

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By **CHAIRMAN RICHARD SIMPKINS**, on February 16, 1995, at 8:30 A.M.

ROLL CALL

Members Present:

Rep. Richard D. Simpkins, Chairman (R)
Rep. Matt Denny, Vice Chairman (Majority) (R)
Rep. Dore Schwinden, Vice Chairman (Minority) (D)
Rep. Matt Brainard (R)
Rep. Patrick G. Galvin (D)
Rep. Dick Green (R)
Rep. Antoinette R. Hagener (D)
Rep. Harriet Hayne (R)
Rep. Bonnie Martinez (R)
Rep. Gay Ann Masolo (R)
Rep. William Rehbein, Jr. (R)
Rep. George Heavy Runner (D)
Rep. Susan L. Smith (R)
Rep. Carolyn M. Squires (D)
Rep. Jay Stovall (R)
Rep. Lila V. Taylor (R)
Rep. Joe Tropila (D)

Members Excused: Rep. Sam Kitzenberg (R)

Members Absent: none

Staff Present: Sheri Heffelfinger, Legislative Council
Christen Vincent, Committee Secretary

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

Committee Business Summary:

Hearing: None
Executive Action: HJR 18 TABLED
HB 523 DO PASS AS AMENDED (FAILED)
HB 423 DO PASS AS AMENDED

{Tape: 1; Side: A.}

EXECUTIVE ACTION ON HJR 18Discussion:

CHAIRMAN SIMPKINS stated **REP. BRAINARD** had made revisions to his resolution and he had a grey bill made so the committee could see the changes that would be made in the bill if they were to pass the amendment **REP. BRAINARD** had drafted.

REP. BRAINARD stated the original bill had contained wording that was aimed at technical problems he had seen as a gunsmith. He stated the testimony during the hearing had brought up many concerns the people had with the bill. The amendment would take care of most if not all of the concerns people had. The concerns were apparent and were real. He stated they needed to do something to address those problems and that was why he was bringing the amendment to the committee's attention. There are current gaps in the law that are being abused and needed to be addressed and that was the reason he had first introduced the resolution. He hoped the committee would consider the amendments and would pass the resolution as amended.

CHAIRMAN SIMPKINS stated that one problem with the original bill was that **REP. BRAINARD** was trying to make everyone into gunsmiths which they weren't. Another problem was with people claiming to be militia people. They, as a committee, need to say to the governor that these things need to be addressed and they need to have a definition from the Governor as to what a militia is. This resolution would prompt the governor and this would be the way to go in his opinion. There currently aren't any guidelines as to what an unorganized militia is.

REP. GALVIN stated with the first sentence there is a clash with the unorganized militia. He thought this problem should have been taken straight to the governor. This was the wrong place to start with this and the manner in which it was presented highlights conflicts between the United States Constitution and the Montana State Constitution.

REP. GREEN stated there is a difference in the regulated and unorganized militia but some people in the state had interpreted it in a different way.

REP. HEAVY RUNNER stated years ago it was necessary to have an unorganized militia but he couldn't see the need for one at the present time. He stated there were enough people enrolled in the military now that he didn't see any need for the unorganized militia to even be there.

REP. DENNY stated in his mind there is no need for these people to do this. In their minds there is a need to have an unorganized militia. There are some people who think there is a need and are taking the law into their own hands and this is where they as legislators need to step in and encourage the

Governor to define the militia before there is an outbreak of violence. This is a proactive approach to things.

REP. HEAVY RUNNER asked if this resolution would say such a thing.

REP. DENNY stated the purpose of the militia is to be called in the event of natural disaster or other events of emergency. The language in the bill was designed to go with the definition of a militia.

REP. TAYLOR stated she had a hard time with the concept of the bill when it was first introduced but with the amendment makes it better and had eased her concerns. She stated this problem isn't just in eastern Montana but throughout the state. She stated the problem exists but she didn't know how to address it.

CHAIRMAN SIMPKINS stated they are dealing with a constitutional requirement. The problem is figuring out what, who and how. There are people taking advantage of this. The issue is not in the courts; it is in the constitution.

REP. SCHWINDEN stated he doubted he would support the bill, but he commended **REP. BRAINARD** on taking the view of the opponents and amending the resolution into a well defined issue.

REP. STOVALL stated he had needed to look at the bill a little closer than he had before he signed it. This was construed in the wrong manner and there are serious problems that need to be addressed in regard to this issue. He would accept the amendment, but wouldn't support the bill. He stated the amendment wouldn't help with the public perception because of all the negative publicity it had received previously and would be taken in the wrong manner.

REP. TROPILA stated they should have picked another word besides unorganized to describe the militia.

REP. MARTINEZ stated the changes are good and there is a need to address the situation. She stated there were people in Billings that had been trying to stir things up. There is a threat and there is a need to recognize this.

CHAIRMAN SIMPKINS stated it was defined as the unorganized militia because it was not regulated.

REP. DENNY stated this process should go through the courts but as the representatives of the people they have a better chance at this through legislation.

CHAIRMAN SIMPKINS stated this bill had a lousy start and had received bad publicity. He looked to the committee for guidance whether they should consider the amendment or not. He asked the committee what they found objectionable in the bill and the

amendment and stated they could amend the bill further if that was the pleasure of the committee or they could start all over and make a committee resolution which would require a two thirds vote by the committee to do so.

REP. SQUIRES asked if they still had time to introduce a committee resolution or if the deadline had passed.

Sheri Heffelfinger stated the deadline had been February 11, but they could suspend the rules on the floor.

REP. MARTINEZ stated they needed to do something about the issue.

REP. GALVIN asked what would happen when someone fired the first shot. He stated this would give people the idea that they could carry concealed weapons and they can't have that happen.

REP. DENNY stated he understood what he was saying. The amendment addressed that and people currently think they have that right. This resolution would call on the Governor to define the unorganized militia.

REP. GALVIN stated he didn't think the Governor had the authority to do such a thing.

REP. DENNY stated if they didn't do something they would be seeing people getting hurt and killed. He thought there was a better way to go about things.

CHAIRMAN SIMPKINS took an informal vote to see if the committee wanted to have a committee resolution. The motion failed.

Motion: **REP. BRAINARD MOVED HJR 18 DO PASS. REP. BRAINARD MOVED HIS AMENDMENTS TO HJR 18.**

Discussion:

REP. DENNY stated regardless of what the committee decided to do with the bill they owed it to the sponsor to amend the bill.

REP. MASOLO agreed with **REP. DENNY**.

Vote: Motion carried 18-2 with **REP. GALVIN** and **REP. HAGENER** voting no and **REP. KITZENBERG** voting by proxy.

Motion: **REP. BRAINARD MOVED HJR 18 DO PASS AS AMENDED.**

Discussion:

REP. HEAVY RUNNER stated this deals with Montana history and calls to the paranoia of people and also points to disaster.

REP. REHBEIN stated they could either like and accept what is going on in Montana or attempt to set guidelines. He stated he didn't see any other way to address this, but in this manner.

CHAIRMAN SIMPKINS stated this has nothing to do with Montana history. There simply are no guidelines for this.

{Tape: 1; Side: B.}

REP. SCHWINDEN stated he thought this is what they were talking about and there are citizens involved.

REP. SQUIRES stated there are concerns with using the constitution to promote an unorganized militia. She asked where they had the authority to do something like this. She didn't see the resolution as a possible solution to the problems and didn't think the Governor was the appropriate person to deal with these things as much as another person might be qualified.

CHAIRMAN SIMPKINS stated they needed to define an unorganized militia and the Governor is the commander and chief of the militia so he would be the appropriate one to do this. The adjutant general wouldn't be able to address this because he works for the Governor.

REP. MASOLO stated the Governor already has the power.

REP. TAYLOR stated they all have different perspective on this issue.

REP. TROPILA stated this would be giving legitimacy to a "bunch of kooks."

REP. STOVALL stated the way the paper portrayed the resolution was unfortunate, but it would be a mistake to pass this because of how it was portrayed.

Vote: Motion failed 6-12 with REP. SIMPKINS, REP. DENNY, REP. BRAINARD, REP. GREEN, REP. REHBEIN, AND REP. SMITH voting yes and REP. KITZENBERG voting by proxy.

Motion/Vote: REP. DENNY MADE A SUBSTITUTE MOTION TO TABLE HJR 18. Motion passed 16-2 with REP. SIMPKINS and REP. REHBEIN voting no and REP. KITZENBERG voting yes by proxy.

EXECUTIVE ACTION ON HB 523

Motion: REP. SQUIRES MOVED HB 523 DO PASS AS AMENDED. REP. DENNY MOVED A NEW SET OF AMENDMENTS.

Discussion:

REP. DENNY explained the amendments.

Vote: Motion carried unanimously with REP. KITZENBERG voting by proxy.

Discussion:

REP. MASOLO asked if this will use federal or state money.

Ms. Heffelfinger stated this will pass a mechanism to spend any federal and state money if appropriated to this project.

REP. DENNY stated they would also spend any money from foundation contributions or donations.

REP. TAYLOR stated she was confused where the \$2 million would come from. She asked if it would come from Americorps.

Mary Blake stated the money would come from Americorps.

REP. TAYLOR asked what the money was and where it came from.

Ms. Blake state the money was grant money that they had applied for to the state or different agencies. The state has to approve all grant money.

REP. TAYLOR stated she was concerned with the money that was going to the people. She didn't want them using this as a way for them to come in and get residency. She didn't want these funds from the state of Montana to go to people outside of the state.

Ms. Blake stated there were Montanans who were going out of state with this program. There were only about 20% of the people from out of state. She stated this money also goes to the people from in state as well.

REP. MASOLO asked how many people are involved in Montana.

Ms. Blake stated there are about 200 people.

REP. MASOLO asked if this was going to be granted for one more year federally.

Ms. Blake stated they hoped this would be funded forever. She stated every year there is a new application process they need to go through and it depends on the quality of the program how much money they receive.

REP. MASOLO asked if this is a match program.

Ms. Blake stated there is some local support and it is not just federally funded.

REP. MASOLO stated she had made reference to a program in Townsend during the hearing. She asked what program was in place in Townsend.

Ms. Blake stated it was a community action program.

REP. SMITH stated this program used to be all federal dollars and now the state is dishing money out to help fund the program. She didn't think it was a good idea to buy in again.

REP. GREEN stated they said this would add 110 FTEs. In a short time they could be footing the bill for all of it.

CHAIRMAN SIMPKINS stated the FTEs are already there and before they didn't put in any general fund money. Now there is general fund money and the cities are choosing to be a part of it.

REP. GREEN stated money is money whether it comes from the federal government or the state.

REP. SQUIRES stated she didn't want to see other people get the money that would otherwise be used for this state. She thought they would be talking hypocritically if they wouldn't set this program up. She thought the program was a positive one and should be funded.

REP. SMITH stated this program takes 65% of the general fund money, which if they can't use it, they will waste. There needs to be a time when they decide not to feed at the trough and say they are not going to accept the money. They need to help get the country turned around.

REP. MASOLO asked what qualifications these people need to have to be involved.

Ms. Blake stated they have to be at least 17 years old or older. It is like the Peace Corps.

REP. DENNY stated regardless of what happens, the bill will still be here. They won't be getting rid of the project and the only thing the bill does is conform with federal guidelines.

Ms. Heffelfinger stated the bill passed last session had a sunset clause in it and if this bill dies the state terminates appropriations for this program. General appropriations can still take place but this is essentially a clean-up bill.

Vote: Motion failed in a 9-9 vote.

EXECUTIVE ACTION ON HB 423

Motion: **REP. SCHWINDEN** MOVED HB 423 DO PASS. **CHAIRMAN SIMPKINS** MOVED THE AMENDMENTS.

{Tape: 2; Side: A.}

Discussion:

REP. GALVIN submitted EXHIBIT 1.

REP. DENNY stated he had a concern that those not already working would have the advantage.

REP. GALVIN stated there had been little response.

CHAIRMAN SIMPKINS stated there is essentially free advertisement and it replaces the door-to-door campaigning.

Vote: Motion carried 15-3 with REP. HEAVY RUNNER, REP. SCHWINDEN, and REP. GALVIN voting no and REP. KITZENBERG voting by proxy.

Motion/Vote: CHAIRMAN SIMPKINS MOVED THE AMENDMENTS. Motion carried 15-3 with REP. SCHWINDEN, REP. HEAVY RUNNER, AND REP. GALVIN voting no and REP. KITZENBERG voting by proxy.

Motion/Vote: REP. MARTINEZ MOVED HB 423 DO PASS AS AMENDED. Motion carried 17-1 with REP. REHBEIN voting no and REP. KITZENBERG voting by proxy.

ADJOURNMENT

Adjournment: 10:00 A.M.



RICHARD SIMPKINS, Chairman



CHRISTEN VINCENT, Secretary

RS/cdv

HOUSE OF REPRESENTATIVES

State Administration

ROLL CALL

DATE 2-16-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Dick Simpkin, Chairman	✓		
Rep. Matt Denny, Vice Chairman, Majority	✓		
Rep. Dore Schwinden, Vice Chair, Minority	✓		
Rep. Matt Brainard	✓		
Rep. Pat Galvin	✓		
Rep. Dick Green	✓		
Rep. Toni Hagener	✓		
Rep. Harriet Hayne	✓		
Rep. George Heavy Runner	✓		
Rep. Sam Kitzenberg			✓
Rep. Bonnie Martinez	✓		
Rep. Gay Ann Masolo	✓		
Rep. Bill Rehbein	✓		
Rep. Susan Smith	✓		
Rep. Jay Stovall	✓		
Rep. Carolyn Squires	✓		
Rep. Lila Taylor	✓		
Rep. Joe Tropila	✓		



HOUSE STANDING COMMITTEE REPORT

February 17, 1995


Page 1 of 4

Mr. Speaker: We, the committee on State Administration report that House Bill 423 (first reading copy -- white) do pass as amended.

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

1. Title, line 5.
Following: "LIMITATIONS;"
Insert: "DESCRIBING EXPENDITURES THAT ARE SUBJECT TO LIMITATION;
PROVIDING FOR THE REPORTING OF THE EXPENDITURES; PROVIDING
GUIDELINES RELATED TO INDEPENDENT COMMITTEES;"
2. Title, line 11.
Strike: "SECTION"
Insert: "SECTIONS"
Following: "13-10-202"
Insert: "AND 13-37-225"
3. Page 1, line 15.
Following: "(1)"
Insert: "(a)"
4. Page 1, line 17.
Following: "expenditures."
Insert: "(b)"
5. Page 1, line 18.
Strike: "5"
Insert: "6"
Following: "includes"
Insert: ": (i)"
Following: "committee"


Committee Vote:
Yes 17, No 1.

411346SC.Hbk

Strike: "and"
Insert: "; (ii)"

6. Page 1, line 19.

Following: "candidate"

Insert: "(iii) work performed by the candidate on behalf of the candidate's campaign, which must be valued as if the candidate were paid the daily rate of current legislative salary provided in 5-2-301;

(iv) volunteer work, which must be valued as if the candidate paid each volunteer worker minimum wage as determined under 39-3-409, that is performed:

(A) on behalf of the candidate; or

(B) on behalf of a committee independent of the candidate's campaign but that influences the election in favor of the candidate; and

(v) an expenditure made by a candidate, the candidate's family, or, subject to [section 6], a committee acting independently of the candidate's campaign, made in support of the candidate or in opposition to the candidate's opponent"

7. Page 1, line 21.

Following: "[section 2]"

Insert: "or in a mutual agreement negotiated between candidates"

8. Page 1, line 22.

Following: "law"

Insert: "or in the mutual agreement"

9. Page 2, line 17; page 4, line 20; and page 5, line 1.

Following: "[section 2]"

Insert: "or in a mutual agreement negotiated between candidates"

10. Page 3, line 27.

Strike: "5"

Insert: "6"

11. Page 4.

Following: line 15

Insert:

"NEW SECTION. Section 6. Independent committee activities approved or disapproved by candidate. (1) Before a committee operating independently of a candidate's campaign may engage in activities that will benefit a candidate, the committee shall contact the candidate and ask the candidate if the candidate approves of the committee's activities.

(2) If the candidate approves of the committee's activities:

(a) the committee is no longer an independent committee but is a political committee as defined in 13-1-101. The committee shall acknowledge on all literature, posters, advertisements, radio or television spots, or other material promulgated in a way that benefits a candidate's campaign that the candidate approves of the committee's activities; and

(b) the committee's expenditures relevant to the candidate's campaign must be counted toward the candidate's expenditure limit if the candidate has agreed to voluntary expenditure limitations under [section 1].

(3) If the candidate does not want the endorsement of the committee and does not approve of the committee's activities:

(a) the committee shall acknowledge on all literature, posters, advertisements, radio or televisions spots, or other material promulgated in a way that benefits a candidate's campaign that the candidate does not approve of the committee's activities; and

(b) the committee's expenditures do not count toward the candidate's limit if the candidate has agreed to voluntary expenditure limitations under [section 1].

(4) If a committee intentionally or negligently fails to comply with the requirements of this section, the committee may be fined under the provisions of 13-37-128."

Renumber: subsequent sections

12. Page 5.

Following: line 10

Insert:

"Section 8. Section 13-37-225, MCA, is amended to read:

"13-37-225. **Reports of contributions and expenditures required.** (1) (a) 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.

(b) Each candidate and political committee shall include in the report expenditures subject to voluntary limitation under [section 1].

(c) 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

13. Page 5, lines 12 and 14.

Strike: "5"

Insert: "6"

-END-

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-16-95 BILL NO. HJ NUMBER 18

MOTION: Rep. Brainard moved to pass as amended.

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority		✓
Rep. Matt Brainard	✓	
Rep. Pat Galvin		✓
Rep. Dick Green	✓	
Rep. Toni Hagener		✓
Rep. Harriet Hayne		✓
Rep. George Heavy Runner		✓
Rep. Sam Kitzenberg <i>By Proxy</i>		✓
Rep. Bonnie Martinez		✓
Rep. Gay Ann Masolo		✓
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall		✓
Rep. Carolyn Squires		✓
Rep. Lila Taylor		✓
Rep. Joe Tropila		✓

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-16-95 BILL NO. 45 NUMBER 18

MOTION: Rep. Denny made a substitution motion
to Table

Table Denny

NAME	AYE	NO
Rep. Dick Simpkin, Chairman		✓
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg <i>By Proxy</i>	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein		✓
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-16-95 BILL NO. HJ NUMBER 18

MOTION: Rep. Brainard moved the amendments

hj001804.ash

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard	✓	
Rep. Pat Galvin		✓
Rep. Dick Green	✓	
Rep. Toni Hagener		✓
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg <i>By Proxy</i>	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-16-95 BILL NO. HB NUMBER 523

MOTION: Rep. Squires moved to pass as amended.

Squires

Amended

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard		✓
Rep. Pat Galvin	✓	
Rep. Dick Green		✓
Rep. Toni Hagener	✓	
Rep. Harriet Hayne		✓
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg <i>By Proxy</i>		✓
Rep. Bonnie Martinez		✓
Rep. Gay Ann Masolo		✓
Rep. Bill Rehbein		✓
Rep. Susan Smith		✓
Rep. Jay Stovall		✓
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-16-95 BILL NO. HB NUMBER 523

MOTION: Rep. Denny moved the amendment.

hb055302.001

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg <i>By Proxy</i>	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-16-95 BILL NO. HB NUMBER 423

MOTION: Rep. Simpkins moved the amendment

hh042301.ash

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority		✓
Rep. Matt Brainard	✓	
Rep. Pat Galvin		✓
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner		✓
Rep. Sam Kitzenberg <i>By Proxy</i>	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-16-95 BILL NO. HB NUMBER 423

MOTION: Rep. Simpkins moved the amendments

hb042308.ash

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority		✓
Rep. Matt Brainard	✓	
Rep. Pat Galvin		✓
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner		✓
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-16-95 BILL NO. HB NUMBER 423

MOTION: Rep. Martinez moved do pass as amended

hb042303.ash

AD amended.

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg <i>By Proxy</i>	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein		✓
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

COMMITTEE FILE COPY

TABLED BILL

The HOUSE STATE ADMINISTRATION COMMITTEE TABLED HJ 18, by motion, on
THURSDAY, February 16, 1995.

Christen Vincent
(For the Committee)

D. Shelton

(For the Chief Clerk)

10:57
(Time)

2-16-95
(Date)

February 16, 1995 -- 10:42am

Christen Vincent, Secretary

Phone: 4879

COMMITTEE PROXY

Date 2-16-95

I request to be excused from the State Ad
 Committee meeting this date because of other commitments. I
 desire to leave my proxy vote with Susan Smith.

Indicate Bill Number and your vote Aye or No. If there are
 amendments, list them by name and number under the bill and
 indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO
✓ HB 268 no vote	X	
✓ HB 423	X	
HB 399 In Limbo		X
✓ HR 18		X

SENATE BILL/AMENDMENT	AYE	NO

Rep. Sam Kasperberg
 (Signature)

Amendments to House Bill No. 523
First Reading Copy

Requested by Rep. Denny
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
February 15, 1995

1. Page 7, line 4.
Strike: "and"

2. Page 7, line 6.
Following: "concerned"
Insert: "; and

(iii) as provided in 42 U.S.C. 12637, does not duplicate existing government programs or displace employees"

Amendments to House Joint Resolution No. 18
First Reading Copy

Requested by Rep. Brainard
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
February 15, 1995

1. Title, line 5.

Strike: "UNQUESTIONED AND IS"

2. Title, lines 6 through 10.

Strike: "PROVIDING" on line 6 through "MAINTENANCE" on line 10

Insert: "URGING THE GOVERNOR TO ESTABLISH GUIDELINES FOR THE
EDUCATION AND TRAINING OF THE UNORGANIZED MILITIA"

3. Page 2.

Strike: lines 4 and 5 in their entirety

4. Page 2.

Strike: lines 9 through 12 in their entirety

Insert: "WHEREAS, members of the unorganized militia have been
given no clear direction as to equipage, training, or
responsibilities; and

WHEREAS, lack of direction affords factional parties
opportunity to disrupt the domestic tranquility of Montana."

5. Page 2, line 16.

Strike: "declare"

Insert: "recognize"

6. Page 2, line 17.

Strike: "unquestioned and is"

7. Page 2, lines 17 through 20.

Strike: "that" on line 17 through "maintenance" on line 20.

Insert: "hereby urge the Governor, as commander-in-chief of the
unorganized militia, to establish guidelines for the
suitable education, training, and regulation of the
unorganized militia"

Amendments to House Bill No. 423
First Reading Copy

Requested by Rep. Simpkins.
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
February 14, 1995

1. Page 5.
Following: line 10
Insert:

"Section 7. Section 13-37-225, MCA, is amended to read:

"13-37-225. **Reports of contributions and expenditures required.** (1) (a) 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.

(b) Each candidate and political committee shall include in the report expenditures subject to voluntary limitation under [section 1].

(c) 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

EXHIBIT 1
DATE 2-16-95
HB 423

Hal, Harper

HB 423

Page 1 Amends -

Requires that every hour spent by candidate or volunteer must be valued at current legislative salary rate.

This is anti door-to-door, anti grass roots

Under this amendment, you would choose whether to knock on a few doors or spend \$10 on radio ads.

Runs counter to desired goals -- let people get to know their candidate better.

Also, would these requirements apply to regular reporting for campaigns?

How would they impact Argenbright's current duties and years as a candidate?

Page 2 -

Section 6. Adds nothing but confusion to bill and current law. Any committee that you know is operating on your behalf is not independent plus that money must be included in your reporting. If they are truly independent, you have no control and should have no knowledge of their activities. This amendment would confuse existing laws as well as this one.