

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Jan Brown, on March 9, 1989, at 9:00
a.m.

ROLL CALL

Members Present: All present, except:

Members Excused: Reps. Gervais, Moore and Russell

Members Absent: None

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

HEARING ON SB 86

Presentation and Opening Statement by Sponsor: Sen. Eleanor
Vaughn, presented written testimony (Exhibit 1). Currently,
the voter registration lists are purged after every
presidential election. This bill requires the voter
registration lists to be purged every two years after a
general election held in an even-numbered year.

Testifying Proponents and Who They Represent:

Bruce W. Moerer, Montana School Boards Association

Rep. Paula Darko, House District 2

Proponent Testimony:

BRUCE W. MOERER, representing the Montana School Boards
Association, said that this bill comes to the Committee as
an alternative to several bills that have been introduced in
previous legislatures and to HB 514, which has already been
killed by this Legislature. He distributed (Exhibit 2) and
said that it illustrates the problems with the current law
regarding passage of school bond issues. He said that under
current law there is an artificial voter turnout
requirement. If 30 percent or less of the voters turn out,
the school bond election is invalid. Mr. Moerer said that
they have repeatedly introduced legislation so that only a
simple majority would be needed to pass a school bond issue.
That has always failed. This bill is their only alternative
at this point.

Mr. Moerer said that in Libby on May 12, 1987, a school bond issue was voted on. There were 1,048 people voting for the issue and 578 people voting against it, almost a 70 percent "pass rate." The problem was that only 29.6 percent of the voters turned out to vote. If they could have removed the names of the people from the voter registration list that were dead and that had moved, that bond issue would have passed with almost a 32 percent voter turnout. Before the election was rerun, they used a procedure that allowed voters on the registration list to be challenged, which was a long and time-consuming process. He said that Bozeman had a similar problem several years ago. They had about 18,000 registered voters. Before the school bond election, they removed almost 2,700 names from the voter registration list.

Cities and counties have a similar problem, Mr. Moerer said, and there is legislation right now to amend the city and county turnout requirements to be similar to HB 86. Right now cities and counties require a 40 percent turnout to pass a bond issue. They also are in need of an accurate voter registration list.

Mr. Moerer said he finds it hard to find sympathy for someone who doesn't want to vote more than once every four years. He also said since it is so easy to register now, he doesn't think that anyone is disenfranchised by the process of purging the voter registration lists.

REP. PAULA DARKO, House District 2, said she is a proponent as a result of several situations that occurred in her county. Twice bond elections have failed as a result of a lack of voter turnout. She said she was a strong proponent of the bill that would eliminate the 30 percent requirement for bond elections. But that bill failed miserably. That is why, she said, she is speaking on behalf of SB 86. She said, "We need to do something that would minimize the effect of voters not turning out for elections that are very important. I think that a minority that stays home and doesn't vote really can swing an election."

Proponents Who Wished to Be Listed But Did Not Testify:

Rep. Richard Nelson, House District 6

Rep. Wilbur Spring, House District 77

Testifying Opponents and Who They Represent:

Margaret Davis, Montana League of Women Voters

C. B. Pearson, Executive Director, Common Cause of Montana

Joseph Moore, Montana Rainbow Coalition

Julie Hacker, Missoula County Freeholders

Kathy Bramer Ames, Montana Voter Participation Project

Gail M. Stoltz, Executive Director, Montana Democratic Party

Opponent Testimony:

C. B. PEARSON, representing Common Cause of Montana, presented written testimony and a summary of a report on the task force barriers to voting (Exhibit 3).

JOSEPH MOORE, representing the Montana Rainbow Coalition, presented written testimony (Exhibit 4).

JULIE HACKER, representing the Missoula County Freeholders, presented written testimony (Exhibit 5) and a letter from Wendy Cromwell, Recording/Elections Manager, Missoula County Clerk and Records Office (Exhibit 6).

KATHY BRAMER AMES, representing the Montana Voter Participation Project, presented written testimony (Exhibit 7).

GAIL M. STOLTZ said she was the executive director of the Montana Democratic Party. She said that SB 86 might help the problem of the quorum that is required in a very special section of law dealing with school elections and that they empathize with Sen. Vaughn and the school districts and people that she represents. Ms. Stoltz said that we, too, do not believe that you should reward people for not voting. However, to some degree with this bill, you are penalizing people who do vote. You are penalizing people who vote every four years. If they don't vote for some reason, they will be removed from the rolls. Ms. Stoltz said that SB 86 would remove a very long-held precedent of history in Montana. She said that "there is no way you can fairly enact this sort of a purge mechanism without notifying people that they are purged. I think you would have to notify people and say you have been purged because you did not vote in the last election."

MARGARET S. DAVIS, representing the Montana League of Women Voters, presented written testimony (Exhibit 8).

Opponents Who Presented Written Testimony But Did Not Testify:

Mike Craig, Associated Students of the University of Montana (Exhibit 9).

Don Judge, Montana State AFL-CIO (Exhibit 10).

Questions From Committee Members:

REP. SPRING said that prior to the new Montana Constitution, voter registration lists were purged every two years.

REP. WESTLAKE asked if there has been an investigation as to whether the state-wide purging of the voter registration lists would cause any additional cost to the clerk and recorders. Sen. Vaughn said that no fiscal note had been requested for the bill. But in checking with different clerk and recorders and election administrators throughout the state, she was told that the costs that might be incurred with having to purge every two years could be offset by not having to send the necessary information and voter information pamphlets to those people who have been purged. Sen. Vaughn said that numerous pieces of this type of mail end up in the dead letter office.

CHAIRMAN BROWN asked if the Clerk and Recorders' Association had taken a position on this bill. Sen. Vaughn said they hadn't taken a position as the Clerk and Recorders' Association, but many of the clerk and recorders are supporting the bill.

Closing by Sponsor: Sen. Vaughn said that purging every two years was used several years ago. It did not seem to cause a whole lot of problem even though it was a more costly procedure due to the equipment that they had to use then. Registration has been made much easier due to mail-in registration. With the computerization that most counties have now, it is not nearly so difficult, cumbersome and costly to purge the list. She said that this is not a partisan issue because it involves all parties and issues throughout the state. Sen. Vaughn stated that holding school bond elections during general elections is not workable because of the school budgeting process. In reference to property owners being the only ones to vote, she said that won't work because the federal government has disallowed that for some time because they feel that everyone is a taxpayer in one sense or the other. Sen. Vaughn asked the Committee for a favorable recommendation on the bill. She said that Rep. Spring will carry this bill on the House floor.

HEARING ON SB 195

Presentation and Opening Statement by Sponsor: Sen. Tom Keating, Senate District 44, introduced the bill. Under current law, the Department of Revenue must establish a central reporting system to assist in identifying foreign and domestic corporations that transact business within the state and are subject to taxation by the state. In addition, the Secretary of State must submit to the Department a list of

all corporations registered with the Secretary of State's Office. Similarly, the Commissioner of the Department of Labor and Industry must submit a list of all corporations subject to the unemployment compensation laws. The Department of Revenue is also required to compile a list of all corporations subject to taxation by the state. The Department is required to cross-reference the information contained in the three lists to determine whether corporations have paid their corporation license taxes.

This bill, requested by the Legislative Audit Committee, eliminates the requirement that the Department of Revenue establish a central reporting system and that the Department of Labor and Industry furnish a list of corporations to the Department of Revenue. (The Secretary of State will continue to furnish a list of corporations to the Department of Revenue.)

Sen. Keating said since the Department of Revenue is already getting the report from the Secretary of State under section 1, the second report is useless and unnecessary. This bill would be a time and money saver if enacted. He asked for the Committee's consideration.

Testifying Proponents and Who They Represent:

John Northey, Legislative Auditor's Office

Proponent Testimony:

JOHN NORTHEY said that this particular amendment was part of the Governor's tax reform package legislation during the 1987 session. That package was not enacted, and the Audit Committee agreed to carry this particular bill this session. The Department agrees with the legislation.

Testifying Opponents and Who They Represent: None

Questions From Committee Members:

REP. PHILLIPS asked if a corporation must submit a list to the Secretary of State and the Department of Labor. Mr. Northey said that the Department of Labor handles unemployment insurance. Every corporation has to pay unemployment insurance premiums. Because of that tracking, the Department of Labor does have a list of corporations in the state.

Closing by Sponsor: Sen. Keating thanked the Committee for their time. He said that Rep. Cobb could carry the bill on the House floor.

DISPOSITION OF SB 195

Motion: Rep. DeBruycker moved SB 195 BE CONCURRED IN.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion CARRIED unanimously. Rep. Hayne moved SB 195 BE PLACED ON THE CONSENT CALENDAR. The motion CARRIED unanimously.

HEARING ON SB 95

Presentation and Opening Statement by Sponsor: Sen. Tom Rasmussen, Senate District 22, introduced the bill. This bill increases the lodging reimbursement for state employees who are required to travel in-state from \$24 a day to \$30 a day. He said that this really impacts both our state employees and the private sector. We really have an adverse situation right now that is harming both of these areas.

Testifying Proponents and Who They Represent:

Tom Schneider, Executive Director, Montana Public Employees Association

Bonnie Tippy, Montana Innkeepers Association

Sue Dupont, Outlaw Inn, Kalispell

Robert Dompier, Heritage Inn, Great Falls

Jerry Fraser, Copper King Inn, Butte

Curt Meeds, Jordan Hotel Co., Glendive

Carl Soldie, Managing Director, GranTree Inn, Bozeman

Al Nixon, Colonial Inn, Helena

Beverly Gibson, Montana Association of Counties

Ray Brandewie, Montana Innkeepers Association

Proponent Testimony:

TOM SCHNEIDER, representing the Montana Public Employees' Association, said he is representing the employees' side of this bill. Currently, the lodging reimbursement rate is \$24 plus the sales tax. This rate has been in existence since about 1981. At that time, it was only raised about \$1. The rate has not kept up with escalating costs. Mr. Schneider said he would like to point out that reimbursing for travel

expenses is not a benefit. Employees obviously have to spend money to travel for the employer. If all they get back is the amount of money they spend, that is not a benefit and it should not be construed to be a benefit. If the state cannot afford to reimburse the actual cost of travel expenses, then the state should not send someone out on the road. Two major motel chains have notified the state in the last two years saying that they will not accept the \$24 rate any longer. If those are the only facilities available, the employees have to pay additional money out of their pockets.

BONNIE TIPPY, representing the Montana Innkeepers Association, presented written testimony (Exhibit 11).

SUE DUPONT, representing the Outlaw Inn, Kalispell, said that the current rate represents a 50 percent discount for meeting and convention hotels across the state. The \$24 rate is lower than budget motels charge their regular corporate travelers. By comparison, the federal rate at \$40, has risen steadily for the past few years. Most hotels selectively decide if they will or will not accept state travelers or more importantly, if they will accept convention requests at the state rate. What often occurs is the hotel or town in which they have chosen to do business in is forced to turn the convention down. The profit margin in the food business is so low that banquets and resulting restaurant trade cannot make up for the low room rate. Therefore, the convention trade is generally refused in the hopes that a more acceptable booking will come along. She urged the Committee to support SB 95 and thanked the Committee for their time.

ROBERT DOMPIER, representing Best Western Heritage Inn, Great Falls, presented written testimony (Exhibit 12).

JERRY FRASER the general manager of the Best Western Copper King Inn, in Butte, said that he has been in the hotel business in Montana for 23 years. He is a professional troubleshooter who turns around hotels that have problems. He said an example of the costs that have doubled and tripled since 1981 are: insurance from \$40,000 to \$85,000 a year; taxes are over \$80,000 a year; utilities are over \$12,000 a month; maids make \$4.75 an hour; waitresses \$4.50 to \$5.00 an hour; maintenance people make \$5.00; bartenders make \$7.38 an hour. He said that it is financially impossible to operate with a \$24 daily room rate.

Mr. Fraser said that every organization that does business with the state expects the \$24 rate. A CPA/owner stayed at the Copper King Inn last night. He demanded a \$24 rate because he is auditing some books in Butte for the state of Montana. He is a high income individual, but he gets the \$24 rate. The sheriff posse demanded a \$24 rate. There are 13,000 state employees who can travel. He said if you get a

contractor that comes in and bids a state job, he wants a \$24 rate. He urged the Committee to support SB 95.

CURT MEEDS said that he has managed or owned and operated the Best Western Holiday Lodge in Glendive for the past 36 years. He said the hospitality industry in Montana is that they has had difficult financial problems for the past five years in Montana. A short time ago a major property was taken over by an insurance company lender. In February, a major property of 120-rooms in Kalispell was closed. He said that the Committee should be aware that there is not a single leveraged hotel/motel convention property in the state of Montana that has not been subject to some sort of financial restructuring or workout over the past four years. In addition to these problems, he said, federal and state governments have assessed the industry with the following hard-hitting taxation: FICA taxes on tips, unemployment compensation taxes on tips, added workman's compensation tax on tips, removal of tip credit to waitresses and now a proposed increase in the minimum wage. He urged the Committee's support of SB 95.

CARL SOLDIE, the managing partner for the GranTree Inn in Bozeman, said he would like to talk about the abuses of the state rate. State employees travel for weekend pleasure. There is no way of knowing if the state employee is on business or pleasure. Cities, counties and many associations have adopted the \$24 rate as the amount that their employees and members will be reimbursed. An example of many of the associations that have "piggybacked" on the state rate are as follows: The Centennial Commission, Montana Education Association, Montana Association of Counties, city officials, school board associations, Montana Fire District Association, Montana Association of Elementary School Principals, Montana Association of Conseravation Districts, Montana Sheriffs and Peace Officers, Montana Judges abd Justices of the Peace and Courts of Limited Jurisdiction. The pressure on the hotels/motels by the state as well as the associations and city and county governments is immense. Mr. Soldie said that if a hotel turns them down, the property is often threatened with being blackballed. If a small bureaucracy sees a large bureaucracy, like the state of Montana, take advantage of an industry by establishing an unreasonable price for goods and services, the small bureaucracy soon follows. Increasing the state rate may not cure the abuse and end the "piggyback effect," but it will be much more livable economically and much more fair to the hotel industry. He said that he needs at least \$37 a night to break even.

AL NIXON, representing the Colonial Inn in Helena, said that he is sure that some of the Committee members are thinking if we can't live with the state rate, we should turn the business down. Mr. Nixon said sometimes you can do that. A conflict occurs, especially on a larger scale, in regard to

group business. What if you're the only property in town that can accommodate a room block for SRS or Department of Labor people who need from 60 to 80 rooms at the state rate as well as meeting capacity of 100 to 150? The hotel really cannot say "no" without repercussions. Mr. Nixon said that even the Governor's office, in the last two administrations, has contacted the Colonial Inn and pressured us to honor the state rate for someone who is coming in from out of state to speak or consult with the Governor's office as well as various departmental offices. We have seen letters instructing these people from out of state to insist upon receiving the state rate. One example of this was when \$1 million was appropriated by the last Legislature to promote the super collider program to come to Montana. The Governor's office pressured the Colonial Inn to honor a \$24 state rate to a large, independent consulting firm from Denver. This occurred during the height of the summer tourist season in 1987. That consulting firm could have well afforded to pay the going corporate rate and still feel that they had received a good deal compared to other rates in other areas where they travel.

Mr. Nixon said it is difficult to be the bearer of bad news when you have to choose to decline state business, whether to an individual or to a group. We stand the chance of falling out of grace with them and are often denied the opportunity to do business with them.

BEVERLY GIBSON, representing the Montana Association of Counties, said that their organization is one that "piggybacks" on the state rate. Ms. Gibson said that they "piggyback" because their employees are also tax supported. She said that "you would not have the counties raise their budgets to an inflationary height to accommodate a \$40 overnight room rate when they must travel on business." Ms. Gibson said she supports SB 95 because "we understand the inflation rate has raised many commodities. We know that the hotel and the counties are in a "catch 22" situation here. The rate is too low. We send our employees to the same meetings that state employees attend."

RAY BRANDEWIE said he represents the Montana Innkeepers Association. In this testimony, he said he was going to represent his daughter who is a state employee. He said his daughter is a technician for SRS. Often she comes from Kalispell, where she works, to Helena for training related to her work. Mr. Brandewie said that the internal revenue will allow \$66 a day as a living expense without having to prove it. He said that she receives 22 cents a mile to operate her vehicle and that does not cover the actual expense. When his daughter comes to Helena and spends three days, she subsidizes the state out of her pockets. She makes about \$18,000 a year. As a single parent, her child care runs \$545 a month. Mr. Brandewie said that there are a

lot of employees like that in the state, and they cannot afford to continue to subsidize the state.

Testifying Opponents and Who They Represent: None

Questions From Committee Members:

REP. DAVIS asked why the Senate cut the room rate amount requested in the bill from \$35 to \$30. He said that \$30 is ridiculous and it should be a lot higher than that. Sen. Rasmussen agreed that the \$30 was too low and wasn't sure why the Senate amended the bill.

REP. WHALEN said that he agrees with Rep. Davis that \$30 is too low. He asked what might happen to the bill in the Senate if the room rate was raised to \$35. Sen. Rasmussen said he thinks it would be better not to return the amount to \$35 as the bill might get into trouble. He said that if the Committee raised it to \$32 or \$33 it is possible the bill could get through the Senate. Bonnie Tippy said, "I would be a little bit concerned about sending the bill back to the Senate with any amendments." Tom Schneider said he would like to caution the Committee on what happened to the meal allowance bill that had been amended upwards by the Committee. That bill is now in the subcommittee of Appropriations. He said the bill has never made it out of the House. If the bill doesn't go through, it will be \$24 again. He cautioned the Committee and recommended that if the industry can live with \$30 for two years, it might be better to raise it then than to lose the whole bill at this point.

REP. ROTH asked how Jorgenson's Holiday Inn can advertise single rooms at \$29.95 if they can't make money at that rate. He said he has a hard time understanding why some people can make money at \$26 and someone can't make money at \$37. Why don't these people just say we can't make it at that and not take the business. Bonnie Tippy said that the budget hotels even now are at \$27 to \$28 a night. Jorgenson's is accommodating Legislators and they're in a situation where they are building right now and are offering discounted rates. In the future, that will not be the case. Ms. Tippy said the state employees cannot have meetings in a Super 8 Motel or some of the other smaller properties. They have to go to a convention center to do that. They want free meeting room space and a good deal on the food along with the \$24 room rate. There is no place where the hotel can cover their costs in that kind of a situation.

REP. WHALEN asked what percentage of the cost of a room is the cost of the labor force. Jerry Frazier said it is over 65 percent.

Closing by Sponsor: Sen. Rasmussen said that testimony was offered in the Senate relating to the room rate allowance in

the states surrounding Montana. North Dakota allows \$35 a day. Idaho reimburses actual lodging costs. Washington seems to vary from city to city, but it is between \$35 and \$47. Utah allows \$42 a day. Wyoming offers \$55 a day, which is total per diem. Montana is substantially lower in its room rate allowance than the surrounding states. He said that he thinks it is the consensus that the room rate allowance should remain at \$30 rather than amending the bill.

HEARING ON SB 286

Presentation and Opening Statement by Sponsor: Sen. Tom Beck, Senate District 24, introduced the bill. This bill proposes to amend the Montana Constitution to require that an initiative or referendum that qualifies for the ballot be submitted to the electors unless the substance of the ballot issue is declared unconstitutional by a court of competent jurisdiction or a new election is held. The bill requires the proposed amendment to be submitted to the voters at the November 1990 general election.

Sen. Beck said that when the Supreme Court ruled on Initiative 30, which would give the Legislature the authority to limit liability, they ruled on it on procedural grounds. He said he thought that the court's ruling was grossly unfair to the people who initiated the petition process to get the initiative on the ballot. We would like to amend Article IV of the Montana Constitution.

Sen. Beck submitted an amendment (Exhibit 13), which he said should have been put in the bill and was inadvertently forgotten.

Testifying Proponents and Who They Represent:

Larry Dodge, Initiative Improvement Committee

Rex Manuel, Montana Liability Coalition

Mark Mackin, Self

Garth Jacobson, Secretary of State's Office

C. B. Pearson, Executive Director, Common Cause in Montana

Propoent Testimony:

LARRY DODGE, representing the Initiative Improvement Committee, presented written testimony (Exhibit 14).

REX MANUEL, representing the Montana Liability Coalition, said that they have spent a lot of time and money to get these

referendums on the ballot. It is not fair to the people after they vote on a ballot to have it thrown out on a technicality.

MARK MACKIN said he is from Whitehall and has worked for a number of years as an initiative advocate. He has also worked on the Initiative Improvement Committee. He said that the Initiative Improvement Committee does have a legal base. He said he favors SB 286 because the initiative you save in the future may well be your own. He emphasized that the passage of the bill should not turn into a contest over whether Initiative 30 was right or wrong.

GARTH JACOBSON, representing the Secretary of State's Office, said that they want to go on record in support of SB 286. He said that in an ideal situation this legislation would not be necessary because if an election were run properly the first time around you would never have to worry about having another round. Unfortunately, in the real world, sometimes mistakes do occur. We hope that our administration will never make a mistake and have to face this situation, but if it does it would be nice to have a backup situation where another election could be held to make sure that the voters are not disenfranchised from their opportunity to speak up on matters or have their vote counted. He urged that SB 286 be concurred in.

C. B. PEARSON, Executive Director, Common Cause of Montana, presented written testimony (Exhibit 15) and a copy of the section of the Montana law dealing with challenges to initiatives and referendums (Exhibit 16).

Proponent Presenting Written Testimony But Not Testifying:

Lillian Kirkpatrick (Exhibit 17).

Testifying Opponents and Who They Represent: None

Questions From Committee Members: None

Closing by Sponsor: Sen. Beck said that there have to be amendments put in the bill. This bill will take a two-thirds vote in order for it to pass. He said he would appreciate the Committee's support as he thinks it is something the people need. Sen. Beck said that Rep. Campbell would carry the bill on the House floor.

ADJOURNMENT

Adjournment At: 10:52 a.m.


REP. JAN BROWN, Chairman

JB/jb

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DAILY ROLL CALL
STATE ADMINISTRATION COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date March 9, 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. | ✓ | | |
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STANDING COMMITTEE REPORT

March 9, 1989

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Mr. Speaker: We, the committee on State Administration report that SENATE BILL 195 (third reading copy -- blue) be concurred in and placed on the CONSENT CALENDAR.

Signed: Jan Brown
Jan Brown, Chairman

[REP. COBB WILL CARRY THIS BILL ON THE HOUSE FLOOR]

SB#86

1 24

EXHIBIT 1
DATE 3-09-89
~~HB 86~~

Madam Chairperson and members of the Committee for the record

I am Senator Eleanor Vaughn, Senate District No. 1, Lincoln County.

This is a short bill and should have a Do Pass.

As it is now registration lists are only purged after a Presidential

Election every 4 years. After a General Election as which there

ⁱ
is not a Presidential Election anyone not voting is carried on

the registration lists until the next Presidential election unless

someone requests cancellation or transfer of registration by

written notice to the Election Adm. or if the Election Adm. has

proof a person is deceased they must remove their names from

the registration lists. Carrying the names on this list even

thought they don't vote creates a problem in many ways, for instance

School Districts, special districts, Counties & Cities and Towns

who need to conduct a bond election. In order to validate a

bond elections there must be a certain percentage of the eligible

registered voters vote. I can speak for a School Election held

in Libby which was defeated the first time it was placed before

the people - not because the majority voting did not vote in

favor of the bond issue but because the percentage of voter turnout

to validate the election was inadequate. After a review of the
names on the list it was shown that if the list had been purged

after the General Election the election would have been valid.

Having to conduct another election is an expensive procedure.

The percentage required to validate an election is figured from

the list of registered electors furnished by the Election Adm.

for the District involved and if this list contains a lot of

names of people no longer residents of the District it gives

a false percentage required. The percentage necessary to validate

^a
a school election is prescribed in Sec. 20-9-428. What I am

really getting at is that this inaccurate figure often disfranchises

an election. It also creates a false number shown by the State

of the people actually eligible to vote on State wide and National issues including President and would be kept much more accurate if the lists were purged after each general election. Montand has an enviable record for a good turnout of voters in the Presidential elections but would even be better if lists were accurate. There is a process where registered electors can be challenged and removed from the rolls but this must be done within a time frame prior to an election and is a cumbersome process and time consuming. I realize there is a real concerted effort to get people registered and out to vote in a Presidential election but seems they stress their voting in a Pres. year entitles them to vote forever and I feel they should encourage voting in every election. Why shouldn't it be their responsibility to vote in every election and a privilege. The General Elections held on the years that are not Presidential elections are just as important as your local county officers, $\frac{1}{2}$ of the Senate members and all the House Members are up for election, it is really your Grass Roots Government. Why shouldn't we legislators running in General Election when there is no Presidential candidates have people understand it is just as important to vote then as in the Presidential Election? I can understand the concern about people being purged after each general election and thereby disenfranchised from future elections unless they reregister but perhaps it would make people more aware of their responsibility to vote in all elections if they were advised they must vote in every Gen. Election or be cancelled. Now that most election information is contained on computers it is much easier to purge the lists after each gen. election thereby keeping them up to date. Registration has also been made easier for people with mail in registration cards. If it becomes necessary

to mail information out to all registered electors carrying those extra names on the list can make this a more expensive procedure. as information must be mailed to all on list. This is also a problem for candidates who wish to send information to their constituents. This is a particular problem for college areas such as Missoula, Bozeman & Billings where students register, vote and then move on and don't cancel or transfer registration. Many of the Clerk & Recorders & Election Adm. I have talked to agree with the purging every 2 years and others seem to feel it could be handled without too much problems and I know School Adm. and many other districts are concerned about this. Being an ex-Clerk & Recorder I worked with elections handling the purging both ways and I can understand some of the concerns but also know what it does to lists to carry these people for 4 years. The question has been asked about changing the requirement for a percentage to validate an election. This was presented this years as it has been several other times and was defeated because people want that leverage for control fo bond issues since it is no longer required that you be a tax payer to vote on these issues. A current list would help both the people sponsoring the bond issue to know exactly how many they need out to vote and also the people wanting to know how many have to stay away to defeat it. I don't advocate determining an election by staying away. I think if you don't want an issue to pass you should get out and vote your convictions.

Will turn it over to the proponents.

4 of 4

EXHIBIT 1
DATE 3-08-89
~~FR SB-86~~

Closing statements:

Registration is not difficult with the new mail in registration cards that don't have to be notarized, just acknowledged by another elector in your precinct.

Can't hold School Elections with General Elections because of budgeting procedures.

This is not only a local problem, is a problem throughout the State as it involves all School District, Counties, Cities and Towns. Particular problem in Bozeman, Missoula and Billings because of student population.

If people realize they must vote in every general election or be cancelled they will be more responsible. Talked to a Clerk & Recorder this morning and she said many people call and want to know if they don't vote in this election would they have to reregister, causing apathy amongst the voters.

Can;t require that just property owners vote on bond issues as the Federal Gov. ruled this unconstitutional as all people pay taxes one way or another.

The cost of the extra purging could be offset by the savings in not having to send out information to many no longer there. Shouldn't be a partisan issue since it affects everyone.

EXHIBIT 2

DATE 3-08-89

HB SB 86

SB 86

Under current law, Section 20-9-428, concerning the passage of a school bond issue:

Assume 1,000 registered voters

| # Voters | # Votes For | Pass/Fail |
|----------|-------------|-----------|
| 300 | 300 | F |
| 301 | 181 | P |
| 399 | 239 | F |
| 400 | 201 | P |



COMMON CAUSE/MONTANA

P.O. Box 623
Helena, Montana 59624

(406) 442-9251

EXHIBIT 3
DATE 3-09-89
SB 86

1013

TESTIMONY OF COMMON CAUSE IN OPPOSITION TO SB 86

THURSDAY MARCH 9, 1989

Madame Chairwoman and members of the House State Administration committee, for the record, I am C.B. Pearson, executive director of Common Cause in Montana.

On behalf of Common Cause's members, I would like to go on the record in opposition to Senate Bill 86.

If passed, SB 86 will cause a drop in voter participation.

In a recent report issued by the National Association of Secretaries of State, entitled "Barriers to Voting", the association reviewed the problem of voter participation. The report states, "The depressed level of voter turnout in the United States is directly attributable to the haphazard systems of requirements for citizens to register to vote in the 50 states."

The report outlines a 25 point platform for increasing voter turn out. I have enclosed several parts of this report for your reference.

The issue of purging voters is part of the platform. Please notice point 24 - Limit purges to change of address or death, and never just before election.

On the following page you will find a detailed explanation of the National Association of Secretary of States position on purging. I would like to highlight the third paragraph following the bold type.

"In many states, however, the purge has evolved into a method of removing names from the registration lists instead of keeping the lists up to date. The model system would not purge for nonvoting, as there should be no

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penalty for people who are registered but who choose not to vote. Barring the ability to enact the ideal provision, no voter should be purged for nonvoting before at least four calendar years have elapsed (to accommodate "presidential voters"), and any purge should be preceded by sending the registrant a notification with a prepaid return card that can be signed and returned to maintain an active registration."

In a practical sense this bill would remove significant number of people from the roles. According to Election Data Services, the 1984 voting age population in Montana was 591,000 of which 526,841 were registered to vote. Only 384,377 registered voters actually voted for a turnout of 65% of the voting age population. In theory, following the 1984 election, 142,464 voters were purged according to Montana law.

According to Election Data Services, the voting age population in 1986 was 595,000 with 443,935 citizens registered to vote. Only 326,436 registered voters actually voted for a turnout of 55% of the voting age population.

If SB 86 would have been in effect, an additional purge of 117,499 voters would have occurred. At this point a gross total of 259,963 voters would have been purged. Some of these would have been voters who registered for both elections but decided, for whatever reason, not to vote.

Since the 1984 election with a high of 526,841 registered voters to the low turn out of 326,436 voters in 1986, 200,405 voters would have been removed from the voting lists.

Moving to a purge system on a two year basis will certainly increase the number of people who will need to be registered to vote. As such some voters will not register and therefore not be eligible to vote.

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In addition, moving to a two year purge system whereby the laws become more restrictive will cause confusion among voters resulting in some citizens being denied the right to vote.

It is Common Cause's position that instead of restricting voter participation, such as SB 86 does, this committee should adopt the model position on purging as adopted by the National Association of Secretaries of State. Voter names should be purged only for change of address or death and never for not voting.


We recognize the problem that this legislation is trying to address but contend it is the wrong solution. Two solutions suggested by Curtis Gans, director of the Committee for the Study of the American Electorate and one of the foremost authorities on voting. One suggestion is a two step mailing to registered voters. The first mailing would be forwardable to all registered voters. The second mailing would be non-forwardable to those mailings returned from the first mailing. Those returned would be removed from the registered voter list. The second suggestion would use the postal service. It is Mr. Gans understanding that the Postal Service is moving to computerization for address changes. This system could be matched with local election administrators.

We would encourage the pursuit of other options rather than SB 86. Therefore, we urge a "do not pass" recommendation.

Report of the
Task Force on

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BARRIERS
TO VOTING

of the National Association of Secretaries of State

The Honorable Sherrod Brown, Ohio, Chairman
The Honorable Elaine Baxter, Iowa
The Honorable Allen J. Beermann, Nebraska
The Honorable Natalie Meyer, Colorado
The Honorable Dick Molpus, Mississippi

SUMMARY

"The depressed level of voter turnout in the United States is directly attributable to the haphazard systems of requirements for citizens to register to vote in the 50 states." Both the Harvard-ABC Symposium in 1983 and the Commission on National Elections in 1986 (both bi-partisan groups) reached this same compelling conclusion.

Barriers to voter registration and burdensome administrative procedures in the various states are still major contributors to America's low voting turnout. The most common barriers to voter registration are identified and discussed as:

- knowing the law;
- moving;
- requiring registration at a central office;
- special difficulties for members of the armed forces, out-of-towners, students, persons with language problems, disabled persons;
- linkage to jury duty;
- election officials who are not helpful.

All of the witnesses, election officers and registration organizers alike, at a national hearing on barriers to registration agreed that government has some responsibility to make voter registration accessible.

This report presents a model system for accessible voter registration. The model contains 25 specific recommendations, which are divided into

- general provisions that should be in all registration codes;
- provisions for mail-in registrations;
- registration provided through public agencies;
- using branch offices and volunteer registrars;
- reduced deadlines and day-of-election registration;
- purging registration lists;
- a central voter registry.

The recommendations are severable for individual enactment and implementation, but the model system as a whole is needed to provide a comprehensive, uniformly accessible voter registration program for the nation. A list of states that allow each of the registration systems discussed is provided.

The recommendations are:

1. Verification of all voter registrations.
2. No declaration of political affiliation with registration.
3. Unrestricted distribution and return of registration forms.
4. No witness requirement for registration.
5. Centralized state responsibility to supervise elections and registration.
6. Adequate funding for registration services.
7. Elimination of all dual registration.
8. Unrestricted distribution of mail-in forms.
9. Uniform mail-in registration form.

23. Close deadline. The deadline for registration should be as close to the election as possible.

The three states that currently allow for election-day registration require substantial proof of identity from each new registrant; legislative proposals currently under consideration for election-day registration also include substantial protections against fraud. These protections include identification requirements and special paper ballots, to be counted only after address verification is conducted by the election authorities (the same address verification procedure that is used for pre-election registrants).

PURGING VOTER REGISTRATION LISTS

The purpose of the purge is to keep the voter registration lists current and accurate. Voter registration lists should have current addresses, so change of address notices must be designed to add the correct address and remove the incorrect address. Many states mail nonforwardable materials to each voter; when these materials cannot be delivered, and so are returned to the election office, this should trigger a further investigation on the part of the election authority. If the person's registration cannot be verified as correct, it should be kept in a separate file for challenge on election day.

24. Limited purges. Names should be purged only for change of address or death. Nonvoting should not be cause for purging without notification.

All purging should be done as soon as practicable after November general elections, so registrants will have time to return reply cards to maintain registration for the next election cycle. Purges should never be conducted immediately before an election.

The names of people who have died need to be stricken from the lists; where coronors or other officials maintain lists of who has died in the county, these lists should be automatically forwarded to the proper election offices.

In many states, however, the purge has evolved into a method of removing names from the registration lists instead of keeping the lists up to date. The model system would not purge for nonvoting, as there should be no penalty for people who are registered but who choose not to vote. Barring the ability to enact the ideal provision, no voter should be purged for nonvoting before at least four calendar years have elapsed (to accommodate "presidential voters"), and any purge should be preceded by sending the registrant a notification with a prepaid return card that can be signed and returned to maintain an active registration.

EXHIBIT 4
DATE 3-09-89
~~#B SB 86~~

March 9, 1989

Testimony in opposition to S.B. 86

The Montana Rainbow Coalition opposes Senate Bill 86 because it will serve to decrease voter participation in the electoral process of this state. We fully understand that it has been a problem for local school boards to get the required percentage of voters out to the polls to pass school bond issues. We do not take that problem lightly, nor do we think that the members of this committee take it lightly. However, we suggest that there are other remedies to this problem that would not reduce voter participation the way this bill will certainly do.

Madam Chair and members of the Committee, we have all been hearing much about the "tough choices " that will have to be made in the future, citing the national debt, imbalance of trade, the need for economic redevelopment and the sad state of our educational system. When these choices are made, here in Montana and across the Nation as a whole, they will need the support of the vast majority of our citizens. One way in which the will and the support of the citizens is expressed is through the ballot. For this reason, broad based participation in the electoral system should be encouraged, not discouraged as this piece of legislation so obviously does. We urge a do not pass on Senate Bill 86.

Joseph Moore
Legislative Coordinator
Montana Rainbow Coalition
58 S. Rodney, Helena. 59601

WITNESS STATEMENT

NAME Julie Hacker BILL NO. AB86

ADDRESS _____

WHOM DO YOU REPRESENT? Miss Co. Trustees

SUPPORT _____ OPPOSE X AMEND _____

COMMENTS: _____

Work for Co. Offices
School districts & special districts
should turn out people.

Documents - care in handling

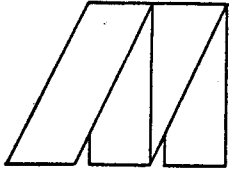
Voting is privileged
30% turnout

Support simple majority if they were the people
who property was encumbered

For it so we can win.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

LB 86



MISSOULA COUNTY

CLERK AND RECORDER
ELECTIONS OFFICE
COURTHOUSE ANNEX
MISSOULA, MONTANA 59802
PHONE 721-5700
February 8, 1989

EXHIBIT 6
DATE 3-09-89
LB 86

Julie Hacker

Helena, MT 59601

Dear Julie:

You requested an estimate of the cost to Missoula County of purging voter registration records every two years rather than the current four-year cycle.

It is difficult to know how many voters might vote in "off year" elections just to protect their registration if a two-year cycle was in effect, so my estimates may not be accurate.

Based on records from the last four-year cycle, I would estimate that Missoula County would spend an additional \$2,500.00 to purge the registration file every two years. That is, the total cost to purge over four years would be about \$6,000.00. Using the current four-year cycle costs the county about \$3,500.00 after each Presidential election.

Sincerely,

Wendy Ross Cromwell
Recording/Elections Manager

WRC

Madame Chairwoman, members of the Committee. My name is Kathy Bremer Ames. I am the Project Director for the Montana Voter Participation Project, an effort to increase voter participation among Montanans who have historically low levels of involvement in the political process. In 1988, the project helped to register nearly 8,000 new voters across Montana. The project is sponsored by the MT Alliance for Progressive Policy, a statewide coalition of progressive interest groups representing labor, education, conservation, women, seniors, and low-income people.

I oppose Senate Bill 86 because I believe it creates a barrier to effective voter participation. Studies have shown that requiring voters to register previous to election days lowers your voter turnout. And requiring Montana voters to register even more frequently than they do already, potentially every two years instead of every four, will erode Montana's enviable high voter participation rate.

This bill, if enacted, would require all Montanans who choose to vote only in presidential elections to re-register for each and every election. It would also require re-registration by anyone who missed one election between presidential elections.

Montana has very high registration and voter turnout rates compared to most other states. It's estimated by the Secretary of State's office that 86% of Montana's eligible voters were registered in 1988 and that 75% of those voters actually voted in the general election. But those numbers apply to the state as a whole. There are still areas of Montana, most notably Indian Reservations and low-income urban areas where as many as 50% of those eligible to vote are not registered. And voter turnout among these registered voters is often closer to 50% or 60% instead of the statewide 75% average.

In 1988, a lot of volunteers worked through local projects to begin improving the registration and voter participation of people in these communities. It's hard work knocking on doors and persuading people to become active in a system that has seemed to only create mistrust, suspicion, and powerlessness for them. And the first step, completing the voter registration card, can be both the most important and the most difficult step in the process. This bill changes the voting rules, will cause confusion among voters, and will only make an already foreign system more inaccessible for people new to the whole process of voting.

Testimony on SB86

Page 2

EXHIBIT 7

DATE 3-09-89

~~HB SB 86~~

20/2

Instead of making the voter registration barrier any harder to overcome we should be thinking of ways to make it simpler for Montanans to exercise their right to vote. For instance, why should the registration of any voter ever be cancelled for not voting? Why penalize citizens because they didn't vote in the proper number or order of elections? Voter registration lists could be kept based on simply on whether that eligible, registered voter was residing in the voting jurisdiction. And for those local elections which require a minimum voter turnout we could consider eliminating the minimum requirement. After all we don't even require a minimum voter turnout to elect a president, why should we require a 40% turnout to pass a school bond issue.

By examining the barriers to greater voter participation and creating ways to overcome them, we can have the highest voter turnout in the country. In the United States we are faced with a downward trend in voter interest and participation. Laws such as would result from Senate Bill 86 will only make it more difficult to accomplish the goal I believe we all share - to have every eligible Montanan participating fully in the democratic process. I urge you to vote against Senate Bill 86. Thank you.

EXHIBIT 8
DATE 3-09-89
SB 86

League of Women Voters of Montana

9 March 89

Joy Bruck, president
1601 Illinois, Helena, Montana 59601

SB 86 - Cancellation of electors who did not vote in an even numbered year general election.

The League of Women Voters of Montana opposes SB 86.

The cancellation of registered electors every two years would serve to discourage the participation of citizens in the election process. It is a political fact of life that presidential elections attract far more interest in voting than non-presidential general elections. Purging after every even-numbered year general election would wipe from the rolls people who consistently vote every four years.

In a report released this week by the US Census Bureau, a survey of more than 100,000 voters revealed dropping rates of voter participation in the 1988 presidential election compared to 1984 for all but citizens over 65. The younger the eligible voters, the sharper the drops. The rate for persons 25 to 44 dropped from 58 to 54 percent, and the rate for person 18 to 24 dropped from 41 to 36 percent. These statistics should be of grave concern to all who value a democratic system based on free elections. It should also be the policy of this state and nation to work toward making it easier, not more difficult, to maintain ones status as a registered voter.

With increasing computerization, it is possible for election administrators to purge registered electors in an electronic twinkling of the eye. I only wish it were equally as simple to register voters in the first place. Until that is possible, the League believes this bill would serve to disenfranchise citizens in Montana and we ask that this committee give SB 86 a Do Not Pass Recommendation.

Margaret S. Davis
816 Flowerree
Helena, Montana 59601

443-3487



Associated Students
University of Montana

EXHIBIT 9

DATE 3-09-89

#B SB 86 Room 105
University Center

Missoula, MT 59812
(406) 243-2451

House State Administration Committee

Senate Bill 86 - Sen. Vaughn

Hearing: March 9, 1989, Room 312-1.

Madam Chairman and members of the committee, good morning.

For the record, my name is Mike Craig and I represent the Associated Students of the University of Montana.

ASUM opposes SB86 mainly because of typical college student voting patterns. Many of our students that remain registered in voter districts outside of Missoula or western Montana choose to not participate in non-presidential elections because their political interest also remains in their home districts. But those students are more apt to participate in the national elections every four years because of a higher level of political interest in presidential candidates.

ASUM feels that students who choose not to participate in non-presidential elections should not have to re-register if they still choose to participate in presidential elections. While we are trying to encourage more participation in all elections, younger voters quickly become accustomed to registering once for presidential elections and knowing that they will always be registered as long as they vote for presidential candidates.

Accordingly, ASUM is sympathetic to the problems this bill is trying to address with the state's school districts. We feel that it is more appropriate that the necessary percentage of voter turnout for district levy elections be decreased, rather than possibly disenfranchising younger voters.

Thank you.



EXHIBIT 10
DATE 3-09-89
~~HB~~ 2886

Box 1176, Helena, Montana

JAMES W. MURRY
EXECUTIVE SECRETARY

ZIP CODE 59624
406/442-1708

Testimony of Don Judge before the House State Administration Committee on
Senate Bill 86, March 9, 1989

Madam Chair and members of the Committee, because of a hearing conflict, I am unable to be with you today to present my testimony in person. For the record, these comments are made on behalf of the Montana State AFL-CIO in opposition to Senate Bill 86 which would require voter registration cancellation following each general election.

We are very sympathetic with the reasons which have prompted this legislation. The passage of school bond issues should not rest on a determination of voter turnout. We supported House Bill 514 which was before this Committee in order to remove those voter turnout requirements. Unfortunately, this legislation was not successful.

Senate Bill 86 seeks to ease the turnout in another manner, but this legislation would have other, unintended consequences. Montanans have a history of turning out to vote in greater numbers during Presidential years. The present system which purges voter registration rolls after those elections follows this pattern of voter turnout. By canceling voter registration after every general election, as is suggested in Senate Bill 86, many voters who would otherwise cast their ballots in Presidential election years may find themselves disenfranchised.

Unfortunately, the problem giving rise to Senate Bill 86 remains unsolved. Artificial turnout requirements should be repealed but this legislation would not do that. Making voter registration easier and encouraging people to get out and vote have long been hallmarks of the labor movement in America. This legislation would make voter registration and participation more difficult. Given the alarming declines in voter turnout across the nation, any effort to make the process more cumbersome should be rejected. We urge you to oppose Senate Bill 86.

Thank you.



EXHIBIT 11

DATE 2-09-89

#SB 95

10/4

TESTIMONY OF THE MONTANA INNKEEPERS ASSOCIATION

Submitted by: Bonnie Tippy
350 North Last Chance Gluch
Helena, Montana 59601

HISTORY AND AGE OF STATE RATE

The State Rate was initially enacted by the Legislature to control costs of lodging of state payrolled employees by establishing a set amount for hotel/motel rooms. This was the method that allowed for the control of the budget for travel expense.

The last time this rate was fixed was in the 1981 Legislative session. Prior to that, it was \$21.00 and was adjusted to the rate of \$24.00. This \$24.00 rate has been in effect for the last 8 years.

In 1981, the \$24.00 rate was a respectable rate considering the average cost of lodging at that time in the State of Montana.

Although inflation has been relatively moderate, if you compound the Consumer Price Index that has been published by the Federal Government, the \$24.00 rate would be equivalent to \$32.30 in 1989 dollars and by the time you meet again in 1991, it would equal \$35.27.

Keep in mind that compounding the \$24.00 rate from 1981 still does not mean that a \$30.00 rate is a fair rate because the \$24.00 rate in 1981 was still a discounted rate.

Now, with that in mind, what happens when a Montana State employee is required to travel out of state? The lodging cost for a Montana State employee traveling out of state is established at \$50.00 per night and as high as \$75.00 per night in designated cities even though some neighboring states (eg. Idaho) don't even have many hotels that charge that much.

This is the heart of the issue, and the following Innkeepers will present further information for your consideration as to why you should support Senate Bill #95.

FEDERAL RATE AND DISCOUNTS

EXHIBIT 11

DATE 2-09-89

#B SB 95

The current rate represents a whopping 50% discount for lodging at meeting and convention hotels. No where in media advertising do you encounter incentives of this magnitude targeted for travellers in the public sector. Further, the \$24.00 rate is lower than budget motels charge their regular corporate travellers. By comparison, the federal rate is set at \$40.00, and has risen steadily in the past few years. 2064

Most hotels will selectively determine when they will or will not accept a state traveller or more importantly, a group or convention requesting the state rate. What often occurs is that the hotel and the town is forced to turn down the business even though they certainly want to do business with the state. By the way, the profit margin in the food business is so low that banquets and resulting restaurant trade cannot make up for the low room rate. Therefore, the hotel elects to refuse the state business in hopes that a more acceptable booking will follow.

HERITAGE INN

As a matter of general information, we, at the Heritage Inn, Great Falls, established a state rate of \$30.00 early last year. We simply discovered that the \$24.00 rate was not meeting our expenses and was simply not controllable.

PRESSURE

Some of you may be thinking that if we cannot live with the state rate, we should turn the business down. Suppose you are the only property in town that can accommodate a room block for SRS or the Department of Labor needing 60-80 rooms at state rate and a meeting capacity of 100-150 people? Do you really believe that a hotel could say no without repercussions?

Or what about the many times the Governor's office (it has happened with the Schwinden and the Stephens administrations) contacts a property and pressures us to honor the state rate for someone who is coming from out of state to speak or consult with their office. The Governor's office as well as various departmental offices actually tout the \$24.00 to out of state businesses.

Even when the million dollars was allotted by the last legislature for promoting the Super Collider Program to come to Montana, the Governor's office pressured the Colonial Inn to honor the \$24.00 state rate to a large consulting firm from Denver when they came to the capitol. This, I might point out, occurred during the height of the summer tourist season in 1987. The consulting firm could have afforded to pay the going Corporate rate, and still feels it received a good bargain compared to rates in other areas that they traveled.

ABUSE

Because of inflation, the state rate of \$24.00 has become such a discounted rate that abuse of the intended program has been rampant.

First, the state employees, themselves travel on weekend pleasure, especially to Bozeman and Missoula, when major sporting events are held. We have no way of controlling whether a state employee is on business or pleasure.

Second, the rate is so attractive that cities, counties and many associations have piggy backed on the \$24.00 rate. An example of many associations who reimburse their personnel the state rate follows:

Centennial Commission
Montana Education Association

Montana Association of Counties
City Officials - Montana League of Cities and Towns
School Board Association
Montana Fire District Association
Montana Association of Elementary School Principals
Montana Association of Conservation Districts
Montana Association of Supervision and Curriculum Development
Montana Coroners Association
Montana Sheriffs and Peace Officers
Montana Judges Association
Justice of Peace
Courts of Limited Jurisdiction

EXHIBIT 11
DATE 2-09-89
#B SB 95
304

They have in essence, price fixed against our industry. The pressure on the hotels by the state as well as many associations, city and county government is immense. If a hotel turns them down, that property often is threatened of being blackballed.

If a small bureaucracy sees a large bureaucracy, like the State of Montana take advantage of an industry, being the Hospitality Industry, by establishing an unreasonable price on its goods and services, the small bureaucracies assume it is all right (whether legal or moral) to do the same thing.

Increasing the state rate may not cure the abuse and end the piggy back effect, but it will be more liveable economically and fairer.

COST TO SERVICE A ROOM

If a room is occupied versus unoccupied, there are direct costs that occur for the property. Those costs vary slightly among the various hotels, however; average cost is \$12.30 for cleaning of the room, providing soap, cleaning chemicals, paper supplies, laundering of linen, the water used by guests and usage of power for lights and climate control. This does not include the cost of supervisors, management, replacement and repair costs of materials, mortgage payment, or real estate taxes.

For many hotels, especially the larger convention hotels, those costs exceed \$24.00 per occupied room. Some convention hotels have costs of \$40.00 plus, per occupied room.

You are correct if you are thinking, "....but the state employee can stay at a less expensive place." However, don't forget that a lot of the state business is group meetings and require large blocks of rooms and meeting room space.

Why is it that if the State of Montana wants to buy computers or automobiles, they are willing to pay a bid that is above the costs of the manufacturer and distributor allowing for some kind of profit, but when it comes to hotel accommodations, they expect it to be below cost?

If the cost of computers or automobiles increase in cost by 50%, the state would simply buy less or increase revenues to pay for it.

We would not mind if the state travelled less, if they were fairer with the rate they paid us.

We want to do business with you, we want to help the State of Montana. Of course the state would not want to get into the business of lodging their employees. Everyone would agree, that is a need best fulfilled by private businesses. To illustrate, if the state did operate a hotel, it would probably approximate the relationship recently publicized about the state janitorial services costing almost twice as much as the privatized ones. Therefore, the lodging rates that the state would charge would be at least \$50.00 per night and probably in excess of that.

EXHIBIT 11
DATE 2-6-89
58 95
4064

Please, understand that we agree with you, janitorial service paid at minimum or near minimum wage is terrible. A janitor working for the state should be paid a wage that is at least liveable. So should a janitor, maid, maintenance employee, or desk clerk at a hotel. Just because they work for a free enterprise system business, does not mean they should be financially penalized. Our point again, being, if the state pays only \$24.00 for a room, the hotel maids, janitors, desk clerks, etc are the ones who will suffer with the near minimum wage as well as the unprofitable hotel.

In essence, the conflict that occurs is that conventional wisdom is not applied equally to both the bureaucratic case and the private sector.

"STATE -OF-MONTANA-HOSPITALITY INDUSTRY"

In the past five years, the hotel/motel industry has had difficult financial problems. Several motels and hotels have closed.

FSLIC has inherited the problems of two major properties in recent months. A short time ago, another major property was taken over by an insurance company lender. In February a major property (120) rooms in the Kalispell area closed.

You should be aware that there is not a single leveraged hotel/motel/convention property in the State of Montana that has not been subject to some sort of financial restructuring or workout in the past four years.

The State of Montana further serves as an economic depressant to the hotel/motel industry with its \$24.00 state rate. With the other agencies and associations that adopt the expense guideline furthers the financial woes of the hotel/motel industry.

In addition to those problems, the Federal and State Governments assessed our industry in the past two years with hard hitting taxation.

1. FICA tax on tips.
2. Unemployment compensation tax on tips
3. Added Workmans Compensation tax on tips
4. Removal of tip credit to wages
5. Proposed increase in mininum wages

With all of this, the State of Montana continues to price fix the goods and services of the hotel/motel industry.

CLOSING

What we are desiring to do is to have you consider a change in this antiquated accommodations rate. There has been a lot of water under the bridge, so to speak, in the last eight years. The hospitality industry has fared no better than the other phases of the Montana economy.

The hotel industry is a vital part of the State Commerce and the tourist industry in Montana. It is one of Montana's largest employers and shares in Montana's second largest industry.

We have the same interest and share the same problems as the Legislative Body. We both benefit from the same successes. We want to be helpful to the State by working in concert with them to meet their lodging needs.

This bill is in response to a free market system of fairness in pricing. It is our hope that the Legislature will move to resolve this state rate inequity. We urge your adoption of Senate Bill 95.

EXHIBIT 12

WITNESS STATEMENT

DATE 2-09-89

SB 95

To be filled out by a person testifying or a person who would not like to stand up and speak but wants their testimony entered into the record.

NAME:

DATE:

Robert Dompier

3/9/89

Address:

1700 FOX FARM ROAD

GREAT FALLS, MT

Phone:

761-1900

Representing whom?

BEST WESTERN HERITAGE INN

Appearing on which proposal?

SB 95

Do you: SUPPORT? AMEND? OPPOSE?

Comments:

EXHIBIT 12

DATE 2-09-89

SB 95

GOOD MORNING AND THANK YOU FOR YOUR TIME. MY NAME IS ROBERT DOMPIER, GENERAL MANAGER FOR THE HERITAGE INN. I WOULD LIKE TO POINT OUT THAT A YEAR AGO THE HERITAGE CEASED TO HONOR THE \$24 STATE RATE. SIMPLY WE COULD NOT BREAK EVEN.

THERE WAS NO MAGIC TO MAKE A \$24 RATE TO PAY FOR THE EXPENSES. SINCE EARLY LAST YEAR WE HAVE BEEN CHARGING A \$30 SINGLE RATE. AND WE LOST MOST OF OUR STATE BUSINESS. MY REGULAR RATE IS \$52

THE STATE ASSOCIATION NEED CONVENTION PROPERTIES TO HOLD THEIR MEETINGS & SEMINARS - MORE OFFER - THAN NOT WE ARE FORCED TO OFFER LOWER BUDGET PRICED MEALS AND AT THE SAME TIME, THEY HAVE LITTLE TO NO FUNDING TO PAY MEETING ROOM RENT. SO NOW WE HAVE IT, ~~FOR~~ THEN STATE RATE IS TOO LOW FOR US TO GIVE YOU A ROOM - YOU WANT LOW PRICED BUDGET MEALS - & YOU CAN'T PAY MEETING ROOM RENTS. THIS PROBLEM NEEDS TO BE ADDRESSED.

MY BUSINESS IS LIKE YOURS - AS MY COST GO UP SO DO MY PRICES.

THE FEDERAL PER DIEM IN GREAT FALLS IS 41.00
MINIMUM RATES GOING UP.

EXHIBIT 13
DATE 3-09-89
~~HB~~ SB 286

Amendments to Senate Bill No. 286
Third Reading Copy

For the House Committee on State Administration

Prepared by Lois Menzies
March 8, 1989

1. Title, line 14.

Following: "ON"

Insert: "PROPERLY QUALIFIED"

2. Title, lines 14 and 15.

Strike: "AND" on line 14 through "ISSUE" on line 15

3. Page 2, lines 21 and 22.

Strike: "limiting" on line 21 through "election and" on line 22

4. Page 2, line 25 through page 3, line 1.

Strike: "limiting" on page 2, line 25 through "election and" on
page 3, line 1

EXHIBIT 14
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HB SB 286

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Senator William E. Farrell, chairman
and members
State Administration Committee
Montana Senate
State Capitol
Helena, MT 59620

February 3, 1989

Dear Senators:

I write to testify in favor of SB 286, "Valid Election Required on Ballot Issues." I hope to appear at the hearing scheduled for Monday, Feb. 6, weather permitting, but am writing in case I cannot.

SB 286 is aimed at alleviating a related pair of problems which have arisen in Montana's initiative/referendum process. First, it seeks to ensure that a valid election is held whenever the original election on a ballot issue is voided by the courts for procedural flaws in the election process.

At present, when a ballot-issue election is voided for such reasons as misprints in the voter information pamphlet or errors in the publication of the text of the measure in local newspapers, the Montana Supreme Court recognizes no constitutional basis for holding a reelection. Thus, even for the smallest of reasons, any ballot-issue election may be voided, without recourse by the sponsors or the voters. As I see it, this threatens the very concept of popular sovereignty upon which our system of government is supposed to be based.

The current situation also implies considerable waste--of all the energy and resources that went into designing, editing, filing, printing, petitioning, debating, advertising, voting, canvassing, publishing, and/or implementing each ballot issue--should it be "disqualified on a technicality" by the court.

SB 286, if placed on the 1990 ballot by the 1989 Legislature, and approved by the voters, would correct this problem by supplying a clear constitutional basis for resubmission of any ballot issue so voided to the voters at the next regularly scheduled statewide election. In my opinion, this is an important protection of our right to vote. Additionally, I believe it properly confines the role of the courts to that of referee, rather than participant, in the process of adoption or rejection of ballot issues as law.

Second, approval of the amendment offered by SB 286 would allow for judicial review of a ballot issue only after it has actually become law, in the same fashion as legislation. To me, this is foremost a matter of fairness and a proper sequence of events: to allow judgement of ideas before they become law has an awful ring of "prior restraint" to it, and our research shows that the public isn't any happier about it than the Legislature would be, if the court could intervene in its deliberations, and prevent some of them from coming to a vote. I hope the committee shares my view that constitutionality a ballot issue should remain a moot point until and unless the issue becomes law.

There are other reasons that prior review of ballot issues should be replaced by the more usual procedure. It has become a "cheap shot" strategy for opponents of initiatives to force proponents to spend all their resources in court, trying to keep their issue qualified for the ballot, instead of on promotion, advertizing, and education during the last few months before election. This means that whenever a modestly funded, grass-roots ballot issue is opposed by large, well-heeled interests which can afford court costs, a tremendous advantage accrues to the opponents. It makes the initiative/referendum process, in many instances I can think of, a rich man's game, and that just isn't the idea.

In the last session, the Legislature approved a bill which provides that prior judicial reiview is permissible only if the challenge is filed within thirty days of the date on which the issue was certified to the governor as duly qualified for appearance on the ballot. While this prevents last-minute strategies of judicial entanglement from occurring, it also in effect institutionalizes those strategies, legitimizing them by providing a time limit for them. To me, this aggravates, rather than solves the basic problem of posing "court action" as a threat against initiative proponents.

The usual question I'm asked about the "no prior review" provision of SB 286 is whether quality control of ballot issues might be diminished. I contend that it certainly would not. The review process would merely be put in proper sequence, not dispensed with. And, since initiative sponsors would know in advance that their entire effort could be destroyed, even after voter approval, there would be that much added incentive not to prepare their proposal "on the back of a napkin", and not to ignore the advice given them by the Legislative Council. Nothing generates responsible action like facing the full consequences of irresponsibility.

Finally, in this regard, as far as I can determine, initiatives (and perhaps referendums) do not enjoy the presumption of constitutionality that legislated acts do. This means that the burden of proving constitutionality, or lack thereof, would fall equally upon proponents and opponents in court, whenever judicial review is undertaken. This would make it very difficult for "bad law" to survive the review, regardless of its popularity at the polls.

In sum, my feeling is that prior review unnecessarily subjects the range of choice voters can make to judicial screening, and in the process involves the court in lawmaking. To me, these are problems worthy of prevention by approving SB 286.

I think a few words about the Initiative Improvement Committee, which did the "R & D" work behind SB 286, may be of interest. We are a non-partisan (or more correctly, a multi-partisan) group with a common interest in seeing the initiative process work well in Montana. Our first meeting was in 1987, in the aftermath of a two-day conference on ballot issues, which featured an "Initiatives Fair". Initiative ideas of all types, from many points along the political spectrum, were presented at the fair, for comment and critique by the audience. But among those who stayed afterward, the consensus was that first, some problems with the process itself needed attention, before pursuit of any particular goal by initiative would be worth the effort and risk.

Our first ambition, then, was to improve the process by initiative. Thus began a project you may remember as the "Initiative Initiative." Several

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meetings and nearly a year later, it emerged as CI-53. It had many provisions, (probably too many), as you might expect from such a politically broad-based committee. Mostly because it wasn't completed until a few weeks before the deadline for turning in signatures to qualify issues for the 1988 ballot, we decided not to try for qualification. Instead, with the consensus of the committee, I turned its many provisions into questions on a questionnaire, which I circulated while campaigning around the state for public office that summer and fall.

Another reason we didn't try to gather signatures was the fact that the Supreme Court had just recently ruled that CI-30, whose election in 1986 was voided by reason of flaws in publications which explained it, could not reappear on the 1988 ballot. This may partly explain why the questionnaire item which asked about holding reelections in such instances received so many affirmative responses. It certainly escalated our resolve to pursue some kind of remedy for this problem. And it may even explain why only two of the many initiatives which were filed with the Secretary of State last year actually earned a place on the ballot: both sponsors and voters were thinking, "Why bother?"

The Initiative Improvement Committee compiled the results of the questionnaire in November of 1988, then met on December 4 to analyze results and decide what to do. Along with the question about reelections, another item which had drawn strong positive response was the idea of allowing judicial review only of actual laws made by initiative or referendum, and not of proposals. The two seemed highly related, and we ended up deciding to present them as a proposal for constitutional referendum to the 1989 Legislature. The result is SB 286, introduced last week by the Senator from my district, Tom Beck.

In a very real sense, given its genesis in public opinion, SB 286 has been "written by the people". And just to be sure that the questionnaire wasn't selective of only those with a particular point of view about ballot issues, the Initiative Improvement Committee compared the answers given by different categories of respondents, and found almost no differences, then conducted a random telephone poll of Montana voters to see if their opinions differed significantly from those given by questionnaire respondents. I'll let another committee member, Rick Mason, present the results, but can assure the committee that many minds seem to be running in the same direction on the reforms proposed in SB 286. I offer the long list of legislators who signed off on this bill before its introduction as further evidence of general consensus.

I thank the State Administration Committee for its indulgence in listening to (or reading) my rather lengthy testimony in support of SB 286, and close by urging its approval of this bill.

Sincerely,

Larry Dodge, spokesperson
Initiative Improvement Committee
P.O. Box 60
Helmville, Montana 59843
Phone 793-5703



COMMON CAUSE/MONTANA

P.O. Box 623
Helena, Montana 59624

(406) 442-9251

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STATEMENT OF COMMON CAUSE IN SUPPORT OF SENATE BILL 286

THURSDAY MARCH 9, 1989

Madame Chairwoman and members of the House State Administration Committee, for the record, my name is C. B. Pearson, Executive Director of Common Cause in Montana. On behalf of Common Cause members we would like to go on record in support of SB 286.

We support the holding of an election on an initiative or referendum that has properly qualified but was declared invalid because the election was improperly conducted.

We had some concerns with the bill as it was originally drafted and actively supported changes to the bill. We are supportive of the current legislation.

Common Cause has been and continues to be a strong advocate of the initiative and referendum process.

In 1987, there was debate on challenges to initiative and referendum that resulted in changes in Montana law. Those changes establish a process to challenge an initiative or referendum. I have attached that section of the law to my testimony.

The current process for challenges is expedient and fair. We need to have a clear-cut manner for challenges or the other hand we also need to place bona-fide initiative or referendum back on the ballot if the first election is declared invalid because the election was improperly conducted.

We would encourage a "do pass" recommendation on SB 286.

Part 2
Supreme Court Jurisdiction

Part Cross-References

Jurisdiction of Supreme Court, Art. VII, sec. 2, Mont. Const.

3-2-201. Types of jurisdiction. The jurisdiction of the supreme court is of two kinds:

- (1) original; and
- (2) appellate.

History: En. Sec. 18, C. Civ. Proc. 1895; re-en. Sec. 6250, Rev. C. 1907; re-en. Sec. 8802, R.C.M. 1921; Cal. C. Civ. Proc. Sec. 50; re-en. Sec. 8802, R.C.M. 1935; R.C.M. 1947, 93-213.

3-2-202. Original jurisdiction. (1) Except as provided in subsection (3), in the exercise of its original jurisdiction, the supreme court has power to issue writs of mandamus, certiorari, prohibition, injunction, and habeas corpus.

(2) It also has power to issue all other writs necessary and proper to the complete exercise of its appellate jurisdiction.

(3) (a) Except as provided in subsection (3)(b), a contest of a ballot issue submitted by initiative or referendum may be brought prior to the election only if it is filed within 30 days after the date on which the issue was certified to the governor, as provided in 13-27-308, and only for the following causes:

- (i) violation of the law relating to qualifications for inclusion on the ballot;
- (ii) constitutional defect in the substance of a proposed ballot issue; or
- (iii) illegal petition signatures or an erroneous or fraudulent count or canvass of petition signatures.

(b) A contest of a ballot issue based on subsection (3)(a)(i) or (3)(a)(iii) may be brought at any time after discovery of illegal petition signatures or an erroneous or fraudulent count or canvass of petition signatures.

(c) Nothing in subsection (3) limits the right to challenge a measure enacted by a vote of the people.

History: En. Sec. 19, C. Civ. Proc. 1895; re-en. Sec. 6251, Rev. C. 1907; re-en. Sec. 8803, R.C.M. 1921; Cal. C. Civ. Proc. Sec. 51; re-en. Sec. 8803, R.C.M. 1935; R.C.M. 1947, 93-214; amd. Sec. 1, Ch. 540, L. 1987.

Compiler's Comments

1987 Amendment: In (1), at beginning, inserted exception clause relating to subsection (3); and inserted (3).

Cross-References

Right to habeas corpus, Art. II, sec. 19, Mont. Const.

Power of appellate court not limited, Rule 62(g), M.R.Civ.P. (see Title 25, ch. 20).

Acceptance and manner of conducting original proceedings in Supreme Court, Rule 17, M.R.App.P. (see Title 25, ch. 21).

Injunctions, Title 27, ch. 19.

Writ of Certiorari, 27-25-102.

Writ of Mandamus, 27-26-102.

Writ of Prohibition, 27-27-102.

Proceeding for unlawful assertion of authority, 27-28-101.

Habeas corpus — rights and procedure, Title 46, ch. 22.

3-2-203. Appellate jurisdiction. The appellate jurisdiction of the supreme court extends to all cases at law and in equity.

History: En. Sec. 20, C. Civ. Proc. 1895; re-en. Sec. 6252, Rev. C. 1907; re-en. Sec. 8804, R.C.M. 1921; Cal. C. Civ. Proc. Sec. 52; re-en. Sec. 8804, R.C.M. 1935; R.C.M. 1947, 93-215.

3-2-204. Powers and duties of court on appeals. (1) The supreme court may affirm, reverse, or modify any judgment or order appealed from

TESTIMONY

1. Lillian Kirkpatrick, Box 1085, Helena, MT, representing IIC - here as a proponent of Senate Bill 286.
2. Thank Representative Jan Brown and all of you on the House State Administration Committee for your time today.
- 3.a. At present, whenever a ballot-issue election is voided for procedural flaws in the election process, such as misprints in the v.i.p. or in the publications of the text of the issue in local newspapers, the Montana Supreme Court recognizes no constitutional basis for holding another election on the issue. That became evident with dismal demise of CI-30, the 1986 Liability Limitation Insurance, approved by the voters but laid to rest forever by a small stroke of the Judicial Plan.
- b. For even the smallest of technical reasons, then, any ballot-issue election may be voided, without recourse by its sponsors or by the voters. The IIC finds this threatening to the very concept of popular sovereignty upon which our system of government is supposed to be based. The CI-30 decision has even opened the door for deliberate procedural mistakes to be made somewhere in the election process, and that's pretty scary.
- c. Legislative progress itself is vulnerable to disruption under current circumstances, since legislated acts designed to comply with or implement a ballot-issue result are for naught when a court decision to void a ballot-issue election follows

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a legislative session, and no re-election is provided for.

Again, I refer us to CI-30.

- d. There is also a tremendous waste of human energy, money, and public and private resources implied by the current state of affairs. Consider all that's lost when a voided ballot-issue election makes waste of all the writing, editing, filing, printing, petitioning, and implementing that go into every ballot issue.
4. Senate Bill 286 if placed on the 1990 ballot by this legislature, and approved by the voters, would provide a lasting remedy by amending our constitution to require that a valid and timely re-election be held whenever the original election on a ballot issue is voided for technical flaws in the election process.
5. As a Montana citizen, I look at this remedy as an important protection of my right to vote.
6. This bill, in its present form, is the result of considerable multi-partisan debate, opinion, research over the past 20 months. The details of which I'll be happy to discuss if anyone is interested. But I'll close for now by thanking you for your attention and by urging you to recommend passage of Senate Bill 286 to the rest of our state representatives. We're willing to drop the prior challenger issue (and did), but we don't want to reintroduce it by the addition on Page 1, Line 25; and Page 2, Lines 1 and 2.

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HB SB 286 here as a proanu of SB 286.

- ① Name - address - ^{representing P.P.C.} Rep. Dan Brown and all of you on the House State Admin. Committee for your time today
- ② Thank, Committee ~~_____~~

③ At present, whenever a ballot-issue election is voided for procedural flaws in the election process, such as misprints in the v.i.p. or in the ^{publication} ~~text~~ of the ^{text of the} issue ~~published~~ in ^{local} newspapers, the Mt. Supreme Court recognizes no constitutional basis for holding another election on the issue. ~~_____~~ ^{that became input of judicial clerks}

1986 Liability Limitation

④ ~~_____~~ for even the smallest of ^{reasons} ~~_____~~ any ballot-issue election may be voided without recourse by its sponsors or by the voters. ~~_____~~ ^{the P.P.C. And this threatening to} the very concept of popular sovereignty upon which our system of government is supposed to be based. ~~_____~~ ^{the CI-30 election} ~~_____~~ ^{has even opened the door for deliberate} ~~_____~~ ^{procedural mistakes to be made somewhere} in the election process, ~~_____~~ ^{and that's pretty scary.}

itself is vulnerable to disruption from under current circumstances;

~~_____~~ ^{the legislative process} since legislated acts designed to comply with or implement a ballot-issue result ~~_____~~ ^{are for} ~~_____~~ ^{naught} when a court decision to void a ballot-issue election follows a legislative session, and no re-election is ~~possible~~ provided for. Again, I refer us to CI-30.

⑤ There is also a tremendous waste of human energy, money, and public and private resources implied by the current state of affairs. Consider all that's lost when a voided ballot-issue election makes waste of all the writing, editing, filing, printing, petitioning, debating, advertising, voting, canvassing, publishing, and implementing that go into every ballot issue.

by _____

⑥ SB 286, if placed on the 1990 ballot by this Legislature, and approved by the voters, would provide a lasting remedy by amending our constitution to require that a valid and timely reelection be held whenever the original election on a ballot issue is voided for technical flaws in the election process.

⑦ As a Montana citizen, I look at this remedy as an

important protection of my right to vote. [Additional
I believe it properly confines the role of the court
to that of referee, rather than participant, in the
process of adoption or rejection of ballot issues as
law.]

~~for passing all bills, and for passing all
bills to be considered by the House of Representatives~~

in its present form, multi-partisan
(6) This bill is the result of considerable debate and
over the past 30 months - research, the details of which I'll
be happy to discuss if anyone is interested. But I'll
close for now by thanking you ^{for your attention,} and by urging you
to recommend passage
of SB 286 to the rest
of our state representatives.

We're willing to drop the prior challenge
issue (and did), but we don't want to
reintroduce it by the addition on lines p. 1,
25; and e, 1 & 2.

VISITORS' REGISTER

STATE ADMINISTRATION COMMITTEE

BILL NO. SB 86

DATE March 9, 1989

SPONSOR SENATOR VAUGHN

| NAME (please print) | REPRESENTING | SUPPORT | OPPOSE |
|---------------------|---|---------|--------|
| Dov Judge | MT STATE AFL-CIO | | ✓ |
| Joseph Moore | Mt. Rainbow Coalition | | ✓ |
| Margaret Davis | League of Women Voters | | X |
| Katy Branner Elms | mt Voter Participation Project | | ✓ |
| Julie Hacker | Mesa Co. Freeholders | | ✓ |
| Bruce W. Moerer | MSBA | ✓ | |
| Mike Craig | ASSOCIATED STUDENTS OF UNIV. OF MONTANA | | ✓ |
| B. Pomeroy | Common Cause | | ✓ |
| Paul M. Stutz | MT. Demo. Party | | ✓ |
| Betty T. Lund | Clerk & Recorder Ravalli County | ✓ | |
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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER
STATE ADMINISTRATION COMMITTEE

BILL NO. SB 95

DATE March 9, 1989

SPONSOR SENATOR RASMUSSEN

| NAME (please print) | REPRESENTING | SUPPORT | OPPOSE |
|---------------------|-----------------------------|---------|--------|
| Su Dupont | OUTLAW INN, KAL MT | ✓ | |
| Jim Dupont | FLATHEAD CO. SHERIFF'S ASSN | ✓ | |
| Robert Dompier | Heritage INN Great Falls | ✓ | |
| Carl Sadio | Continental Inn Bozeman | ✓ | |
| Bonnie Gibson | M A Co | ✓ | |
| Tom Schneider | MPEA | ✓ | |
| Ray B. Lewis | MIKA | ✓ | |
| Jerry Fraser | Copper Lake Inn | ✓ | |
| Bonnie Kippy | Montana Inn Kaysville | ✓ | |
| Kurt Muds | Jordan Hotel Co - Helena | ✓ | |
| Maria Dava | Park Plaza Hotel | ✓ | |
| Phyllis Miller | Colonial Inn / Helena MT | ✓ | |
| Mary Maronick | Outlaw Inn | ✓ | |
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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.
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VISITORS' REGISTER
STATE ADMINISTRATION COMMITTEE

BILL NO. SB 286

DATE March 9, 1989

SPONSOR SENATOR BECK

| NAME (please print) | REPRESENTING | SUPPORT | OPPOSE |
|---------------------|---|---------|--------|
| Larry Dodge | Initiative Improvement ^{Committee} | ✓ | |
| Jim Whitehead | MT-LIAB. COAL | ✓ | |
| C.B. Pearson | Common Cause | ✓ | |
| Garth Jacobson | Sec. of State | | |
| Betty T. Luning | clerk & recorder Parallo Co. | ✓ | |
| Rep. M. M. M. | MT. Feb. Coal. | ✓ | |
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PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.