

SENATE BILL NO. 173

INTRODUCED BY BLAYLOCK, CRIPPEN,
MAZUREK, MERCER, HARPER
BY REQUEST OF THE COMMISSIONER OF POLITICAL PRACTICES

IN THE SENATE

JANUARY 22, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON STATE ADMINISTRATION.

 FIRST READING.

JANUARY 25, 1991 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

JANUARY 26, 1991 PRINTING REPORT.

JANUARY 28, 1991 SECOND READING, DO PASS.

JANUARY 29, 1991 ENGROSSING REPORT.

 THIRD READING, PASSED.
AYES, 48; NOES, 0.

 TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 29, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON STATE ADMINISTRATION.

JANUARY 30, 1991 FIRST READING.

MARCH 12, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 14, 1991 SECOND READING, CONCURRED IN.

MARCH 15, 1991 THIRD READING, CONCURRED IN.
AYES, 96; NOES, 4.

 RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 23, 1991 RECEIVED FROM HOUSE.

 SECOND READING, AMENDMENTS
CONCURRED IN.

MARCH 25, 1991

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INTRODUCED BY *Senate* BILL NO. *173*
MARCOZ *Blaylock* *Magnum*
BY REQUEST OF THE COMMISSIONER OF POLITICAL PRACTICES

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE CAMPAIGN FINANCE LAWS; EXCEPTING CERTAIN SPECIAL DISTRICTS FROM CAMPAIGN FINANCE REQUIREMENTS; REQUIRING A SEPARATE CAMPAIGN ACCOUNT FOR MONEY DISPENSED FROM THE PUBLIC CAMPAIGN FUND; REQUIRING RECORDS TO BE FILED WITH THE COMMISSIONER OF POLITICAL PRACTICES; AND AMENDING SECTIONS 13-37-206, 13-37-304, AND 13-37-305, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 13-37-206, MCA, is amended to read:

"13-37-206. Exception for certain school districts and certain special districts. (1) The provisions of this part, except 13-37-217, do not apply to candidates for the office of trustee of a school district, their political committees, and political committees organized to support or oppose a school district issue when the school district is:

- (a) a first-class district located in a county having a population of less than 15,000;
- (b) a second- or third-class district; or
- (c) a county high school district having a student enrollment of less than 2,000.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(2) The provisions of this part, except 13-37-217, do not apply to candidates for certain special district offices, their political committees, and political committees organized to support or oppose a special district issue when the special district is a conservation district, a fire district, a hospital district, an irrigation district, a sewer district, a transportation district, or a water district."

Section 2. Section 13-37-304, MCA, is amended to read:

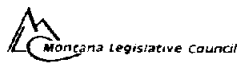
"13-37-304. Public campaign fund. (1) There is a public campaign fund within the state special revenue fund provided for in 17-2-102.

(2) All money designated under 13-37-303 shall must be deposited in the fund. Such The money in the fund is statutorily appropriated, as provided in 17-7-502, for the purposes of subsections (3) and (4).

(3) (a) Five months before the general election in the election year, money in the fund shall must be paid over in equal amounts to all eligible candidates for the designated political office according to the percentages in (3)(b). ~~The money shall be spent only for the legitimate campaign expenses of the candidates.~~

(b) The money shall must be distributed in the following percentages:

- (i) campaign for office of governor-lieutenant



1 governor, 50%;

2 (ii) campaigns for offices of chief justice and justice
3 of the supreme court, 50% equally allocated to each eligible
4 campaign-fund candidate.

5 (4) Three months before the general election in a
6 general election year, the remainder of any money in the
7 fund ~~shall~~ must be ~~remitted--to--the--treasurer--of--each~~
8 ~~candidate~~ paid to all eligible candidates in the same
9 proportion as provided in subsection (3)(b).

10 (5) Money distributed from the fund must be deposited
11 in a campaign account separate from a personal account and
12 from any other campaign account and must be spent only for
13 legitimate campaign expenses of the candidates."

14 **Section 3.** Section 13-37-305, MCA, is amended to read:

15 "13-37-305. Records to be kept -- availability. (1) The
16 treasurer of each ~~political-party~~ candidate shall maintain a
17 complete record of all disbursements of funds received by
18 him under 13-37-304 and used for the candidate's campaign
19 expenses plus receipts or other evidence of each expense.

20 (2) The record ~~shall~~ must be available for inspection
21 by anyone at any reasonable time. A copy ~~shall~~ must be
22 ~~deposited-in-the-office-of-the-secretary-of-state~~ filed with
23 the commissioner by December 31 of each general election
24 year."

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

1
2 INTRODUCED BY *Senate* BILL NO. *173*
3 *Maceo* *Blaylock* *Thayer*
4 BY REQUEST OF THE COMMISSIONER OF POLITICAL PRACTICES

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE CAMPAIGN
6 FINANCE LAWS; EXCEPTING CERTAIN SPECIAL DISTRICTS FROM
7 CAMPAIGN FINANCE REQUIREMENTS; REQUIRING A SEPARATE CAMPAIGN
8 ACCOUNT FOR MONEY DISPENSED FROM THE PUBLIC CAMPAIGN FUND;
9 REQUIRING RECORDS TO BE FILED WITH THE COMMISSIONER OF
10 POLITICAL PRACTICES; AND AMENDING SECTIONS 13-37-206,
11 13-37-304, AND 13-37-305, MCA."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 **Section 1.** Section 13-37-206, MCA, is amended to read:

15 "13-37-206. **Exception for certain school districts and**
16 **certain special districts.** (1) The provisions of this part,
17 except 13-37-217, do not apply to candidates for the office
18 of trustee of a school district, their political committees,
19 and political committees organized to support or oppose a
20 school district issue when the school district is:

21 **(a)** a first-class district located in a county
22 having a population of less than 15,000;

23 **(b)** a second- or third-class district; or

24 **(c)** a county high school district having a student
25 enrollment of less than 2,000.

1 (2) The provisions of this part, except 13-37-217, do
2 not apply to candidates for certain special district
3 offices, their political committees, and political
4 committees organized to support or oppose a special district
5 issue when the special district is a conservation district,
6 a fire district, a hospital district, an irrigation
7 district, a sewer district, a transportation district, or a
8 water district."

9 **Section 2.** Section 13-37-304, MCA, is amended to read:

10 "13-37-304. **Public campaign fund.** (1) There is a public
11 campaign fund within the state special revenue fund provided
12 for in 17-2-102.

13 (2) All money designated under 13-37-303 shall must be
14 deposited in the fund. Such The money in the fund is
15 statutorily appropriated, as provided in 17-7-502, for the
16 purposes of subsections (3) and (4).

17 (3) (a) Five months before the general election in the
18 election year, money in the fund shall must be paid over in
19 equal amounts to all eligible candidates for the designated
20 political office according to the percentages in (3)(b). ~~The~~
21 ~~money shall be spent only for the legitimate campaign~~
22 ~~expenses of the candidates.~~

23 (b) The money shall must be distributed in the
24 following percentages:

25 (i) campaign for office of governor-lieutenant

SECOND READING



SB 173

1 governor, 50%;

2 (ii) campaigns for offices of chief justice and justice
3 of the supreme court, 50% equally allocated to each eligible
4 campaign-fund candidate.

5 (4) Three months before the general election in a
6 general election year, the remainder of any money in the
7 fund shall must be ~~remitted--to--the--treasurer--of--each~~
8 candidate paid to all eligible candidates in the same
9 proportion as provided in subsection (3)(b).

10 (5) Money distributed from the fund must be deposited
11 in a campaign account separate from a personal account and
12 from any other campaign account and must be spent only for
13 legitimate campaign expenses of the candidates."

14 **Section 3.** Section 13-37-305, MCA, is amended to read:

15 "13-37-305. Records to be kept -- availability. (1) The
16 treasurer of each ~~political-party~~ candidate shall maintain a
17 complete record of all disbursements of funds received by
18 ~~him~~ under 13-37-304 and used for the candidate's campaign
19 expenses plus receipts or other evidence of each expense.

20 (2) The record shall must be available for inspection
21 by anyone at any reasonable time. A copy shall must be
22 ~~deposited-in-the-office-of-the-secretary-of-state~~ filed with
23 the commissioner by December 31 of each general election
24 year."

-End-

1
 2
 3
 4

Senate BILL NO. *173*

INTRODUCED BY *Blaylock*
Mace
 BY REQUEST OF THE COMMISSIONER OF POLITICAL PRACTICES

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE CAMPAIGN
 6 FINANCE LAWS; EXCEPTING CERTAIN SPECIAL DISTRICTS FROM
 7 CAMPAIGN FINANCE REQUIREMENTS; REQUIRING A SEPARATE CAMPAIGN
 8 ACCOUNT FOR MONEY DISPENSED FROM THE PUBLIC CAMPAIGN FUND;
 9 REQUIRING RECORDS TO BE FILED WITH THE COMMISSIONER OF
 10 POLITICAL PRACTICES; AND AMENDING SECTIONS 13-37-206,
 11 13-37-304, AND 13-37-305, MCA."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 **Section 1.** Section 13-37-206, MCA, is amended to read:

15 "13-37-206. Exception for certain school districts and
 16 certain special districts. (1) The provisions of this part,
 17 except 13-37-217, do not apply to candidates for the office
 18 of trustee of a school district, their political committees,
 19 and political committees organized to support or oppose a
 20 school district issue when the school district is:

- 21 {1}(a) a first-class district located in a county
 22 having a population of less than 15,000;
- 23 {2}(b) a second- or third-class district; or
- 24 {3}(c) a county high school district having a student
 25 enrollment of less than 2,000.

1 (2) The provisions of this part, except 13-37-217, do
 2 not apply to candidates for certain special district
 3 offices, their political committees, and political
 4 committees organized to support or oppose a special district
 5 issue when the special district is a conservation district,
 6 a fire district, a hospital district, an irrigation
 7 district, a sewer district, a transportation district, or a
 8 water district."

9 **Section 2.** Section 13-37-304, MCA, is amended to read:

10 "13-37-304. Public campaign fund. (1) There is a public
 11 campaign fund within the state special revenue fund provided
 12 for in 17-2-102.

13 (2) All money designated under 13-37-303 shall must be
 14 deposited in the fund. Such The money in the fund is
 15 statutorily appropriated, as provided in 17-7-502, for the
 16 purposes of subsections (3) and (4).

17 (3) (a) Five months before the general election in the
 18 election year, money in the fund shall must be paid over in
 19 equal amounts to all eligible candidates for the designated
 20 political office according to the percentages in (3)(b). The
 21 money shall be spent only for the legitimate campaign
 22 expenses of the candidates.

23 (b) The money shall must be distributed in the
 24 following percentages:

- 25 (i) campaign for office of governor- lieutenant



1 governor, 50%;

2 (ii) campaigns for offices of chief justice and justice
3 of the supreme court, 50% equally allocated to each eligible
4 campaign-fund candidate.

5 (4) Three months before the general election in a
6 general election year, the remainder of any money in the
7 fund ~~shall~~ must be remitted--to--the--treasurer--of--each
8 candidate paid to all eligible candidates in the same
9 proportion as provided in subsection (3)(b).

10 (5) Money distributed from the fund must be deposited
11 in a campaign account separate from a personal account and
12 from any other campaign account and must be spent only for
13 legitimate campaign expenses of the candidates."

14 **Section 3.** Section 13-37-305, MCA, is amended to read:

15 "13-37-305. Records to be kept -- availability. (1) The
16 treasurer of each ~~political-party~~ candidate shall maintain a
17 complete record of all disbursements of funds received by
18 ~~him~~ under 13-37-304 and used for the candidate's campaign
19 expenses plus receipts or other evidence of each expense.

20 (2) The record ~~shall~~ must be available for inspection
21 by anyone at any reasonable time. A copy ~~shall~~ must be
22 ~~deposited-in-the-office-of-the-secretary-of-state~~ filed with
23 the commissioner by December 31 of each general election
24 year."

-End-

HOUSE STANDING COMMITTEE REPORT

March 12, 1991

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Bill 173 (third reading copy -- blue) be concurred in as amended .

Signed: _____

Jan Brown

Jan Brown, Chairman

Carried by: Rep. Bergsagel

And, that such amendments read:

1. Title, line 10.

Following: "PRACTICES;"

Strike: "AND"

2. Title, line 11.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 3.

Following: line 24

Insert: "

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval."

SB 173

HOUSE

1 SENATE BILL NO. 173

2 INTRODUCED BY BLAYLOCK, CRIPPEN,

3 MAZUREK, MERCER, HARPER

4 BY REQUEST OF THE COMMISSIONER OF POLITICAL PRACTICES

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE CAMPAIGN
7 FINANCE LAWS; EXCEPTING CERTAIN SPECIAL DISTRICTS FROM
8 CAMPAIGN FINANCE REQUIREMENTS; REQUIRING A SEPARATE CAMPAIGN
9 ACCOUNT FOR MONEY DISPENSED FROM THE PUBLIC CAMPAIGN FUND;
10 REQUIRING RECORDS TO BE FILED WITH THE COMMISSIONER OF
11 POLITICAL PRACTICES; AND AMENDING SECTIONS 13-37-206,
12 13-37-304, AND 13-37-305, MCA; AND PROVIDING AN IMMEDIATE
13 EFFECTIVE DATE."

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 **Section 1.** Section 13-37-206, MCA, is amended to read:

17 "13-37-206. Exception for certain school districts and
18 certain special districts. (1) The provisions of this part,
19 except 13-37-217, do not apply to candidates for the office
20 of trustee of a school district, their political committees,
21 and political committees organized to support or oppose a
22 school district issue when the school district is:

23 ~~(1)(a)~~ a first-class district located in a county
24 having a population of less than 15,000;

25 ~~(2)(b)~~ a second- or third-class district; or

1 ~~(3)(c)~~ a county high school district having a student
2 enrollment of less than 2,000.

3 (2) The provisions of this part, except 13-37-217, do
4 not apply to candidates for certain special district
5 offices, their political committees, and political
6 committees organized to support or oppose a special district
7 issue when the special district is a conservation district,
8 a fire district, a hospital district, an irrigation
9 district, a sewer district, a transportation district, or a
10 water district."

11 **Section 2.** Section 13-37-304, MCA, is amended to read:

12 "13-37-304. Public campaign fund. (1) There is a public
13 campaign fund within the state special revenue fund provided
14 for in 17-2-102.

15 (2) All money designated under 13-37-303 ~~shall~~ must be
16 deposited in the fund. ~~Such~~ The money in the fund is
17 statutorily appropriated, as provided in 17-7-502, for the
18 purposes of subsections (3) and (4).

19 (3) (a) Five months before the general election in the
20 election year, money in the fund ~~shall~~ must be paid over in
21 equal amounts to all eligible candidates for the designated
22 political office according to the percentages in (3)(b). ~~The~~
23 ~~money--shall--be--spent--only--for--the--legitimate--campaign~~
24 ~~expenses--of--the--candidates.~~

25 (b) The money ~~shall~~ must be distributed in the

1 following percentages:

2 (i) campaign for office of governor-lieutenant
3 governor, 50%;

4 (ii) campaigns for offices of chief justice and justice
5 of the supreme court, 50% equally allocated to each eligible
6 campaign-fund candidate.

7 (4) Three months before the general election in a
8 general election year, the remainder of any money in the
9 fund ~~shall~~ must be remitted--to--the--treasurer--of--each
10 candidate paid to all eligible candidates in the same
11 proportion as provided in subsection (3)(b).

12 (5) Money distributed from the fund must be deposited
13 in a campaign account separate from a personal account and
14 from any other campaign account and must be spent only for
15 legitimate campaign expenses of the candidates."

16 **Section 3.** Section 13-37-305, MCA, is amended to read:

17 "13-37-305. Records to be kept -- availability. (1) The
18 treasurer of each ~~political-party~~ candidate shall maintain a
19 complete record of all disbursements of funds received by
20 him under 13-37-304 and used for the candidate's campaign
21 expenses plus receipts or other evidence of each expense.

22 (2) The record ~~shall~~ must be available for inspection
23 by anyone at any reasonable time. A copy ~~shall~~ must be
24 ~~deposited in the office of the secretary of state~~ filed with
25 the commissioner by December 31 of each general election

1 year."

2 NEW SECTION. SECTION 4. EFFECTIVE DATE. [THIS ACT] IS
3 EFFECTIVE ON PASSAGE AND APPROVAL.

-End-