

MINUTES

MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairperson Eleanor Vaughn, on March 21, 1991,
at 10 A.M. in room 331.

ROLL CALL

Members Present:

Eleanor Vaughn, Chairman (D)
Bob Pipinich, Vice Chairman (D)
John Jr. Anderson (R)
Chet Blaylock (D)
James Burnett (R)
Bill Farrell (R)
Harry Fritz (D)
Bob Hockett (D)
Jack Rea (D)
Bernie Swift (R)

Members Excused: None

Staff Present: David Niss (Legislative Council).

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Announcements/Discussion: None

HEARING ON HOUSE BILL 606

Presentation and Opening Statement by Sponsor:

Representative Mark O'Keefe, House District 45, downtown Helena and Unionville, said House Bill 606 establishes a youth voting program called the Montana Youth Voting Act. This bill sets up a program statewide with the cooperation of the Secretary of State's office, the Office of Public Instruction, local election administrators, and school districts. It's funded totally by private money. In other states it's funded by newspapers, banks, corporations and business that do business within the state. The way it works is this. The kids who participate in the program are taught about different aspects of the democratic process. This sets a system in place where kids learn about issues around the state and local communities. On election day, when they come to the polls with a registered voter, they actually get the chance to go into voting booths separate and distinct from the regular voting booths and cast

their ballot. Their ballots are tabulated statewide and the kids have their own election. In most instances the kids votes turn out the same as the adult vote. While their instruction is going on, the kids initiate conversations about government issues. Then the parents become involved, and voter turnout goes up. The fiscal note says it is hoped that long range planning, increased voter participation and registration will occur as a result.

Proponents' Testimony:

Mike Cooney, Secretary of State, is happy to appear in support of House Bill 606. America owes its existence to a group of people who would not be denied fair access. House Bill 606 establishes a youth voting program that will encourage young people to learn first hand about the voting process. They will learn about voter registration. They will be encouraged to discuss the issues of the day. On election day they will be allowed to go to the polls and vote. The system of youth voting will be done by the strict adherence of the wishes of the local election administrators. Youth voters will vote at a location within the polling place, separated from the regular voting booths and their ballots will be substantially different from the adult ballots, to prevent fraud. In addition youth voters will have to be accompanied by a registered voter. It should bring adults to the polls to vote. He showed the committee a copy of a youth ballot from another state. This may address the problem of lack of interest many young people are showing in our electoral process. The people least likely to vote are those between the ages of 18 to 24. His testimony is given in its entirety in exhibit 3.

Kristen Page, representing the Montana Public Interest Research Group, said her group has registered about 5,000 people to vote, most between 18 and 20 years of age. She believes that habits begin early in life and this would promote an early interest in civic and national issues. House Bill 606 is a great piece of legislation and doesn't cost the state anything.

John McCarthy, lobbyist for Common Cause/Montana, read his testimony in support of House Bill 606. (Exhibit 1)

Shawn Gunshoes, lobbyist for MAPP, rose in support of House Bill 606 and said MAPP has been involved in getting voters registered and supporting legislation that promotes that concept. House Bill 606 involves Montana youth and adults in the voter process.

Marilyn Evans Hawker, President of Kids Voting, wrote to the Montana Legislature in support of House Bill 606. (Exhibit 2)

Jan Wright, representing the Montana Education Association, said they support House Bill 606 as an excellent way to encourage children and remind parents that voting is an integral part of being a U.S. citizen.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Pipinich asked a student who was in the audience to respond to this legislation about voting.

Troy Halter from Centerville High School said he thought it would be a good idea because voting turnout is down. It designates some school work on high school kids that might work. Senator Pipinich asked if he would like to do this? Troy Halter answered that he would.

Senator Pipinich said that this system is working in Seeley Lake at the present time. He went there, as well as his opponent, and gave a presentation to the students. He watched their process work and it was quite impressive. The Seeley Lake, Condon, Potomac area hold a mock election.

Mike Cooney said the Arizona system really works well; they have ironed out many of the wrinkles, and they will use the best ideas they can find to set this program into operation.

Senator Burnett asked if this has to be a law? Mike Cooney said this formally allows children into the polling place and this was a proper function.

Senator Blaylock taught American Government, history, etc. to high school students for many years. He said we should allow them to vote and run the government of their schools and let that government make meaningful decisions. It was his experience that the Student Council for the most part was a phony setup from the word go. They never got to make an important decision that affected the way their school ran. For all the good stuff you have in this bill, we are going to disillusion kids on how they effectively operate in a democracy. We've had a bill which would give back the kids who run our school newspapers the right to run the school newspaper. He's had much communication from superintendents and principals saying, don't do that. It will ruin the school. He believes we should allow people to make mistakes.

Mike Cooney said he does go around to different schools, where ever he's invited. He visited with some students in Missoula about the newspaper legislation. Some of them had attended the hearing.

Senator Blaylock asked Troy Halter if they had a Student Council in the Centerville High School and do you get to make important decisions? Troy Halter answered they didn't get to decide anything very important.

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Senator Hockett thinks House Bill 606 is a program to start moving in the direction that you want to go. This is a very positive approach.

Mike Cooney said this will have the effect of teaching children at a very early age a very user friendly system we have. Many are frightened away because they have never been given the chance to learn.

Senator Swift asked in the event you find someone playing politics who will referee, the Secretary of State or the Commissioner of Campaign Practices?

Mike Cooney envisions a non-partisan panel to avoid problems. His major participation, as the Chief Election Administrator, will be to ensure that the elections are conducted properly. The local election administrators will have this added duty in their communities.

Senator Anderson said you see very few young people voting or at political rallies, and you see many older folks at the polls.

Jan Wright, a 19 year old, didn't vote last year even though she was registered. Her mother is very involved in government. The reason she didn't vote was that she didn't know where to go to vote, didn't know what to do when she arrived, and she had never seen a ballot. This year she went and found the school. Then she had to have an election official explain what to do and where to go. She was embarrassed, but did it anyway because she thought it was important. Many students won't go through that. Her age group, the 18 to 25 year olds, avoid voting because they don't know and don't want to ask.

Senator Swift said his understanding is that every household receives a voter publication that lists the ballot issues, location, etc. Jan Wright lived on campus and didn't receive that information.

Senator Vaughn asked what students will use this opportunity? Mike Cooney says it begins in 3rd grade and up. Schools will apply to participate. We'll proceed cautiously, because we want this to work. The private funding may take a while to get into place.

Senator Vaughn asked about the cost of printing the mock ballots? Mike Cooney said that cost would come from the private funds. In Arizona the statewide program costs about \$750,000. Most of that was in-kind contributions. They have people asking to be able to participate.

Senator Hockett asked what is the position of the county election officials? Rep. O'Keefe said the Clerk and Records asked for an amendment and it's in the bill and they are satisfied.

Closing by Sponsor:

Representative O'Keefe said that no age group likes embarrassment. He worried if the Clerk and Recorders and the Election Administrators would want this added task. They support this idea. Children need to learn to make decisions, and they need to be informed. Several statistics are interesting. In Arizona in the last election over 131,000 students voted with their parents. 96% of the registered voters with children want the program continued. 77% indicated that their children initiated discussions about this years candidates, races and propositions. 95% of the teachers in the program want the program continued. 86% of the school superintendents accepted the program. 95% of Arizona students have the opportunity to receive the program lessons, from over 17,500 teachers. 550 volunteers statewide worked on the program. 8% of the parents said they would not have voted if it hadn't been for Kid Vote. 40 states are considering this program. It's a win, win, win situation. Please pass House Bill 606 and Senator Mazurek or Van Valkenburg will carry it to the floor.

EXECUTIVE ACTION ON HOUSE BILL 606Motion:

Senator Pipinich moved that we DO CONCUR IN HOUSE BILL 606.

Discussion:

Senator Burnett said we don't need this bill. The OPI could direct this program. Senator Vaughn explained that the testimony said it clarifies the problems.

Senator Fritz said the OPI couldn't do a mock vote at the polling places without this authorization.

Senator Anderson said there are no state funds required for this legislation. If the OPI handled it, it would take additional taxpayer dollars.

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

The VOTE was 9 yes and 1 no. Senator Burnett voted no. Motion carried to DO CONCUR IN HOUSE BILL 606. Senator Mazurek or Senator Van Valkenburg will carry it to the Senate.

HEARING ON HOUSE BILL 765Presentation and Opening Statement by Sponsor:

Representative Angela Russell, House District 99, Lodge Grass, Big Horn, Montana and the Crow Reservation, is pleased to bring House Bill 765 which will require that a voter registration form be attached to a driver's license application. The goal is to increase voter registration and participation in a democratic form of government. There are many benefits for "motor voters". This will keep registrations accurate and up-to-date. It will meet the needs of a mobile voter population. This will help election officials by providing a more even flow of registrations. This provides another protection against fraud, because a voter's eligibility can be cross checked on driver's license records. It is the most non-partisan form of registration. Other states have implemented motor voter and it has done a significant job of getting voters registered. The Secretary of State will absorb the cost of printing the forms.

Proponents' Testimony:

Mike Cooney, Secretary of State, urges support of House Bill 765. His testimony is written out in exhibit 5. He handed the committee letters from Secretary of States of Maine, Rhode Island, Minnesota, Iowa, Nevada and Ohio in support of motor voter registration. (Exhibits 4, 8, 9, 10, 11, and 12)

Kristin Page, representing Mont PIRG, said this is a good idea because it will get many people registered. Once a person is registered, 80% will vote. This will register the highly mobile population of young voters. The younger people do not have much interaction with the community or the political process. Everyone does get a driver's license, and that is an ideal place for a young person to register to vote. Please support House Bill 765.

John McCarthy, lobbyist for Common Cause/Montana, spoke in favor of House Bill 765. His written testimony is in exhibit 6.

John GunShoes, represents MAPP, said he supports House Bill 765 because it will register many on Indian Reservations and in urban areas. This will register people on a year around basis and allow MAPP to concentrate on getting the electorate out to vote.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Vaughn asked Doug Mitchell about the fiscal note and called attention to the statement that the voter registration is provided "with not attached to." Doug Mitchell explained that

the initial wording of the bill provided for voter registration cards to be distributed with motor vehicle licenses as well, and in that case it would have been a different form. Now that the bill goes just with driver's licenses, the voter registration will be attached together with the driver's license. They're going to use up the forms they presently have, then, when needed, have some thought put into attaching them.

Mike Cooney explained that we will not be dealing with motor vehicle licenses. We will attach a voter registration to the driver's license application until all our forms are used. Then we will print a new form that includes the driver's license application and the voter registration.

Senator Swift asked if the fiscal note applies? Doug Mitchell explained that the part of the fiscal note that deals with the Department of Justice will disappear. The printing expenses for the Secretary of State will exist.

Closing by Sponsor:

Representative Russell said "Motor Voter" is an excellent program for Montana. We can increase the voters by getting them registered in this easy way. As candidates for office we have a vested interest in voter registration. Please support House Bill 765.

EXECUTIVE ACTION ON HOUSE BILL 765

Motion:

Senator Blaylock moved that we DO CONCUR IN HOUSE BILL 765.

Recommendation and Vote:

The VOTE was UNANIMOUS in favor of CONCURRING IN HOUSE BILL 765. Senator Blaylock will carry it to the Senate floor.

EXECUTIVE ACTION ON HOUSE BILL 472

Discussion:

Senator Vaughn explained that House Bill 472 is the lobbying disclosure law. Senator Swift thinks we should leave this bill here. Senator Hockett asked if we should kill this bill?

Dolores Colburg explained that the main point of this bill was to clear up some contradictions in existing law having to do with the \$1000 figure. The second item was to revise the lobbying reporting dates to bring about more meaningful kind of reporting. She would like the 60 days shortened to 30 days for reporting. The third item was the word citizen should be changed because it is not enforced by the legislators.

She wants the opportunity to craft language over the next 2 years that will provide for meaningful lobbyist disclosure that will not end up being contested in court. She has contacted all the interested parties in this bill and they all agree this is the best approach.

Senator Rea asked about page 9, line 21 through the new part. Do you want that scratched out? Dolores Colburg said that has to do with indexing and she wants it left out.

Senator Fritz said on the bottom of page 2 it defines lobbying. The first section has to do with legislative lobbying and section (b) has to do with non-legislative lobbying.

Amendments, Discussion, and Votes:

Senator Blaylock moved to amend page 3, reinsert the language on lines 5 and 6 back into the bill. The VOTE was UNANIMOUS in favor of this amendment.

Recommendation and Vote:

Senator Blaylock moved that we DO CONCUR IN HOUSE BILL 472 AS AMENDED. The VOTE was 8 yes and 2 no. Senators Farrell and Burnett voted no. The motion to do concur in House Bill 472 as amended carried and Senator Blaylock will carry it to the Senate.

EXECUTIVE ACTION ON HOUSE BILL 711

Discussion:

Representative Connelly gave the committee an amendment prepared by Sheri S. Heffelfinger and dated March 15, 1991. (Exhibit 14) The committee wants 25 cents put on the vehicle registration fee. David Niss explained that this puts the 25 cents into the law.

Senator Burnett objects to continuing a tax after the intent is fulfilled. Senator Farrell explained that what happened in Senate Bill 192 was that we created a fund in the 1989 session to fund supplemental B of the Medicaid Insurance they added 25 cents. Senate Bill 192 took that off and diverted the money collected and left that fund to the general fund. What Representative Connelly is trying to do is put the 25 cents back and create a supplemental payment to the retired highway patrolmen. The way this reads this supplemental payment will continue as people retire, if they qualify.

David Niss said the purpose of continuing the money is the lump sum payment is to be continued, and it must be funded.

Tom Sanford, retired Highway Patrol Officer, Kalispell, told them there are 190 retired officers. They must be retired 5 years to receive any supplemental from this fund.

Senator Farrell asked how many are eligible for the \$430,000? Mr. Sanford responded that \$210,000 accumulated in 1 year. Senator Vaughn asked how much the lump sum would be to those who qualify? Mr. Sanford responded they would receive about \$1200 per year on the average. Senator Swift asked if this is open ended? Senator Farrell said it was.

There was discussion of the amendments. David Niss said that on page 7, line 25 is the coordination we are changing. This says if both bills are passed, and the fee is taken out by the other bill then the coordination instruction in this bill prevails.

Amendments, Discussion, and Votes:

Senator Blaylock moved to accept the AMENDMENTS to HOUSE BILL 711. (Exhibit 14) The VOTE was UNANIMOUS to accept the amendments.

Senator Hockett said he isn't opposed to helping the older retirees but the question is will the police and sheriffs add their retirees on to this? What about consistency in how we treat all state employees?

Senator Fritz asked where does it end? Senator Farrell asked Tom Sanford about retired highway patrolmen. How many of those retired are not eligible for Social Security? Tom Sanford retired after 33 years, and he didn't work so he's not eligible for Social Security and he is not 65 yet. Most of them would be eligible for Medicare.

Senator Vaughn asked if they would like to delay final action on this bill. The committee agreed.

Recommendation and Vote:

None

EXECUTIVE ACTION ON HOUSE BILL 535

Motion:

Senator Farrell moved that we DO CONCUR IN HOUSE BILL 535.

Discussion:

Senator Vaughn said there were no opponents to this bill. Senator Farrell asked Dolores Colburg if the Commissioner of Political Practices makes a determination, is that the end of the

SENATE STATE ADMINISTRATION COMMITTEE

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complaint? Dolores Colburg responded that after 50 days, if the Commissioner of Political Practices or the County Attorney has failed to commence an action or has dismissed the complaint, a citizen may go into court and begin an action in the name of the state. It will be highly unlikely that a citizen will go into court to start an action if the Commissioner had started to work on it.

Senator Burnett asked if a citizen can do this in the name of the state, would the state be paying the prosecuting attorney? Dolores Colburg said the citizen would pay if the action failed and the state would pay if the action prevailed. That insures against frivolous suits.

Senator Hockett sees this as an incentive to either the Commissioner or the County Attorney to do something. Some of the serious complaints take a long time and very careful investigation is required. Senator Vaughn said they had written testimony from John K. Addy. (Exhibit 15)

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

The VOTE was UNANIMOUS in favor of CONCURRING IN HOUSE BILL 535. Senator Fritz will carry HB 535 to the Senate floor.

ADJOURNMENT

Adjournment At: 11:55 A.M.


ELEANOR VAUGHN, Chairman


DOLORES HARRIS, Secretary

EV/dh

ROLL CALL

STATE ADMINISTRATION COMMITTEE

DATE March 21, 1991

52 LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SENATOR ELEANOR VAUGHN	X		
SENATOR BOB PIPINICH	X		
SENATOR JOHN ANDERSON	X		
SENATOR CHET BLAYLOCK	X		
SENATOR JAMES BURNETT	X		
SENATOR "BILL" FARRELL	X		
SENATOR HARRY FRITZ	X		
SENATOR BOB HOCKETT	X		
SENATOR JACK "DOC" REA	X		
SENATOR BERNIE SWIFT	X		

Each day attach to minutes.

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 21, 1991

MR. PRESIDENT,

We, your committee on State Administration having had under consideration House Bill No. 606 (third reading copy -- blue), respectfully report that House Bill No. 606 be concurred in.

Signed: Eleanor Vaughn
Eleanor Vaughn, Chairman

3-21-91
And. Coord.

3-21
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 21, 1991

MR. PRESIDENT,

We, your committee on State Administration having had under consideration House Bill No. 535 (third reading copy -- blue), respectfully report that House Bill No. 535 be concurred in.

Signed: Eleanor Vaughn
Eleanor Vaughn, Chairman

19A 3-26-91
And. Coord.

52 1:05
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 21, 1991

MR. PRESIDENT:

We, your committee on State Administration having had under consideration House Bill No. 765 (third reading copy as amended corrected copy -- blue), respectfully report that House Bill No. 765 be concurred in.

Signed: Eleanor Vaughn

Eleanor Vaughn, Chairman

WA 3-21-91
And. Coord.

SIR 2/01 1:05
Sec. of Senate

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SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 21, 1991

MR. PRESIDENT:

We, your committee on State Administration having had under consideration House Bill No. 472 (reference reading copy as amended -- salmon), respectfully report that House Bill No. 472 be amended and as so amended be concurred in:

1. Page 2, line 20.

Following: "I"

Insert: "I"

2. Page 2, line 21.

Following: "(A)"

Insert: "(a)"

3. Page 2, line 25.

Following: "AND"

Insert: "; and"

4. Page 3, line 6.

Following: "OFFICIAL"

Insert: "(b) the practice of promoting or opposing official action by any public official"

Signed: Eleanor Vaughn
Eleanor Vaughn, Chairman

LB 3/21/91
Amd. Coord.

SB 3.21.91 2:45
Sec. of Senate



SENATE STATE ADMIN.

EXHIBIT NO. 1

DATE 3-21-91

BILL NO. HB 606

Testimony of Common Cause\Montana

In Support of HB 606

21 March 1991

P.O. Box 623
Helena, MT
59624
406/442-9251

Madame Chairwoman and members of the Senate State Administration Committee, for the record my name is John McCarthy, lobbyist for Common Cause\Montana. On behalf of the members of our organization, we would speak in support of passing House Bill 606.

Voting is the single most important act to be taken on by a citizen in a democratic society. Government is only truly representative when all of the constituents it serves participate in the election of its leaders and decide on ballot issues. There has been a continuing drop of Americans at the polling place in the last several years. One of the reasons cited for this drop is the lack of civil responsibility instilled in the younger members of our communities. This bill works to amend this deficiency of democratic ideals in our populace through the use of education in our youth.

By allowing our children the opportunity to participate in Montana elections we are giving valuable experience and a hands on understanding of how our system works. The involvement will cause discussion among the youth on subjects pertinent to the issues of the day.

Also, it will show how an issue facing the public is determined by their own participation. Experience in Arizona, which does have a youth voting program, showed a heightened awareness of citizens rights and responsibility by the student electors in a democratic society. The pervading thought among supporters of this legislation is that this experience will educate those who are participating, instilling ideals of civil responsibility and importance in voting that when the youth are of voting age they will participate in elections.

As a result of the student's participation in mock voting there may be an increase in the participation of adults in Montana elections. Students will bring home to their parents discussion and questions about candidates and issues which may in turn arouse the interest of the student's parents in the elections. This may cause the parents to register and vote in Montana elections.

Good character and democratic ideals such as voting can be taught through experience. Sound government and good leaders depends on voters turning out at the polls and making educated choices in their voting practices. House Bill 606 insures that the youth of Montana will be exposed to the influences which will produce better citizens later.

For these reasons we urge your support for House Bill 606.

Testimony on House Bill 606
Secretary of State Mike Cooney
March 21, 1991

Madam Chairman and members of the Committee, for the record, my name is Mike Cooney, and it is my pleasure to appear before you today as Secretary of State and to rise in support of House Bill 606.

Voting is the foundation of our democracy. More than almost any country in history, America owes its very existence to a group of men and women who simply would not be denied fair access to representative government. And each year in America, Montana is among the leaders in helping our citizens to exercise their precious right to vote. These are proud traditions, and we must make sure that they continue well into the future.

House Bill 606 will establish a Youth Voting program that will encourage young people in Montana's schools to learn first hand about the voting process. They will get a chance to learn about the registration process, they will be encouraged to discuss the issues of the day, and on election day, they will be able to actually go to the polls and cast a mock ballot.

For those of you who may be concerned about chaos in the polling place and fraud in the election process, let me lay your fears to rest right away. The system for Youth Voting will be administered in strict adherence to the wishes of local election administrators.

Youth Voters will vote in a location within the polling place separated from the regular voting booths, and their ballots will be substantially different than the standard ballot to prevent any potential for fraud.

In addition, Youth Voters will have to be accompanied by an adult voter. Not only will this help prevent any difficulties, but statistics show that in other states currently using the Youth Voting program it also brings many adults to the polls who would not have voted had it not been for their child's involvement in the Youth Voting program.

Many people will try and tell you that I support this bill only because it will help me win my lobster bet with Secretary of State Diamond of Maine. And while I would like nothing more than to teach Secretary Diamond a lesson in participatory democracy, I support House Bill 606 because it represents the best aspects of good government.

Good government is government that listens to the needs, hopes and goals of the people it serves, and develops meaningful programs to meet these needs.

House Bill 606 will meet two needs. First, it will help us to attack a real problem...namely the lack of interest many young

people are showing in our electoral process. National figures show that the age group least likely to vote is the group of Americans between the ages of 18 and 24. We can and we should try to attack this problem, and House Bill 606 will make a meaningful contribution to getting our young people interested in the process.

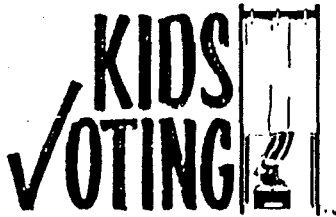
Second, and perhaps more important to me personally, is that over the past few months I have had a chance to visit both one on one and in groups with literally hundreds of young people.

During these visits I have asked them if they think a Youth Voting program would be a good idea. They want to become involved, and their excitement and enthusiasm about this idea makes me confident that we are on the right track with this bill.

House Bill 606 will bring voters to the process, and it will help us to teach our young people about the electoral system. I look very forward to working the Superintendent of Public Instruction, and local election and school officials to develop and implement what I know will become known as the best Youth Voting program in the country.

Through programs like this one we can help to ensure that future generations of Montanans continue to actively participate in and enjoy our right to vote. I thank you for your time this morning, and I urge you to give favorable consideration to House Bill 606.

MC: dm 87.129



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SENATE STATE ADMIN.

EXHIBIT NO. 2

DATE 3-21-91

BILL NO. HB 606

RECEIVED
HELENA, MONTANA

JAN 28 8 44 AM '91

MISS
SENATE

OFFICERS and BOARD OF DIRECTORS January 25, 1991

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Montana State Legislature
Montana State Capitol
Helena, Montana 59620

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Donald M. Szymanski
Jim Spencer
Adele Tarkenton
Charles Tarkenton
Joe Washington
Harry White
Thomas R. White
Kelly Wilson
Gloria Young
Julia Zappa

To Whom It May Concern:

Kids Voting made a difference in Arizona in our 1990 election by increasing voter turnout and creating an enthusiastic future electorate.

Voter apathy is a political plague nationally and in Arizona as well. With voter turnout at a less than 50% level for federal and state elections, and often in the "teen percents" for local elections, government often is for half the people, by half the people and of half the people -- or less.

Kids Voting will change that pattern. This is the way it works:

...Students of grades K-12 are exposed to curriculum about voting, campaigns, issues, etc.

...They become "registered" and encourage their parents to be registered.

...On election day, if accompanied by their parents (although high school students can vote unaccompanied), they go to the polls.

...The results are tabulated and related to the media immediately.

The results in Arizona in 1990 were terrific:

...86% of Arizona's school superintendents accepted the program.

...95% of students (approximately 675,000) had the opportunity of receiving the curriculum lessons from approximately 17,500 teachers.

...131,256 students went to the polls with their parents on election day.

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...The students mirrored their parents' vote in most ways but would have elected the Democratic candidate for governor, passed the Martin Luther King Holiday three to one and a proposition to increase funding for education.

The citizens of Arizona support the program phenomenally well:

...92% of Arizona's registered voters are aware of the program and 92% of feel favorable about Kids Voting.

...96% of registered voters with children want the program continued in their school districts.

...77% indicated that their children initiated discussion at home about this year's candidate races and propositions.

...7% of registered voters indicated they went to the polls because of Kids Voting and 3% indicated that it was the only reason for voting.

...95% of the teachers want the program continued.

Kids Voting has received inquiries from approximately 40 states and our intention is to offer it to any interested entity. Kids Voting has demonstrated in Arizona that it can flex to the needs of highly divergent populations.

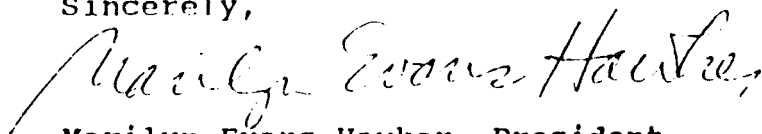
We are in the process of obtaining a national sponsor to fund a national office so that Kids Voting may be offered nationwide but in the meantime we can offer assistance to any group desiring to implement the project.

A complete packet of information was sent to Tina Brothers of the Secretary of State's Office.

I will be eager to answer questions or provide additional information. We hope to assist citizens of Montana for the implementation of Kids Voting of Montana.

Best wishes.

Sincerely,

A handwritten signature in cursive script, reading "Marilyn Evans Hawker".

Marilyn Evans Hawker, President

Testimony on House Bill 765
Secretary of State Mike Cooney
Wednesday, March 21, 1991

Madam Chairman and members of the Committee, for the record I am Mike Cooney and I am pleased to appear before you this morning as Secretary of State to urge your support of House Bill 765.

This measure will allow Montana to join a number of other progressive states in implementing a supplemental system for voter registration known nationwide as Motor-Voter registration.

Motor-Voter registration has been very effective as a means for both registering new voters and keeping up with an increasingly mobile voting population.

Each year roughly 200,000 Montanans will go to their local driver's license bureau to apply for a new driver's license...renew their license...or change their address on their current license. For two of these groups...the new licensees and those changing their address, the addition of a voter registration card to the licensing procedure will be a great asset to both the applicant and the county. During this one transaction, an individual of voting age moving to Montana and becoming licensed to drive, or a current Montanan moving from county to county, can register to vote or change their registration without having to make another stop at the office of the Clerk and Recorder.

This convenience will encourage applicants to update their voter registration information on a timely basis...and in so doing assist the local election administrators in maintaining up to date registration information.

The process is simple...and it works. Over the past two years, I have had a chance to visit at great length with my fellow Secretaries of State regarding this program, and I have yet to find a single instance when the program has not increased both voter registration and voter turnout at minimal cost to state and local governments.

For your information and use I am pleased to submit to the committee letters of testimony I have received from a few of my colleagues supporting Montana's adoption of motor-voter legislation.

Before I close, I want to take just a moment to discuss the federal motor-voter legislation pending in the Congress, and its potential impact on our deliberations today. For the fifth consecutive Congress, legislation mandating that every state and local jurisdiction implement a motor-voter program has again been introduced.

While I ideologically support passage of a federal bill, I believe strongly that we here at home know what is best for Montana and that we can develop and implement a better program

here in Helena than the Congress can mandate from Washington, D.C.. I have reviewed the text of the current bill, and House Bill 765 would comply with the motor-voter provisions of the federal legislation.

By all estimates, the federal legislation will pass this year. In my opinion, we are better off controlling our own destiny by taking positive action today, than we are by waiting for direction from Washington D.C. about how we should run our voter registration program here in Montana.

I know that there are a number of others prepared to speak more specifically about the benefits of the bill, and so I will close by thanking you for your time and for your favorable consideration of House Bill 765.

MC:dm 87.128



State of Maine
Office of
Secretary of State

AUGUSTA, MAINE 04333

G. WILLIAM DIAMOND
SECRETARY OF STATE

Feb 8 3 03 AM '91
RECEIVED
SECRET

SENATE STATE ADMIN.

EXHIBIT NO. 4

DATE 3-21-91

BILL NO. AB

February 1, 1991

Montana State Legislature
Montana State Capitol
Helena, Montana 59620

Dear Montana Legislators,

I am writing to express my strong support for state agency-based voter registration assistance and to urge the implementation of a Motor-Voter program in the state of Montana. Maine's experience with Motor-Voter has been very positive, and I am confident that your state would enjoy similar results.

Our state's program began with a pilot project in four sites last April, and was expanded for full, statewide implementation in July. Since it's inception, more than 8,000 people have been served by Motor-Voter. Many are registering to vote for the first time, while others are taking advantage of the opportunity to change their address, party affiliation or other registration information.

The program's success is largely due to the fact that nearly everyone of voting age visits a Motor Vehicle Registry from time to time. Whether receiving or renewing a license, registering a vehicle or visiting a motor vehicle office for any other reason, one may now also register to vote.

Detractors of the program often cite fiscal impact and less efficient service to the public as reasons for their opposition. In reality, neither is a problem. With regard to costs, our program's budget is less than \$2,000 annually; a small price to pay for a substantial investment in our democratic system of government. As for service, the time required to complete a Motor-Voter transaction is negligible.

Motor-Voter alone is not a complete solution to the problem of declining rates of voter turnout and citizen participation in our electoral process. It is, however, an important part of any effort to address this waning sense of civic duty which is apparent in our society.

Your serious consideration of legislation authorizing Motor-Voter and other forms of agency-based voter registration assistance is urged. Please let me know if I can provide further information.

Sincerely,

Bill Diamond
Secretary of State

BD/ps



State of Rhode Island and Providence Plantations
OFFICE OF THE SECRETARY OF STATE

STATE HOUSE
PROVIDENCE
02903

RECEIVED
FEB 15 1991
SECRETARY OF STATE

Kathleen S. Connell
Secretary of State

SENATE STATE ADMIN.

EXHIBIT NO. 8

DATE 3-21-91

BILL NO. HB 165

February 14, 1991

Montana State Legislature
Montana State Capitol
Helena, MT 59601

Dear Senators and Representatives:

A pilot program allowing Rhode Islanders to register to vote at the Division of Motor Vehicles in Providence has proved successful, with over 2,500 voters registered since January 1990. The "Motor Voter" pilot program legislation was introduced at my request, and was enacted into law during the 1989 General Assembly session.

The legislation also establishes a passive registration program in all non-federally funded state agencies to begin by 1992, in time for the next presidential election. Prominent signs will be displayed in agencies and registration forms will be available upon request.

Yesterday, again at my request, another bill was introduced that would provide for the inclusion of a voter registration form within every application for a motor vehicle driver's license (or form used for change of address) issued by the State of Rhode Island. This legislation is modeled on federal legislation currently before Congress, and is a more aggressive form of agency-based voter registration.

I strongly advocate agency-based registration, and "Motor Voter" legislation enacted in any state is a way to begin the process of making voter registration more accessible to its citizens. You will find that when voter registration is made accessible, the people will respond.

Sincerely,

Kathleen S. Connell
Secretary of State



JOAN ANDERSON GROWE

Secretary of State

ELAINE VOSS

Deputy Secretary of State

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

Saint Paul 55155

RECEIVED
HELENA, MT

FEB 15 1991 180 STATE OFFICE BUILDING
Corporation Division: 612/296-2803
UCC Division: 612/296-2434
Election Division: 612/296-2805
Office of the Secretary: 612/296-3266
Office of Deputy Secy.: 612/296-2309

SECRETARY OF STATE

February 13, 1991

SENATE STATE ADMIN.

EXHIBIT NO. 9

DATE 3-21-91

BILL NO. HB 765

Tina Brothers
Elections Bureau
Secretary of State
Montana State Capitol
Helena, MT 59620

Dear Ms. Brothers,

The Minnesota legislature enacted the "motor voter" law in 1987. The law requires that each person who applies for a new driver's license or for a license renewal receive a voter registration card as well. The form currently used consists of our standard voter registration card which is attached to the standard driver's license application. I have enclosed a copy of the combined form. The combined form is perforated to permit the completed voter registration card to be detached from the driver's license application. The cards are then sent either to our office and forwarded to the appropriate county auditor or sent to the auditors directly. The auditors then enter the information on the card into the statewide voter registration system.

The legislature initially appropriated \$80,000 for the 1988-1989 biennium to the Department of Public Safety to prepare the combined driver's license/voter registration forms. Our understanding from Public Safety is that there have no major problems in the implementation of the law.

Since November 1987, over 250,000 voter registration cards have been submitted to our office from driver's license applications. We believe that at least that many, if not more, voter registration cards were returned directly to the county auditors from driver's license agencies located in the county courthouses. Our experience has been that duplicate registrations (from persons who were already registered and did not need to re-register) account for no more than 12% of the total number of cards submitted.

Prior to implementation of the "motor voter" law, we had a statute that required driver's license personnel to offer a voter registration card to each person who applied for a new or renewed driver's license. Over the years, we found that this approach was not very effective in registering voters. Use of the combined driver's license/voter registration form has proven far more effective.



SENATE STATE ADMIN.

EXHIBIT NO. 10

DATE 3-21-91

BILL NO. HB 765

SECRETARY OF STATE

STATEHOUSE

STATE OF IOWA

DES MOINES 50319

ELAINE BAXTER
SECRETARY OF STATE

515-281-5864

February 13, 1991

Tina Brothers
Office of Secretary of State
Montana State Capitol
Helena, MT 59620

Dear Montana State Legislature:

I would like to take a minute to tell you of the successes of the many voter registration options available in Iowa. With the addition of motor-voter, agency-based registration, tax form registration, and a 10 day registration deadline Iowa has achieved consistantly high registration and turnout numbers despite declining population.

The Motor-Voter program was signed into law in 1989 for Iowa. Since its inception, a great many new residents to the state have commented on how convenient it is to register to vote while obtaining a new drivers license. In 1990, Motor-Voter accounted for well over 5,000 new registrations in Iowa. This procedure has proven to be both simple and effective.

Voter registration cards in tax forms have ~~been~~ another way that Iowa has made registering to vote as easy as possible. Over 10,000 registrations were received last year using this method.

Agency-based registration has achieved smaller, but none the less noteworthy results. As all state offices must now have voter registration cards available, citizens can register while they are completing other necessary interactions.

All of these possible ways to register are aided by the flexibility of mail-in registration. Allowing people to register through the mail adds a convenience which lets people focus on other aspects of their lives while registering as time allows. Instead of being able to register only at auditors offices, Iowans may now use any mail box as an auditors office of its own. Mail in registration allows for a

CHERYL A. LAU
Secretary of State

STATE OF NEVADA

SENATE STATE ADMIN.

MARK GRIFFIN
Deputy Secretary
for Securities Regulation

LARRY L. WISSBECK
Chief Deputy Secretary
of State



EXHIBIT NO. 11
DATE 3-21-91
BILL NO. H 13765

CYNDY WOODGATE
Deputy Secretary
for Corporations

ROBERT ELLIOTT
Deputy Secretary
for Elections

OFFICE OF THE
SECRETARY OF STATE

Capitol Complex
Carson City, Nevada 89710
Telephone (702) 687-5203
Fax (702) 687-3471

February 15, 1991

Dear Montana State Legislature:

At the request of Secretary of State Cooney, it is my pleasure to offer my support of an important and successful program you are now considering, a "Motor Voter" voter registration program.

Nevada's Motor Voter program, which allows voters to register to vote when they are obtaining a driver's license or registering their vehicle at any office of the Nevada Department of Motor Vehicles and Public Safety, began in January of 1988. From January 11, 1988 through October 6, 1988 some 73,000 voter registration applications were accepted at DMV. In 1989, 50,718 applications were accepted and in 1990, the number was 59,545.

The total budget for the program in 1988-89 was \$13,900. For 1989-90 and 90-91, an annual appropriation of \$16,900 was provided. This appropriation covers the cost of printing voter registration applications and the transmittal of voter registration information to each county election official.

The following chart provides statistical information regarding the number of registered voters in the state prior to "Motor Voter" and after the program was implemented:

General Election	Estimated Total Population	Voting Age Population	Voters Registered	Percent of Voting Age Registered
1988	800,508	584,694 (73%)	297,318	50.9
1982	877,380	640,838	322,254	50.3
1984	932,130	680,828	356,405	52.3
1986	1,008,030	735,862	367,579	50.0



BOB TAFT
Secretary of State
State of Ohio

SENATE STATE ADMIN.

EXHIBIT NO. 12

DATE 3-21-91

BILL NO. HB 765

February 1, 1991

Tina Brothers, Executive Assistant
Montana Secretary of State's Office
Montana State Capitol
Helena, MT 59620

Dear Ms. Brothers:

Thank you for your recent inquiry about Ohio's voter registration program conducted by the our local bureau of motor vehicles.


The Ohio General Assembly enacted legislation, in 1977, mandating registrars and deputy registrars of motor vehicles to ask all applicants applying for (or renewing) driver's licenses or license plates if they are eligible to register as an elector, and, in addition if they are registered. If eligible and not registered, the registrar offers to register them. Thereafter, the registrars file the voter registrations with the local county board of elections where the applicants resides. Enclosed are relevant sections of the Ohio Revised Code pertaining to motor voter registration.

Although statistics on motor voter registrations are not available, the program has been quite successful in providing another means for citizens to register to vote. Additionally, registrars can identify individuals who have moved because the former and current addresses are reflected in records of renewal applicants, and they can inquiry as to whether applicants have updated their voter registration records. If not, registrars have applicants complete necessary change of address forms for voting purposes.

Ohio's 88 county boards of elections have established excellent communications and working relationships with their local bureaus of motor vehicles. Ohio has a thirty day deadline (prior to each election) for registrations to be filed with the boards of elections for eligibility to vote in that election. Some boards telephone registrars to remind them to submit the registrations prior the registration deadline. Other boards send employees to the bureaus to pick up registrations on the deadline day.

I hope this information is adequate. Please feel free to contact me at 614/466-2585, if further assistance to you on this or other matters.

Sincerely,


John F. Bender
Elections Counsel

JFB:md
Enclosures
7208C



SENATE STATE ADMIN.

EXHIBIT NO. 6

DATE 3-21-91

BILL NO. HB 765

COMMON CAUSE TESTIMONY IN SUPPORT OF
HOUSE BILL 765
21 MARCH 1991

P.O. Box 623
Helena, MT
59624
406/442-9251

Madame chairwoman and members of the Senate State Administration Committee, for the record my name is John McCarthy, a lobbyist for Common Cause\Montana.

On behalf of the members of our organization I would like to speak in support of House Bill 765.

Truly democratic government is a result of the participation of all the members of its society. This bill creates easier access and more opportunity for the citizens of Montana to take advantage of their right to vote.

Americans have, over the last several years, been accused of becoming apathetic towards their government. We believe that Americans have not become apathetic, rather barriers in the registration system have been keeping the voting age population away. House Bill 765 is a positive move towards the reform of this states registration policies. The convenience of becoming registered while applying for drivers license is enfranchising the voters and removing difficulties in the system. Common Cause is strongly in support of any measures that make government more accessible to the people it serves.

We believe House Bill 765 has strong merit and for that reason urge a do pass from the members of this committee.

Amendments to House Bill No. 472
Reference Bill

For the Committee on State Administration

Prepared by David S. Niss
March 21, 1991

1. Page 2, line 20.

Following: "z"

Insert: "z"

2. Page 2, line 21.

Following: "(A)"

Insert: "(a)"

3. Page 2, line 25.

Following: "AND"

Insert: "; and"

4. Page 3, line 6.

Following: "OFFICIAL"Insert: "(b) the practice of promoting or opposing official
action by any public official"

SENATE STATE ADMIN.

EXHIBIT NO. 7

DATE 3-21-91

BILL NO. HB 472

I vote NO on HB 472 to do pass.
Bill Farnell

Amendments to House Bill No. 711
Third Reading Copy

Requested by Representative Connelly
For the Committee on Senate State Administration

Prepared by Sheri S. Heffelfinger
March 15, 1991

1. Page 7, line 25 through page 8, line 3.

Strike: "the" on page 7, line 25 through "[section 1]" on page 8,
line 3

Insert: "61-3-321(5) is amended to read as follows:

"(5) An additional fee of \$5.25 per year for each
registration of a vehicle must be collected as a
registration fee. Revenue from this fee must be forwarded by
the respective county treasurers to the state treasurer for
deposit in the general fund. The department of justice shall
distribute to the highway patrol retirement fund 25 cents
from the motor vehicle registration fee for payment of
supplemental benefits provided for in [section 1]."

SENATE STATE ADMIN.

EXHIBIT NO. 15DATE 3-21-91BILL NO. HB 535

**MATOVICH,
ADDY & KELLER, P.C.**

Attorneys at Law

March 19, 1991

Sen. Eleanor L. Vaughn
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Sen. Vaughn:

I am writing to you in support of HB 535 sponsored by Representative Toole which would allow citizens to proceed directly to court with campaign practices complaints if the Commissioner of Campaign Practices and the County Attorney both fail to act within 50 days. I understand this bill will be heard in your Committee tomorrow, March 20, 1991. I cannot be there, so I am sending this letter as my testimony.

I have filed complaints regarding state campaign practices violations committed by the Burns campaign, the Stephens-Kolstad Campaign and the Montana Republican Party in 1990.

The violations were so blatant and so widespread that one can reasonably conclude they were part of a deliberate, conscious decision, made at the Republic National Committee level, to conduct their party's 1988 Montana campaigns in a manner which is completely outside the clearly established bounds of the law. When asked about these charges, they have evaded any response on the merits.

Since these charges have been pending, the Montana Office of Campaign Practices has failed to conduct an investigation or move in any decisive way to secure and safeguard documentary evidence of these massive violations of our campaign laws. I enclose a copy of my letter of March 11th to the Commissioner of Political Practices which once again underlined the urgency of the matter. I have received no reply at all.

This case is unique in that a witness to the events, Terry Merica, has told us exactly what documents he has and has explained to us their significance. While the office has clear statutory authority to compel production of those documents, I am unaware of a single step that has been taken to obtain them.

The three-year period for which these parties are required to keep their records is about to expire. Pointing out that fact, and underlining other testimonial evidence that is becoming harder and harder to obtain each day still brings no response.

The Commissioner's Office is understaffed and overworked. The resources which the State of Montana has committed to this

Carey E. Matovich
J.K. Addy

225 Petroleum Building
2812 First Avenue North
Billings, Montana 59101

Donna K. Davis

Sen. Eleanor L. Vaughn
March 19, 1991
Page 2

important watchdog function are no match for the resources available to a well-coordinated money-changing operation that is spread out from coast to coast. The Commissioner has decided not to ask for any more resources for the next two years than she has had available to her for the last two years, so it looks like there is very little likelihood that the situation will improve in that sector.

This means that direct citizen action is the only avenue of relief that can now be explored. I understand that opponents are claiming that this will lead to harassment of elected officials by private citizens. I point out that under Montana's Rules of Civil Procedure, Rule 11 Sanctions can be imposed by the courts on anyone who files a frivolous cause of action. Such sanctions are being imposed in civil actions, by both federal and state courts in Montana, with ever increasing frequency.

I also point out that failure to address this problem will in itself be a damning indictment of the integrity of Montana elections. Just look at the facts: A man who was there on the scenes at Republican State Headquarters says massive violations occurred. He says that the documents are in the offices of his attorneys in Bozeman and he gives the names and addresses of the people who participated, or who have knowledge of, those violations. Our Commissioner of Political Practices declines to act until she has a formal complaint. After a formal complaint is filed, her office still does not act.

The legislature has now been asked to give citizens the right to proceed directly in such matters. What is the public to conclude if our legislators say no? Even if they say yes, the outcome is far from a sure thing. Hours of difficult work in a highly charged setting will have to be performed before sanctions can be imposed for wrongful conduct which occurred almost three years ago now.

The Bill before your Committee does not decide the matter one way or another, it merely gives the public assurance that someone will have an opportunity to have the matter decided in the courts of our State. Inaction tells the national organizations of the Republican and Democratic Party alike that Montana is wide open.

On November 8, 1988, Ward Shanahan, who was then the General Counsel to the Montana Republican Party, pointed out what a pain in the neck such practices can be to all Montanans. In a memorandum to the Montana Republican Party, he described National Republican Party influence in Montana:

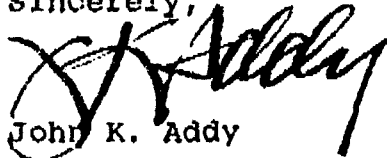
Sen. Eleanor L. Vaughn
March 19, 1991
Page 3

A great strain is created by financial shenanigans of these national committees. The people running this end of the national committees are rude, insulting to the state office staff, they take advantage of confusion, often misrepresent the facts and would have, I believe, if we hadn't stopped them, committed serious breaches of state and federal law. They routinely attempt to incur expenditures in the name of the Montana Republican Party or the state Republican Central Committee, without the knowledge of the chairman, the state treasurer, or the executive director. Despite this kind of chicanery the executive director and the state chairman are expected to "go along" in the interest of party loyalty, without any assurance that they won't become the official "sack holders." It remains to be seen upon audit, how we will fare this year.

Montanans want less of such "shenanigans", not more. Unless we find a way, such as HB 535, to break the campaign practices enforcement logjam, we are going to get more of such "chicanery," not less.

Please give this measure your serious consideration and your approval.

Sincerely,



John K. Addy

JKA/rm

Enc: Copy of Mr. Addy's 3/11/91 letter to Hon. Colberg

