

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Jan Brown, on January 5, 1989,
at 9 a.m.

ROLL CALL

Members Present: All

Members Excused: None

Members Absent: None

Staff Present: Judy Burggraff, Secretary; Lois
Menzies, Staff Researcher

Announcements/Discussion: None

HEARING ON HB 11

Presentation and Opening Statement by Sponsor: Rep.

Bradley, H.D. 79, Bozeman, opened with the following quote, "The road to electoral college reform is littered with the wrecks of previous attempts." She said she hoped that this would not be just one more wreck that we would leave by the roadside. She believes that not many people understand that we have the luxury in our states to decide how we want to select our electoral college, that it is not a given. After going through numerous experiments, our present system of "winner take all" is not the real intention or desire of the framers of the U. S. Constitution, and it has been in place since about the 1830s.

This bill would provide that two presidential electors be chosen from the state at large and one presidential elector be chosen from each congressional district. We would vote for presidential electors just as we do for our Congressional representation.

The state of Maine adopted this method 20 years ago.

List of Testifying Proponents and What Group They Represent:

Stuart Whitehair, Attorney, Bozeman, MT

Testimony: Stuart Whitehair presented his ideas which are in his senior political science thesis. This was mailed to all legislators.

Questions From Committee Members:

REP. PHILLIPS asked if Maine was the only state that had adopted this type of legislation and questioned whether its constitutionality had been questioned in court. Rep. Bradley said that Maine was the only state. In the U. S. Constitution it states that it is up to state legislatures to determine how the electors are selected.

REP. GERVAIS asked if this would have any effect on Indian candidates. Rep. Bradley said that with this bill a third party would have more strength.

REP. RUSSELL questioned whether any of the states comparable in size to Montana were in the process of adopting this type of legislation. Mr. Whitehead said that he has written letters to various speakers of the Houses in the states of Idaho, the Dakotas and Wyoming. These states are in a similar situation as Montana and they are all interested. They are waiting to see what Montana will do.

Closing by Sponsor: Rep. Bradley said she believes that reform will come at some point in this country and hopes that this can be accomplished before a crisis situation arrives. She asked for a do pass on the bill.

DISPOSITION OF HB 11

Discussion: Since Rep. Hayne had to leave early, all discussion and action will be taken on Friday.

Amendments and Votes: None

Recommendation and Vote: None

ADJOURNMENT

Adjournment At: 9:56 a.m.


JAN BROWN, Chairman

JB/jb

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DAILY ROLL CALL

STATE ADMINISTRATION COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date January 5, 1989

NAME	PRESENT	ABSENT	EXCUSED
Rep. Jan Brown, Chairman	✓		
Rep. Helen O'Connell, Vice Ch.	✓		
Rep. Vicki Cocchiarella	✓		
Rep. Ervin Davis	✓		
Rep. Floyd "Bob" Gervais	✓		
Rep. Janet Moore	✓		
Rep. Angela Russell	✓		
Rep. Carolyn Squires	✓		
Rep. Vernon Westlake	✓		
Rep. Timothy Whalen	✓		
Rep. Bud Campbell	✓		
Rep. Duane Compton	✓		
Rep. Roger DeBruycker	✓		
Rep. Harriet Hayne	✓		
Rep. Richard Nelson	✓		
Rep. John Phillips	✓		
Rep. Rande Roth	✓		
Rep. Wilbur Spring, Jr.	✓		

VISITORS' REGISTER

STATE ADMINISTRATION

COMMITTEE

BILL NO. 11

DATE 1-5-89

SPONSOR Rep. Bradley

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Margaret Davis	HW Mt Helena		
Stuart Whitehair	Bozeman,	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.