

MINUTES OF THE MEETING OF THE HOUSE STATE ADMINISTRATION
COMMITTEE
January 26, 1983

CHAIRMAN JOE BRAND called the meeting to order at 8 a.m. in Room 129 of the Capitol. All members were present except REPRESENTATIVE PAUL PISTORIA, who was excused.

HOUSE BILL 259

REPRESENTATIVE JACK RAMIREZ, sponsor of House Bill 259, said the bill was introduced at the request of the Legislative Council. He said it would clean up two problems: (1) who gets compensation for pre-session meetings. He said during the last special session, those who attended were paid, but there was some question under the law. (2) in the cases of committees who meet in advance of the session, but other members who are not on the committee but are interested, those members would be paid as well.

Representative Ramirez said the bill also appears to increase the number of round trips each legislator is entitled to, but it really cuts down on the number of trips and tightens up control by requiring claims for all trips.

PROPOSERS

REPRESENTATIVE JOHN VINCENT spoke in support of the measure. He said many members have been participating on their own, at their own cost, for the benefit of their constituents. He drew attention to item four in the fiscal note. He said that in the cases of round trips, at present, legislators now receive reimbursement for two automatic round trips between Helena and their districts and on application may be paid for two more. The legislation would say that lawmakers would get one automatic payment and would apply for as many as three more.

THERE BEING NO FURTHER STATEMENTS BY PROPOSERS, AND NO STATEMENTS BY OPPONENTS OF HOUSE BILL 259, CHAIRMAN BRAND CALLED FOR CLOSING BY REPRESENTATIVE RAMIREZ.

Representative Ramirez said that all the bill does is provide compensation when legislators are on official business.

COMMITTEE QUESTIONS

REPRESENTATIVE JOHN PHILLIPS asked if Representatives-elect would be eligible for this. Representative Ramirez said that could happen. "They ought to be paid too", Ramirez said.

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Chairman Brand asked if this would include per diem. Representative Vincent said that actual expenses would be paid. Chairman Brand asked if they could get actual expenses plus salary, with vouchers. Representative Vincent said that was correct.

Representative Driscoll asked if the bill would contemplate interim committee meetings. Representative Ramirez said that interim committee meetings are already covered by existing law.

Representative Ramirez said that legislators would have to be invited under terms of the bill; they couldn't just show up on their own and get paid.

THERE BEING NO FURTHER QUESTIONS FROM COMMITTEE MEMBERS,
CHAIRMAN BRAND CLOSED THE HEARING ON HOUSE BILL 259.

HOUSE BILL 411

REPRESENTATIVE KELLY ADDY, sponsor of House Bill 411, said his measure would revise the primary election process in Montana. He described the present system as the "worst of both worlds." He referred to the closed primary system and the open primary system. He said the bill would safeguard the integrity of each party's primary. He said Democrats are the ones who are usually invaded by cross-voting. But he said the Republicans have more to gain by a closed primary. He said the bill allows the party to identify those people who are closely aligned to party interests. He said it was not a closed primary bill, but an open government bill. He said that since 40% of the voters are independents, a third primary could be held to ensure that independents would not be disenfranchised.

PROPONENTS

Nancy Harte, representing the Montana Democratic Party, stated the party's support for the measure. She said it would allow party members to choose their own candidates and allow the parties to fulfill the true purposes of the primaries. But she cited two problems with the bill: Section four, she suggested perhaps there should be transition language to take care of transitional problems. Section six, she suggested that problems here should be dropped.

Helen Christiansen, who described herself as a political activist, stated her support for the measure. She said the

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party system means good government and that casual or vexatious voting is not good government.

Jim Foley, chairman of the Lewis and Clark County Democratic Central Committee said the measure would promote grassroots interests.

Bill Romine, representing the Clerks and Recorders Association stated that the association neither supports nor opposes the measure. He pointed out what he called "questions" about the measure: whether party affiliation would be public knowledge; whether in section four, page five, whether voting machines should be changed to read voting devices; and on page ten, section nine, line seventeen through twenty, it is not certain whether the language is compatible with use of the votomatic machines. Romine said 39 states have this system.

THERE BEING NO OTHER STATEMENTS BY PROPONENTS OR OPPONENTS TO HOUSE BILL 411, CHAIRMAN BRAND CALLED FOR QUESTIONS BY COMMITTEE MEMBERS.

COMMITTEE QUESTIONS

REPRESENTATIVE WALTER SALES asked Addy how public would the declaration of party be. Representative Addy said transition language was needed, and he favored declaration of party status at registration and public declaration of party status.

REPRESENTATIVE GLENN MUELLER referred to page eight, lines 25 through 28, which he said would violate the right of privacy. Representative Addy said he would propose to amend out that particular objectionable portion.

REPRESENTATIVE LLOYD "MAC" McCORMICK asked that if a voter did not vote in the previous election, what would the party status be for the primary. Representative Addy said a voter would have to re-register in order to vote in the primary.

Representative Sales referred to page two and references to "ballots printed" and questioned the figure of 125% of votes cast in the prior election. Representative Addy said that would not apply to voting machines.

Representative Bliss asked if the measure would leave out independent voters. Representative Addy said "they could have their own ballot even under present law."

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THERE BEING NO FURTHER QUESTIONS BY COMMITTEE MEMBERS,
CHAIRMAN JOE BRAND CLOSED THE HEARING ON HOUSE BILL 411.

HOUSE BILL 276

REPRESENTATIVE STELLA JEAN HANSEN, sponsor of House Bill 276, stated her support for the measure because, she said, the requirement for deputy registrars is not a necessity. She said, however, that in places where they are needed, officials should be allowed to appoint deputy registrars.

PROPOSERS

Fern Hart the Missoula County Clerk and Recorder, stated her support for the bill. She said Missoula County has more than 60 precincts, and the requirement of two deputies for each precinct is burdensome. She said every elector can register voters and that officials train all persons who are interested to register voters.

Bill Romine, representing the Montana Clerks and Recorders Association, stated the association's support for the measure.

OPPOSERS

Margaret Davis, president of the Montana League of Women Voters, said her organization is opposed to the measure. She said the organization holds in disfavor any laws that would grant more local options regarding elections.

In closing, Representative Hansen said the option for deputy registrars should remain optional. She said at present there is no legal function for them.

THERE BEING NO FURTHER QUESTIONS FROM COMMITTEE MEMBERS,
CHAIRMAN BRAND CLOSED THE HEARING ON HOUSE BILL 276.

HOUSE BILL 295

REPRESENTATIVE ANDREA HEMSTAD, sponsor of House Bill 295, said the measure would clarify language regarding absentee ballots and who is eligible to use them. She said the current language is misleading because at present many people claim incapacitation as a reason for absenteeism.

PROPONENTS

Cliff Christians, representing Secretary of State James Waltermire, said that under current law those voters who want to vote absentee must lie. Sometimes he said efficiency must be sacrificed.

OPPONENTS

Bill Romine, representing the Clerks and Recorders Association, said absentee voting is a problem in that an enormous number of electors choose to vote absentee. He said the administrative problems would require extra staff and cost more money. He said the organization strongly opposed the bill.

Margaret Davis, president of the Montana League of Women Voters, stated the league's opposition. (See written testimony attached.)

Joann Peres, Clerk and Recorder of Bighorn County, also stated her opposition to the measure. She said there were security problems with holding of the ballots. She said offices are small and crowded, and there is a growing lack of responsibility by the voters. She said it is "time they realize they have to stand up and vote on election day."

Joe Lamson, executive secretary of the Montana Democratic Party, endorsed the League of Women Voter's testimony, saying the motion would draw out the election period.

In closing, Representative Hemstad said that people are doing it already and lying.

COMMITTEE QUESTIONS

Representative McCormick stated that old people can't stand the lines. And the counties have to do something to make the election process open to them. He spoke for the bill.

Romine said that by statute, the old people who cannot stand the lines are "incapacitated." Representative McCormick said plenty of 20-year-olds are incapacitated. Romine stated that the county commission should provide more voting machines, booths and space for polling.

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Representative Hand asked Davis if this would improve voter turnout. Davis said that big turnout is a problem.

THERE BEING NO FURTHER QUESTIONS FROM COMMITTEE MEMBERS,
CHAIRMAN BRAND CLOSED THE HEARING ON HOUSE BILL 295.

HOUSE BILL 303

Representative Mueller, sponsor of House Bill 303, said the measure would eliminate the "windfall benefits" that accrue to Guard members who are already members of the Public Employees' Retirement System. He said about 15 officers are taking advantage of the current statutes that allow a member of the Army or Air National Guard to become a member of the PERS. He said this bill would prevent a guard member from joining a retirement system. He said this was justified because money was never funded for employers, and it is available only to those who buy in to the retirement system. "When they do, it's a windfall," Mueller said. He stressed the effect of the bill would be prospective only and would not take away the protection and rights that those now in the system have.

PROPONENTS

Lawrence Nachtsheim, administrator of the Public Employees' Retirement Division, stated his support for the measure.

OPPONENTS

Phil Strobe, who identified himself as a Helena lawyer and a retired member of the National Guard, said that for 20 years this measure was on the books. He said he counted on the law being there. He said guard officials recruited on its basis at a time when military service was unpopular. He said a proposal would be to have the Department of Military Affairs redo its budget process to account for contributions to the PERS. He also suggested that the bill be amended to repeal section two rather than simply add to it to make it prospective. He questioned Representative Mueller's remarks that the bill would be prospective.

In closing, Representative Mueller said no one would be denied rights they already have; the bill would simply tighten a loophole that is weakening the system. He said it would apply to people who became members of the National Guard after July 1, 1983.

COMMITTEE QUESTIONS

Representative Hammond asked Strobe if he was claiming he would lose benefits. Strobe said he was. Representative Hammond asked Nachtsheim for his comment. Nachtsheim said that "for 27 years [Strobe] had the right to do so. Now he wants to keep the door open." Strobe said it was unfair to "cut us off now that we're out without telling us." He said it denies the vested rights people thought they had.

Representative McBride asked Mueller if he believed that the effect of the measure would only be prospective.

Representative Phillips said "we're wiping it off the books!" Nachtsheim said people who come in after July 1, 1983, or don't elect by then, will be unable to take advantage of the buy in process.

REPRESENTATIVE CLYDE SMITH asked Strobe if the amendments he proposed were not possible. Legislative Council Researcher Lois Menzies said she believed that Strobe's objections could be accommodated by an amendment.

Representative Mueller asked Nachtsheim about Strobe's objections. Nachtsheim said the amendments would keep the door opened for the "adverse sample."

Representative Bliss asked if this amendment would keep the adverse sample from growing. Nachtsheim said it would.

THERE BEING NO FURTHER QUESTIONS FROM COMMITTEE MEMBERS,
CHAIRMAN BRAND CLOSED THE HEARING ON HOUSE BILL 303.

HOUSE BILL 275

REPRESENTATIVE KERRY KEYSER, sponsor of House Bill 275, said the bill is a useful one and would save money for the limited number of counties that use voting machines in addition to paper ballots. He said it would only hurt an occasional candidate and then only to a small, small degree. He said that based on figures provided by clerks and recorders, the cost of the bill averaged \$90 per vote in smaller counties to as much as \$900 per paper ballot used.

PROPONENTS

Bill Romine, representing the Clerks and Recorders Association, supported the measure. He said there was "no need" for the rotation of names. He said it was costly and confusing.

OPPONENTS

Cliff Christians, representing Secretary of State James Waltermire, stated Waltermire's opposition to the measure. He said the requirement "insures fairness." He said that he has seen expert's testimony that there is as much as a five percent advantage to the individual who sits first on a list on a ballot. He said experts in both parties agree. He said the measure would compromise the integrity of the ballot for efficiency's sake.

In closing, Representative Keyser said that there would be the five percent advantage only on paper ballots and only where machines are not also used. He said the savings would be tremendous compared to the substantial cost of the existing law.

COMMITTEE QUESTIONS

Representative McBride asked Representative Keyser if he would not feel uncomfortable if he lost an election by a margin of less than five percent of the vote.

Representative Holliday said it was hard to accept these figures.

THERE BEING NO FURTHER QUESTIONS FROM COMMITTEE MEMBERS,
CHAIRMAN JOE BRAND CLOSED THE HEARING ON HOUSE BILL 275.

EXECUTIVE SESSION

HOUSE BILL 259

Representative Sales MOVED House Bill 259 DO PASS FOR AMENDMENTS. Representative Sales said the bill should be amended so that Representatives would not be paid for those meetings at which a Representative's presence was not required. He said "if I want to be here, I can always get the chairman to call me."

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Representative Ryan said "when you're elected, you donate a lot of time." Representative Ryan seconded the Sales amendment.

The question was called and the Sales motion carried on a roll call vote of eight "ayes" and seven "nays."

Legislative Council Researcher Lois Menzies said the title should be amended. Representative Sales MOVED House Bill 259 DO PASS AS AMENDED. The question being called, the Sales motion carried by voice vote. Voting "no" were Representatives McCormick, O'Connell, Bardanouve.

HOUSE BILL 275

Representative Sales MOVED House Bill DO PASS, Representative Smith seconded. The question being called, the Sales motion carried by voice vote. Voting "no" were Representatives Bliss, Hand, Koehnke, Solberg.

HOUSE BILL 276

Representative Sales MOVED House Bill 276 DO PASS, Representatives Hammond, Mueller seconded. The question being called, the Sales motion carried by unanimous voice vote. House Bill 276 was reported out do pass.

HOUSE BILL 295

Representative Hammond MOVED House Bill 295 DO NOT PASS, Representative Smith seconded. The question being called, the Hammond motion carried by voice vote. Voting "no" were Representatives O'Connell, Hand, McCormick, Phillips, Koehnke.

HOUSE BILL 303

Representative Mueller MOVED DO PASS, Representative Sales seconded. The question being called, the Mueller motion carried by voice vote. Voting "no" were Representatives McCormick, O'Connell. Abstaining were Representatives Bliss, Hammond.

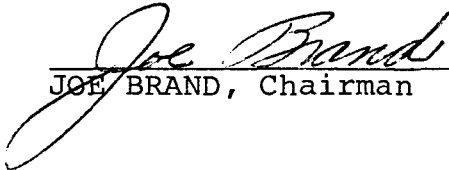
HOUSE BILL 411

Representative O'Connell suggested a subcommittee be appointed to work on House Bill 411. Chairman Brand appointed Representative

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Hand as chairman and appointed Representatives Holliday
and Compton to serve.

THE MEETING WAS DECLARED ADJOURNED.



JOE BRAND, Chairman

STANDING COMMITTEE REPORT

JANUARY 27,

19 33

MR. **SPEAKER**

We, your committee on **STATE ADMINISTRATION**

having had under consideration **HOUSE** Bill No. **259**

first reading copy (**white**)
color

"AN ACT TO PROVIDE FOR THE PAYMENT OF COMPENSATION AND EXPENSES TO ANY LEGSSLATOR ATTENDING PRESESSION MEETINGS OF ANY COMMITTEE ALTHOUGH NOT A MEMBER THEREOF; CHANGING THE NUMBER OF ROUND TRIPS DURING A SESSION FOR WHICH A LEGISLATOR MUST SUBMIT A MILEAGE CLAIM IN ORDER TO BE REIMBURSED; AMENDING SECTIONS 5-2-301 AND 5-2-302, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Respectfully report as follows: That **HOUSE** Bill No. **259**

DO PASS

STANDING COMMITTEE REPORT

JANUARY 26,

19 83

MR. **SPEAKER**

We, your committee on **STATE ADMINISTRATION**

having had under consideration **HOUSE** Bill No. **275**

first reading copy (white)

**"AN ACT REMOVING THE REQUIREMENT FOR ROTATION OF NAMES OF CANDIDATES
ON PAPER BALLOTS IN COUNTIES WHERE VOTING MACHINES ARE USED; AMENDING
SECTION 13-12-205, MCA."**

Respectfully report as follows: That **HOUSE** Bill No. **275**

DO PASS

STANDING COMMITTEE REPORT

JANUARY 26,

19 83

MR. SPEAKER

We, your committee on STATE ADMINISTRATION

having had under consideration HOUSE Bill No. 276

first reading copy (white)

**PAN ACT TO AMEND SECTION 13-2-102, MCA, TO ALLOW THE APPOINTMENT OF
DEPUTY REGISTRARS IN A COUNTY TO BE PERMISSIVE RATHER THAN MANDATORY."**

Respectfully report as follows: That HOUSE Bill No. 276

DO PASS

STANDING COMMITTEE REPORT

JANUARY 26,

83

19

MR. **SPEAKER:**

We, your committee on **STATE ADMINISTRATION**

having had under consideration **HOUSE** Bill No. **303286**

first reading copy (white)
Color

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE
PROVISION ALLOWING MONTANA NATIONAL GUARDSMEN TO PARTICIPATE
IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AMENDING SECTION
19-3-402, MCA; AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: That **HOUSE** Bill No. **303286**

DO PASS

REP. JOE BRAND

Chairman.

WITNESS STATEMENT

Name Nancy J. Harte Committee On St. Admin
Address Box 802, Helena Date 1-26-83
Representing MT. Democratic Party Support ✓
Bill No. 411 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

see attached statement

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.



January 26, 1983

TESTIMONY PRESENTED TO THE HOUSE STATE ADMINISTRATION COMMITTEE
IN SUPPORT OF HOUSE BILL 411, TO PROVIDE AN CLOSED PRIMARY
ELECTION.

Mr. Chairman and members of the committee, for the record my
name is Nancy Harte, representing the Montana Democratic Party.

We support House Bill 411 that will allow party members to
elect their own party's candidates in a primary election.

This bill recognizes that there are two types of elections
in Montana -- a primary and a general election. The purpose of
the general election is for Montana voters to choose their elected
officials. The purpose of the primary election is for each party
to choose its candidates to represent the party on the general
election ballot.

House Bill 411 would enable the primary election to fulfill
its true purpose. As it is now, anyone may vote in any primary
without designating their party affiliation. This bill would
allow party members to choose their own candidates.

Montana Democratic Central Committee • Steamboat Block, Room 303 • P.O. Box 802 • Helena, MT 59624 • (406) 442-9520

Executive Board

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Phil Campbell Helen Christensen	Jerry Hudspeth Chas Jeniker	Wilma Jodsaas Junne Johnsrud	Sally Jordan Helen Kerr	Don McKee Bruce Nelson	Rich Pavlannis Howard Toole	Bob Wilkins Bobbie Wolfe
Sen. Chet Blaylock		Rep. Dan Kemmis		Phillis Moore		Sherri Stieg



This bill has a few problems, as do most bills. We would support, instead of the new Section 4, in which voters would declare party affiliation at the election place, an amendment so that voters would establish their party affiliation at the time they register to vote. In that case, the new Section 4 might have to be left in the bill as a transition measure so that currently registered voters would not have to re-register.

We do not support the amendment to Section 6 in which voters may be challenged as to their declared party affiliation when they appear to vote. Besides being difficult to enforce, this challenge procedure could cause undue friction during the voting procedure. We would suggest that that amendment, and the corresponding amendments in Section 7, be dropped.

The technical details needed for a different type of primary system can be worked out through minor amendments and the discretion of the secretary of state and election administrators.

What is important about this bill is that it carries the spirit of what primary elections are all about -- the opportunity for candidates to be chosen by their parties in preparation for the general election.

Keeping this spirit in mind, we ask that you support House Bill 411.

WITNESS STATEMENT

Name Heleen Christensen Committee On H. Admin
Address 169 Briarwood Date 1/26/83
Representing Self Support ~~HAHA~~ Yes
Bill No. H411 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

WITNESS STATEMENT

Name Jim Foley Committee On H. Admin
Address 1645 Karman Rd Date 1-26-82
Representing L+C Democratic Support ✓
Bill No. 411 central comm. Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

WITNESS STATEMENT

Name FERN HART Committee On STATE ADMIN.
Address 16 CARRIAGE WAY - MISSOULA Date 1/26/83
Representing MISSOULA COUNTY - CLERK & RECORDER Support ✓
Bill No. 276 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. MISSOULA COUNTY HAS MORE THAN 60 JURISDICTIONS. TO MAINTAIN A FORCE OF 2 DEPUTY REGISTRARS FOR EACH IS A CONSIDERABLE NUMBER.
2. WITH THE ABILITY OF ANY ELECTOR TO REGISTER A PERSON, IT SEEMS UNNECESSARY TO CONTINUE SEEKING DEPUTY REGISTRARS.
3. WE TRAIN ALL PERSONS WHO ARE INTERESTED IN BECOMING MORE CAPABLE OF REGISTERING VOTERS.
4. THE BILL DOESN'T ELIMINATE DEPUTY REGISTRARS; IT SIMPLY MAKES THE MAINTAINANCE OF SUCH A GROUP AN OPTION.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

NAME: Bill Romaine DATE: 1-26-83

ADDRESS: Helena

PHONE: 442-2220

REPRESENTING WHOM? Clerks & Recorders

APPEARING ON WHICH PROPOSAL: H.B. 276

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

WITNESS STATEMENT

NAME JOANNE M. PERES BILL No. HB 276
ADDRESS FORT BENTON, MONTANA DATE JANUARY 26, 1983
WHOM DO YOU REPRESENT MONTANA ASSOCIATION OF CLERKS AND RECORDERS
SUPPORT X OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

IN FAVOR - even though some say with post card registration cards all over the county it isn't necessary - it is still helpful to the public to have deputy registrars in each precinct. At least they are trained and realize the importance of having correct information on the cards: mailing addresses, residence address for precinct identification, etc.

I think the addition of discretion is fine - since in many counties, mine included, the parties never come in with lists of prospective appointees. We have enough trouble getting them to give us enough recommendations for precinct election judges!

WITNESS STATEMENT

Name Margaret S. Davis Committee On House State Admin
Address 917 Harrison, Helena, Montana 59601 Date 26 Jan 83
Representing League of Women Voters of Montana Support _____
Bill No. HB 276 Oppose Oppose
Allowing the appointment of deputy registrars Amend Amend
in a county to be permissive rather than manda-
tory.

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

The League of Women Voters recognizes that this often a burden on the county commissioners, the parties, and the election administrator. However, there is still a need for qualified people to register voters. Post card registration is used extensively in some areas. Most people who work on registration campaigns are conscientious, but some are not. We have supported the ready availability of the cards, but in working on our own registration drives, we have valued the training provided by the election administrators for deputy registrars. If this bill passes there may be counties where no deputies are appointed and therefore no training given. Over a period of ~~years~~ time, party involvement in this area of the elections process could weaken and the percentage of acceptable registrations might decline. As you may have noted, election laws are subject to a lot of tinkering, Up to date training can be very important for all involved in the process.

^{4.}
An amendment calling for a minimum number of appointed deputy registrars per COUNTY, rather than per precinct, would be an acceptable compromise for the League.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

NAME: Bill Parnice

DATE: 1-26-83

ADDRESS: Belarus

PHONE: 442.2220

REPRESENTING WHOM? clerks & Records

APPEARING ON WHICH PROPOSAL: 4.B.295

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

WITNESS STATEMENT

Name Margaret S. Davis Committee On House State Admin
Address 917 Harriessn, Helena, Montana 59601 Date 26 Jan 83
Representing League of Women Voters of MT Support _____
Bill No. HB 295 Oppose Opposed
Allowing any registered voter to Amend _____
vote by absentee ballot

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. The purpose of having one election day is very important to the election ~~day~~ process. Though the American electorate is conditioned to sophisticated polls which measure its political "temperature" weekly on any number of issues and candidates, it is only at the polls on election day that these matters are officially settled. Historically election day was important enough to
2. be considered a holiday. Perhaps some of that former respect needs to be restored.

- The bill could considerably affect campaigns and all voters would not have to opportunity to act on the basis of the same information. Campaign costs would be forced to escalate in order to sustain a longer peak period of advertising.
- 3.

- Page 2, line 17 13-13-204(2) is included in Montana law because the Legislature recognized that those who died before election day were unable to exercise their suffrage rights if they so desired on election day. If this bill passes, the votes of the deceased might as well be counted too.
- 4.

Most important of all, however, the League believes that the offices of Election Administrators are not equipped to handle voting by large numbers of people over an extended period of time. There are not adequate safe guards for absolutely assuring the maximum amount of voter privacy and public scrutiny that the citizens deserve and expect. Quality control is the foundation of the system. This bill would put a heavy burden on even the most conscientious and well organized election administrator.

Encouraging absentee voting as a "convenience" and not a "necessity" ill serves the entire political process. The League knows that the present law is often honored in the breach, but feels we must look elsewhere for the causes and solutions. A Billings legislator testified in another committee that 40% or 1000 people voted absentee in his precinct. We submit that this Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

May be a symptom of voter dissatisfaction with how elections are run in their area.(precinct too big, not enough machines and/or judges, etc.)

FORM CS-34

- 1-We in the west have seen the dampening effects on turn-out of exit polling predictions. Large scale absentee voting would exaserbate this problem.

WITNESS STATEMENT

NAME JOANNE M. PERES BILL No. HB 295
ADDRESS FORT BENTON, MONTAN DATE JANUARY 26, 1983
WHOM DO YOU REPRESENT MONTANA ASSOCIATION OF CLERKS AND RECORDERS
SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

There are so many problems with this one I don't know if we'd be able to overcome them!

#1 SECURITY - Possibility of tampering with ballots, records.

All but four election administrators in Montana are also Clerk & Recorder. Most of our offices are extremely cramped for space. We string out all those piles of paper ballots on the counter in the vault (where all the legal records are kept and which has all kinds of people filing in and out, searching various records: attorneys, oil and gas landmen, genealogists, farmers, housewives, all kinds of inquiries. If the volume of people coming into my office to vote absentee increases any more than at present (we had 10% vote absentee last November) I'm extremely fearful about the possibility of tampering or just plain mistakenly mixing things all up.

#2 ERROR - The possibilities for error and confusion worries me. We don't have booths. People vote wherever they can find a spot to do so - in the machine room, at someone's desk, a table in the corridor, the commissioner's conference table. We already have the problem of husband and wife conferring when both are at the conference table.

#3 EXPENSE - I know this is a dirty word when you're talking about elections, but we may have to -hire extra help to handle the traffic (but it won't cut costs at the precincts; - will still have to have full crews there) And again, all the additional people milling around scares me. Remember in our one office and vault we also handle claims and payroll, insurance, employee insurance, people coming in to record documents, other office workers, verifying accounts with the Treasurer, etc. We have six people on my staff working in an area around 15' x 40', and the same space in the vault.

It also seems to me there is a growing lack of responsibility on the part of our citizens. We need to recognize our responsibility as citizens as well as our privileges.

HOUSE BILL 303 - ELIMINATION OF NATIONAL GUARD PARTICIPATION IN PERS - Mueller

This bill eliminates the participation of members in the National Guard in the PERS. Currently, federal employees of the National Guard participate in the federal civil service retirement. State employees in the PERS and guardsmen or women are eligible for a military retirement at age 60 if they complete 20 years in the guard.

This bill changes none of these.

The purpose of the bill is to eliminate windfall benefits that accrue only to guard personnel who are already members of PERS. To date, a majority of guard personnel participating in PERS have been primarily the officers. Money has never been appropriated to fund the required employer contributions so only those individuals who are willing to pay both the employer and employee contributions have elected to become members.

Since there is already a taxpayer supported retirement system for all employees and guard personnel, the Public Employees' Retirement Board supports the provision to deny continuing windfall benefits to a select few.

This bill will only apply to individuals who become participants in the guard after July 1, 1983. Any individual currently planning to use his guard participation to enhance his PERS retirement, has this right protected by law and will be permitted to do so.

Chapman
Larry M. Martschke
1/26/83

NAME: Phil STROPE DATE: 1-26-83

ADDRESS: 501 NO SANDERS, HELENA

PHONE: 442-6570

REPRESENTING WHOM? SELF

APPEARING ON WHICH PROPOSAL: HB 303

DO YOU: SUPPORT? _____ AMEND? X OPPOSE? _____

COMMENTS: LINE 5 STRIKE "ELIMINATING" ADD "RESTRICTING"
LINE 7, AFTER "SYSTEM" ADD "VESTING EXISTING RIGHTS"
LINE 20 TO 24 RETAIN EXISTING LANGUAGE
LINE 24 AFTER "19-3-506" ADD "FOR
SERVICE PERFORMED PRIOR TO BUT
NOT AFTER JUNE 30, 1983"

This amendment would preserve
existing benefits for all members
both present and former employees.
It would restrict benefit for future
service.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

WITNESS STATEMENT

NAME JOANNE M. PERES BILL No. HB 275
ADDRESS FORT BENTON, MONTANA DATE JANUARY 26, 1983
WHOM DO YOU REPRESENT MONTANA ASSOCIATION OF CLERKS AND RECORDERS
SUPPORT X OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I've been told that when we are making presentations to you we are NEVER to base our arguments on cost to the county, so I won't do that.

Instead, I will state that we had an election challenge last November on the Commissioner race, where that one race was inadvertently not rotated on that one race, and was discovered too late to print pasters.

The losing candidate filed suit in District Court requesting that the election be set aside and a new election ordered, but 8th Judicial District Judge H. William Coder in Order #DV 82 092 ruled that even though there was lack of rotation, and the candidate's name which was listed first throughout the entire county was only elected by 28 votes, that the election should still stand. He declared the election results legal, valid, binding and final.

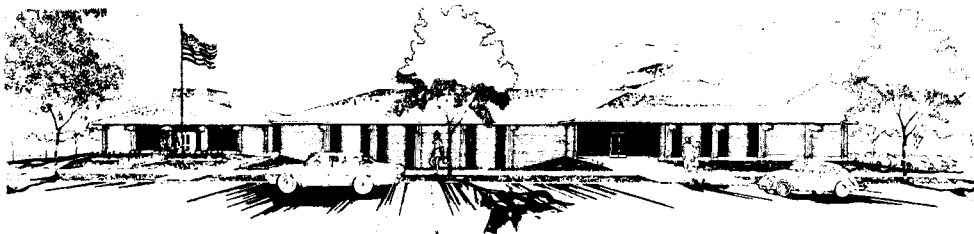
Even though I shouldn't use costs of rotation for reasoning to disallow rotation, I will leave you with this information:

In November, 1982, the printing of paper ballots cost \$94 per vote in Madison County. In Butte-Silverbow, the primary election cost \$1,286 for paper ballots. None were used. The Butte General election paper ballots cost \$1,096, and only one was used.

COMMISSIONERS
Box 846 - Ph. 778-2846
Art Koenig, Chairman
Delane Beach, Baker
Gary Lang, Plevna 59344

CLERK & RECORDER:
Mary Lee Dietz
Box 846 Phone 778-2846

COUNTY ATTORNEY:
Denzil R. Young
Box 620 Phone 778-2406



FALLON COUNTY

BAKER, MONTANA 59313

January 25, 1983

ASSESSOR:
Curtis Huether
Box 499 Phone 778-2123

CLERK OF COURT:
Jean Cameron
Box M Phone 778-21

SHERIFF:
Leland Gundlach
Box 899 Phone 778-28

SUPT. OF SCHOOLS:
Marlene A. Ferrel
Box 1117 Phone 778-2410

TREASURER:
Faye M. Koenig
Box 787 Phone 778-2132

House of Representatives
State Administration Committee
Capitol Station
Helena, Montana 59620

Gentlemen:

HB 275- "An act removing the requirement for rotation of names of candidates on paper ballots in counties where voting machines are used; amending section 13-12-205, MCA." I would like to go on record as supporting this bill; however, it should read "voting machines or devices" to include us who use CES punch card systems. I do not feel that rotation benefits the candidates enough to off set the cost to the counties of having these printed. The old saying that people vote for the first name on a ballot is an insult to the intelligence of the elector.

HB 276- "An act to amend section 13-2-102, MCA, to allow the appointment of deputy registrars in a county to be permissive rather than mandatory." I also support this bill as deputy registrars are no longer necessary with the registration by mail system. In our county a deputy registrar has not registered anyone since I took office eight years ago if anyone has some one they want registered they come in and get a registration by mail form and witness it themselves.

HB 295- "An act to allow any registered elector to vote by absentee ballot; amending sections 13-13-201, 13-13-023, 13-13-204, 13-13-211, and 13-13-222, MCA." I also support this bill as we have electors who have to drive farther to their polling place than they do to come into town and have inquired about voting absentee in preference of driving to an isolated polling place. Therefore, they may be more apt to vote on a regular basis than when they have to go to their polling place.

Your consideration on the above bills will be greatly appreciated.

Sincerely,

Mary Lee Dietz
Clerk & Recorder
Election Administrator

rec'd 1-27-83

Carol G. Glick
H.S.A.C. sec'y