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# Transcript for Episode 05: Executive Reorganization: Forrest Anderson Builds State Government to Work for People

Tom Harrison

Diana Dowling

Sheena Wilson

Evan Barrett

*Executive Producer*, ebarrett@mtech.edu

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**[Begin Executive Reorganization-Building a State Government that Worked for People]**

00:00:00

**[Music]**

00:00:03

**Narrator:** From the beginning of Montana's distinctive yet troubled history, the Treasure State was dominated both economically and politically by powerful outside interests who shipped in capital and bought control of the State.

00:00:14

Historians tell us that as the Anaconda Company and its friends ran Montana, economic and political power flowed out into the hands of distant capitalists and corporations.

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Policy was determined in far off New York City and control of the press was rigid. Anaconda's corporate dominance in Montana's political affairs was unique in American history. For its first 75 years, Montana was a one-company State. But then big winds of change roared across the Treasure State; between 1965 and 1980 Montanans ripped off their copper collar, transforming Montana from a corporate colony into a free modern State.

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The people finally controlled their own destiny. The pitched battle between the people and the established power structure was not easily won but fired In a Crucible of Change a new Montana was born. Join Evan Barrett and real history makers of the time as they shine the light on this remarkable era.

00:01:20

**Evan Barrett:** Welcome back to *In the Crucible of Change*. Today we're going to take on a very, very important subject. You know we talk about how out of the *crucible of change* a new Montana was born and part of that rebirth of Montana was in modernizing the government. And--and today we're going to focus in on the Executive Branch of the Montana State government, a very massive important process that was undertaken in the late 1960s and early 1970s to reorganize the Executive Branch of government and make it really functional on behalf of the people.

00:01:56

The--the government is in--the Executive Branch Reorganization was important because that is how services were delivered to the people of Montana and in fact, the nature of the disorganized State government prior to the reorganization effort led to control by massive numbers of bureaucrats, special interest groups, and constituent groups--held sway over their little fiefdoms and and Governor, though elected by the people of Montana, really couldn't control the government on behalf of the people.

00:02:33

So it was in that context that Executive Reorganization took place. And today we have a--a wonderful panel of experts from back in the day. And I want to mention that--introduce them just quickly first and then we'll come back to them for detail later.

00:02:54

Tom Harrison; Tom is the former Majority Leader of the House, former State Senator. He is a member of the Executive Reorganization Commission. And he's going to be able to give us the perspective of Commissioners.

00:03:12

In addition, Diana Dowling was an attorney with the Commission and has had a distinguished career in State government and elsewhere since that time.

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As has Sheena Wilson who cut her teeth in State government back at the reorganization level and was a researcher for the Commission. So these folks represent what the--the real work that got done to--to lead to this Executive Reorganization.

00:03:41

Now I want to start and I'm just going to chat with you guys; we'll carry this on like a conversation here because that's what it is, but what we found and what existed was that there was a State government started out many, many--you know obviously 1889 with very few departments. And it wasn't hard to manage it, but as you would know, as time went on, more and more departments and commissions were created and it grew over time, and so that over the first eight decades that we were a State, there were six different reorganization studies conducted and recommendations made to the Legislature, out of which came almost nothing. Very little reorganization occurred; a few things here or there but not a lot--minor changes.

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So the real challenge here and we have this right up here--represents the real challenge was basically almost 200 boards, bureaus, and commissions that Governors and other people appointed and no one controlled them. A Governor could work--be a Governor for six or seven years and he wouldn't even control the board, let alone the fact that if you controlled the boards and they listened to you, how do you manage with all these bodies making decisions? So that is the chaotic state of State government that existed and it didn't matter if you were a Democrat or Republican Governor. It didn't matter what Party you were, you couldn't effectively run government.

00:05:12

And so really the people of Montana understood the need for this kind of change. But those that were vested in the existing structure didn't want change and had effectively stopped it for all those decades. But things really started to come full--to a point so to speak when Forrest Anderson was elected Governor in 1968. During the campaign his major theme as we've talked about in other programs was about the sales tax. But in that campaign it was about we've got to reorganize State government. And he had an electorate that was listening to that. So when the Session began in 1969 you were there Tom; Forrest spoke in the State of the State about doing the reorganization but nothing really happened until--the 50<sup>th</sup> day and all of the sudden House Bill 610 was introduced to create a Reorganization Commission and to appropriate money to fund that Commission and fund the research to lead to this. And I wondered if you might reflect a little bit about the tone of the '69 Session. What was it like when this subject was brought up before the Legislature in those days?

00:06:30

**Tom Harrison:** Well my recollection is that it wasn't a great surprise because people had more or less been expecting something along that line. And I felt it was brought up at the end because it was a Commission and it reduced the amount of time that it was going to be debatable and so you know here's an issue that we'll appoint what we've come to call Blue Ribbon Commission. We'll appoint this Blue Ribbon Commission to study whatever. And this was Executive Reorganization.

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And the Legislature over the years has had a pretty blasé time it seems to me with Blue Ribbon Commissions of that--they say fine; you know study whatever you want and--and a few Legislators get on it and so

it--it's adopted more or less, I don't want to say routinely but almost routinely and there's a bias in favor of it, because it's a study. You know we'll have time to think about it later.

00:07:39

So with that and introduced late in the Session--went through.

00:07:43

**Evan Barrett:** Well and you know it's good to remember that in those days under the Old Constitution, a Legislature was only 60 calendar days. It wasn't 90 legislative days; 60 calendar days and so on the 50<sup>th</sup> day the Bill is introduced and it looks as--initially I think it recommended 12 members, most of whom were Legislators. And I guess maybe one of the paths to getting a Commission approved is have a bunch of Legislators on it. **[Laughs]**

00:08:11

**Tom Harrison:** That's right.

00:08:11

**Evan Barrett:** And--and so it ended up after being amended to--there were eight members, four from each House and two from each Party from each House and the Governor as Chairman. So it was kind of an unusual Commission in that way.

00:08:23

**Tom Harrison:** Right; they had--my recollection is that there was four public members to be appointed by the Governor and that--that tier was eliminated in the amendment process and it ended up with nine as you say.

00:08:40

**Evan Barrett:** Yeah; it was kind of interesting. You'd kind of think that maybe the idea that the Governor might have had a few extra appointments in there and the Legislature said well let's peel those away and as I recall the Bill said you needed to have basically two--six of the nine members vote in favor of any recommendation. And there were a few things that happened like that but it did go through. The other thing that was very interesting was that the

Bill had in it an appropriation for State and Federal money to support a staff. Do you recall in terms of that or was that just kind of given that you had to do that?

00:09:18

**Tom Harrison:** Well I think it was more or less given but it did place a contingency on it particularly relative to the Federal money. You know is it--would it be coming and when?

00:09:31

**Evan Barrett:** Yeah; I think it was--if you don't have the Federal money you can't spend the State money.

00:09:35

**Tom Harrison:** That's my recollection.

00:09:36

**Evan Barrett:** And that--then that became relevant when we were talking about when the staff was getting hired because they couldn't get hired until the Federal money came in. And that hung out there for some time. Ironically to think about it, the Housing and Urban Development Department had money for things like this to give to States to do--to study modernization of their government. It's something you probably wouldn't hear of today. You know it's kind of an interesting thing.

00:10:00

Well anyway, Forrest was elected. The Legislature occurred. House Bill 610 came in; was about 127--these are small numbers nowadays, \$127,000 of--of State money and \$205,000 of Federal money to fund a two-year effort with a staff that ended up being 23 staff members. So I guess our salaries weren't that high were they? I--in addition to Sheena and Diana by the way just in full disclosure, I was a member of that staff. And it was a wonderful experience for us.

00:10:36

So we ended up with nine members and they did a study. The other interesting thing that happened was the failure of the previous efforts--was because of the lobbying of the Legislature by constituency groups and interest

groups and bureaucrats and power--and--and just vested interests not to do it. And Governor Anderson appeared to have discovered a methodology that Colorado used to--to force the reorganization and that was to put a limit on the number of departments in the Constitution and after the Regular Session occurred he called a Special Session and sent that forward, a 20-department limit. I wonder if you might talk a bit about how the Legislature looked at that because that seemed to have gone fairly well.

00:11:30

**Tom Harrison:** Well I think that the Legislature you know it's like Mason said to Dixon, you--we got to draw the line someplace. *[Laughs]* So he--he picked 20--good enough; you know it was an arbitrary number to some degree, but yet looked like a satisfactory number to consolidate the things and it turned out that--that was a pretty good number.

00:11:56

**Evan Barrett:** Uh-hm; and the--the other outlet on it which made--may be reasonably easy to vote for was that you were basically saying we're going to put it up and let the people say they want it or not.

00:12:09

**Tom Harrison:** Right; I--I think that was important and the--the Governor, we had this going on. The Governor's appointees, their Department Heads, they had to come up with some savings just because the Governor wanted this thing and it was obvious and yet they were on the horns of a dilemma because financially you know if they said well I can save \$50,000 it's their budget that's then going to be cut \$50,000. So they were caught between a rock and a hard spot but--and so the numbers they came up with were all coinciding with what the Governor wanted, some savings, and yet they were minimal savings. And the good part about that in my opinion was that then in the selling of it to whomever it wasn't oversold. It--this is some big savings deal; the numbers were very modest and--and modest because the Department Heads were going to have to live with them.

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**Evan Barrett:** You know in the--in the letter that the Governor wrote to the Legislature to say at the beginning of the Special Session he wrote that Colorado had done this but he really focused in on the--on the bureaucrats. And I think maybe looking back on it he was taking--taking advantage of the fact that from a political perspective, it was a lot easier to be--have a little angst about bureaucrats than it was about the interest groups that they served. The interest groups included voters. But bureaucrats were always a good target. And it seemed to me that his whole thing when he quoted that guy from Mississippi who said I believe in this reorganization more than anything, but my Commission is so unique and so distinctive that you could never take a penny away and he put that right in the letter that he wrote to the--to the Legislature, introducing this thing. And--and it--jeez it went through; I think I ended up finding that it went through the Senate 52 to nothing. And it went through the House was it 88 to 5; so those are big, big numbers. And they put it out there and then all of the sudden, we had the amendment pending and we had a Commission formed and we were waiting for Federal money. And the Commission was named and I was-- I was going to ask you to reflect upon that. And I'm going to just mention here that the Governor was Chairman and Senator Tony Rozelle from Billings was elected the Vice Chairman. It included Luke McKeon from Anaconda as a Senator, Gordon Bollinger from Glasgow as a Senator, both Democrats, Carl Rostad from Martinsdale, a Republican Senator, and then you were put on it--on the Republican side of the House along with Sterling [Inaudible] from Kalispell and then John Hall and Bill Christiansen were the two Democratic Legislators on there.

00:15:08

Can you reflect a little bit about the quality of that Commission and who was on it and--?

00:15:14

**Tom Harrison:** Well I think Bill and John had both been Minority Leaders and my recollection is consecutive Sessions. And so I--I think that the appeal was to [activate], knowledgeable Legislators with a field of knowledge of you know as--as in leadership positions. They dealt with a lot of those agencies and--and the public of course and so he--he was broadening the base of legislative experience on that Commission in--in my opinion and I was pleased to--to have the opportunity to serve on it.

00:15:58

**Evan Barrett:** Yeah; do you remember anything that Speaker Lucas said particularly to you when you were chosen? Did he give you a mission or anything or was it--?

00:16:06

**Tom Harrison:** You know if he did and--and I don't recall that he did and one of those things that I think if we'd had a sit-down with you know deep thoughts I--I think I would remember it, so even though a failing memory.

*[Laughs]*

00:16:22

**Evan Barrett:** Well you know of course it was a broad base of support for this. I think the League of Women Voters which was a pretty powerful group at that time, it seemed like and they were bipartisan, nonpartisan, however you want to say it, seemed to me that they were big-time on this issue for a decade. And they had busloads of--of activist women who were coming there as the League of Women Voters saying do this, do this, do this. And it seemed like there maybe was a political tone saying let's just not slap-dash into this thing. Let's do it smart and do it right.

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When the appointments were done and the Commission met, again pending Federal money, waiting to have that happen, apparently there was a--a question raised; should we do an efficiency study or should we do a structural study? And the Commission opted for one of those two. Did you remember going through that a bit?

00:17:23

**Tom Harrison:** Well it--it seemed to me the emphasis was on structural and which is in keeping with the desire to carve it back to 20 titular heads of departments and--and so I think--I think it went you know massively in favor of the structural over the efficient.

00:17:46

**Evan Barrett:** Which made a difference, and--and let me just add one more thought. It's kind of a political animal; when the election was occurring and by the way at the election, it was about 70-percent of the people who voted for

the 20 department limit. And the thing--the thing we talked about was they came up with those words *20's Plenty* and they said--and they were able to say 161 boards, bureaus, commissions, etcetera, etcetera, we got to have less than 20 departments--*20's Plenty*--was a decision by the Commission knowingly I think not to put out the Commissions detailed report until after the election so that the election was not about the details but was about the concept. And conceptually 20 departments sounds really good. And so it passed overwhelmingly. Well, all of the sudden waiting for the Federal money that--the Commission I'm sure with the Chairman's--was very close to the Director Duke Crowley, a mentor of all of ours, was selected to be the Head part-time from the Law School, to be the Head of this. And he hired George Bozelman, a marvelous Research Director to head it all up. He had come from South Dakota and one other--Idaho, Legislative Council work but he was from Columbia Falls, Montana. And all the sudden August came and there was some Federal money and things got started.

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I remember; I was the first staff member to come in the door other than George and next thing you know, Diana you showed up a couple days later. We had never met before. And a couple weeks later you showed up Sheena. Tell me--tell me Diana, as an attorney for the Commission a little bit about what your--what your thoughts were when you walked in the door there with this job. How did you even want to have this job for this important function and how did you get there and what did you think about it to start with?

00:19:44

**Diana Dowling:** Well I'm glad you told me ahead of time to reflect upon it because I don't remember much about that at all. *[Laughs]* But when you mentioned door, I do remember my big problem the first day was finding the door because--and I got lost for weeks up on the 4<sup>th</sup> floor.

00:20:02

**Evan Barrett:** The 4<sup>th</sup> floor. *[Laughs]*

00:20:03

**Diana Dowling:** I didn't know there was such a thing and I was constantly--I had been directionally impaired for all my life. And I kept ending up in the wrong wing of the Capitol and I couldn't find the door, but--. So I had to go

back in my memory 45 years as to why I would even be applying for the job. I found a letter I had written to Governor Anderson in April of '69 asking for a part-time or a permanent--I mean a permanent part-time job or a--a--yeah, just a part-time job or a full-time temporary, okay. And the reason being I had five little kids at home. I had passed the Bar in '65 and had my fifth child in '66, so I had three kids like three, five, seven, eight, and nine, so I didn't want to work full-time. And I think I probably heard about this job through Duke Crowley because my husband had taken Duke's place as Deputy County Attorney under Tom Hanrahan and so Duke of course knew that there was a job available and I don't remember interviewing and I got the job.

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**Evan Barrett:** So when you--so you ended up walking in the door and when you walked in the door, did you have any idea what you were getting into?

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**Diana Dowling:** No; no.

00:21:34

**Evan Barrett:** But you did most of your work as an attorney, not with George, who was directing that kind of the--the broader research but with Duke on specific topics is that--is that the way you recall it?

00:21:47

**Diana Dowling:** Well in the letter I said I'm not asking for any kind of a job to the Governor, but I think my--my strength is in research and legal writing. I had drafted Bills for the Legislative Council for the '67 Session and the '69 Session. And so boy, and both Duke and George were great researchers, great writers, and I--I just learned a lot from them, a lot from them.

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**Evan Barrett:** And Sheena when you--when you came in the door I remember it well.

00:22:23

**Sheena Wilson:** I was so young Evan. *[Laughs]* And straight off the farm; in fact I didn't start--

00:22:29

**Evan Barrett:** Literally?

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**Sheena Wilson:** Literally straight off the farm. I don't think I started until the first week in October because harvest was late. And so I wasn't allowed to leave the farm. In fact, I'm not sure my dad was too pleased that I was coming to work for a Democratic Governor anyway. He was a dyed in the wool Republican so--. *[Laughs]* He kept me around.

00:22:47

But it was--you know it was a great exciting time.

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**Evan Barrett:** You had just come out of the--finished the University, right?

00:22:52

**Sheena Wilson:** Just graduated--just graduated from the University of Montana with a degree in Political Science, shiny brand new degree, and here I was coming to Helena to do the real thing. I mean it was pretty amazing and in the Governor's Office of all places in Montana's Capitol. I mean it was--it was really exciting but pretty scary, too. I mean I remember being oh my goodness; what did I get myself into here? And how did this happen to little old me from little old Dutton?

00:23:17

**Evan Barrett:** Well you know as difficult as it is to try to understand the structure of Montana government, even just today, think of the confusion we walked in on.

00:23:25

**Sheena Wilson:** Oh--

00:23:25

**Evan Barrett:** Nobody knew; this chart we just looked at didn't exist. We didn't any of us know so yeah, it looked like a pretty daunting task didn't it?

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**Sheena Wilson:** Well and--and as it turned out I mean some of these little agencies, you'd go and--and I remember--I remember doing some of the smaller ones and it was like these people don't have any idea how they fit in the big picture. Their vision is totally restricted to the walls within their work. And you know a lot of them were working very hard, but they just had no overall sense of their place in--in State government as--as a unit, so it was--.

00:24:00

**Evan Barrett:** And maybe was no particular place.

00:24:02

**Sheena Wilson:** Right. [*Laughs*]

00:24:02

**Evan Barrett:** That was the point. [*Laughs*] Now you worked mostly under George--

00:24:08

**Sheena Wilson:** Right.

00:24:08

**Evan Barrett:** --as opposed to Duke. Duke was one level up and so he'd come over from the Law School and everything would be packaged up for him to look at and work--he worked very closely with George but you didn't work with Duke that closely did you?

00:24:21

**Sheena Wilson:** No; but I mean I do have a--I think Duke was--I met a few Butte guys in college, so but I think Duke was the first real Butte guy I--I knew and looking back on it, he kind of set the tone for every other Butte guy I ever dealt with.

00:24:38

**Evan Barrett:** He came out of Dublin Gulch--.

00:24:41

**Sheena Wilson:** And he was--you know this farm girl recognized a city guy, you know. He was--for Montana, he was a city guy, and I remember them saying where the pavement stops Crowley stops, you know. **[Laughs]**

00:24:53

**Evan Barrett:** Yeah. **[Laughs]**

00:24:53

**Sheena Wilson:** He wasn't going camping. **[Laughs]**

00:24:54

**Evan Barrett:** Yeah, yeah that's right; that's right.

00:24:56

**Sheena Wilson:** Yeah; so but he was--I remember--

00:24:57

**Evan Barrett:** And then George?

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**Sheena Wilson:** And George was the best boss anybody could have and especially a brand new young, naïve, coming to town for the first time--he was patient and a great mentor. He--you know taught us; he was as I say just so patient. He was kind and quiet but very funny, very, very smart. I mean he was--and he was--he set the tone by leading by example. He worked harder than anybody and so you were compelled to keep up with him or not let him down. I mean he was that kind of a guy. You just didn't want to let him down, so you felt like you had to work hard to--.

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**Evan Barrett:** And Diana, your reflections on working with Duke?

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**Diana Dowling:** Well--

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**Evan Barrett:** Mostly?

00:25:42

**Diana Dowling:** --of course he's a legend.

00:25:45

**Evan Barrett:** Yeah; yeah. [*Laughs*] Was he--was he kind and tender with you in your research though?

00:25:51

**Diana Dowling:** No; I remember presenting my first report and Duke is reading it and he'd go ah, ah. You know why don't you just say it Diana? **[Laughs]** But you know I knew Duke--Duke and his reputation beforehand, you know stories of Room 35 and he was a member of my husband's Gout and Garbage Society and they would meet and fix meals every month and stuff like that. But he was a--a great teacher. Of course he was a teacher, a Law School Professor and I learned so much. I think my entire career stemmed from what I learned from Duke Crowley.

00:26:42

**Evan Barrett:** You know I always thought that--the years I spent working with Duke, I'd tell my brothers who were lawyers, I'd say I got my law degree from Duke Crowley without having to go to law school. **[Laughs]** You know and I really learned so much that way. Tell me about--Diane about any particular areas of research that kind of stick out in your mind of things that you did and--and that you were able to bring to the fore.

00:27:06

**Diana Dowling:** Well one of the--one of my first assignments was State investments and I think that's one of the biggest things that Executive Reorganization did. And now that Sheena is now on the Board of Investments it's just amazing because I remember--

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**Evan Barrett:** Small circle isn't it?

00:27:22

**Diana Dowling:** --I remember you know reading the law and Constitution about how State investments were supposed to be handled. I didn't even know what an investment meant, probably. I remember going to the Treasurer's Office, expecting to find a big vault with the State Treasury cash stacked up inside this vault. And anyway I found out that the Land Commissioners, the State Treasurer, the Depository Board, all those people that were supposed to be in charge of investing State monies weren't. And there were 17 agencies doing investing; there were hundreds of probably agencies out there just depositing their funds into banks around the State at no interest. At any rate, you know after the long report and the investigation, George--Duke Crowley gave George Bozelman

entire credit for developing the idea for a State Board of Investments. And now we have one and at the end of the '72--there was about \$300 million in State funds invested and now Sheena tells me there's \$16 billion invested in State funds, so--I learned a lot.

00:28:55

**Evan Barrett:** Do you--did you get a finder's fee for that? *[Laughs]* You know--

00:29:01

**Diana Dowling:** Amazing.

00:29:01

**Evan Barrett:** Well the investments was one and--and but you found some things when you were looking at motor vehicles for example. You found--I mean it's hard for us to believe what I think you discovered in those days what was going on over there.

00:29:16

**Diana Dowling:** Well and that was going on through out of state government as Tom mentioned before. Data processing, word processing was just beginning; okay the Registrar's Office in Deer Lodge, the Warden was the State Registrar. I guess because--

00:29:35

**Evan Barrett:** So they made licenses--

00:29:35

**Diana Dowling:** License plates were made over there.

00:29:37

**Evan Barrett:** Prisoners made the license plates; yeah.

00:29:38

**Diana Dowling:** So and the law required that he use prison inmates for clerical help. The--that Warden at the time didn't believe that prisoners belonged in the permanent records of the Registrar's Office, so he wasn't using any as clerical help. But there were 68 employees there and they were--they were processing millions of documents, all hand--by hand, you know hand-typed, hand-stapled, hand-sorted, hand-filed. They were getting something like 3,000 documents a day to file under motor--under license plate numbers. So they were always way behind.

00:30:23

The Counties were way behind in filing the documents with the Registrar. There were 18 employees that did nothing but check the documents that came from the counties and there were eight employees that spent full-time sending back those documents for corrections.

00:30:47

**Evan Barrett:** So while you were--you were looking at structural aspects, the obvious efficiency things jumped out.

00:30:54

**Diana Dowling:** Had nothing to do with--

00:30:54

**Evan Barrett:** It ended up being some of the arguments for doing it I suppose. Did you ever have a--did you remember having much interface with the Commission itself? Did you go and help report to the Commission or did they leave that pretty much to Duke and George to do?

00:31:08

**Diana Dowling:** Well I--I went to the Historical Society after you said we were going to have this and read all of the Commission minutes and I was President some of those meetings but I don't remember a thing about it.

00:31:22

**Evan Barrett:** I think we were--I think we all had learned the lesson that this was at a higher political level. This was Legislators who were my gosh Legislators and they had decision-making authority and there was a guy there named Duke Crowley and a guy named George who could talk to them much better than we could. And I think we all kind of shrunk away from that; I certainly felt that way myself. Now--now Sheena in your department, you had got into some big departments and stuff and some interesting stuff. Can you give us some reflections on some of those?

00:31:53

**Sheena Wilson:** Yeah; for--for whatever reason I ended up with the Natural Resource agencies and the idea that came out of that was that they would all be combined, you know which would make the Fish and Game Commission just a part of another department. And I think looking back--

00:32:10

**Evan Barrett:** Oh that sounds like fighting words.

00:32:12

**Sheena Wilson:** Definitely fighting words. **[Laughs]** And you know for a rather naïve young student basically to take on Frank Dunkle who at the time was the Fish and Game Department and it was his Department and his Commission and they were very, very jealous of their independence from anybody, much less the Governor. So it was--it was a challenge; you know I was not Woodward and Burstein by any stretch, so digging into Fish and Game was a--a big challenge for somebody. So he was a--you know a charming guy who was you know just--he would walk up to you and give you a little red rose to put on your collar. So I mean he was very--it was easy--it was hard to be tough-nosed with Frank Dunkle. And in the end, the--you know the Department I think pretty logically it had a very clear mission. It had a very conscientious group of stakeholders. It had its own money. So I mean I wasn't really surprised to see it into being its own department.

00:33:16

**Evan Barrett:** Yeah; now--now he--by the way for historical context, he ended up at loggerheads with Forrest Anderson so badly that he left and he ran for Governor in 1972.

00:33:30

**Sheena Wilson:** Still with the little red roses.

00:33:31

**Evan Barrett:** And he ran in the Republican Primary and Big Ed Smith beat him in the Republican Primary. And that was--then I think he went to Denver and it's the last time he served politically in Montana. But he was a pretty powerful force.

00:33:43

**Sheena Wilson:** Very powerful.

00:33:44

**Evan Barrett:** Now how did he contrast with your other agencies?

00:33:46

**Sheena Wilson:** Well the Natural Resource at the time included the Department of State Lands, not the investment side of it but the--managing the lands part of it and Ted Schwinden was the Head of Department of State Lands. And Ted immediately understood the whole notion of why Executive Reorganization was necessary. He believed in it. He understood that you know it was--it was going to be you know quite a process. But he was so helpful and he was a farmer. My dad was a farmer. I grew up on a farm. So I had a much easier time with conversations with Ted and he became a lifelong friend, but the important thing, he wasn't threatened or challenged by it personally. He understood that this was for the good of everyone and he wanted to be a part of doing that.

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**Evan Barrett:** And--and maybe another thing is that I think Frank Dunkle was appointed by the Commission, the Fish and Game Commission--

00:34:45

**Sheena Wilson:** Right.

00:34:46

**Evan Barrett:** --and its own authority. And Ted Schwinden was appointed by the Land Board but really he was a-- a Governor's appointee, so he was right in tune with what Forrest Anderson wanted to do. And in our discussions with Ted he reflects on that quite a bit. He--he understood for sure. Did you get a chance to interface with the Commission much or--?

00:35:08

**Sheena Wilson:** No; I don't--well if I did I don't remember. I'm like Diana; I've had--

00:35:12

**Evan Barrett:** We were all buried--our heads were buried in the work weren't they?

00:35:15

**Sheena Wilson:** Right.

00:35:16

**Evan Barrett:** It was an amazing amount of work that had to be done. Actually when you look at this book right here which is the report that was given to the Legislature in December of 1970 and that's a pretty thick document. Not one that every Legislator would read every paragraph of, but this is about maybe 120<sup>th</sup> of the volume of the stacked up volumes of research that backed this up with report after report after report after report. I always remember how--how disciplined George was. We referred to him as SAP--S-A-P; S-A-P meant that when you did all the research and you wrote up all the information then you had a summary, you had an appraisal, and you had a

proposal. And that was the substance of this was everyone looked at the summary, appraisal, and proposal but backing it up was all this wonderful data. And backing it up was the sword of Damocles hanging over the head of everyone once November of 1970 came and the people voted 70-percent to limit to 20 departments.

00:36:25

**Sheena Wilson:** Every county.

00:36:27

**Evan Barrett:** Yeah; every county in the State of Montana voted in favor of it.

00:36:29

**Sheena Wilson:** Every county.

00:36:29

**Evan Barrett:** So all the sudden it's like well this is going to happen. Now it could have happened in--as late as '73 and we're going to talk about the '71 Legislature a little bit here in a second. I want to just quickly mention from a staff perspective that there were 23 staff if you count Duke as part-timer. There's a part-time Director, a Deputy Director--George, Administrative Assistant; that ended up being me, 4 attorneys, 10 research analysts, and 6 clerical assistants, 23 people doing that work and crunching it out in that much time. And it was only about 12 months--14 months of work. I mean what an amazing--

00:37:14

**Sheena Wilson:** Yeah; I don't know how George did it. It was magic. **[Laughs]**

00:37:16

**Evan Barrett:** Pretty amazing to get it done. So then it ended up and again through the Legislature, 161 good reasons to go *20's Plenty* and it passes overwhelmingly, so what do we have? We go to the '71 Session and the '71

Session Tom you were the--you had been elevated. You became the Majority Leader of the House. And I think you got to be the lead sponsor of what is it called House Bill 3?

00:37:40

**Tom Harrison:** House Bill 3.

00:37:43

**Evan Barrett:** Which was basically--?

00:37:44

**Tom Harrison:** Basically that converted into a Bill.

00:37:47

**Evan Barrett:** Yeah and that was a terrific thing to--to read and try to do but how do you--how did the Legislature approach in your recollection getting such a massive undertaking properly reviewed by a legislative body? You know it had to be a big challenge.

00:38:07

**Tom Harrison:** Well I--I think it has to be viewed in--in legislative process, view finder, because the--the Legislature as you know works on a Committee basis. And--and so the standard procedure is a Bill particularly a complicated Bill, goes to a-Committee. And that Committee then does the--the evaluation in as much detail as they want to. But the other Legislators are really on the periphery and--and structurally that Legislature works with the result of the Committee being almost like it's good enough for me just because there isn't time for everybody to get in on the Hearings and do everything. There's just such a volume of work. So it boils down to time constraints and so a few people end up doing the--the oar work, the hard work on any piece of legislation. And the others just say you know we have to be bound by that.

00:39:15

**Evan Barrett:** And in this case, since these individual Committees of jurisdiction you would have had to break the Bill up into 20 different Committees; a Special Committee was formed and it was joint Hearings. Was that--?

00:39:25

**Tom Harrison:** That's my recollection yes. And then I think that the Governor in his letter that you referred to focused the antagonist as being the Department Heads. So he really kind of focused and of course then when you get into the antagonistic part of it, they basically all worked for him, you know so I think he tempered opposition at that time. And there was--not opposition but concern about this--this was a massive change. And so everybody was a little concerned about what it was doing, was it going too far, you know does it favor the Democrats; well there will be a Republican Governor tomorrow. There will be a Democrat the day after that. So that kind of took the fluff out of that opposition. And then my recollection is Senator [Dezebie], Democrat--

00:40:24

**Evan Barrett:** He was the Floor Leader in the--the Majority Leader of the Democrats in the Senate.

00:40:27

**Tom Harrison:** In the Senate and then Representative Mather from Billings took on the skeptical role; will it do this, will it do that, and appeared to almost be not opponents but concerned about the details. And--and that lasted you know for almost until near the end of the consideration of the Bill and as to my recollection. But the overwhelming nature of support that *20's Plenty* really did have a ring to it, to everybody. And then so you get near the end and both of those individuals, those Legislators had statewide political ambitions. One ran for Governor; the other one ran for Congress. And so you know the--they--they could see the handwriting on the wall, so all really basically--all opposition to it was dissolved and disappeared by the time it was over.

00:41:31

**Evan Barrett:** You know during that time you know I had been Administrative Assistant to the Commission on the Commission staff. And I was in 1971, 25 years old, and I didn't know anything about the Legislature but I must have been a good soldier or something or had--or fearless or something. And--and I got pulled off the

Reorganization staff and put on the Direct Governor's staff because they wanted me to help them to work the Legislature. And they didn't think it was--it was not appropriate to have a member of the Reorganization staff go work at the Legislature and lobby the Legislature. So I went to the Governor's staff to do that and of course I knew nothing about lobbying the Legislature. I was the eyes and ears and legs and hands for people like Duke, people like Gordon Bennett, people like Fred Barrett, who had been brought in to be a Special Legislative Assistant at the time, to help Ron Richards who was the Executive Assistant of Forrest to help all this happen. And--and--and what I recall was almost a circus-like atmosphere, a carnival-like atmosphere in what was a series of six gigantic night-time Hearings in the House Chamber that Representative Mather chaired and [Dezebie] was in the House. The Senators came over too and in six nights, one after another after another of every one of these major things came up and--and frankly, 90-percent of the testimony was in opposition. It was in opposition by people who either were in departments and said, well you can't do this or they were the constituent groups saying we're too sacrosanct. You can't do that. Or, in the case of we--it's our money; it's not your money that's being spent and a lot of that type of stuff.

00:43:36

And so the preponderance of the testimony was in opposition, and clearly, the Legislators seemed to have found a way to look beyond that and maybe it just reinforced the message that as Forrest said at one time, we got to get all the nuts in one cage. [Laughs] You know and I wonder what your--your reflections on those big Hearings; do you remember those?

00:43:59

**Tom Harrison:** Well I think that the--the opposition, the opponents that you mentioned were mainly the smaller so-called departments, the smaller of the almost 200 groups. And if we reflect back on how they were originally came into being, you know if you had a little turf you--you did this. It was--you were on the message board and then the concern was that the people who are giving haircuts don't start giving neck massages. And it's that kind of a--a--actually it's turf. And they say well, and they come to the Legislature and get a very receptive response from the Legislature. They say well we don't--we want to be professional so we want to have this Board, that Board, and then we--we'll subject ourselves to licensing and some regulation and but what it's all about really is they're carving out their piece of turf. And they want to be protected.

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So it's two things; they want their turf and they want to keep other people out of their turf. So many of those if not most of those come into being that way, and the Legislature over the years just said fine; you can--you know you can have your own deal and run your own show. But--

00:45:26

**Evan Barrett:** Pretty soon you got 200 of them. *[Laughs]*

00:45:28

**Tom Harrison:** I mean right; it grows like topsy and pretty soon you just have to come to grips with it and say listen. This ain't working.

00:45:36

**Evan Barrett:** Yeah; yeah, well it is kind of interesting--Diana?

00:45:38

**Diana Dowling:** I just--I had dibbies on telling this story about the opposition. I read about one Hearing where Representative Ralph Peck from Deer Lodge testified on behalf of the Funeral Directors Association and he said on behalf of the Funeral Directors Association I want to tell you that we will gladly bury this Bill for nothing. *[Laughs]*

00:46:10

**Evan Barrett:** I remember that. I remember that; absolutely. Well the one thing we--when we think about it, I think all those small Boards actually were the lynchpin for the support because it was sometimes--the Barber Board suggested that you only have 19 departments and we have 1 staff person but our function is so important we should be the 20<sup>th</sup> department. So when things like that are being laid out to the Legislature they start to see the--the sense in the whole thing.

00:46:33

I--I did the research by the way on the Occupational Licensing Board so when I first went to work there that's the first research I did. Wow; what an eye opener for me. And out of that I developed what I audaciously called the Barrett's Law of Public Administration. And I took claim to it and I--but it's--I've never seen it violated since which is that you learn that the smaller one's area of authority is the more jealously they guard it. And so it's the little guys who were jealously guarding every inch of their turf to the point that Legislators looked at it and said what? You know come on now, and with the sword of Damocles hanging over it of course.

00:47:13

Now House Bill 3 was introduced. That was the Bill you introduced and the Senators got nervous about it. And so later on with Senator Luke McKeon, one of the members of the Commission put out a Bill called House Bill--or Senate Bill 274. It was an exact mirror image Bill. You can't do that today. But you could back then. And that Bill got moved across and eventually became the Bill that passed as Senate Bill 274 which became the Chapter Laws of the thing. And those Hearings were really kind of interesting.

00:47:48

Now there was discussion Tom at that time about delaying it all until 2003 because under the Constitutional Amendment it said you have to have these 20 departments in place by 2003.

00:48:06

**Diana Dowling:** Nineteen--

00:48:06

**Evan Barrett:** Or excuse me, what am I saying--2003, 1973. So here we were in '71 and the idea was to pass a law by July of that year and there was some effort to push it back two years. What was your sense of the mentality of-- because there was some in the Legislature that wanted to do that because some of the constituency groups were making noise? And the comfort level issue; maybe that's why it took so long for it to come together--your thoughts and recollections?

00:48:41

**Tom Harrison:** Well it just seemed to me that--that was you know almost a fallback position of the people that had effectively lost their--their effort to either stop it or derail it. And so then well the next thing is to delay it, and well I think it was just received like that for--for the majority. And the other thing, when you get into something like that and then you get the fallback positions, the majority almost always overcomes that. But the good thing about that legislatively and politically is that then it gives some cover to the people that represent those that were you know hide-bound against it. They can say well you know I tried my best to delay it, where we could think about it, and then maybe repeal it later. And so it gives legislative cover for those people that want it and need it and think they need it, but the majority rules and--and you know you don't want to say they get steamrolled but that's the basic line. They get overdone.

00:49:47

**Evan Barrett:** Well and like you said, a lot of the Legislators were depending upon and looking to the leadership of [Dezebie] and Mathers and once they said they kind of said okay. Let's--let's get this done--

00:49:59

**Tom Harrison:** Right; they collapsed on that and the thing was a dead issue then. It was going.

00:50:05

**Evan Barrett:** Now contextually it's important to note that this was the 1971 Session so while this was a huge, huge Bill for the future of Montana, remember the big battle was the sales tax which is the subject of a lot of additional programming and discussions on *In the Crucible of Change* because of how important that was politically for decades and--and Speaker Lucas and--and it was--you know we had the '67 Sales Tax with--with Speaker Felt and then '69 it was the kind of didn't do it--but '71 that was the biggest, hottest thing. So as important as Reorganization was it was not the hottest political thing.

00:50:49

**Tom Harrison:** Right.

00:50:49

**Evan Barrett:** The Sales Tax was. So this wasn't like this is the only thing the Legislature is looking at. Now when you look at it when it was all said and done, this is the Bill that passed, Senate Bill 274 created 19 departments and that's how it looked. Now that's a big contrast to the look of the previous chart. And I think that one would have to say mission accomplished and it's an interesting--Sheena you might reflect upon, since you just came off being the Chief of Staff of the most recent Governor, Deputy Chief of Staff of the most recent Governor, how close is that to today's government?

00:51:31

**Sheena Wilson:** Well and I actually went and looked at the new chart that's in the State phonebook and it's down to 16 departments. And we still have lots of agencies that are attached for administrative purposes but it makes sense. And it's not a static process by any means. It continues over the years, changes here, there--some big ones, some small ones. Governor Schweitzer and I think maybe with the help of the Legislature we got rid of--

00:51:56

**Evan Barrett:** We whacked off a few--. *[Laughs]*

00:51:58

**Sheena Wilson:** A couple dozen I think; a couple dozen boards, commissions, councils, whatever--some just advisory, some not. And so it's--it's an ongoing process. And I think it--you know this process that set it in stone in the Constitution was so important to keeping it going and--and keeping us within these guardrails or--

00:52:18

**Evan Barrett:** Yeah; I--I almost think there was a stroke of political genius, strategic political genius the way that all came together. And I don't know who--you never know who is the--the author of genius. It's usually a committee. But nonetheless, that did--and--and looking at it today I--I always say 80-percent of today's State government is the same as it was created back then which meant the job was done rather well.

00:52:44

You're--I want to ask you each this a little bit as we get ready to wrap up. Your reflections on what this meant to you as a young person and then how it helped shape you a bit.

00:52:53

**Sheena Wilson:** Well it--you know I had this little degree in Political Science and it all of the sudden made a lot more sense. And it stood me in great stead, this training that I got via this process and--and with George learning leadership style from George how to do it right. It made a big difference to me going forward and I stuck with government pretty much my entire career except for a little wayward step into the restaurant business. **[Laughs]**

00:53:19

**Evan Barrett:** Well you know you can't help yourself. If you want to run a restaurant you know--. **[Laughs]**

00:53:23

**Sheena Wilson:** But it--I mean it--it set the tone for the rest of--rest of my career.

00:53:27

**Evan Barrett:** Well you've had a rather distinguished and varied career and I--just with what I learned from this stuff I could see how it held you in good stead and set you off very well. Diana how about you? How--what are your reflections looking back on it after all these years and what it maybe meant to you?

00:53:41

**Diana Dowling:** Only because you asked, I would have said well it was just my--one of my first jobs. But that job because George had come from Legislative Councils, Governor Schwinden loved Legislative Councils--

00:53:57

**Evan Barrett:** He had been on the Legislative Council; yeah.

00:53:58

**Diana Dowling:** --and I ended up every job I think was a result of that. I ended up working for the Legislative Council some 20 years, always involved in legal writing, recodification, etcetera, etcetera. And ended up Governor Schwinden appointing me gambling queen [*Laughs*], first Director of the Lottery, anyway--but that's how Duke Crowley remembered me. [*Laughs*]

00:54:29

**Evan Barrett:** Yeah; well you know really you had a very distinguished career in State government working for the Legislature in a broad way, not a partisan way and it looked to me like this experience was really important for you and--

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**Diana Dowling:** Absolutely; it--it--it drove the path of my whole career.

00:54:50

**Evan Barrett:** Well Tom yourself, your reflections on this--the big picture of this? And what it meant to you and what do you feel about it as--as an accomplishment?

00:55:00

**Tom Harrison:** Well I--I really feel good about it as an accomplishment. I think it's just what you portrayed that it--it really set the standard and--and I suspect will continue to be the example for government in Montana and--and similar to other States that have done the same thing and others certainly followed us. That's--that's no question about it.

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I think as far as the excitement of it you can't just look at this but realize that we were going through a new Constitution, adoption of a new Constitution and everything that went with that, we--at--at virtually the same time we had come off the United States Supreme Court decision on representation, one man, one vote.

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**Evan Barrett:** Reapportionment; yeah.

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**Tom Harrison:** We had gone through reapportionment and had single--gone to single-member districts, so there was just you know it was almost a revolution occurring in Montana government although it was at an evolutionary pace. So it was very exciting to be in the Legislature and to be a part of it. There's just no question about it. I think I reflect back because superimposed which we mentioned earlier was the fact that computers were just coming into their own; you know we had come from automatic typewriters to word processors to System 6, going into computers, and so that was all new, too, and--and superimposing that on the efficiencies that resulted from this even though it was a structural effort, I mean great savings, just many things that a person can be proud of being a part of.

00:56:44

**Evan Barrett:** Uh-hm; well the title of this series is *In the Crucible of Change* and when you--what you just described was look what was right in there at the same time, all the heat and all the--all the pressure to accomplish massive changes in the Executive Branch of government, new Constitutional Law, there was an empowerment of people in this in essence. It was on the ballot. They were saying we want to do A; we want to do B. We want to get it done. I mean what a--a kind of an amazing period. That's why we're looking at it. And of course that's why we're--I'm so happy you guys, all three of you were able to join us today. I mean if you think about the--I look back in my life and say probably the single-most impactful job that I ever had was this one, when I went to work for this Commission, one because I was so naïve and knew so little and walked away knowing an awful lot. I got a chance to go to school on real things and not book learning. And then I got to work in the political arena of making things happen.

00:57:59

And it was in that political arena, in that *crucible of change* all that heat was occurring; it was really on account of what the people were demanding. People were demanding their government do better for them. You know that's an interesting insight given where we are today and some of the attitudes that we hear about government today.

00:58:19

In any case, Tom Harrison thank you so much for coming down and joining us. It's such a pleasure to have you here.

00:58:26

**Tom Harrison:** Thanks--thank you for inviting me.

00:58:29

**Evan Barrett:** Yeah and Diana it's always great to be back with you. And--

00:58:34

**Diana Dowling:** What? [*Laughs*]

00:58:33

**Evan Barrett:** It's always great to be back with you [*Laughs*] and Sheena, we've spent many years together.

00:58:38

**Sheena Wilson:** We have.

00:58:39

**Evan Barrett:** But it's great to be together here today. Thank you and that's it for this version of *In the Crucible of Change*.

00:58:45

[*Music*]

00:59:51

[**End Executive Reorganization-Building a State Government that Worked for People**]

