

MINUTES

MONTANA SENATE  
51st LEGISLATURE - REGULAR SESSION  
COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman William E. Farrell, on March 13, 1989, at 9:00 a.m., Room 331, Capitol.

ROLL CALL

Members Present: Senator Hubert Abrams, Senator John Anderson, Jr., Senator Esther Bengtson, Senator William E. Farrell, Senator Ethel Harding, Senator Sam Hofman, Senator Paul Rapp-Svrcek, Senator Eleanor Vaughn

Members Excused: Senator Tom Rasmussen

Members Absent: None

Staff Present: Eddy McClure

HEARING ON HB 1

Presentation and Opening Statement by Sponsor:

Representative Jack Ramirez stated this bill was recommended by the revenue oversight committee, and the purpose of the bill is to bring the powers of the revenue oversight committee in line with those of the administrative code committee. He indicated the administrative code committee has a number of powers to deal with administrative regulations, but the revenue oversight committee, when it was created, was given some lesser powers, with respect to the Department of Revenue, and was only permitted to review the rules and regulations of the Department of Revenue with respect to whether it complied with certain procedural requirements. He reported the committee has been frustrated, over the years, because it feels it has had some difficulty dealing with the Revenue Department, and feels it needs to have the same tools the administrative code committee has, with respect to all other departments. He indicated that, with the new administrator, he hopes they will not need to use any of these, that very seldom are they used, but noted it is something that needs to be in the legislative arsenal, just in case.

Representative Ramirez stated he can take the committee through the bill, noting it parallels what the administrative

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 2 of 41

code committee is permitted to do, now. He referred the committee to page 2, which states "request and obtain the rule making records for the purpose of reviewing compliance with the administrative code committee." He referred to subsection (d), page 3, which states "require the department to appear before the committee, and respond to the committee's recommendations." He noted that, actually, the Department does that, informally, now, and this is really not too far-reaching. He indicated that, under subsection (g), it states "can intervene in proceedings", which is something they would like to do. He noted they often write letters, but have not had the power to intervene in rule-making proceedings, and would like to be able to do that, so they would have a formal say. He indicated that "review the incidence and conduct of the department's administrative proceedings" is something they really do, now, informally, but they would like to have the formal power.

Representative Ramirez then referred the committee to subsection (j), which states "contract for the preparation of an economic impact statement", and indicated the administrative code committee has that, and they do not, but would like to, noting they do get informal information regarding that. He stated that subsection (k) is very important, which states "petition the department to promulgate, amend or repeal a rule", indicating that is something they have often felt the need to do, but have not had the ability to do. He indicated that subsection (l) is "make written objection to a proposed rule for lack of compliance with the administrative code committee", and noted they would like to have that formalized, indicating they do write letters, but would like to have the ability to make formal written objection, if it ever comes to that. He then indicated that subsection (m) is "petition for a declaratory ruling", (n) is "petition for a judicial review", and (o) is "conduct a biennial review of its rules". He stated all of those are essentially what the administrative code committee can do with other agencies, and they would like to have the same power, and they think it is very appropriate.

List of Testifying Proponents and What Group they Represent:

None.

List of Testifying Opponents and What Group They Represent:

None.

Questions From Committee Members:

- Q. Senator Bengtson indicated she is surprised the executive branch is not opposing this, that she would think they would think too much power is being vested in the legislative branch, adding that these are broad powers.
- A. Representative Ramirez responded this is what the administrative code committee has, right now. He indicated he has talked with Ken Nordtvedt, who was on the revenue oversight committee, at one time, and who indicated he felt they will never need these, because the department will cooperate. Representative Ramirez indicated that is probably the case, but Mr. Nordtvedt knows, as he does, that there were a couple of times when they were at loggerheads, and needed a little more authority to oversee the department.
- Q. Senator Bengtson asked if it will just lengthen the governmental process, noting we have all served on committees where there are some members that want everything, such as subpoena powers, and indicated it just drags on and on and on.
- A. Representative Ramirez responded he does not think so. He reported that he was chairman of the administrative code committee, years ago, and they never used these, but noted that it was very helpful to have them, that they got much better response from the department, because they had the ability to do something, if it was necessary. He reiterated that it is seldom used, and he is sure the administrative code committee has never filed a declaratory action. He noted that, on the other hand, it does make the administrative branch, executive branch, much more responsive to the inquiries and the concerns of the Legislature. He added that these are bi-partisan committees.

Senator Bengtson stated she thinks it is a good bill, but again stated she is surprised that somebody does not object to it.

- Q. Chairman Farrell indicated he thought the powers of the administrative code committee were stripped, in either 1983 or 1985, and asked if this is restoring those powers.
- A. Representative Ramirez responded no, that the administrative code committee's powers pretty well parallel what

they are doing here, and he does not think those powers were stripped from the administrative code committee.

Chairman Farrell announced the hearing on HB1 as closed.

DISPOSITION OF HB 1

Discussion:

Senator Bengtson offered a motion that HB1 be concurred in.

Recommendation and Vote:

Motion passed by the committee that HB1 be concurred in.

HEARING ON HB 128

Presentation and Opening Statement by Sponsor:

Representative John Johnson reported that this bill was requested by the Board of Medical Examiners. He stated that, under the present statutes, a doctor may, for unprofessional conduct, have his license revoked, suspended, or he may be placed on probation for a period of time for the violations that are specified in the law. He indicated this bill will add a \$500 fine, as another option for penalizing a doctor for a lesser degree of unprofessional conduct. He referred the committee to page 1, Section 1, line 12, where the word "fine" has been added, and page 4, line 2, where they have added "impose a fine not to exceed \$500 an incident."

Representative Johnson then referred the committee to page 5, line 8, which states "A fine imposed under this section must be deposited in the general fund." He indicated that, originally, it was to be deposited in the board's earmarked revenue account for the use of the board, but was amended, on the floor of the House, to put the fine in the general fund. He noted that the remedies and method of enforcement of this part, as provided for in this section, are concurrent, and are in addition to other remedies provided in this part. He indicated that, from the perspective of the Board of Medical Examiners, it adds another tool, but a very small one, in the enforcement of their statutes dealing with unprofessional conduct.

List of Testifying Proponents and What Group they Represent:

None.

List of Testifying Opponents and What Group They Represent:

None.

Questions From Committee Members:

- Q. Senator Abrams asked what the reasoning was behind changing it from the board's revenue account to the general fund.
- A. Representative Johnson responded that there seems to be a thread running through the House that, every time these turn up, monies earmarked to a particular fund, they want it transferred into the general fund. He indicated they have also done this in their Business Committee, that several of these have come through, and have been changed to the general fund. He noted that these boards have to come back to the Legislature for their budgets, anyway.

Closing by Sponsor:

Representative Johnson thanked the committee for hearing this bill.

Chairman Farrell announced the hearing on HB128 as closed.

DISPOSITION OF HB 128

Discussion:

Senator Bengtson offered a motion that HB128 be concurred in.

Recommendation and Vote:

Motion passed by the committee that HB128 be concurred in.

OTHER BUSINESS

Discussion: HB 278

Senator Hofman offered a motion that HB278 be concurred in.

Recommendation and Vote:

Motion passed by the committee that HB278 be concurred in.

HEARING ON HB 239

Presentation and Opening Statement by Sponsor:

Representative Dick Simpkins indicated that HB239 is at the request of the Board of Occupational Therapy Practice, and truly is a housekeeping bill. He stated all they are doing is separating one organization into two. He referred the committee to the top of page 3, which changes it from the American Occupational Therapy Association to the American Occupational Therapy Certification Board. He reported that the Association has decided to split, that the membership organization is still intact, but there is also a certification board, which is not tied to the association, noting that, therefore, there are no dues, or anything like that, involved with the certification board.

Representative Simpkins indicated the only other major change is at the bottom of page 3, which changes the terminology, as well as adding that they have to submit evidence of having been certified by the American Occupational Therapy Certification Board, which is the licensing procedure for the State of Montana, now. He noted that change is also referred to on page 4, which is the certification board, and that the only other change is found on page 5, which changes the definition of ethical standards. He indicated they felt the definition was a little too loose, so they defined it, and that it now says "had been found guilty of unprofessional conduct, as defined by the rules adopted by the board", noting they felt that would be more in line, instead of just saying violating ethical standards, which is a very difficult thing to say. He added that they have to be found guilty of unprofessional conduct, as defined by the rules adopted by the board.

Representative Simpkins reported there are no changes in the testing procedures, or dues, and there is no cost to anybody. He indicated this system is going to operate the way it is set up, at the present time, and this is just cleaning up the bill.

List of Testifying Proponents and What Group they Represent:

None.

List of Testifying Opponents and What Group They Represent:

None.

Questions From Committee Members:

- Q. Senator Bengtson asked what happened to the association.
- A. Representative Simpkins responded the association is still there, but is a voluntary association; they do not have to belong in order to be certified in the State of Montana.
- Q. Senator Bengtson asked if they fall under any purview of a board, or do they have dues.
- A. Representative Simpkins responded they have dues as an association, only, and do not have the purview of the board. He indicated they do not have to belong to the association in order to be certified by the board, noting it is the same testing criteria, and that they use national standards.
- Q. Senator Bengtson asked how the board gets their expenses paid for, if there are no dues.
- A. Representative Simpkins responded that they have fees, that the dues have been separated from the testing fees and the licensing fees. He indicated they used to have to belong to the association, in order to be licensed, and in order to be tested, but that it would now be separated. He added that this is the way they operate, now, in the State of Montana.
- Q. Senator Bengtson asked if they are under the Department of Commerce, professional licensing, for administrative purposes.
- A. Representative Simpkins responded he did not know, and indicated that, for administrative purposes, he assumes it would be under the Department of Commerce. He further indicated that he does not believe the board is financed by the Department of Commerce.
- Q. Senator Bengtson indicated they finance their own business, but that there has to be an administrative body.

Chairman Farrell pointed out that the Board of Occupational Therapy Practice is requesting this bill, noting he would assume that is the board, and would be under the Department of Commerce.

- A. Representative Simpkins responded he can get that answer.
- Q. Senator Bengtson indicated it is not important. Chairman Farrell stated he is sure they have a board under the Department of Commerce, already, that charges the fees.
- A. Representative Simpkins responded the set up was there, but it was only one organization, before. He indicated that they used to have to belong to the association, and had to be certified by the board, but, now, the association is truly a national association, and they do not have to belong to be certified.

Chairman Farrell announced the hearing on HB239 as closed.

#### DISPOSITION OF HB 239

##### Discussion:

Senators Vaughn and Hofman offered motions that HB239 be concurred in.

##### Recommendation and Vote:

Motion passed by the committee that HB239 be concurred in.

#### HEARING ON HB 222

##### Presentation and Opening Statement by Sponsor:

Representative "Red" Menahan indicated he is carrying HB222 for the Board of Barbers and, to expedite matters, he asked Mr. Lance Olson to speak on the bill.

##### List of Testifying Proponents and What Group they Represent:

Lance Olson, Board of Barbers

##### Testimony:

Mr. Olson indicated the reason they introduced the bill was that they had an enforcement problem with several individuals.



He reported they found out they could not implement fines, that they could only suspend their license. He indicated his feeling was that they would rather fine an individual, than suspend the license, taking their livelihood away from them, which was the reason for initiating the bill in the first place. Mr. Olson stated they are here in support of the bill, as it reads now, noting they would like to have the fines, but, evidently, they are not going to get that.

Mr. Olson reported that, at certain points in time, they have found barbers in violation of the state laws, and have not been able to do anything to them, as far as enforcement. He indicated they have had to go back on the shop owner, which did not seem right to them, and this bill allows them to go after the individual who is in violation, rather than the shop owner.

List of Testifying Opponents and What Group They Represent:

None.

Questions From Committee Members:

- Q. Chairman Farrell read the portion of the bill which states "the board may, after notice and opportunity for a hearing, refuse to issue or renew, or may suspend or revoke the license of a barber, or the licenses of any barbershop, barber school or college for any of the following acts of a licensee:", and asked Mr. Olson if that is his understanding.
- A. Mr. Olson responded that is the way he understands it.
- Q. Chairman Farrell asked if this allows them to go after the individual, instead.
- A. Mr. Olson responded that is right, rather than the shop owner.
- Q. Senator Vaughn indicated it seems to her the other boards are coming up with this fee for licensing, and asked Representative Menahan why the House objected to this amount for the barber's.
- A. Representative Menahan responded it was the fine that they objected to. He indicated the committee took that out, and that he did not object that much, on the floor. He reported they took it out because they thought it would be too punitive, and that it should rest on the in-

dividual. He indicated they had it so they would fine the shop owner, or the barber college, that it was the shop owner who had to pay the fine.

- Q. Senator Abrams asked Representative Menahan if it is at the discretion of the board what the fine will amount to.
- A. Representative Menahan responded they took the fine out.
- Q. Senator Hofman asked what kind of problems they are talking about.
- A. Mr. Olson responded it is because of hiring unlicensed barbers, and those who do not have an up to date health certificate. He indicated the problem has mostly been licensing; people who have not renewed their license, or did not take the state board test when they got out of school. He further indicated people from out of state are being hired, to fill in for vacation periods, who have not been licensed through the State of Montana.
- Q. Senator Hofman asked if it creates a problem, if they can not get someone, on a short-time basis, to take over in their shop.
- A. Mr. Olson responded that it does not create a problem, that it is probably more expeditious to hire someone off the street than it is to go either through the employment office or the union office. He added that, most of the time, the people only work for two weeks, so they do not think it is worth their while to get a license and, by the time they find out, that person is already gone.
- Q. Senator Hofman asked what would be the cost of a license for a short period of time.
- A. Mr. Olson responded \$45 is the test fee and the shop inspection fee; the shop license and a barber's license. He added that it is \$25 for a license.
- Q. Senator Hofman asked, if a person is going to come in for a two week period to help out, while the owner is on vacation, does he have to have a shop inspection.
- A. Mr. Olson responded no, just an individual license.
- Q. Senator Hofman asked if that would be \$25.
- A. Mr. Olson responded yes.

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 11 of 41

Q. Senator Harding indicated, referring to line 15, that the administrative fine is still on that line.

A. Mr. Olson responded that, as he understands it, the process of that fine has to go through the county attorney, in the area that the violation takes place, noting that is what they are trying to get away from.

Mr. Olson stated they had the power, as a board, to suspend the license, but they never had the power as a board, except through the county attorney, to levy a \$25 fine.

Chairman Farrell announced the hearing on HB222 as closed.

DISPOSITION OF HB 222

Discussion:

Senator Rapp-Svrcek asked why there is a Board of Barbers. Senator Farrell responded because they could not get it to sunset in 1981, that the Legislature decided not to sunset it. He added that it is one of the many boards under the Department of Commerce, and that they went through all of them when studying the sunset provisions. He indicated they tried to add an administrative fine of \$500, but the House stripped the \$500 fine out, and, in the present form, all they can go after is the business, the license of the business, the barber shop. He added that, under this bill, they would be able to go after the individual who is not licensed, or has not kept his requirements up.

Senator Hofman indicated he can see where this may create a problem for the barber shops. He pointed out that they may not be able to get somebody to come in for two weeks, if that person has to go through the whole process of getting a license, and all of the things that go with it. He stated that, possibly, if it is just going to be on a short-term basis, two weeks or a month, or less, maybe he should not have to do that. He added it might create a hardship.

Senator Abrams asked why the administrative fine is still in on line 15, page 1. Senator Hofman suggested that they forgot to take it out, and Chairman Farrell indicated he also wonders if it was just an oversight, noting they stripped the fine out

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 12 of 41

of it. Senator Abrams then asked if it will give rule making authority to the Board. Chairman Farrell responded it does give rule making authority, and quoted line 9, page 2, "the violation of any of the rules adopted pursuant to", and asked Ms. McClure if there is a rule defining unprofessional conduct.

Senator Hofman announced that he is thinking about an amendment which would be for a period less than a month, noting he does not know if that would destroy the whole thing they are trying to do, or if it would be more harmful than good. Senator Bengtson asked if this was brought about by a special problem someplace. Chairman Farrell responded that they stated there are barber shops hiring people for two weeks, who are not keeping up their health certificates, while a barber goes on vacation. He pointed out that they have no way of disciplining that barbershop, other than revoking their license. Senator Harding pointed out they really wanted to fine them, and Chairman Farrell concurred, that they really wanted to be able to fine them \$500, but that the House stripped that out, noting the \$500 fine was against the barber shop, or the individual.

Senator Hofman indicated, in a small town with one barber shop that serves the people of that area, the barber can not go on a vacation, unless he can get someone in that will do his job. Senator Anderson indicated the only thing he can see is, in order to have a barber's license, they have to meet certain conditions. Chairman Farrell asked the staff attorney if there was something the committee is overlooking. Ms. McClure asked if Senator Hofman is questioning whether they have to have a license. Senator Hofman responded that is his question, and Ms. McClure asked how they would be a barber. Senator Hofman indicated that it may be a former barber who quit, but who is able to do it. He indicated that, in that little area, he may be the only guy around who could possibly do this for a short amount of time, allowing the regular barber to go on a vacation.

Chairman Farrell asked Ms. McClure to tell him what the original language is, and quoted the bill "the Board may, after notice and opportunity for a hearing, either refuse to issue or renew, or may suspend the license of a barber". Ms. McClure continued "barber shop or school or college for any of the following causes". Chairman Farrell indicated that, if a barber went on vacation, and hired an unlicensed barber, they could revoke his barber shop license, instead of going after the man he hired, or him individually, and that they would close down the shop. Senator Rapp-Svrcek indicated he

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 13 of 41

agrees with Senator Hofman that, in small towns, this could create a bigger problem. He noted that, while he is sympathetic to the Board of Barbers, on the other hand, if they want to go in and try to create a temporary license, he thinks they might be creating a bigger mess than what they have now. He stated he thinks the best thing to do is leave the present situation as it is. Senator Rapp-Svrcek then offered a motion to table HB222.

Senator Bengtson asked why he would want to table it. Senator Rapp-Svrcek responded that, even though it is a non-debatable motion, he will speak to that, and indicated, if they table this bill, the Board of Barbers might come and explain, better, the problem they are having, and the committee might decide to take it up again. He indicated he did not hear any major problems, noting that barbers deserve vacations, too. Chairman Farrell indicated Senator Hofman brought up a good point, and asked questions about a temporary license, but they really were not interested in that, that they simply wanted to fine them. In response to a question about why the fine was stripped from the bill, Chairman Farrell responded it was because they thought a \$500 fine was a little stiff for a person who was going to work a couple of weeks, and was a licensed barber, but did not keep up on his health certificate.

Senator Hofman asked Chairman Farrell if he could speak to this motion, or if it is non-debatable. Ms. McClure responded it is non-debatable, although the committee is debating it. Rapp-Svrcek withdrew his motion.

Senator Hofman asked, if the committee tables this bill, and the barber does get somebody, and goes on vacation, if somebody complains, is he liable to lose his license for his barber shop. He indicated that, if this passes, the way it is, without an amendment, they will come back to the individual who took his place for two weeks, and say he has to have a license. Senator Hofman indicated that, if he got this correctly from the testimony, he will save \$25, which is what the cost of the license would be but, if he pays his \$25, they would give him a license. Chairman Farrell interjected that he has to pass a test for the health certificate. Senator Hofman asked, if he is going to be on a part-time basis, if that is what they are saying. Senator Rapp-Svrcek responded that, as he reads this bill, they will still be able to go after them, even if the bill passes; they will still be able to go after the license of the barber shop, and asked if that is not correct. He noted that is what the language on line 18 says, that they can still go after it. Chairman Farrell

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 14 of 41

quoted "the license of any barber shop, barber school, college", and Senator Rapp-Svrcek indicated this is not protecting the person who owns the shop, even if this passes. Senator Hofman countered that, yes, it is, if this passes, because they will come to the individual who took his place. Chairman Farrell indicated Senator Rapp-Svrcek is correct, that they can still go after the barber shop. Senator Hofman agreed that they could go to the shop, too, if they wanted to. Senator Hofman then stated that, on that basis, he would be against the motion, noting he thinks they are better off passing it the way it is.

Senator Vaughn noted they seem to be concerned about the health certificate, those people who have been out of the barbering practice for some time, and have not kept their health certificate up. Senator Bengtson asked if there were any barbers in support of this. Chairman Farrell responded that the Board of Barbers testified, and Senator Bengtson asked if he is a barber, to which Chairman Farrell responded he does not know, that he did not state he is a barber. Senator Hofman indicated that, under sub paragraph (1), the different statutes are listed, and noted it is also under point 3, where they knowingly have an infectious or contagious disease. Senator Vaughn asked, if a person has an infectious disease, and it has not been picked up, how much problem has he caused the people he worked with, and, if he has already done his work for two weeks, he has already caused the problem. She indicated she got the idea that the health certificate is what they are concerned about. Senator Bengtson stated there has probably been one abuse, and they want to pass a law. Senator Harding agreed, and Chairman Farrell indicated that may be right.

Senator Rapp-Svrcek indicated that, if what Senator Hofman says is right, he is not sure if he wants their only recourse to be to shut the barber shop down. He asked if that is what Senator Hofman is saying, if that is the way he understands it. Senator Hofman responded that is the only thing they could do but, if this bill passes, they could get to the person who stepped in for the two or three weeks. Chairman Farrell indicated that is what they stated, that is what they testified. Senator Rapp-Svrcek indicated that is a little less onerous for the barber shop owner.

Senator Hofman offered a motion that HB222 be concurred in. Senator Abrams offered a motion to amend HB222 to strike the administrative fine from line 15.

Amendments and Votes:

Motion passed by the committee that HB222 be amended to strike the administrative fine from line 15.

Recommendation and Vote:

Motion passed by the committee that HB222 be concurred in as amended.

HEARING ON HB 43

Presentation and Opening Statement by Sponsor:

Representative William Boharski testified that he is sponsoring HB43 for several reasons. He indicated the first was personal interest, because he is unable to sign documents very well, himself, and that, after looking in to it, and having the Legislative Council draft the bill, they brought up some other concerns and reasons why this might be helpful. He pointed out that, for example, travel vouchers are signed by either the President of the Senate or the Speaker of the House, 100 or 150 at a time, so they will not have to hand-sign each one, and end up with writer's cramp. He indicated that, presently, the State Auditor, and most other state agencies, are permitted to do this with things that they have to sign.

Representative Boharski pointed out that the safety value is that a signature has to be recorded with the Secretary of State, who can cross-match any signature, and they do not have to worry about someone copying a signature, or getting access to a stamp. He indicated that a facsimile signature might be a rubber stamp, which he uses all the time to sign himself, and which will be matched in the Secretary of State's office. He indicated it is also permissive, and requires that, for instance, if an individual has two stamps, every time they get another one, it is not required to be recorded with the Secretary of State's office, and matched by a personal hand written signature.

List of Testifying Proponents and What Group they Represent:

None.

List of Testifying Opponents and What Group They Represent:

None.

Questions From Committee Members:

None.

Chairman Farrell announced the hearing on HB43 as closed.

DISPOSITION OF HB 43

Discussion:

Senator Harding offered a motion that HB43 be concurred in.

Recommendation and Vote:

Motion passed by the committee that HB43 be concurred in.

HEARING ON HB 407

Presentation and Opening Statement by Sponsor:

Representative Kelly Addy indicated this bill will speed up the time at which a state-wide political candidate would have to begin recording contributions and expenditures, and that is all it does. He pointed out that, the way the law is presently written, a candidate can begin to collect, and spend, but does not need to begin reporting until they declare themselves a candidate for state-wide office. He noted that, at that point, reporting requirements are imposed.

Representative Addy reported that, under HB407, this would be speeded up to the point when they begin accepting and receiving political contributions for state-wide office. He indicated, if an individual is acting like a candidate, if they are taking money like a candidate, and if they are spending money like a candidate, they should report money like a candidate. He stated this has turned out to be a loop hole in the campaign reporting laws because, under the present law, they can raise money, literally, for years, before having to tell anyone who is behind them, or where they are headed with it. He indicated that being a candidate for political office is something that is inherently touched with public interest, and he thinks people are entitled to know who they stand for, and what they stand for, when they begin accepting money for



the purpose of running for political office, adding that he also thinks it matches legal theory, political theory, and will be a step forward for our laws.

List of Testifying Proponents and What Group they Represent:

Mike Cooney, Secretary of State  
C. B. Pearson, Common Cause/Montana  
Margaret Davis, League of Women Voters  
Dolores Colburg, Commissioner of Political Practices

Testimony:

Mr. Cooney stated he is here to testify in support of HB407, that HB407 will improve the campaign finance disclosure laws, and make the process more open. He indicated that, in a nutshell, it closes the loop holes that enables candidates from making financial disclosures until just prior to the primary election. He stated that, in an election cycle, candidates for public office are not required to file a campaign financial statement until March, before the primary, noting that, as we know, several candidates begin running for public office months, or years, prior to that date.

Mr. Cooney reported that, under current law, they are able to collect campaign contributions without disclosing the name of contributors, or the amounts of contributions, until many months later, indicating that a major loop hole exists in the campaign practices law that permits this to happen. He stated that HB407 changes the campaign finances and practices law to require that candidates begin making financial disclosure statements shortly after they either receive, or spend money on their campaign, and that, thereafter, candidates would have to make their financial disclosure statements on a quarterly basis, until the election year begins.

Mr. Cooney indicated that Montanans deserve to know how campaigns are being supported, and he thinks this bill is necessary for good government, so that concerned citizens of this state can be informed in a timely manner. He further indicated this closes the loop hole, and avoids the appearance of impropriety in elections, adding that, the more we can make campaign financing more open and fair, the more likely citizens will be willing to participate in elections, and the greater the participation in the election process, the more responsive our government becomes to the will of the people.

Mr. Cooney reported that what brought this to his attention was, early in his campaign, he realized this was something he

could do, when he was running for Secretary of State. He noted he could begin collecting campaign contributions, even though he knew he was a candidate, but had not formally filed a declaration, or had not filed his intent in the Secretary of State's office. He indicated he was able to go ahead and collect and expend money and, acting like a candidate, he could do everything that candidates do, except he did not have to report that money until right after he filed for office. He pointed out that some candidates can go for several, three to two years, of acting like a candidate, running a campaign, financing a campaign, collecting monies, and they don't have to file that report until after they actually file their candidacy. He indicated this loop hole exists, he does not think it is healthy, and this would help clean it up, a lot, adding that he made this an issue during his campaign, and he thinks the response he received, during the campaign, on this issue was overwhelming supportive. He added that he does not remember how many newspapers editorialized in favor of it, but that he did not go anywhere, did not appear on any talk show, or go before any editorial board where they did not say "This is something that is needed."

Mr. Cooney stated he does not think this is a partisan issue, that this is a good government issue, and he would hope the committee gives this bill a do pass recommendation, and move it swiftly through the process.

Testimony:

Mr. Pearson's written testimony is attached as Exhibit 1.

Testimony:

Ms. Davis' written testimony is attached as Exhibit 2. She indicated this bill is aimed at the activities of state-wide candidates and, as the committee will note from the fiscal note, there is no adverse impact on the office of the Commissioner of Political Practices, who has indicated their office could accommodate this change in the law. She stated the League of Women Voters urges a do pass recommendation for HB407.

Testimony:

Ms. Colburg noted it may come as no surprise that she supports this bill, since it was introduced at her request. She indicated that others have testified as to the impact of the

bill, and that it would require, as has been said, for those people who start behaving like candidates, walking like candidates, talking like candidates, to start reporting as candidates. She reported they had a number of people who started, very systematically, raising money in the months, and even years, prior to the 1988 election but that, under current law, they were not required to report. She indicated this seemed to be a puzzlement to the press, on the one hand, and to many people who made inquiries in her office who asked, if these people are raising money, and it is obvious they are doing it for a campaign, most of whom have publicly announced their intentions in the press, why can't they report, or why are they excluded from reporting. She indicated her answer was that, under the current laws, those people did not have to report. She added that some of them did voluntarily, in January of 1988, that they acceded to the press that it be done, although they did not have to.

Ms. Colburg indicated she thinks there is another bill that carries out the intent of the act to provide full disclosure of candidates who are running for office, and she hopes the committee will support it.

List of Testifying Opponents and What Group They Represent:

None.

Questions From Committee Members:

- Q. Senator Rapp-Svrcek indicated he notes, in the bill, that the person would have to report, whether or not the office for which the individual would seek nomination or election is known, and asked Ms. Colburg if a person could simply say they were a candidate, but would not have to say for what, if they could say they are raising money, but have not decided what they are going to spend it on, yet.
- A. Ms. Colburg responded that, as the bill reads, yes, that, whether or not they have declared absolutely what office for which they are running, they still have to report. She indicated that, in practice, she thinks that, when they start very systematically raising money, sending out solicitation letters, having people organized on their behalf to make solicitation, 99.9% of these people know exactly what office they are running for. She noted she does not really think it will be a problem but, for that minuscule group that may be raising money, but does not

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 20 of 41

wish, yet, to declare for what office, they simply show themselves as a candidate for future office.

- Q. Senator Harding indicated that, presently, they file a petition, and that she would have no problem, if they did it after a person announced, noting that many did announce early. She asked, however, how are they going to monitor someone who has not announced in the press, and how are they going to get information to those people, and how is that going to evolve.
- A. Ms. Colburg responded that, since this bill applies only to state-wide candidates, she thinks the instances are reduced to a much lesser number than if it applied to others. She indicated that, secondly, any time anyone starts, in a very systematic, even aggressive manner, to raise funds for a future campaign, it is no secret to anybody, noting it is amazing how quickly the word gets around. She reported that, of the 16 candidates who were raising significant amounts of money prior to the 1988 election year, only one of those candidates had started raising a great amount of money without announcing his intentions, noting that was the late Jim Waltermier. She indicated he began raising money as early as June of 1985, 3 1/2 years before the election, but that everybody knew he was raising money because, if they start very systematically sending out letters, or making solicitations, or both, it is no secret, that the word gets around, even if the person has not publicly announced. She stated she would think there would be virtually no problem, at all.
- Q. Senator Bengtson asked either Representative Addy or Ms. Colburg if they think this would take away a person's ability to determine where their strength is, early on, if they are going to be a state-wide candidate; if they feel that a candidate would be hampered in determining where their strength is. She indicated it would probably deter people from even thinking about state-wide office.
- A. Representative Addy responded that he thinks, if a person wants to know where their strength is, they could probably conduct a poll to determine that. He indicated if, by strength, she meant where the money is, and whether they are strong enough to run, he thinks that, once they start accepting money, they are acting like a candidate; they are, de facto, a candidate. He further indicated he thinks that, once they accept a contribution based on the assumption that they will, one day, be a

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 21 of 41

candidate for state office, from that point forward, they are committed to run.

Q. Senator Bengtson asked if he thinks it might narrow the field.

A. Representative Addy responded he thinks it would narrow the field to those people who realize that their actions are public actions, noting there is a public interest involved in where their money is coming from, and where they are spending their money.

Q. Senator Bengtson asked Ms. Colburg, since they do not have to report until March, if she found there were inaccuracies in the reports, if, as the reports came in, she found fault with them, or if they were accurate and reported, essentially, all of the contributions up to that date.

A. Ms. Colburg responded there is virtually no campaign finance report which comes to the office that is perfect, that there are usually little errors here and there. She noted that none that she has found, in her experience as commissioner, have to do with anybody trying to hide anything, or in any way deceiving anybody. She indicated they are inadvertent errors, that some are merely arithmetic errors. She reported she met, as a matter of course, with all of the announced gubernatorial candidates in December of 1987, prior to the 1988 elections. She indicated she did that for two purposes; that she wanted to apprise them of the kinds of records they should keep, and she wanted to review their record keeping systems to see if they were in compliance with law, and to see where she might be helpful in making some suggestions about how best to keep their records. She further indicated she did that because she was revising the campaign manual, and wanted to get some responses from people. She noted that, when the reports came in, they were supplied to her office, in January, voluntarily, although the candidates did not have to report until March. She indicated there were errors, and omissions, but they wrote letters to the candidates and indicated they did not do this on this page, and had contributions which exceeded the limitations permitted by an individual candidate, and asked them to check their records and make sure it was an error on the report or, if it isn't, to refund the money quickly. She indicated those are the kinds of things they routinely handle, and they are, she is sure, inadvertent errors, that there is no place, in

any way at all, that she has seen anybody trying to hide or conceal contributions, when they ultimately report.

Q. Senator Bengtson asked if this is going to lead to more qualified candidates, better government, and what is going to be the change. She indicated they are going to have all this information made public early on, in the press, the media, and that, three years before they file for office, that person will be a focal point, and all of his or her reporting will become an issue. She indicated she is wondering if it is going to enhance the process, or are they going to have candidates that will become public figures, long before they are ready. She asked if Ms. Colburg thinks it is going to lead to better candidates running for office, or does she think the public is going to be served better.

A. Ms. Colburg responded that she does not know if she can answer that question, as to whether it will bring about better candidates, or if the public will be served better, in terms of the quality of candidates. She stated she thinks the public will be served better in the fact that disclosure of campaign funds will be made in a timely fashion, whereas, now, they are not. She added that, secondly, her own experience in politics, noting she has been a candidate for state-wide office, herself, in the past, and has been involved in working on the campaigns of others, has been that, if somebody wants an office, they are going to go for it, particularly so at the state-wide level. She indicated there is a great deal of interest, and a number of candidates running. She noted her hunch is that none of the gubernatorial candidates would have backed off from running, even with the disclosure that is in this bill. She indicated they knew the office they wanted to go for, they made it very public that this is what they were doing, they did not hide it, at all, and they wanted the publicity. She stated that, as a matter of fact, some of them might find it helpful to have this kind of disclosure, which will show they have gotten quite a bit of money, and are a candidate to be reckoned with.

Senator Bengtson stated they could possibly make that available to the news media, in order to get that kind of coverage.

Q. Senator Harding indicated she has a problem with this, when they are not declared candidates. She noted that all of them, she thinks, declared in December of 1987,

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 23 of 41

or the first of January, 1988, although she does not know when they filed their petition. Senator Harding asked Representative Addy if it would not be better to amend this to fit the declared candidates, and let them start reporting, rather than someone that is thinking about it, and has not declared, openly.

- A. Representative Addy responded that the only thing he would say is that this is present law, that, when they declare themselves as a candidates for state office, that is when their obligation to report begins.

Several of the committee members disagreed with Representative Addy, indicating it is when they file the declaration with the Secretary of State's office.

Representative Addy then indicated this would be an advance over the present law. He stated they are not reporting intentions, they are reporting money, and that he thinks, when they begin to accept money, they should begin to report money and, when they begin to solicit money, they should begin to report money.

Ms. Colburg asked permission of the Chairman to add another clarifying point to Senator Harding's question. She stated that, right now, the law says they are a candidate when they file their nominating petition, and that there is a window in when they do it; they can not file before a certain date, and can not file after a certain date. She indicated that, however, under current law, if they start raising significant amounts, or start raising money, prior to the time they became legally a candidate, when they file their petition, they start reporting from the day they took penny one. She noted it is not as though they are asking for something to be reported, now, that is not already demanded, under law. She added that this bill says they start reporting, that their reporting is triggered when they start behaving like a candidate, in terms of accepting money. Ms. Colburg indicated that, if the bill is amended to say only announced candidates, it would have covered all of the 16 candidates who started raising money. She noted that one of them started three years before, that Mr. Stephens announced January 1, 1987, a full calendar year before the election year, Mr. Morrison announced in March of that year, and others announced in June and July, so those candidates were publicly announced candidates a year, or more, before the election.

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 24 of 41

- Q. Senator Harding asked if Ms. Colburg is saying the law says that, when they are publicly announced, they are already supposed to start making their report.
- A. Ms. Colburg responded no, that current law says they only start to report when they are a candidate, under the legal definition of current law, which says when they file their petition with the Secretary of State. She indicated that, under this law, it would amend it to say they are a candidate for reporting purposes as soon as they start, in a systematic way, collecting money and making expenditures for an election.
- Q. Senator Vaughn asked Ms. Colburg what is the penalty, and how does she police that. She further asked, if they start raising money and report it one month, but do not another month, what is the penalty if they do not report that every month.
- A. Ms. Colburg responded there are penalties, indicating she does not know whether the previous commissioners have exercised the kinds of worst case penalties, but that she has exercised it at least once, as commissioner. She added that the worst thing that can happen is to remove their names from the ballot, that this is the most severe penalty, and she invoked it in the last campaign for two candidates, who not only did not file their reports, but they never answered letters or phone calls, noting one of them moved away. Ms. Colburg indicated there are also civil penalties that are less, and that her practice is, when candidates are late, after two or three days, she calls them, and indicates she has not received their report, and would appreciate receiving it as soon as possible.
- Q. Senator Vaughn asked Mr. Cooney if he feels it would discourage candidates, ahead of time, if they have to do this.
- A. Mr. Cooney responded that he does not think it will discourage candidates. He described the process he went through, before he decided to run for state-wide office. He noted the first thing they have to consider is can they raise the amount of money necessary to run a state-wide race, and indicated one of the first things any candidate does is get on the phone, and talk to anybody they run into on the streets, who they know, and let them know they are thinking about running, and need to raise money. He indicated they usually set a goal, and then



go for it. Mr. Cooney reported that, at that point in time, in his case, noting he does not remember how long it was before he filed his petition, there were several months where he had not declared the amount of money he had raised. He indicated he knew he was running for the office of Secretary of State, if he could raise the money, that it was a goal he had set. He added that he was able to raise the money, noting that if he had not been able to raise the money, the goal he had set, he is not sure it would have changed his mind. He indicated that at least he knew, at that point in time, he was going to be a candidate, and was raising money for the purpose of being a candidate, noting that is what they are talking about. Mr. Cooney stated that he does not think anyone who is going through that process would be deterred, if they had to file a report when they started that process. He indicated he thinks that, if they were going to be deterred from running for office because they had to file their reports, they would be deterred knowing they would have to file them, down the road, anyway, and that this is just opening up the process.

Mr. Cooney stated that maybe all of the committee members found out, when they were campaigning, that politicians do not always have the best reputation, and people are always accusing them of doing things that are not quite above board. He indicated that, when it comes to running for public office, campaign finances is one of the big question marks, and he thinks that is where they need to open the process, clean it up a little bit, and let the public know that they are not afraid to let them know how much money they are raising, and where that money is coming from. He further indicated that, although he is not sure he is going to run for re-election in four years, although he is assuming he probably will, he will be politically active, will probably try to raise some money, and he will report this to Ms. Colburg's office. Mr. Cooney stated he thinks this is necessary, noting that it is unfortunate that they have to have any of these campaign laws on the books, but they know they do, because people do not always volunteer this sort of information, which is why he thinks this is good, healthy legislation.

- Q. Senator Hofman asked Ms. Colburg if it is true that a candidate may collect funds for two years and, when he does file, he has to report everything he took in going all the way back to the first funds he took in, what he has done with them, and what he has left.

- A. Ms. Colburg responded yes, that a candidate has to report all funds taken in and expenditures made, if they are concerned with an election, at the time that person becomes a candidate, under current law. She indicated they have to close out one campaign, which is why they have to file a closing a report, but, at that time, they can say that campaign is done, and they are starting another one. She further indicated this bill says they will have to file in a more timely fashion, that they will have to file quarterly, beginning with the year in which they began soliciting money, or receiving money, and expending money. She reported that one candidate from the last campaign never was required to file a report, and that was Senator Halligan. She indicated he decided to run for Governor, but he never actually filed as a candidate, that he decided not to go forward. She further indicated that, under current law, he would have never had to file a report, but that he did so. Ms. Colburg added that most of the other candidates she has talked to would have no problems with this bill.
- Q. Senator Hofman referred to sheet 3 of the Common Cause handout, and indicated the question was asked of all of the gubernatorial candidates. He pointed out that Mr. Greeley agreed this was a good idea, and that they all did, noting that he thinks that tells the committee something, too. Senator Hofman asked would the only rationale for not reporting funds like this be that they wanted to hide, from their opposition, how much money they did have in.
- A. Ms. Colburg responded it could be, that the candidates would just as soon not have their opponents know what kinds of monies they have raised. She indicated that, on the other hand, it could well be that some candidates would be very much delighted to show how much they have raised, that it might frighten off the competition.
- Q. Senator Bengtson referred to Secretary of State Cooney's comments regarding the public's view or perception of politics and politicians, and asked if he thinks that view would be changed by the public's viewing all of the contributions, and further asked how many people really take a look at all of that fine print, and how does it change the public's perception of the whole process. Senator Bengtson then asked is it the public, or the opponents, or somebody else, trying to pick out certain contributions to make further disclosure or published

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 27 of 41

reports. Senator Bengtson then re-phrased her question. She asked if, by putting the contributions for state-wide candidates in early, the minute they start, Mr. Cooney thinks it will help, or hinder, and what does he think it will accomplish, as far as the public goes.

- A. Mr. Cooney responded he thinks, as far as the public is concerned, it will give them a little more, that it sheds a little sunshine into the process. He indicated he does not think the general public sits down and goes through those reports with a fine-toothed comb, that he does know the press does to a certain extent, that they very honestly typically focus on the races for governor. He reported that, in this race, they just mentioned a few of the contributions, or they mentioned the totals, when they reported on the race for Secretary of State. He stated that he thinks, more than anything, when running a campaign, people tend to look at politicians, noting that, when he was out on the campaign trail, they would take a certain campaign, and say "Are you doing this the same way so-and-so is doing this, have you been out there raising all this money, and are you getting a lot of money from different groups". He indicated he responded that most of his money was from individuals, and he had not received any more than \$250, etc., adding that he thinks it opens up the process. He stated the general public, he thinks, gets most of their news from the media and, when the media writes a story that so and so is raising tons of money, years before a campaign, and they are not forced to disclose it, and they are not disclosing it, that is where he thinks the public's perception is tainted. He indicated that, when they read that about one campaign, or several campaigns, all of them suffer those consequences. He indicated he does not worry about the individual person sitting down and thumbing through the reports, all the time, that he would doubt very many do. He indicated he would say that, where people do get their information about how much money is being spent on the campaigns, and where that money is coming from, certainly does have an impact on them in the political world.
- Q. Senator Harding indicated she is still having a problem with this. She referred to Ms. Colburg's statement that she met with the gubernatorial candidates, noting they had announced, and asked if, at that time, she would give them this information, in this law passes. She asked what about the person that has been storing up for 3 1/2 years, if Ms. Colburg will read from the newspaper that

this person is starting a campaign, and then mail them this information, if they are not aware of it. She noted that, in the instance they were talking about, that person would have been aware of the law, but asked what about someone else out in the boon-docks someplace, who decides he will run for U. S. Senator, and if Ms. Colburg will go from newspaper commitments that this is happening, and then mail the information. She asked how Ms. Colburg will monitor this.

- A. Ms. Colburg responded that, as she said earlier, it is very difficult, noting she would say impossible, for someone running for state-wide office to start raising money, getting contributions, that kind of thing, without her being aware of it. She indicated that Montana is a lot of state, but it is a small community, and it is amazing the things she learns as commissioner, because of an alert press and an alert citizenry. She stated people called her and wanted to know why there were no reports on what people were raising as candidates, that they focused attention on the gubernatorial candidates, but she indicated to them that current law says they do not have to report until next year, noting they were surprised. Ms. Colburg again stated it would be very, very difficult for a person in the State of Montana to be raising money in a systematic way, noting that state-wide candidates will have to do it systematically, that they have to start making plans, and not have it come to her attention. She noted that, when it came to her attention, from whatever source, she would then be in touch with that candidate, probably by telephone, to say she has read this in the newspaper, or it has been told to her that they are doing this, and she is calling to confirm that they are, indeed, raising money for a state-wide race. She indicated that, if that person says yes, out will go the materials, just as she does now in other circumstances, when she does not get the reports from the Secretary of State's office, or when people decide they are going to do something with a ballot issue, noting that, as soon as something comes to her attention, she gets on the phone, verifies that is the case, and sends them the information. She stated she does not think they can escape them.
- Q. Senator Rapp-Svrcek asked if there is a difference, then, between an announced candidate and a declared candidate and if, under present law, a declared candidate does not have to report until after the declaration deadline.

- A. Ms. Colburg responded that a declared candidate and an announced candidate are the same, that somebody can declare themselves a candidate, and somebody can announce themselves a candidate, noting there is no distinction between the two. She indicated that, under current law, they do not become a candidate for reporting purposes until they have actually filed their petition with the Secretary of State, so, under current law, they can not become a candidate, officially, and legally, until January 24th, in 1988. She stated this law says, however, as soon as they start behaving significantly like a candidate, in soliciting monies, accepting monies, etc., they are behaving like a candidate, therefore, they will start reporting quarterly in those years before the election, noting that, in the election, the schedule that is currently in law would take over.
- Q. Senator Bengtson indicated that, if Ms. Colburg hears rumors that someone is acting like a candidate, and has been collecting money, but not systematically, she will call and say she has heard they are collecting money, and ask if they are running as a state-wide candidate. She asked, if the person responds they are not, what would Ms. Colburg do then.
- A. Ms. Colburg responded that she can only go by past history, that people running for state-wide office are not coy. She indicated that is the last thing they want to be, that they really want to get their names out there. She stated they are not going to be secretive about their interest in a state-wide office, and she does not think it will be a problem.
- Q. Senator Bengtson indicated she thinks a lot of people who have been running for office play games for a long time, that they are coy about it, that they have not made up their minds, and like to play these games to get their name in the press.
- A. Ms. Colburg indicated it is one thing, if they are just testing the waters by making phone calls to what they consider to be key players, to see what kind of receptivity their prospective candidacy might receive, noting that is what she did when she looked at running for state superintendent, that she did not want to jump into it until she saw if there might be a little support out there. She indicated that could go on, and that is fine, but, once the candidates decide to go for something, her familiarity with Montana politics is that they make

themselves known, they want to be known, and they want to see what kind of reception they get.

- Q. Senator Bengtson asked how much money is she talking about, noting she did not know there was that much money out there.
- A. Ms. Colburg responded it is very significant, and the candidates who would have been affected by this in the 88 elections are supportive of this measure to disclose, in a more timely fashion, their money raising.
- Q. Senator Anderson asked Ms. Colburg, noting she mentioned people running for state-wide candidates, how it would affect someone running for U. S. Senator, or if it will apply.
- A. Ms. Colburg responded that candidates for U. S. Senator for the U. S. Congress fall under the federal election commission laws, rather than Montana laws, noting that those people have to report all the time, that they have on-going reporting. She indicated that, if Senator Burns starts receiving money right now for a re-election bid six years hence, under the FEC regulations, he is reporting, right now, quarterly.
- Q. Senator Bengtson asked what the difference is between a pledge for money, and actual contributions. She asked, if she went on a state-wide basis and accepted a pledge, would she have to report that.
- A. Ms. Colburg responded that a pledge is not money, that, unless she has the money in hand, it is not a contribution.
- Mr. Cooney stated that Senator Bengtson, if she were a candidate for state-wide office, would find one thing out real fast, which is that she can not spend pledges.
- Q. Senator Bengtson indicated they do spend their own money, on the basis of a pledge coming in.
- A. Mr. Cooney responded that he did not.
- Q. Chairman Farrell referred to page 7, line 16, regarding referendums, and asked if this goes back to the bottle bill, and the war as to who was raising money for it, and will this clarify that problem on the referendum. He

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 31 of 41

further asked Ms. Colburg how that will work, and asked her to explain that.

- A. Ms. Colburg responded that it would not relate to the bottle bill, at all, noting there was one major distinction. She indicated that was an initiative, and this refers only to referendums, and that the issues surrounding the bottle bill, in part, had to do with money, but had more to do with were they reporting in a timely way, and had they filed the documents. She stated this would be limited strictly to referendums, not initiatives. Ms. Colburg indicated there are two kinds of referendums. She noted the committee members, as legislators, are familiar with one, in which they pass an act in the legislature that is referred to the people for a vote. She indicated the other kind is the people, by petition, wish to vote on an act that the legislature has passed. She noted this was inserted in the bill because, in keeping with state-wide candidates, and knowing where money is coming in, in a timely way, they felt it was also important to know this from the referendum committees. She gave the example of the legislators passing an issue that will be on the ballot in 1990, which is a volatile issue. She indicated she would bet the people will start gearing for an action in 1990, as soon as this legislature adjourns, particularly something as volatile as the sales tax issue. She added she thinks the people of Montana are entitled to know what kinds of monies are coming in for both the proponents, and the opponents of that referendum, in a timely fashion.
- Q. Senator Rapp-Svrcek asked Ms. Colburg why they did not subject the initiatives to this disclosure, as well.
- A. Ms. Colburg responded that initiatives seem to be a horse of another shade. She indicated they do not know them, in advance, the way they do referendums and that, typically, initiatives do not begin until an election year. She indicated that, in the last campaign, none of the initiative processes began until the election year, itself, noting the election year has a schedule. She pointed out that this bill is talking about those things that would begin preceding the election year, such as the 1990 example that she gave.

Closing by Sponsor:

Representative Addy directed the committee's attention to page 7, the language that Chairman Farrell was referring to in his

question. He indicated that was amended in the House committee because the bottle bill people came in and requested that insertion. He further indicated they have fine-tuned the bill, that they have listened to those concerns, and responded to them, noting that, for the reasons Commissioner Colburg gave, he thinks they have responded appropriately, and made a meaningful distinction in the law.

Representative Addy apologized to Senator Harding for not understanding her question, indicating he has never announced for office until he filed his declaration for nomination, that it all kind of happens all on the same date for him. He stated the most he has ever spent on a campaign, when he felt he was targeted on a state-wide basis, was a little over \$10,000, noting he can remember when state-wide candidates not running for Governor began to spend \$100,000, which is since his return to Montana from the Army. He indicated that was a phenomenal event, at that time, but it is no longer the exception. He then indicated he was making phone calls to the same people that Mr. Cooney was, at the same time, regarding the same subject, and, until they get meaningful pledges that are more, considerably more, than a significant percentage of what they think their budget is going to be, it is real foolish, unless they have vast private resources, to throw themselves into the path of that speeding locomotive, because state-wide office is the big leagues, and state-wide office is what they are talking about in this bill, that they are not talking about people running for a legislative seat. He noted that the editorial interest that Mr. Cooney reported during his campaign is still alive and well, and that, since this bill passed the House, the Montana Standard and the Independent Record have editorialized, noting it is the best press he ever got, that he thought this was just a little housekeeping bill, and ended up with good press. He stated the people do expect this, and he thinks they believe this is only right, adding that the stakes are higher. He referred to the Governor's race, and reported that Governor Schwinden spent about \$.25 million in 1984, and the general election candidates, in 1988, spent closer to \$1 million, noting the stakes have escalated by multiples, that they have not just accumulated, they have multiplied.

Representative Addy indicated that, if a candidate wanted to determine what their strength was, before they had to report anything, they might do what he did, which was to make phone calls. He further indicated, if they wanted to solicit, they have three months to see what the returns really were, on that solicitation letter, before they were required to file, and then they would never tell a Senate committee that they had



done that, and then decided not to run for office. He stated he thinks this does not force people to become a public figure before they are ready, because they can not be coy with people they are asking for money, that it has to be shoulder to shoulder and eye to eye, and, sometimes, toe to toe, if they really expect them to put any credibility in their word, noting that, by credibility, he means by sitting down and writing the check to indicate they have a sense of credibility from the payee.

Representative Addy asked, if this law does not pass, who is penalized. He indicated the candidates that are open are penalized, and that it is a tactical disadvantage to those candidates who are willing to share with the public what the source of their support is. He indicated we discourage openness, he thinks, under the stated laws. He further indicated that, if one candidate is not reporting, and other candidates are seeking the same office, they are putting themselves at a tactical disadvantage by revealing where their source comes from. He stated he does not think they should be a premium to people who are non-candid, noting that, after all, they are a candidate, and we're saying candidates should not be candid. He added he guesses they should just be dates.

Representative Addy stated that, if this bill does not pass, he thinks all those horrible things that people think will only be confirmed.

Chairman Farrell announced the hearing on HB407 as closed.

#### DISPOSITION OF HB 407

##### Discussion:

Senator Hofman offered a motion that HB407 be concurred in.

##### Recommendation and Vote:

Motion passed by the committee that HB407 be concurred in.

#### HEARING ON HB 387

##### Presentation and Opening Statement by Sponsor:

Representative John Mercer reported he got the idea for this bill while driving along the shores of Flathead Lake. He

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 34 of 41

indicated he is glad the committee is in a good mood this morning, and noted it was interesting to listen to the testimony on the previous bill, because he has received no contributions since he has been here, nor have there been any parades or banners when he went home over the weekend, welcoming him home.

Representative Mercer stated HB387 is a proposed constitutional amendment, that it is pretty straight-forward, and would elongate the term of the representatives from two years to four years, if approved by the citizens of Montana. He indicated he would like to make a few disclosures, before he gets into what he thinks are the merits of the bill. He stated that, number one, he believes the bill got about 75 votes in the House, that he believes every major newspaper in Montana has come out in opposition to it. He indicated he believes they have done so in a very snap-judgement type fashion, because, in saying the terms of representatives should be two years or four years, if a person simply pauses, they will say it should be two years because, that way, they can be very accountable to the people, and we'll have the best possible representatives we can have. Representative Mercer indicated that, if they put further thought into it, and think about the reality that exists in Montana, he thinks the committee would concur that a four-year term is something that should be seriously considered by the citizens of Montana, if they want to preserve the citizen legislature, which they have.

Representative Mercer indicated that, right now, in order to run for the House, as some of the committee members are familiar, and also know by running for the Senate, campaigns start in the beginning of January, and end in November, which is essentially a whole year. He added that, the following year, they spend January through almost the first of May in the state legislature, noting they are asking a great deal of citizen legislators by asking them to serve that many months away from their home, at the State Capitol, and also to spend those many months campaigning. He indicated he is talking about the time, but he is also talking about the expense, noting he does not know what the average legislative campaign costs, that he believes it is somewhere in the area of probably \$2,000 to \$3,000, on the low side, up to as high as \$20,000 on the high side, every two years. He indicated he is wondering if it is really productive for Montana to put that kind of burden and expenditure on candidates. He stated the other issue he thinks is of significance is that, when a person runs for the Montana House, and is elected, that person immediately goes into service, and then their term is finish-

ed. He noted they are done, they have no time to seriously work on constituent service, in a continuing fashion, and they can not even request a bill to be drafted, because they will not be back until they are elected again.

Representative Mercer noted he tried to deal with what he calls the Senate factor, in this bill, indicating he knows there are really two issues, one of which is the relative respect for the Senate, and the other is trying to preserve the differences between the House and the Senate. He stated that the Senate respect factor is dealt with on lines 19 through 21, which says that, since the Senate is offset, and the House would not be, it would be possible for a representative, during mid-term, to run for the Senate, unless a special provision was made for that, noting he did, out of respect for the Senate, try to make sure that some representative would not try to run against a hold-over Senator. He indicated that, further along that line, the entire House would be up every four years, which is an attempt to preserve the distinction between the House and the Senate, and that, if they want to clean house, they can vote the whole House out of office, but yet the Senate is the place of stability and, therefore, it turns half over every two years, so that distinction between the House and Senate is preserved. He added that further distinction would be the size, in that the Senate is 50 and the House is 100 members.

Representative Mercer stated, again, it is simply a matter to be submitted to the voters, indicating he knows it is a great burden to ask people to serve in the State Legislature. He indicated he thinks, if someone makes a snap judgement that this is not fair because it does not increase the terms of the Senators, or does not show proper respect for the Senate, they can take the quick and easy route and, if they want to be accountable to the people, say let's have these representatives out there going door to door, every year. He indicated he thinks that is the easy answer but, if they want to preserve a citizen legislature, and not have a professional legislature, they have to give some sort of consideration to the people who are running for a year, and serving for a year, and running for a year, and serving for a year. He noted that is why a state representative always says "during my campaign last year", when really it was two years ago, that it always seems like it was last year.

Representative Mercer stated he hopes the committee would give serious consideration to it, noting he is sure they will, or he would not have introduced it. He indicated he spoke with Common Cause and the League of Women Voters, who are out there

to protect the public from elected people, and they are taking a neutral position. He noted he thinks they see there are pluses and minuses on both sides; that there is the accountability issue, on one side, but there is also the issue of the hardship on the citizen legislature on the other side. He indicated he also thinks it is interesting that they are not here to testify either way.

List of Testifying Proponents and What Group they Represent:

Bob VanDerVere, representing himself.

Testimony:

Mr. VanDerVere stated he likes this bill for the simple reason that he ran for office, once, and it is a hardship on a lot of the legislators, the House members. He noted he sees some former House members in the Senate, and they know it is a hardship and that to get money is a hardship, also, when they have to clout at the people all the time. He indicated people come to him, asking for money for their campaign, and it gets tiresome, after a while.

Mr. VanDerVere indicated that, when new legislators come in, noting he is not referring to the Senate, so much, because they have experience, but, for the new House members coming in, it is more or less an educational program. He indicated it takes about a month to get them educated and, for some of them, it takes a month and a half to find out where the bathrooms are. He stated this sounds comical, but it isn't, and indicated he thinks we could do a lot better, noting we have pretty good legislators, that he has no qualms with any of them, but he thinks the people, and the people contributing to these parties and to the candidates, should have a rest, too, money-wise. He stated he believes there are 20 votes in the Senate and, with the committee's cooperation and help, he thinks they can make it.

Questions From Committee Members:

None.

Closing by Sponsor:

Representative Mercer requested that the committee give this serious consideration. He indicated that, if there are amendments dealing with the Senate, noting that some Senators

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 37 of 41

have asked to increase the term of the Senators to six years, he feels that the citizens of Montana would not be interested in elongating the terms of the Senate, but that they might be interested, in terms of the House. He stated that, if the Senate puts an amendment in, and submits it to the voters to change the terms of the Senate, they can count on his support, noting he thinks they could get the votes they need from the House for any measure they felt was important. He noted they had 75 or 80 members who felt this was important, and asked the committee's courtesy in assisting them in putting this out for a vote.

Chairman Farrell announced the hearing on HB387 as closed.

DISPOSITION OF HB 387

Discussion:

Senator Bengtson offered a motion that HB387 be concurred in. Chairman Farrell indicated he would like to offer an amendment to HB387 to increase the Senate term to six years. Senator Bengtson responded that they can not possibly do that, because they just reduced the terms of office for the Board of Education and the Board of Regents to four years, noting the Governor's term is only four years. She indicated the people would not support that, and she can not support extending the Senate term.

Senator Rapp-Svrcek asked Chairman Farrell if he intends to make his amendment. Chairman Farrell responded that he can either do it here, or on the floor, and Senator Rapp-Svrcek indicated he would argue in favor of the amendment. He stated he has served in both bodies, and that there is very little difference, other than the added burden and expense of having twice the territory to cover, twice the letters to answer, and twice the people they are trying to please. He indicated he does think it is a burden to run every other year for the House, but that, to reduce the difference, or make it so there is no difference, he thinks, would provide a dis-incentive for getting experienced House members to move into the Senate. He added that he thinks there needs to be some difference, that there certainly is no difference monetarily. He pointed out that the President's term is four years, and the national Senate's term is six years, noting that, in our system of government, the Senate has stood for stability and continuity, which he indicated he thinks is an important factor in the legislative process, adding that he thinks an amendment, such as the Chairman is talking about, is well taken.

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 38 of 41

Chairman Farrell offered a motion that HB387 be amended, on line 17, to provide that the Senate be a term of six years. Senator Anderson asked if there would still be staggered terms in the Senate. Senator Abrams indicated it would continue on as it is. Chairman Farrell indicated the Senators shall be elected every two years. There was discussion regarding the staggering of Senate terms, and Senator Hofman indicated there would have to be an election every two years for roughly a third of the Senate. He indicated he is very much in favor of a six year term for the Senate, if there is a four year term for the Representatives, noting that, as Senator Rapp-Svrcek stated, for continuity, there has to be a distinction, and he thinks that is a very good point. Senator Hofman again stated he would be very much in favor, if the committee votes to go in that direction, adding that, if they do not vote in favor of the amendment, he would be very much against the bill, period.

Senator Bengtson stated she thinks they are being much to protective over their term of office, and that she thinks, when talking about good government and the process, the Senate has nothing to do with the length of time they are going to serve, that it is additional review, where they review legislation in the House and then, again, in the Senate. She stated she does not think extending the term to six years addresses good government, at all, and that she thinks it is to the state legislature's advantage to accept four terms in the Senate, and four terms in the House, indicating she thinks it will lend itself to much better government. Senator Bengtson stated that, for the House to run every two years, does not give them enough time to give service to their constituency if they are always out there campaigning. She stated that, certainly, she thinks it would be easier for the Senate to run every six years, but does not think it addresses good government. She further stated she thinks the people will vote this down completely, extending the term of office for the Senate, when they made such an issue about the Board of Regents and the Board of Education's terms being too long. She added that it will take away from the citizens legislature aspect.

Senator Harding pointed out that, with Chairman Farrell's amendment, they will have to change line 18, regarding 1/2 of the Senate every two years, if it is changed to a six year term. Chairman Farrell indicated he would think it would have to be changed to 1/3 of the Senator every two years, noting he would ask the staff attorney to figure that out. He then stated that, in defense of his motion, he disagrees, noting

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 39 of 41

that the reason they set it up for two years was to give responsibility to the public. He indicated Senators, as Senator Rapp-Svrcek suggested, are supposed to be the stability and continuity, and noted he happens to believe that, if people want to vote on the House of Representatives every two years, they want those people back reporting, in those local areas, which is why they are only half the size of a Senate district, adding that they have two people running in each of those areas.

Chairman Farrell indicated the cost of House seats is growing, and is almost the same as it is to run for a Senate seat. He stated that, if they want to reduce the cost, 1/3 of the Senators can run every two years, and there will not be 2/3 of them out there trying to raise money, as they do right now, with all the House members and a half of the Senate seats trying to raise money. He stated he thinks, if they are going to raise the House to four years, they should raise the Senate, and cut it down to 1/3 of the Senate running every time.

Senator Bengtson stated she thinks they are thinking of themselves, when talking about continuity. She indicated she thinks they are doubling the continuity by having the House serve for four years. She noted that, when someone comes in as a freshman House member, they all know how difficult it is to become a valuable member of that House, because that first year is a learning process. She agreed there is a lot of turnover in the House, but indicated she thinks they are adding more continuity to the whole system, that they will have a more responsible legislature, forgetting about being jealous over their six year or four year terms, and being a deliberate body. She then asked what is the matter with having two deliberate bodies, noting that she thinks it makes sense.

Senator Anderson asked if it would be beneficial, if the House does go to four year terms, if their terms were also staggered. Chairman Farrell responded not in his estimation. Senator Bengtson stated she thinks the staggered terms in the Senate, and having the House members being elected every four years, is a distinction, but indicated it does not really make any difference, as far as she is concerned. Senator Hofman stated there is a certain amount of turnover in the House, but there is also a lot of stability in the House. He noted that some of those people have been there a long, long time, and are re-elected every two years, that some of those people run a very low-key campaign, and do not take a lot of time, nor a lot of money, to win it. He indicated they are well-

SENATE COMMITTEE ON STATE ADMINISTRATION

March 13, 1989

Page 40 of 41

established, and well-respected in their own communities, and they get the votes; they have already made a reputation, and they get in. He indicated he does not think they need that.

Senator Harding asked, referring to Chairman Farrell's motion, if they change the Senate from four to six years, would that do away with this bill, adding that she does not think the people of Montana are going to buy this, anyway. She further indicated she thinks, if they increase the Senate to six years, that might be a double reason they would not buy it. Senator Rapp-Svrcek stated he thinks the issue of responsibility has relatively little to do with this bill. He indicated people are either responsible to the voters, or they are not, whether their terms are two years, four years, or six years. He noted that, if they are not responsible, the public perceives that, and they get voted out of office the first chance they get. He indicated that, secondly, he wants to touch briefly on an issue that Senator Bengtson raised with regard to the citizen legislature. He stated it is a few number of citizens, relatively, who have access to running for the legislature, now. He noted part of the problem is, in the House, they are having to run every other year, and that disrupts their private life horrendously. He added that it also disrupts their life to run for the Senate every four years, when they have twice the territory to cover, noting that he put 25,000 miles on his car in the last campaign, and he is sure that probably most of the committee members have similar stories. Senator Rapp-Svrcek then stated he thinks that perhaps it is time to look at the issue of the terms of office for our elected representatives, but he also thinks that the difference has to be preserved for the reasons he stated earlier, the issues of continuity and of stability in the process.

Amendments and Vote:

Motion passed by the committee to amend HB387 to six years and 1/3 of the Senate, with Senator Bengtson opposed.

Discussion:

Senator Rapp-Svrcek offered a motion that HB387 be concurred in, as amended.

Recommendation and Vote:

Motion passed by the committee that HB387 be concurred in as amended.



ADJOURNMENT

Adjournment At: 11:30 a.m.

  
WILLIAM E. FARRELL, Chairman

WEF/mhu  
HB1.313

ROLL CALL

STATE ADMINISTRATION COMMITTEE

51ST LEGISLATIVE SESSION

DATE: March 13, 1989

NAME	PRESENT	ABSENT	EXCUSED
HUBERT ABRAMS	✓		
JOHN ANDERSON, JR.	✓		
ESTHER BENGTON	✓		
WILLIAM E. FARRELL	✓		
ETHEL HARDING	✓		
SAM HOFMAN	✓		
PAUL RAPP-SVRCEK	✓		
TOM RASMUSSEN			✓
ELEANOR VAUGHN	✓		

SENATE STANDING COMMITTEE REPORT

March 13, 1989

MR. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 1 (third reading copy -- blue), respectfully report that HB 1 be concurred in.

Sponsor: Ramirez (Brown)

BE CONCURRED IN

Signed: William E. Farrell  
William E. Farrell, Chairman

41 @ . 89  
3/13/89  
12:30 P.M.

SENATE STANDING COMMITTEE REPORT

March 13, 1989

MR. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 128 (third reading copy -- blue), respectfully report that HB 128 be concurred in.

Sponsor: Johnson (Weeding)

BE CONCURRED IN

Signed: William B. Farrell  
William B. Farrell, Chairman

11.0. 3189  
131130  
12.2. m.

SENATE STANDING COMMITTEE REPORT

March 13, 1989

MR. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 278 (third reading copy -- blue), respectfully report that HB 278 be concurred in.

Sponsor: Ream (Halligan)

BE CONCURRED IN

Signed: William E. Farrell  
William E. Farrell, Chairman

C. 87  
Bill 3150  
12:12 P.M.

SENATE STANDING COMMITTEE REPORT

March 13, 1989

MR. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 239 (third reading copy -- blue), respectfully report that HB 239 be concurred in.

Sponsor: Simpkins (Thayer)

BE CONCURRED IN

Signed: William E. Farrell  
William E. Farrell, Chairman

W.C.  
3/13/89  
12:50  
P.M.

SENATE STANDING COMMITTEE REPORT

March 13, 1989

MR. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 222 (third reading copy -- blue), respectfully report that HB 222 be amended and as so amended be concurred in:

Sponsor: Menahan (Lynch)

1. Page 1, line 15.

Following: "license"

Strike: "-- administrative line"

AND AS AMENDED BE CONCURRED IN

Signed: William E. Farrell  
William E. Farrell, Chairman

4/13/89  
1:50 p.m.

SENATE STANDING COMMITTEE REPORT

March 13, 1929

MR. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 43 (bird reading copy -- blue), respectfully report that HB 43 be concurred in.

Sponsor: Boharski (Barding)

BE CONCURRED IN

Witnessed: \_\_\_\_\_  
William B. Farrell, Chairman

*Handwritten:*  
H. C. ...  
12.3.29



SENATE STANDING COMMITTEE REPORT

March 13, 1929

HON. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 467 (third reading copy - blue), respectfully report that HB 467 be concurred in.

Sponsor: Addy (Rapp-Svreck)

BE CONCURRED IN

Signed: \_\_\_\_\_  
William E. Farrell, Chairman

11-50  
17-11



# COMMON CAUSE/MONTANA

P.O. Box 623  
Helena, Montana 59624

(406) 442-9251

SENATE STATE ADMIN.

EXHIBIT NO. 1

DATE 3/13/89

BILL NO. HB 407 p21

## TESTIMONY OF COMMON CAUSE IN SUPPORT OF

HOUSE BILL 407

13 MARCH 1989

Mr. Chairman and members of the Senate State Administration Committee, for the record, my name is C.B. Pearson, Executive Director of Common Cause/Montana. I am here today on behalf the members of Common Cause.

Common Cause would like to go on record in support of House Bill 407.

In our opinion HB 407 is a needed reform. The nature of campaigns for statewide office have changed over the last few years. Campaigns are more complex and are beginning much earlier.

Public interest in disclosure of financial information of candidates for public office and ballot committees is high in Montana. Montana has a rich history of open and honest politics. HB 407 embraces that history. It is good for campaigns and for the people of Montana when there is timely disclosure of campaign contributions. It is good for the campaigns and the people of Montana when debate centers on issues of significance to Montana instead of needless speculation over campaign finances.

On the other hand, it is bad for the people of Montana and campaigns when discussions emerge that reflect hearsay and innuendo on campaign contributions. It is bad for the people of Montana and campaigns when the playing field is not completely level for all candidates. It is bad when politics are conducted in secrecy.

In our opinion the current laws that govern the defining of a candidate and the reporting of campaign contributions are inadequate and have not kept pace with current changes in political campaigns. HB 407 corrects this problem.

We need to have a law that says, "when you look like a candidate and when you act like a candidate, then you are a candidate."

We also need to have a law that requires earlier and more timely reporting by candidates for statewide office.

During early 1988, Common Cause conducted a survey of the six Democratic and three Republican candidates for Governor. The questionnaire asked the candidates 15 questions. One of those questions concerned increasing the reporting requirements for statewide political campaigns. Eight of the candidates clearly stated they would support efforts to increase the reporting requirements for the increasingly lengthy statewide political campaigns. One supported in concept increased reporting for early campaigns.

Candidate Mike Halligan stated that "monthly reporting should be positively built into the reporting process from the date a candidate announces for statewide office."

For your information, I have enclosed a copy of this portion of the survey at the end of this testimony.

It would be Common Cause's position that the need exists for such reforms and there is support for such reforms.

We urge this committee's support of HB 407.

10. The 1988 campaign for governor is already in full swing with the election almost a year away. Some candidates have been declared for almost a year. Under the current law, candidates are not required to file any campaign reports until at least March of the election year. Would you support efforts to require campaign reporting to begin at an earlier date, to keep pace with (and keep the public better informed of) increasingly lengthy campaigns for office.

**Greely**

Yes

**Halligan**

Yes: monthly reporting should be positively built into the reporting process from the date the candidate announces for statewide office.

**Judge**

Yes

**Morrison**

Yes

**Neuman**

Yes

**Thornton**

Yes: I would even go as far to say that "monetary pledges" are secured and/or sought after continuously from election to election! Financial revelations accountability is essential!

**Stephens**

Uncommitted: I am inclined to support a reasonable approach to informing the public of the financing of early campaigns.

**Waltermire**

Yes

**Winslow**

Yes

LEAGUE OF WOMEN VOTERS OF MONTANA

Joy Eruck, president  
1601 Illinois, Helena, Montana 59601

13 Mar 89  
~~2 FEB 89~~  
SENATE STATE ADMIN.  
EXHIBIT NO. 2  
DATE 3/13/89  
BILL NO. HB 407

HB 407: An act clarifying the definition of "candidate"; requiring reports from statewide candidates and political committees in years prior to an election year...

The League of Women Voters of Montana supports HB 407.

This bill addresses the problem of unannounced candidates who are actively engaged in soliciting funds or building campaigns before they have publicly declared themselves as seeking an elected office. The activities of such candidates go beyond the private contemplation of running for office or the advice-seeking stage of deciding to become a candidate. When funds are raised or spent, the voters have an interest in knowing the sources of such funds and the recipients of any payments. Disclosure at this stage is as important as it is later on in the campaign season. Providing for the regular and timely reporting of campaign funds held for statewide candidates and ballot issues compliments the revised definition of "candidate". Statewide races often call for planning and fund raising activities that span more than just the months immediately preceding the primary and general elections. An active, although undeclared, statewide candidate can in fact legally spend several years building a war chest and making campaign expenditures under existing law and not report until the 10th of March preceding the primary election.

HB 407 is aimed at major campaigns and as such it will provide data that all Montana voters may find informative as they assess candidates for the highest offices in the state.

Margaret E. Davis  
816 Flowerree  
Helena, Montana 59601  
443-3487

VISITORS' REGISTER

STATE ADMINISTRATION COMMITTEE

DATE: March 13, 1989

NAME	REPRESENTING	BILL #	Support	Oppose
Margaret Davis	LWWMT	HB 407	X	
B. Pearson	Common Cause	HB 407	X	
Mike Conroy	Sec of State	HB 407	✓	
Art Anderson	Self	HB 387	✓	
Lance Olson	Board of Barbers	HB 222	✓	
Connie D. Perry	Board of OT Licenses	HB 239	✓	
Kelly Alder	HN 94	HB 407	X	
Ken Brown	MT. Demo Party	HB 417	X	
Dolores Colberg	Commissioner of Political Practices	HB 407	X	

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY