

March 16, 1977

The meeting was called to order at 8:00 a.m. by Chairman Brand, roll call was taken, with Representatives Ryan and Bardanouye absent.

Dick Hargesheimer distributed his summary of SB 403 to the committee, see attachment #1.

EXECUTIVE ACTION

SJR 35-BRAND-Both parties have agreed that with no amendments, they would support the resolution, then they will bring out another bill or resolution to have another task force. MULAR-The task force would be comprised of 9 legislators, there would be \$300,000 appropriated, and it would be a jurisdictional committee. The question was asked if the Inter-Tribal Policy Board would send a man to a task force. They said no, that they wanted the chief from each tribe to be there. TURNER-There was an article in the paper saying that they would have the power to tax, and enforce their laws. MULAR-With this bill, Congress will be addressed, and with the other resolution, the state's problem will be addressed.

Kropp moved that the resolution BE CONCURRED IN, the motion carried unanimously, with Ryan and Bardanouye not present or voting. Rep. Conroy will carry the bill on the floor.

HEARING

SB 403-Senator Turnage, sponsor--This is a general recodification and revision of the petition, initiative and referendum laws. The present law is difficult to deal with.

JOANNE WOODGERD, Deputy Secretary of State--We had a number of initiatives last year, and we could have as many in 1978. We found a number of problems both at the county level and state level, and with each citizen. We tried to amend the present law, but felt that the only way to really make sense of it would be to write a new law. This bill goes straight through the present law, and spells out just what you need to do. The major changes are: a petition must be submitted to the Secretary of State and the Attorney General for approval of form before it is circulated. This does not allow them to disallow a petition due to its substantive nature. Every section of the petition presented must have the affidavit of the circulator on it. This has been in local law for a number of years, and we feel it is a good safeguard. When the petitions are submitted for checking of the signatures, the names are checked against the lists of registered voters, and then a random sample of the signatures are checked. They don't have to check every signature with this. We feel the provision of affidavit is a safeguard and a method of challenge for the clerk and recorder. We also added a challenge procedure where someone in the county may challenge the genuineness of the petition. Because of the number of petitions that were circulated, a lot of signatures and petitions didn't get checked at all. Another change provides a time limit for appointments of committees to write pro and con arguments. There was nothing in the law that said when you could start signing a petition - only when the deadline occurred. This bill allows you to begin one year before the election. The 1975 legislature passed a law dealing with the pro and con arguments. We had mechanical problems with getting the arguments in on time. We have tightened up the time periods for these arguments to be written. We have also provided for a minimal expense account for the committee who writes the pro and con arguments. We did provide for only minimal accounts. A lot of amendments were added to agree with amendments on page 3. The Senate struck, on page 17, line 19 the portion allowing the secretary of

state or the attorney general to consult the Supreme Court about the ballot form, they felt that this had to be a formal action, and should not be included in the bill.

MULAR-If we give you the minimum inherent right, I don't think you will abuse it. TURNER-Line 9, page 6 - I know of a number of cases where people have signed petitions and then found out that they weren't registered. KANDUCH-Page 2, subsection 2, line 18 - can you explain this? WOODGERD-When you have petitions with extra sheets that show no heading, the law holds that people may be signing something that they don't understand. So, even if you have 25 sheets of signatures, if only the first page shows the explanation, 24 sheets will be disqualified.

HEARING CLOSED

EXECUTIVE SESSION

SB 403-Mular moved to amend page 22, line 11 - Following: "members", Strike: "not to exceed", Insert: "shall be a minimum of". Woodgerd had suggested that we also amend page 22, line 10 - Following: "receive", Insert: "reasonable", Strike: "not to exceed \$150". Motion failed. Kanduch moved that the bill BE CONCURRED IN, the motion carried unanimously. Mular will carry it on the floor.

SB 122-BRAND-It seemed that the biggest problem was with the dates and time required in printing. Smith moved that the bill be NOT CONCURRED IN, the motion carried unanimously.

SB 265-BRAND-Dick, would you check into this and find out the old process and how the money was brought into the state. MULAR-I move to pass consideration on SB 265 for the day, motion carried.

SB 286-Kropp moved that the bill NOT BE CONCURRED IN. MULAR-As a substitute motion, for all motions pending, I move to amend page 3, line 3, Following: "state treasurer", Insert: "the deputy state treasurer"; and to further amend page 3, line 4, Following: "three", Strike: "four", Insert: "three". Motion carried with Feda voting no. Mular moved that SB 286 BE CONCURRED IN AS AMENDED, motion carried 6 - 5, with Brand, Feda, Kropp, Smith, and Tower voting no; and Lien, Bardanouye, Menahan, and Ryan not voting.

MEETING ADJOURNED - 10:00 a.m.

Joe Brand, Chairman

Anita C. Sierke, Secretary