

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By DICK SIMPKINS, CHAIR, on February 3, 1993, at 9:08 a.m.

#### **ROLL CALL**

##### **Members Present:**

Rep. Dick Simpkins, Chair (R)  
Rep. Wilbur Spring, Vice Chair (R)  
Rep. Ervin Davis, Vice Chair (D)  
Rep. Beverly Barnhart (D)  
Rep. Pat Galvin (D)  
Rep. Bob Gervais (D)  
Rep. Harriet Hayne (R)  
Rep. Gary Mason (R)  
Rep. Brad Molnar (R)  
Rep. Bill Rehbein (R)  
Rep. Sam Rose (R)  
Rep. Dore Schwinden (D)  
Rep. Carolyn Squires (D)  
Rep. Jay Stovall (R)  
Rep. Norm Wallin (R)

**Members Excused:** Rep. Sheila Rice

**Members Absent:** None.

**Staff Present:** Sheri Heffelfinger, Legislative Council  
Dorothy Poulsen, Committee Secretary

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

##### **Committee Business Summary:**

Hearing: HB 328; HB 329  
Executive Action: HB 266; HB 317; HB 239 (postponed)

#### **HEARING ON HB 329**

##### **Opening Statement by Sponsor:**

**REP. VIVIAN BROOKE**, House District 56, Missoula, introduced HB 329 which revises the manner of selection and the duties of election judges. She said the primary intent of the bill was to

provide other options for clerks and recorders in staffing election judges.

**Proponents' Testimony:**

Wendy Cromwell, Clerk and Recorder and Election Administrator, Missoula County, provided written testimony in support of HB 329. She described the difficulties she has in finding election judges: (1) election judges must work 16 to 17 hours; (2) most experienced judges are elderly women who find the long hours difficult or who have chosen to retire; and (3) recruiting younger people is difficult because they are likely to be employed and unwilling to leave work for a day to work as an election judge. She said HB 329 addressed these issues by allowing judges to work in shifts and by providing a random selection process by which clerks and recorders could choose election judges from among the registered voters in the county.

**EXHIBIT 1**

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions From Committee Members and Responses:**

REP. DAVIS said the bill contained several "shall" provisions and asked REP. BROOKE what the penalty would be for selected judges not serving. REP. BROOKE said she had no desire for the law to be punitive; she wanted to provide a larger population from which to select election judges. REP. DAVIS insisted the language of the bill does not provide much choice or flexibility. Ms. Cromwell suggested the selection process would be similar to choosing people for jury duty. Prospective jurors can fill out an affidavit asking to be excused from duty, and she suggested a similar process could be used with prospective election judges.

REP. DAVIS asked Ms. Cromwell how she could ensure political party balance with a random selection process. She said they currently ask for party preference and choose election judges based on that information, if possible.

REP. BARNHART asked Ms. Cromwell to address the issue of parttime judges. Ms. Cromwell said many people who were willing to serve as election judges were not available for the entire day. She contended the law currently allowed only full-day judges, except in case of emergencies. She said HB 329 would provide more flexibility by allowing eight-hour shifts.

REP. MOLNAR asked Joe Kerwin, Election Bureau Chief, Secretary of State, whether or not shift workers were permitted under current law. Mr. Kerwin said the law was not clear. He explained that the difficulty with parttime workers is accounting for discrepancies in the number of ballots.

REP. BARNHART asked Mr. Kerwin whether any counties use parttime judges. Mr. Kerwin said he was not aware of any. REP. BARNHART asked whether there was a way of avoiding the problems and using parttime judges. Mr. Kerwin said all election judges could be required to be present at the end of the day for the counting of the ballots.

REP. SIMPKINS referred Mr. Kerwin to lines 7-10, page 4, which states election judges may work less than a full polling day, and asked whether clerks and recorders already have this authority. Mr. Kerwin said the law does not currently prohibit parttime election judges, but custom has been to have election judges present for the entire polling day.

REP. WALLIN asked Ms. Cromwell whether the minimum wage was a problem in finding election judges. Ms. Cromwell said she did not think pay rate had ever been a problem.

REP. ROSE asked REP. BROOKE if the bill was an attempt to legislate civic duty. REP. BROOKE responded that such an interpretation of the bill could be made, but it was not her intention. She said the bill had provisions for selected individuals to be excused from serving; and she suggested that since the selection was from registered voters, they would already have some interest in participating in the electoral process. REP. ROSE responded that he recognized the problem but was not sure of the solution. REP. BROOKE answered HB 329 presents a solution to the problem.

REP. SIMPKINS compared the bill to jury selection which is enforced by a finding of contempt of court and asked REP. BROOKE how HB 329 would be enforced. REP. BROOKE responded that the comparison with jury duty was limited; only the process of finding potential judges by random selection of registered voters was similar to jury duty. She said clerks and recorders were looking for workers who would be interested in the process and who would be cooperative.

REP. SIMPKINS distributed a letter from the League of Women Voters of Montana in support of HB 329. EXHIBIT 2

Closing by Sponsor:

REP. BROOKE said she had volunteered to be an election judge in 1990 and was amazed with the lack of interest in helping voters exhibited by election judges. She said many new voters find the process intimidating, and she felt election judges were key in encouraging people to vote. The bill would provide a larger pool of people from which to select judges.

HEARING ON HB 328Opening Statement by Sponsor:

REP. VIVIAN BROOKE, House District 56, Missoula, introduced HB 328 to reduce the size of the legislature. She explained the Constitution allows the legislature to be reduced to an 80-member House and a 40-member Senate; thus, HB 328 does not require a constitutional amendment. The bill would guide the next reapportionment process after the 2000 census in reducing the number of districts and suggests a process for dealing with holdover senators. REP. BROOKE said the bill was not a new idea; in fact, since 1972 several attempts had been made to reduce the size or to make other changes to improve the efficiency of the legislature. She said similar legislation had been introduced in the 1989 session and rejected. REP. BROOKE maintained a smaller legislature would result in cost savings. She contended a smaller legislature would likely affect the gains made by women and minorities in being elected, but she said she was willing to give up these gains in return for a more effective legislature.

REP. BROOKE distributed a sheet comparing the size of legislatures in various states which showed that 28 states had smaller legislatures than Montana. She said Montana had more legislators per capita than every state except North Dakota, Vermont, and New Hampshire. EXHIBIT 3

REP. BROOKE encouraged committee members to consider how decisions were made currently and whether large committees were necessary. She asked the committee to consider the bill with other legislation to restructure the legislature and with campaign reform bills.

REP. BROOKE said objections to HB 328 would come from rural areas where senate districts are already very large. She suggested, however, that in 2005 technology would allow better interaction with constituents. She noted that Alaska, Nevada, and Wyoming are also very large states and yet they have fewer legislators. She said the constitutional convention had determined that legislators represented people and not land mass.

REP. BROOKE contended HB 328 was a way to gain back the trust of the electorate by showing the legislature's willingness to reduce its size and cost. She suggested a smaller legislature would be more efficient and more effective. She pointed out that many people were discussing the consolidation of other political entities such as counties and school districts, and the bill would accomplish the same goal for the Legislature.

Informational Testimony:

Terry Perrigo, Analyst, Office of the Legislative Fiscal Analyst, distributed a letter which gave an estimate of \$1.4 million in

savings with HB 328. She emphasized this was not a fiscal note to the bill. **EXHIBIT 4**

**Proponents' Testimony:**

**Riley Johnson, National Federation of Independent Business (NFIB)**, explained that NFIB was the largest business organization in Montana with 8,600 members, most of whom had small businesses. He reported that in 1990 NFIB had polled its members on the question of reducing the size of the Legislature and 60% voted in favor. He said NFIB supported efforts, such as limiting the number of bills and split sessions, to improve the efficiency and economy of the Legislature. He expressed the view that under the present system legislators were more responsive to small interest groups. For example, he noted some legislators represented only urban areas and others only rural areas. **Mr. Johnson** suggested that if legislators had to represent a more diverse electorate, they would be required to take a more statesmanlike approach to legislation which would benefit the state of Montana. He concluded that NFIB would like to be on record in support of HB 328.

**Opponents' Testimony:**

**REP. BOB GERVAIS, House District 9, Browning**, said he was surprised that **REP. BROOKE** introduced HB 328 after her many sessions of support for women. He said great strides had been made in representation by women and Native Americans, and he considered HB 328 a giant stride backwards.

**Questions From Committee Members and Responses:**

**REP. ROSE** asked **REP. BROOKE** how she could refer to the effect HB 328 would have on rural areas as a "turf battle" when the rural areas had a \$2 billion economic impact on the state. **REP. BROOKE** responded that she had not used the term "turf battle" and clarified she was referring to the time in Montana history when each county had two senators. She said it was clear then that land was better represented in the legislature than people. The Constitution changed the principle of representation to one person/one vote, and **REP. BROOKE** contended legislators represent the people in their districts, not the acreage.

**REP. DAVIS** referred to the list of states on Exhibit 3 and asked **REP. BROOKE** whether all the states were truly comparable to Montana with 90-day legislative sessions. **REP. BROOKE** referred him to a book on the states in the library.

**REP. SIMPKINS** said true comparisons were difficult and described California with 120 full-time legislators and a legislative council with almost 900 employees. He said each assemblyman had two different field offices with nine staff members in each, and each committee had 16 staff members. He asserted an adequate

comparison had to include the length of sessions, staff size, and number of representatives.

REP. SPRING commended REP. BROOKE for presenting HB 328 and asked her whether she had considered reducing the legislature more and changing the terms of office to four years for representatives and six years for senators. REP. BROOKE said the bill was the easiest way to reduce the legislature because the change does not require a constitutional amendment. She said she had chosen to address only one issue and had not considered changing the terms of office.

REP. STOVALL asked REP. BROOKE whether she had found any research which compared legislative size and effectiveness. REP. BROOKE said she had found articles in the library addressing the topic. She said she thought committees were large and unwieldy and could be more efficient.

REP. SQUIRES asked Mr. Johnson whether they had included the various alternatives proposed this session for restructuring the legislature in his organization's polling. Mr. Johnson said they had asked only about (1) annual sessions based on a split session idea, (2) limitations on bills, and (3) reducing the size of the legislature.

REP. MASON noted the committee had several bills to consider changing the structure of the legislature and asked REP. BROOKE whether she was willing to combine her bill with other legislation. REP. BROOKE responded she was more than willing to work with a subcommittee on the various bills, if the chairman considered any of the bills viable.

REP. SIMPKINS referred to Exhibit 4 on cost savings and suggested to Ms. Perrigo that the only savings with HB 328 would be \$690,000 which would result from having 30 fewer legislators. He noted the Legislative Council would not be reduced because there would be no change in the number of committees. Ms. Perrigo agreed with his estimate of savings.

REP. SIMPKINS asked Mr. Johnson to explain why he thought that representing larger populations would reduce the rural-urban issues. Mr. Johnson responded legislators would need to respond to both rural and urban issues if they had both constituencies in their districts. REP. SIMPKINS asked Mr. Johnson if he assumed districts would be expanded rather than combined to retain the urban-rural distinction, and Mr. Johnson agreed that was his assumption.

Closing by Sponsor:

REP. BROOKE asked the committee to consider the future effect of their action on the bill and the degree to which it could improve the legislative process.

EXECUTIVE ACTION ON HB 317Discussion:

REP. MOLNAR suggested there would be a conflict of interest if rule-making groups were receiving gifts and grants.

REP. MASON responded that departments already receive gifts and grants and reported that the Department of Natural Resources is paid by other organizations for subcontracted services and also applies for grants to help communities.

REP. BARNHART said other proposed legislation recommends funding from donations and grants and suggested this was an effort to involve the private sector.

Motion: REP. SCHWINDEN MOVED HB 317 DO PASS.

Discussion:

REP. GALVIN asked which other agencies sought to participate in the negotiated rule-making and asked for clarification of the authority of the rule-making committee.

REP. MASON answered the negotiated rule-making process was starting to be used in several agencies. He explained that, in the past, the agency would formulate rules and then ask for public comment. With the negotiated rule-making process, interested parties participate in the rule-making. He said people he had talked to felt this process would alleviate the frustration generated by being able to testify only after the fact.

REP. SIMPKINS said he thought the process would facilitate agency programs and gave the example of the process used by the Board of Public Education for Project Excellence. Interested groups could be participants in the rule-making prior to the enacting of the rules.

REP. MOLNAR referred to p. 4, lines 9-14, and asked whether this section would take care of housekeeping bills. REP. MASON explained that an agency can only make rules within the authority granted by the legislature; if the legislature has not given authority to make certain changes, then the agency must seek legislative action. REP. SIMPKINS added that the legislature sometimes passes bills which are too specific in content.

Vote: HB 317 DO PASS. Motion carried unanimously with REPS. HAYNE, GERVAIS, RICE, and SQUIRES voting by proxy. EXHIBITS 5, 6, 7

EXECUTIVE ACTION ON HB 266Discussion:

REP. SIMPKINS reported he had spoken with natural resource committee members. They asserted HB 266 did not involve subdivision laws, and they did not want to consider the bill in their committee. He explained the bill was only trying to have statutes be consistent with the Constitution; the Department of State Lands believes they can receive a higher price on land if they are allowed to sell adjacent lots.

REP. ROSE asked whether HB 266 would provide a means for a developer to buy an entire tract. REP. STOVALL said that even under present law, the same developer could buy all the lots. At the present time, the developer would just have to wait a year between land sales.

REP. SIMPKINS asserted that zoning boards were key to concerns about land development. He pointed out that, in actuality, the state seldom sells land; more frequently, the state swaps for other land or leases land. He said the intent of HB 266 is to allow the state to maximize its income when it does sell land.

REP. WALLIN expressed his concern about individuals buying land and developing it commercially. REP. SIMPKINS reiterated the only way to prevent commercial development is through zoning.

REP. BARNHART asked whether the committee needed to protect towns and cities without zoning boards. REP. SIMPKINS responded no one testified against the bill.

Motion/Vote: REP. BARNHART MOVED HB 266 DO PASS. Motion carried 15 to 1 with REP. WALLIN voting no and REPS. GERVAIS, RICE, and SQUIRES voting by proxy. EXHIBITS 5, 6, 7

EXECUTIVE ACTION ON HB 239

Motion: REP. DAVIS MOVED HB 239 DO PASS.

Motion/Vote: REP. DAVIS moved to amend HB 239 to include in-kind expenditures. EXHIBIT 8 Motion carried unanimously.

Motion/Vote: REP. REHBEIN moved to amend HB 239 removing candidates for U.S. Senator or Representative. EXHIBIT 9 Motion carried unanimously.

Motion/Vote: REP. ROSE moved to amend HB 239 to have fines credited to the office of the commissioner of political practices. EXHIBIT 10 Motion carried 15 to 1 with REP. SCHWINDEN voting no.



**Motion:** REP. WALLIN moved to amend HB 239 to include voluntary work and independent expenditures in candidates' expenditure limit. EXHIBIT 11

**Discussion:**

Ms. Heffelfinger explained that the amendment rewrites Section 4, page 5, and describes the expenditures which would be subject to voluntary limitation.

REP. DAVIS asked how a candidate would keep track or even identify expenditures made by an independent committee and who would keep track of voluntary work.

Ms. Heffelfinger referred REP. DAVIS to page 2 of the amendment which describes the required reports on all voluntary work.

REP. MOLNAR said the amendment tries to control the influence of independent committees.

REP. DAVIS suggested executive action be postponed in order to consider the amendment.

REP. SIMPKINS explained the amendment tried to control independent committees who are able to draw support from large numbers of volunteers.

REP. GALVIN objected the candidate would have no control over the actions of independent committees and yet would be required to count their expenditures against the candidate's limitation.

REP. REHBEIN said he considered volunteer work as a contribution of time which can be assigned value.

Doug Mitchell, Chief Deputy, Secretary of State, expressed his concerns about the amendment. He noted the amendment changed the definition of volunteer; volunteer time has always been specifically exempted from consideration as a contribution. He pointed out that volunteers are citizens who are exercising their constitutional right to participate in the political process. He said the amendment would set up an easily manipulable system in which opponents could "volunteer" for a candidate and "use up" the candidate's voluntary expenditure limit. He suggested the bill would do away with grassroots campaigning in the state. Mr. Mitchell agreed independent committees pose a problem but he asserted the bill does not try to solve the problem.

REP. DAVIS asked who would report volunteers working against a candidate. REP. SIMPKINS said the bill would require the group who was working against the candidate to report. REP. DAVIS again asked action on the bill be postponed.

REP. GALVIN also asked that action be postponed.

REP. SIMPKINS asked the committee to define the problems the bill is trying to solve. He suggested Montana does not have the problems the bill is trying to address, and the bill opens loopholes which need to be closed.

REP. BARNHART asked REP. SIMPKINS whether he was speaking against the amendment or the bill. REP. SIMPKINS said he wanted committee members to consider all sides of the issue because he believed the bill had become a political rather than logical issue.

REP. SIMPKINS postponed action on HB 239.

ADJOURNMENT

Adjournment: 11:22 a.m.

  
DICK SIMPKINS, Chair

  
DOROTHY POULSEN, Secretary

DS/DP

HOUSE STANDING COMMITTEE REPORT

February 3, 1993

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report  
that House Bill 266 (first reading copy -- white) do pass .

Signed: *Dick Simpkins*  
Dick Simpkins, Chair

Committee Vote:  
Yes 15, No 1.

2711596C.688

HOUSE STANDING COMMITTEE REPORT

February 3, 1993

Page 1 of 1

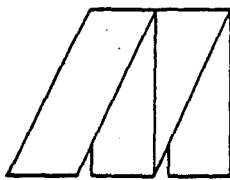
Mr. Speaker: We, the committee on State Administration report that House Bill 317 (first reading copy -- white) do pass .

Signed: \_\_\_\_\_

Dick Simpkins  
Dick Simpkins, Chair

Committee Vote:  
Yes \_\_\_\_\_, No \_\_\_\_\_.

271201SC.HSS



# MISSOULA COUNTY

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

February 1, 1993

Dick Simkins, Chairman  
State Administration Committee  
House of Representatives  
State Capitol  
Helena, MT 59620

Re: HB 329

Dear Chairman Simkins:

Representative Vivian Brooke offered last fall to sponsor a bill which would help county election administrators cope with the increasingly difficult task of finding sufficient qualified election judges to serve on election day.

In November, 1980, the Missoula County Election Office was able to recruit, train and appoint 520 election judges who were willing to serve between 8:00 a.m. and 8:00 p.m. for a minimum wage of \$3.35/hour. At that time, Montana law required 7 judges per precinct, and we had 61 precincts. Because we had the luxury of sufficient numbers of judges who were willing to serve, we could even appoint some special tally judges in precincts where paper ballot usage was heavy.

In 1983, the Montana legislature cut the statutory requirement for judges at a precinct to 3, which helped counties, but also changed the polls opening time to 7:00 a.m., which reduced the pool of judges willing to serve. Many election judges are elderly, and because they must report to the polling place an hour before the polls open to prepare for voters, some decided that they were just not able to rise at 5:00 a.m. and work a 16-to 17-hour day.

For the 1992 General Election, 284 election judges worked at the polls in 69 precincts, averaging 16 hours of work each, at \$4.25/hour plus required fringe benefits. In some precincts, so few judges were available that voters in line volunteered to serve the rest of the day. Even though we had trained over 350 persons to serve, it was difficult to fill all vacancies which arose due to illness or absence from the county.

The problem is certainly not unique to Missoula County. In the other large counties, as well as here, requests to the political parties to provide lists of potential election judges have gone unanswered for at least the past 10 years. Election judges who have served for years are growing too old to work the long hours, or their life-styles have changed and they now fly south with the other Montana "snowbirds" for the winter. Younger people who might wish to serve do not volunteer because they are part of the two wage earner per household generation, and do not feel that they can afford a day off work.

House Bill 329 addresses these problems by allowing local election administrators more flexibility in appointing election judges. First, by providing statutorily for "shift" work during election day, more qualified voters will be willing to serve. Second, if the "shift" work approach still does not result in enough new judges to fill vacancies, the election administrator would be allowed to use a random selection process to choose and train a larger pool of election judges from among the registered voters in the county. These two choices would greatly benefit the election day process.

Sincerely,

*Wendy Cromwell*

Wendy Cromwell

Clerk & Recorder/Treasurer

EXHIBIT 1

DATE 2/3/93

HB 329

League of Women Voters  
of Montana



WRITTEN TESTIMONY SUBMITTED BY THE LEAGUE OF WOMEN VOTERS

House of Representatives  
State Administration Committee  
8:00 a.m., Wednesday, February 3, 1993  
House Bill 329 by Vivian Brooke

On behalf of the 200 members of the Montana League of Women Voters we endorse House Bill 329 as a means to broaden the pool of election judges available in Montana.

Common problems enunciated by clerks of court throughout the state are that selection of election judges is inadvertently limited to those involved in the political process; those available to perform the duties during election hours; and our elderly citizens who have contributed greatly to our culture and are willing to provide continued service. As you have heard in testimony from other supporters of this measure, there are times when these resources do not accommodate the needs of the voting process.

House Bill 329 allows counties the option of utilizing a method similar to that of identifying citizens to serve on jury duty, only targeted at identifying election judges. The bill specifically states that only if an insufficient list exists, that counties have the option of exercising a second identification technique.

Leagues in Montana and throughout the United States are continuing their efforts to protect and extend voting rights--monitoring elections, challenging violations of national and state voting laws, and working to improve the training and performance of election judges.

We endorse House Bill 329 and favor a do pass on this measure.

Thank you.

Christine Mangiantini  
League Lobbyist

EXHIBIT 2  
DATE 2/3/93  
HB 329

HOUSE BILL 328 - REDUCE SIZE OF LEGISLATURE  
REP. VIVIAN M. BROOKE - SPONSOR  
STATE LEGISLATURES  
NUMBERS

States > Montana 18

CT - 187  
FL - 160  
GA - 236  
IL - 177  
KY - 165  
ME - 186  
MD - 188  
MA - 200  
MN - 201  
MS - 174  
MO - 197  
NH - 424  
NY - 211  
NC - 170  
PA - 253  
SC - 170  
TX - 181  
VT - 180

States = MT 3

IN - 150  
IA - 150  
RI - 150

States < Montana 28

AL - 140  
AK - 60  
AZ - 90  
AR - 135  
CA - 120  
CO - 100  
DE - 62  
HI - 76  
ID - 126  
KY - 138  
LA - 144  
MI - 148  
NB - 49  
**NV - 63**  
NJ - 120  
NM - 112  
**ND - 149**  
OH - 132  
OK - 149  
OR - 90  
**SD - 105**  
TN - 132  
UT - 104  
VA - 140  
WA - 147  
WV - 134  
WI - 132  
**WY - 94**

States with more land mass are underlined. States with similar populations are in **bold**.

EXHIBIT 3  
DATE 2/3/93  
HB 328



STATE OF MONTANA

Office of the Legislative Fiscal Analyst

STATE CAPITOL  
HELENA, MONTANA 59620  
406/444-2986

TERESA OLCOTT COHEA  
LEGISLATIVE FISCAL ANALYST

January 18, 1993

Representative Vivian Brooke  
Seat Number 20  
Montana House of Representatives  
Helena, MT 59601

Dear Representative Brooke:

This letter is in response to your request for information regarding cost savings realized if the legislature were reduced to 120 members in the year 2005.

As the following table indicates, approximately \$1.4 million would be saved if the legislature were reduced from 150 to 120 members in 2005. This calculation assumes all legislative operating costs would be reduced in proportion to the reduction in members.

Cost Savings Realized From Reduction in Size of Legislature							
	1991 Feed Bill Costs*	1991 Cost Per Legislator	Consumer Price Index Increase 1991-2005**	Projected 2005 Cost Per Legislator	Projected 2005 Cost Per Each of 150 Legislators	Projected 2005 Cost Per Each of 120 Legislators	Cost Savings Reduced Legislature (120 mbrs in 2005)
Legislative Council	\$631,438	\$4,210	1.6896	\$7,113	\$1,066,878	\$853,502	\$213,376
Senate	1,259,229	8,395	1.6896	14,184	2,127,593	1,702,075	425,519
House	<u>2,156,935</u>	<u>14,380</u>	<u>1.6896</u>	<u>24,296</u>	<u>3,644,357</u>	<u>2,915,486</u>	<u>728,871</u>
	\$4,047,602	\$26,984	N/A	\$45,592	\$6,838,828	\$5,471,063	\$1,367,766

\*From SBAS Fiscal 1992 Supplemental Financial Schedules

\*\*As forecast by Wharton Econometrics

If you have any questions please feel free to contact me at 444-2986.

Sincerely,

Terri H. Perrigo  
Associate Fiscal Analyst

THP3:lt:rb1-21.ltr

EXHIBIT 4  
DATE 2/3/93  
HB 328



Rev Barnhart has  
my pray for this  
day 2/3/93

Shirley Rice

EXHIBIT 6  
DATE 2/3/93  
HB 317; 266

2/3/93

I give my proxy to Ben  
Barnhart for all votes on  
Bills, Amendments & talking

Agencies

EXHIBIT 7

DATE 2/3/93

HB 317; 266

Amendments to House Bill No. 239  
First Reading Copy

Requested by the Secretary of State  
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger  
January 29, 1993

1. Page 1, lines 17 through 20.

Following: "expenditures" on line 17

Strike: "and" through "family" on line 20

Following: "." on line 20

Insert: "An expenditure, as defined in 13-1-101, that is subject to voluntary limitation includes an expenditure made by the candidate's committee and any in-kind expenditures made by a person or political committee on behalf of the candidate."

2. Page 1, line 24 through page 2, line 2.

Following: "law." on page 1, line 24

Strike: "The" through "candidacy." on page 2, line 2

3. Page 2, line 5.

Following: "state"

Strike: "on"

Insert: "within 30 days after"

EXHIBIT 8  
DATE 2/3/92  
HB 239

Amendments to House Bill No. 239

First Reading Copy

Requested by Rep. <sup>Rehbein</sup>~~Dick Simpkins~~ (#1)  
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger  
February 2, 1993

[Removing candidates for U.S. Senator or Representative]

1. Page 1, line 21.

Following: "(2)"

Strike: "The"

Insert: "Except for a candidate for United States senator or  
United States representative, the"

2. Page 2, line 15.

Following: "(a)"

Strike: "for United States senator or"

3. Page 2, lines 17 through 19.

Following: "(b)" on line 17

Strike: "for" through "(c)" on line 19

4. Page 4, lines 1 and 2.

Following: "for" on line 1

Strike: "a" through "or" on line 2

5. Page 7, line 18.

Following: "(a)"

Strike: remainder of line 18 in its entirety

6. Page 7, line 19.

Following: line 18

Strike: "(b)"

Following: "governor"

Strike: "and" through "representative"

EXHIBIT 9  
DATE 2/3/93  
HB 239

Amendments to House Bill No. 239

First Reading Copy

Requested by Rep. ~~Dick Simpkins~~ <sup>Sam Bass</sup> (#2)  
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger  
February 2, 1993

[Fines to credit of Commissioner of Political Practices]

1. Page 5, line 11.

Following: "deposit"

Strike: "in" through "fund"

Insert: "in a special revenue account to the credit of the office  
of the commissioner of political practices"

EXHIBIT 10  
DATE 2/3/93  
HB 239

Amendments to House Bill No. 239

First Reading Copy

Requested by Rep. <sup>Norm Wallin</sup>~~Eric Simpkins~~ (#3)  
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger  
February 2, 1993

[Voluntary work and independent expenditures subject to limit]

1. Page 5, line 15.

Following: "Section 4."

Strike: "Exclusion" through "expenditures"

Insert: "Expenditures subject to voluntary limitation"

2. Page 5, line 16.

Following: line 15

Insert: "(1)"

3. Page 5, line 17.

Following: "expenditures"

Strike: "do not"

Insert: "subject to voluntary limitation"

Following: "include:"

Insert:

"(a) an expenditure as defined in 13-1-101;

(b) volunteer work, which for the purposes of this definition, must be valued as if the candidate paid each volunteer worker minimum wage as determined under 39-3-409, performed:

(i) on behalf of the candidate;

(ii) by a committee independently of the candidate's campaign but that influences the election in favor of the candidate; and

(c) an expenditure made by a committee, including a committee acting independently of the candidate's campaign, made in support of the candidate or in opposition to the candidate's opponent

(2) Campaign expenditures not subject to limitation include:"

4. Page 5, line 18.

Strike: "(1)"

Insert: "(a)"

5. Page 5, line 22.

Strike: "(2)"

Insert: "(b)"

6. Page 5, line 23.

Strike: "(3)"

Insert: "(c)"

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7. Page 8, line 2.  
Following: line 1  
Insert:

"Section 1. Section 13-37-225, "MCA, is amended to read:

"13-37-225. Reports of contributions and expenditures required. (1) Except as provided in 13-37-206, each candidate and political committee shall file periodic reports of contributions and expenditures made by or on the behalf of a candidate or political committee.

(a) Each candidate and political committee, shall, for the purposes of expenditures subject to voluntary limitation under [section 4], also report all voluntary work performed to influence the outcome of an election, whether or not the work was performed in conjunction with a candidate's campaign. The report must include the name of the candidate the volunteer workers worked for or against.

(b) All reports required by this chapter shall be filed with the commissioner and with the election administrator of the county in which a candidate is a resident or the political committee has its headquarters. However, where residency within a district, county, city, or town is not a prerequisite for being a candidate, copies of all reports shall be filed with the election administrator of the county in which the election is to be held or, if the election is to be held in more than one county, with the election administrator in the county that the commissioner specifies.

(2) In lieu of all contribution and expenditure reports required by this chapter, the commissioner shall accept copies of the reports filed by candidates for congress and president of the United States and their political committees pursuant to the requirements of federal law."

Renumber: subsequent sections

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VISITOR'S REGISTER

State Administration

COMMITTEE

BILL NO. HB 329

DATE 2/3/93

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Wendy Cromwell	Missoula County Clerk & Rec. <sup>Elec. Admin.</sup>	✓	
Don Waldron	Mt Rural Ed Assn	✓	

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