of bills or otherwise, as in its opinion the welfare of the state may require, to be presented at the next session of the legislature. [L. 1933, ch. 207, § 2; March 14.]

46-303. Investigations and studies; law enforcement. That it shall be the duty of the council:

(1) To investigate and study the possibilities for consolidations in the state government, for elimination of all unnecessary activities and of all duplication in office personnel and equipment, and of the co-ordination of departmental activities, and of methods of increasing efficiency and of effecting economies.

(2) To investigate and study the possibilities of reforming the system of local government with a view to simplifying the organization of government.

(3) To co-operate with the administration in devising means of enforcing the law and improving the effectiveness of administrative methods. [L. 1933, ch. 207, § 3; March 14.]

46-304. Testimony in investigations; fees and mileage of witnesses. That in the discharge of any duty herein imposed the council shall have the authority to administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses,

either residing within or without the state, to be taken in the manner prescribed by law or taking depositions in civil actions in the district courts. In case of disobedience on the part of any person to comply with any subpoena issued in behalf of the council, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the district court of any county, or of the judge thereof, on application of a member of the council, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

Each witness who appears before the legislative council by its order, other than a state officer or employee, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the secretary and chairman of the council. [L. 1933, ch. 207, § 4; March 14.]

Research and Practice Aids:

States 39½.

C. J. S. States § 42 et seq.

46-305. Studies by state and local officials. Each officer, board, commission or department of state government, or any local government, shall make such studies for the council as it may require and as can be made within the limits of its appropriation. [L. 1933, ch. 207, § 5; March 14.]

46-306. Meetings; quorum. That the council shall meet as often as may be necessary to perform its duties: *Provided*, That in any event it shall meet at least once in each quarter. Fifteen members shall constitute a quorum, and a majority thereof shall have authority to act in any matter falling within the jurisdiction of the council. [L. 1933, ch. 207, § 6; March 14.]

46-307. Governor's messages. That the governor shall have the right to send a message to that session of the council convening next after the adjournment of the regular session of the legislature, and may from time to time send additional messages containing his recommendations and explaining the policy of his administration. [L. 1933, ch. 207, § 7; March 14.]

46-308. Secretary; employment of assistants and research agencies. That the revisor of statutes shall act as secretary of said coun-

cil, and the said council may require the services of the legislative reference library, and the council may employ such assistants and engage the services of such research agencies as it may deem desirable, and its appropriation permits, in the preparation of a program of legislation or in regard to any matters of state-wide public importance within the jurisdiction of the legislative branch. [L. 1933, ch. 207, § 8; March 14.]

Bar Journal References:

Cited in discussing operation of office of revisor of statutes, Franklin Corrick, 6 J. B. A. K. 284, 290 n. 25 (1938).

46-309. Minutes and reports; rights of members of legislature. That the council shall keep complete minutes of its meetings and shall make periodic reports to all members of the legislature, and keep said members fully informed of all matters which may come before the council, the actions taken thereon, and the progress made in relation thereto. Any member of the legislature shall have the right to attend any of the sessions of the council, and may present his views on any subject which the council may at any particular time be considering, but he shall not have the right to participate in any decision which the council may make. [L. 1933, ch. 207, § 9; March 14.]

46-310. Recommendations to legislature. That the recommendations of the council shall be completed and made public at least thirty days prior to any session of the legislature at which such recommendations are to be submitted; and a copy of said recommendations shall be mailed to the post-office address of each member of the legislature, to each elective state officer, and to the state library. [L. 1933, ch. 207, § 10; March 14.]

Bar Journal References:

Cited in discussing operation of office of revisor of statutes, Franklin Corrick, 6 J. B. A. K. 284, 294 n. 41 (1938).

46-311. Compensation of members. That members of the council and the chairman and vice-chairman thereof shall receive for the time spent in attendance at sessions of the council a per diem of ten dollars (\$10) and the sum of fifteen dollars (\$15) per calendar day for expenses incurred while attending said sessions; and the sum of fifteen dollars (\$15) per day for expenses incurred in going to and returning from sessions of the council and seven cents (7¢) for each mile traveled by the usual route in going to and returning from the place where the sessions are held. Mem-

bers of the council and the chairman and vice-chairman thereof shall be entitled to receive per diem, expenses and mileage allowances; for attending authorized committee meetings of the council. [L. 1933, ch. 207, § 11; L. 1949, ch. 291, § 1; L. 1963, ch. 284, § 1; April 23.]

46-312. Invalidity of part. That if any section, subsection, paragraph or provision of this act shall be held invalid by any court for any reason, it shall be presumed that this act would have been passed by the legislature without such invalid section, subsection, paragraph or provision, and such finding and construction shall not in any way affect the remainder of this act. [L. 1933, ch. 207, § 12; March 14.]

46-313. Legislative budget committee; appointment; compensation. There is hereby created a legislative budget committee within the legislative council, which committee shall consist of not less than five members, the exact number to be fixed by the legislative council, who shall be appointed and serve in like manner as members of other committees of the legislative council except that members of the legislative council who are or were members of the ways and means committees of the house and senate may be given preference in appointment. The members of this committee shall receive the same per diem and allowances as now provided for legislative council members by section 46-311 of the General Statutes of 1935. [L. 1947, ch. 294, § 1; June 30.]

Research and Practice Aids:

States 61(1).
C. J. S. States §§ 36, 49.

46-314. Same; duties. That it shall be the duty of the committee to compile fiscal information for the ways and means committees of the senate and the house and to make a continuous study of the state budget, revenues and expenditures during and between sessions of the legislature. It shall be the further duty of the committee to ascertain facts and make recommendations to the legislature and to the houses thereof concerning the state budget, the revenues and expenditures of the state, and of the organization and expenses of the state, its departments, subdivisions and agencies, with the view of reducing the cost of the state government and securing greater efficiency and economy. [L. 1947, ch. 294, § 2; June 30.]

46-315. [L. 1947, ch. 294, § 3; Repealed, L. 1957, ch. 299, § 1; June 29.]

Article 4.—INTERSTATE CO-OPERATION COMMISSION

46-401. Senate committee; designation; chairman; commission chairman. There is hereby established a standing committee of the senate of this state, to be officially known as the senate committee on interstate co-operation, and to consist of five members: Four members and the chairman of this committee shall be designated in the same manner as is customary in the case of the members and chairmen of other standing committees of the senate. In addition, the president of the senate shall be a member of this committee and chairman of said commission. [L. 1941, ch. 271, § 1; April 10.]

Research and Practice Aids:

States 34.
C. J. S. States §§ 42, 45-47.

CASE ANNOTATIONS

1. Mentioned in holding Kansas Turnpike Authority Act (68-2001 to 68-2020) valid. *State, ex rel., v. Kansas Turnpike Authority*, 176 K. 683, 694, 273 P. 2d 198.

46-402. House committee; designation; chairman. There is hereby established a similar standing committee of the house of representatives of this state, to be officially known as the house committee on interstate co-operation, and to consist of five members of the house of representatives. Four members of this committee shall be designated in the same manner as is customary in the case of the members of other standing committees of the house of representatives. The speaker of the house of representatives shall be a member and chairman of this committee. [L. 1941, ch. 271, § 2; April 10.]

46-403. Governor's committee; designation; chairman. There is hereby established a committee of administrative officials and employees of this state to be officially known as the governor's committee on interstate co-operation, and to consist of five members. Its members shall be: The executive director of the state department of administration or the corresponding official of this state, ex officio; the attorney general, ex officio; the chief of the staff of the state planning board or the corresponding official of this state, ex officio; and one other administrative official or employee to be designated by the governor.