

Sine Die: The 60th Montana Legislative Session has adjourned without any set date to meet again. The session is over, but the work has not been completed. With blame and praise enough to go around, the bottom line is, the legislators went home without agreement on the most important issue of any legislative session. They did not decide on a budget and the funding of state government for the next two years. That single issue becomes a constitutional issue if no agreement is made before June 30th of this year.

Understanding the reason for the collapse of the process requires us to go back to the start of the session and look at the issue as it developed. We also need to recognize the responsibility of the individual legislators and our personal responsibility for this disappointing finish.

First of all, we should expect our legislators and other elected officials to have the good of all the citizens of the state of Montana as their goal in setting policy. "All the citizens" is a key phrase because not all the citizens are taxpayers. Our responsibilities are as much to the children, the disabled, those in our mental institutions, and even those in prisons, as they are to those who are taxpayers. When we are so simplistic in our approach that we think of solutions which only affect the taxpayers, then we ignore our responsibility to all Montanans. State government and governance of elected officials is not just for those who pay taxes.

Secondly, we expect our legislators to be statesmen and stateswomen. We expect them to come together to discuss, listen, and achieve outcomes for the benefit of all. We expect them to have the ability to rise above the fray when dealing with complex, problematic issues and find viable solutions. Good public policy is not about winning. In order for there to be winners, there must be losers. Good public policy is not about creating winners and losers; it is about the common good and promoting compromise.

The challenge from the House leadership, "It will be war," set the tone for the session which concluded with the statement, "This is a hill we can die on." Neither statement encourages dialog or compromise.

Their strategy was marked by surprise attacks and flanking maneuvers throughout the session. Remember the budget bills that were brought forth from behind closed doors to replace the main budget bill HB 2? No consultation was held with the opposition leadership or the Governor's office before the move. An 11-8 Appropriations Committee advantage guaranteed approval and the bills went on to the House floor, where a slim majority could not gain passage of the proposed committee bills without further amendments. They were sent on to the Senate with the hope, "the Senate will fix them." The Senate not only restored the funding removed by the House Appropriations Committee, but increased the funding over the Governor's original budget request. Not the fix that the House majority wanted.

When the bills came back to the House, the majority leadership refused to bring them to the floor for a vote, stating they did not trust the Senate. In a last ditch maneuver, the Majority tried to go back and resurrect the much vilified HB 2 as a safety net, just in case they were not able to achieve their goals with the broken bills they were holding. The “hill they would die on” was permanent tax relief for Montana taxpayers.

Permanent tax relief is a laudable goal and I certainly understand the value of the effort. No one should pay more than they need to pay to support essential governmental services. My concern is with the semantics. Permanent to me means forever or beyond the ability of future legislatures to change. Is that the goal? Are we expecting to set a policy today that will last in perpetuity? Is this policy designed so that no legislative gathering will ever be able to mold, modify or change it? Do we believe this legislature has the acumen to set policy that is beyond reproach? A policy so close to perfection that no one will ever have a better plan? Is that what permanent means?

Or, does it mean a policy that will be in place until the next legislature meets in 2009 or in a special session where they debate budgets and tax relief? If permanent means it can be changed in future legislatures, then it is not permanent, and we should be more precise with our language regarding tax relief. If a tax rebate means the same thing in this case, then maybe we should work together on the amount instead of holding out for semantics that may or may not be constitutional.

A solution to these issues is not beyond the abilities of our legislators. They are a bunch of very good men and women; a group of very bright, passionate, dedicated servants, in many cases the best of the best. Unfortunately, at times they have not had good direction and the gamesmanship and political maneuvers have not been conducive to good public policy.

We are not divorced from responsibility either. These people work for us. For what we pay them and for what the session costs, we should demand better than we received. The mere fact that they had 90 days to address the budget and the budget was not even discussed in the final two weeks is not acceptable. Those who are concerned about the people would have accepted responsibility and had the courage to discuss the difficult issues. Ignoring them, running from them, is not a solution.

The problem is there for us to address. We should ask each of our legislators to accept responsibility for their part in the failure to complete the people’s work. If they are quality people, they will accept their part and pledge to come together to work out a solution for all. It’s time to quit the rhetoric of war language. This should not be a war; it should be a gathering of intelligent statesmen and women working to produce good public policy. It is also not permanent. No elected official should have the impudence to believe his or her ideas, as proposed today, have infinite application.

Our call before the elections was to elect those who would represent us well. Our call during the session was to hold them to their promises. Our call now is to hold them accountable for what they did and did not do.

So now is the time to pray for our legislators. Please pray for all of the elected officials in this cooling off period. They are good people in a very difficult spot. But don't let them off the hook either. Demand they take responsibility for their actions and pledge to come back as statesmen and women to get the people's work done.