

MINUTES

MONTANA SENATE
54th LEGISLATURE - REGULAR SESSION
COMMITTEE ON STATE ADMINISTRATION

Call to Order: By CHAIRMAN ETHEL HARDING, on February 17, 1995,
at 10:10 AM

ROLL CALL

Members Present:

Sen. Ethel M. Harding, Chairman (R)
Sen. Kenneth "Ken" Mesaros, Vice Chairman (R)
Sen. Mack Cole (R)
Sen. Mike Foster (R)
Sen. Don Hargrove (R)
Sen. Vivian M. Brooke (D)
Sen. Bob Pipinich (D)
Sen. Jeff Weldon (D)

Members Excused: N/A

Members Absent: N/A

Staff Present: David Niss, Legislative Council
Gail Moser, Committee Secretary

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

Committee Business Summary:

Hearing: SB 392 SB 372 SB 379
Executive Action: SB 392 DO PASS
SB 324 DO PASS

{Tape: 1; Side: A; Approx. Counter: 63.5}

HEARING ON SB 392

Opening Statement by Sponsor:

SEN. DELWYN GAGE, Senate District 43, Cut Bank, said SB 392 is a committee bill. He said he is involved with the Pacific Northwest Economic Region which is an organization made up of Oregon, Washington, Idaho, Montana, Alaska, and two Canadian provinces, British Columbia and Alberta. The purpose of the organization is to focus efforts on combining the economic strengths of the states and provinces to improve the Region's

competitiveness and take advantage of growing opportunities in the Pacific rim, European community, and other major markets around the globe. SB 392 is similar to bills in the other states and provinces of the Region to ensure representation by all members. **SEN. GAGE** described areas of strengths specific to some members as reasons for their inclusion in the Region's efforts.

Proponents' Testimony: None

Opponents' Testimony: None

Questions From Committee Members and Responses:

SEN. DON HARGROVE asked Senator Gage if it is necessary to have legislation for the Governor to participate in the Region.

SEN. GAGE said it probably could be done by Executive Action, but legislation allows him (or his designee) budgeting authority for attendance to the Region's meetings.

SEN. KEN MESAROS asked Senator Gage to give an estimation of the amount of travel or number of meetings. **SEN. GAGE** said there are generally two meetings per year that the CEOs or Executives would attend. **SEN. MESAROS** asked Senator Gage if that expense would be paid through the Governor's office. **SEN. GAGE** answered he believed it would be.

SEN. MACK COLE asked how active the group is or is it just getting started. **SEN. GAGE** said they are very active, and one of the members had served for 20 years as the executive officer of the organization. **SEN. COLE** asked if the organization has office space in Seattle. **SEN. GAGE** said that First Interstate gave them office space at a very low cost.

SEN. VIVIAN BROOKE asked for clarification regarding compensation for the legislative representatives who are involved with the organization, i.e., is the salary \$52 per day or does that include travel. **SEN. GAGE** said he is not sure if the members are entitled to a salary. He has never requested compensation of that type. **SEN. BROOKE** said it is not clear then if legislative members are compensated for travel. **SEN. GAGE** said there is an appropriation request from the Executive Branch that would include \$30,000 for dues and \$16,000 for travel expenses. **SEN. BROOKE** asked if a legislator were to become more involved but not able to afford their own travel expenses, would they be compensated. **SEN. GAGE** said they would be allowed to claim travel expenses.

SEN. BOB PIPINICH asked Senator Gage how much he is paid per day under section 5-2-302. **SEN. GAGE** said he is not sure as he has not put in for compensation, but he is entitled to travel costs. **SEN. PIPINICH** asked, if it is a policy this session to cut these

types of boards out, why participation in this organization being maintained. **SEN. GAGE** said he is not sure and those are decisions being made by the Appropriations Committee.

Closing by Sponsor:

SEN. GAGE said Montana would be well served by participation in the Pacific Northwest Economic Region. Other states who are involved are very supportive. He said the dues for Oregon, Washington, British Columbia, and Alberta are \$25,000 per year. The dues for the smaller members, Alaska, Montana, and Idaho are \$15,000 per year. **SEN. GAGE** added that at one point, Alberta and British Columbia appropriated an additional \$100,000 from each of their governments to assist and support the efforts of the organization.

CHAIRMAN HARDING closed the Hearing on SB 392.

HEARING ON SB 372

Opening Statement by Sponsor:

SEN. BARRY "SPOOK" STANG, Senate District 36, St. Regis, said that early in the session, he was approached by the father of a student in Helena Capital Honors Government class and was asked to sponsor a bill as one of the class projects. **SEN. STANG** answered that if the student would present the bill to him and convince him it was a good idea, he would introduce it. SB 372 is the project, and it requires payment of compensation to state agencies for time spent by their employees in answering subpoenas. This is a current practice of the Highway Patrol.

Proponents' Testimony:

Kelsi MacIntyre, student at Helena Capital High School, handed out written testimony which she read verbatim (EXHIBIT 1).

Sarah McDonough, student at Helena Capital High School, handed out written testimony which she read verbatim (EXHIBIT 2).

Opponents' Testimony: None.

Questions From Committee Members and Responses:

SEN. HARGROVE said he agrees that an insurance company or large corporation, etc., should pay the state for an employee's time answering a subpoena. However, **SEN. HARGROVE** asked

Kelsi MacIntyre, if a private citizen were involved in a civic action and wanted to subpoena an employee of the state but they might not have the resources to do it, would that person, therefore, be denied legal process. **Ms. MacIntyre** said that since the average cost for an attorney is \$75 to \$100 per hour, the average \$12 per hour to pay for a state employee's time seems quite reasonable.

SEN. JEFF WELDON asked Kelsi MacIntyre if, in a criminal suit in which the state had an interest or had information, and the local county prosecutor had to subpoena a state employee, the county would then have to reimburse the state agency.

Ms. MacIntyre said she did not know but she could find out.

SEN. WELDON asked Senator Stang what procedure is used to calculate and bill the party requesting the subpoena. **SEN. STANG** said that is covered under section 2-18-626. A bill is calculated based on regular pay and benefits. **SEN. STANG** said the Department of Justice language states "may" bill, and he said that language could be added to address concerns involving counties or private citizens.

SEN. WELDON asked Senator Stang for clarification that one state agency would not bill another state agency. **SEN. STANG** said not unless there were accounting concerns, but adding "may" would address that issue.

Closing by Sponsor:

SEN. STANG said he believes the students did a great job researching the bill, and he believes SB372 is a good government bill.

CHAIRMAN HARDING closed the Hearing on SB 372.

EXECUTIVE ACTION ON SB 392

Motion: **SEN. MESAROS** moved that SB 392 DO PASS.

Discussion: **SEN. PIPINICH** said there is no fiscal note with SB 392, but Senator Gage had said SB 392 will cost about \$46,000, and he questioned again why this program should be kept while many others are being cut.

SEN. HARGROVE commented that the Governor is in charge of his own budget and programs, so he could participate in this program without this legislation. **SEN. HARGROVE** said he doesn't believe SB 392 is necessary.

SEN. WELDON said the Region is a statutory creation, and the current statute only lists that *legislators* participate.

SEN. COLE agreed with Senator Weldon, but he believes SB 392 shows that full participation is supported by our legislature.

SEN. BROOKE said she is in favor of SB 392 to express acknowledgement of the fact that there are activities going on in the Executive and Legislative Branch of governments in the global arena, and SB 392 expresses support for coordination of those efforts.

SEN. MESAROS agreed with Senator Brooke's comments regarding the Governor's participation as an active player in promoting the economic well-being of Montana.

SEN. PIPINICH said he didn't understand the difference between the difficulty in supporting Malstrom AFB and the ease in supporting SB 392.

Vote: The **MOTION CARRIED 6-2** on roll call vote.

HEARING ON SB 379

Opening Statement by Sponsor:

SEN. SUE BARTLETT, Senate District 27, Helena, began by quoting proponent's arguments for I118 from the 1994 Voter Information Pamphlet, "Money from special interests and the wealthy is drowning out the voice of regular people in Montana politics."

SEN. BARTLETT believes the sponsors of I118 were motivated by a deep concern for the amount of money in political campaigns and the influence those monied interests might have on office holders whose campaigns those special interests had bankrolled.

SEN. BARTLETT said the influence of political money is *not* going to go away in Montana because of I118, it's going to go into Independent Expenditure Campaigns (IECs) that are run by special interest groups in support of or opposition to a candidate.

SB 379 is designed to extend the clear intent of I118 to control the influence of special interest money in Montana politics, and SB 379 does that by specifically addressing the currently unregulated area of law concerning IECs. **SEN. BARTLETT** handed out a summary of provisions in SB 379 (**EXHIBIT 3**) and discussed the items on that Exhibit and gave examples to aid in clarification of the various topics. **SEN. BARTLETT** also handed out an amendment for SB 379 (**EXHIBIT 4**).

{Tape: 1; Side: B; Approx. Counter: 51.2}

Proponents' Testimony: None.

Opponents' Testimony:

Ed Argenbright, Commission of Political Practices, said he agrees with Senator Bartlett's comments regarding the inevitable increase in Independent Expenditure Campaign activity because of contribution limits currently in law from I118. **Mr. Argenbright** said he is concerned with the prospect of *administering* the provisions of SB 379. He said the complexity of SB 379 would be extremely difficult to deal with especially when considering the other duties his office already deals with. **Mr. Argenbright** also discussed the contribution limits under I118 and that those apply to both the primary and general elections.

J.V. Bennett, representing Montana Public Interest Research Group (MONTPIRG), stated their reluctant opposition to SB 379. They agree with Senator Bartlett about the problems that will arise as a result of I118, but they are concerned about the mechanics of SB 379, particularly sections 3 and 4, which create ever-changing contribution limits.

Deborah Smith, representing Common Cause, stated their reluctant opposition to SB 379 also. **Ms. Smith** said Common Cause agrees there is a problem regarding IEC contributions and that those campaigns are not necessarily affiliated with a candidate. **Ms. Smith** referred to a U.S. Supreme Court case, *Buckley v. Vallejo*, which prohibits any sort of limits on political speech. She believes SB 379 gets into a murky area regarding regulation of campaign contributions versus regulation of campaign issues.

Questions From Committee Members and Responses:

SEN. MESAROS asked Senator Bartlett how SB 379 will be enforced and what costs would be associated with the enforcement.

SEN. BARTLETT said she believes Mr. Argenbright is working on a fiscal note and thinks there will be a request for an additional four FTE by the Commissioner of Political Practices.

SEN. BARTLETT believes the public is demanding campaign finance reform and is willing to pay for it. **SEN. MESAROS** commented that it is difficult to comprehend the entire scope of SB 379 without the fiscal information and implementation issues.

SEN. HARGROVE asked Senator Bartlett to clarify her example of establishing a Political Action Committee. **SEN. BARTLETT** answered that she believes PACs will be conducting IECs rather than contributing directly to candidates. **SEN. HARGROVE** asked Senator Bartlett to clarify that a PAC will then act like an IEC. **SEN. BARTLETT** said she believes PACs will be the *sponsors* of

IECs. **SEN. HARGROVE** asked then if a group could be very informal, how could that group be specifically identified.

SEN. BARTLETT said she believes that identification is a key to knowing who contributes to an IEC. She said it is the right of an *individual* to spend money to influence an election without having to file a report with the Commissioner, and SB 379 does not change that. If, however, a *group* is formed in an attempt to influence an election, current laws require that group to file as a PAC with the Commissioner of Political Practices.

SEN. WELDON asked Deborah Smith, regarding her constitutional question concerning the regulation of political speech, in what way limiting the amount of money given to an IEC is not parallel to limits on the amount of money going to an individual candidate. **Ms. Smith** said this is a very gray area. She said limits on contributions to an IEC could be constitutional if the IEC were directly supporting or opposing a particular candidate. **Ms. Smith** said that by limiting the amount of contributions, you are effectively limiting the amount of money that a PAC or an IEC can raise. Common Cause believes that SB 379 does not meet the test set forth in *Buckley v. Vallejo*.

SEN. WELDON said he believes a key to SB379 is that it requires the *definition* of an IEC and states that a group would have to form a committee to specifically support or oppose a candidate.

SEN. WELDON said he believes SB 379 would meet the *Buckley v. Vallejo* test when considering the *definition* of an IEC.

SEN. COLE asked Senator Bartlett to clarify that an IEC would have to be independent and not communicate with a candidate.

SEN. BARTLETT said the intent is to ensure that there is not collusion between a candidate and an IEC as a means to increase contribution limits.

SEN. COLE asked for clarification that SB 379 would be regulated through the office of the Commissioner of Political Practices.

SEN. BARTLETT said the paperwork would flow through them and be reviewed for certain items. She added that, in reality, if there is an IEC in your support, your opponent and their supporters will consistently check out the information for contribution limits being exceeded.

SEN. BROOKE asked Senator Bartlett how groups of people who have formed an association but have not registered as a PAC are affecting elections. **SEN. BARTLETT** said she does not believe they are not registering as a PAC if they are engaging in campaign activities.

SEN. BROOKE asked Ed Argenbright basically the same question. **Mr. Argenbright** said his experience has been that some people simply are not aware that when two or more people get together to influence an election they must register as a PAC. He added that once the group is notified of this requirement, they do register as a committee.

Closing by Sponsor:

SEN. BARTLETT said the opponents agree that IECs may become a problem that has not been adequately addressed in Montana. She said she is willing to work on SB 379 with opponents and/or Committee members to make SB 379 a more workable bill.

SEN. BARTLETT stated that David Niss also has amendments for SB 343 which has to do with constituency service accounts, so when the Committee reaches Executive Action on SB 343, those amendments should be reviewed.

CHAIRMAN HARDING closed the Hearing on SB 379.

EXECUTIVE ACTION ON SB 324

Motion/Vote: **SEN. HARGROVE** moved that SB 324 DO PASS.
The MOTION CARRIED UNANIMOUSLY on oral vote.

EXECUTIVE ACTION ON SB 98

Discussion: **SEN. WELDON** stated concern regarding section 16 of Senator Foster's amendments to SB 98 which address limitations on contributions. **SEN. WELDON** explained that he believes language in that section changes the original intent of I118. **SEN. WELDON** said he didn't remember how he voted on this amendment, but if he voted in favor of it, he would like to show that he actually does not favor the amendment.

SEN. FOSTER said the issues were discussed, and he had pointed out that section 16 was tied to having a primary in the fall with a general in November, and the ability of the office of Commissioner to do that was very limited by tightening the time frames. **SEN. FOSTER** said by aggregating the amounts, the intent was that the total amount of money a candidate could potentially receive is not changed. He said he was attempting to address the concern about increasing the FTE's in the Commissioner's office and this amendment aggregating the amounts would not require additional FTE's.

SEN. BROOKE said she is concerned about how SB 98 lines up with I118 as decided by the voters. She believes the legislature should support enforcement of campaign reform concerns even if it means more FTE's at the Commissioner's Office.

SEN. HARGROVE asked for clarification regarding the amendments to SB 98 as not all of the votes were complete. The secretary recapped the previous voting as follows:

Senator Foster moved to accept amendments.
That motion carried even if Senators Cole and Pipinich, who were not present, had voted no.

Senator Hargrove moved to strike section 4 on page 2.
That motion carried on oral vote with Senator Foster voting no.

Senator Weldon moved to strike section 5.
That roll call vote was left open at 3-3 with Senators Cole and Pipinich absent, but later both voted yes, so that motion carried to strike section 5.

Motion: SEN. WELDON moved TO STRIKE SECTION 16 IN SENATOR FOSTER'S AMENDMENTS THAT WERE ACCEPTED YESTERDAY.

Discussion: SEN. WELDON said that if Senator Foster's intent was to make it easier for the Commissioner to administer SB 98, that would be good. However, it would also have the effect, in cases of an uncontested primary, of doubling the aggregate amount, which "flies in the face" of I118.

SEN. FOSTER said his intent was to make SB 98 more reasonable to administer. **SEN. FOSTER** said he believes it is not uncommon for the legislature to fine-tune something the voters approve on the ballot (i.e., I118).

Motion: SEN. PIPINICH made a SUBSTITUTE MOTION THAT SB 98 BE TABLED.

Vote: The MOTION FAILED 5-3 on roll call vote.

Motion: SEN. WELDON moved TO STRIKE SECTION 16 IN SENATOR FOSTER'S AMENDMENTS THAT WERE ACCEPTED YESTERDAY.

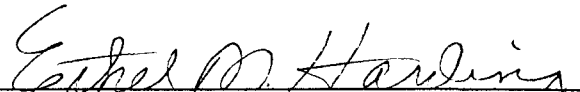
Vote: The ROLL CALL VOTE WAS 4-YES, 3-NO, SO THE MOTION WAS LEFT OPEN FOR SENATOR PIPINICH'S VOTE.

ADJOURNMENT

Adjournment: 11:55 AM

At 1:00 PM, 02/17/95, **Senator Pipinich** notified the Secretary that his vote should be counted as follows:

SB 98 STRIKE SECTION 16 OF THE AMENDMENTS No



ETHEL M. HARDING, Chairman



GAIL MOSER, Secretary

EMH/gem

MONTANA SENATE
1995 LEGISLATURE
STATE ADMINISTRATION COMMITTEE

ROLL CALL

DATE FR. 02-17-95

NAME	PRESENT	ABSENT	EXCUSED
VIVIAN BROOKE	✓		
MACK COLE	✓		
MIKE FOSTER	✓		
DON HARGROVE	✓		
BOB PIPINICH	✓		
JEFF WELDON	✓		
KEN MESAROS, VICE CHAIRMAN	✓		
ETHEL HARDING, CHAIRMAN	✓		

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 17, 1995

MR. PRESIDENT:

We, your committee on State Administration having had under consideration SB 392 (first reading copy -- white), respectfully report that SB '392 do pass.

Signed: Ethel M. Harding
Senator Ethel M. Harding, Chair

SA Amd. Coord.
SA Sec. of Senate

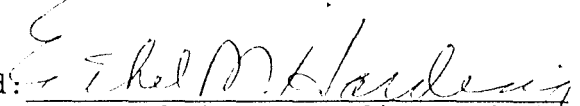
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SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 17, 1995

MR. PRESIDENT:

We, your committee on State Administration having had under consideration SB 324 (first reading copy -- white), respectfully report that SB 324 do pass.

Signed: 
Senator Ethel M. Harding, Chair


Amd. Coord.
Sec. of Senate

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MONTANA SENATE
 1995 LEGISLATURE
 STATE ADMINISTRATION COMMITTEE
 ROLL CALL VOTE

DATE 02-17-95 BILL NO. SB392 NUMBER _____

MOTION: MESAROS MOVED SB392 DO PASS

CAROLL 62

NAME	AYE	NO
VIVIAN BROOKE	✓	
MACK COLE	✓	
MIKE FOSTER	✓	
DON HARGROVE		✓
BOB PIPINICH		✓
JEFF WELDON	✓	
KEN MESAROS, VICE CHAIRMAN	✓	
ETHEL HARDING, CHAIRMAN	✓	

MONTANA SENATE
 1995 LEGISLATURE
 STATE ADMINISTRATION COMMITTEE
 ROLL CALL VOTE

DATE 02-17-95 BILL NO. SB98 NUMBER _____

MOTION: SEN WELDON MOVED TO STRIKE SECTION 16
OF SEN. FOSTER'S AMENDMENTS

FORMED
5-7

SEN PIPINICH MADE A SUBSTITUTE MOTION
TO TABLE SB98

NAME	AYE	NO
VIVIAN BROOKE	✓	
MACK COLE		✓
MIKE FOSTER		✓
DON HARGROVE		✓
BOB PIPINICH	✓	
JEFF WELDON	✓	
KEN MESAROS, VICE CHAIRMAN		✓
ETHEL HARDING, CHAIRMAN		✓

MONTANA SENATE
1995 LEGISLATURE
STATE ADMINISTRATION COMMITTEE
ROLL CALL VOTE

DATE 02-17-95 BILL NO. SB 98 NUMBER _____

MOTION: SEN WELDON (RETURN TO ORIGINAL MOTION)
TO STRIKE SECTION 16 OF SEN FOSTER'S
AMENDMENTS

Added
5-3

NAME	AYE	NO
VIVIAN BROOKE	✓	
MACK COLE		✓
MIKE FOSTER		✓
DON HARGROVE	✓	
BOB PIPINICH <u>NOT PRESENT AT VOTE</u>	✓	
JEFF WELDON	✓	
KEN MESAROS, VICE CHAIRMAN		✓
ETHEL HARDING, CHAIRMAN	✓	
<u>PERMIT TO VOTE (1pm 02-17-95)</u>	✓	

TESTIMONY
SENATE BILL NO. 372

KELSI MacINTYRE

SENATE STATE ADMIN.

EXHIBIT NO. 1

DATE 02-17-95

BILL NO. SB372

My name is Kelsi MacIntyre. I am a student at Helena Capital High School. I am a student in an Honors Government class. I appear here today with Sarah McDonough, who is also a member of the Honors Government Class.

This bill, sponsored by Senator Stang, is the result of one of our government class projects. The goal of this particular project was to identify the potential to make government more cost effective by placing the cost of government services on the person directly benefiting from the service.

I am aware, and the National Conference of State Legislatures has confirmed, that virtually every state in the United States provides that when a person issues a subpoena to a law enforcement official to require the official to testify in connection with the law enforcement' official's duties in a private civil dispute, the person issuing the subpoena must compensate the state for the regular pay and benefits for the law enforcement official's time spent in complying with the subpoena.

In visiting with a few Montana government officials, like Judy Browning, Chief of Staff for Governor Racicot, I learned that Montana has a similar statute, but it only applies to the Department of Justice. There is not currently a similar provision in Montana law that would allow any other agency of state government to be reimbursed for the time their employees are taken away from their normal work schedules to testify in court in

connection with their official duties in private civil actions to which their agency is not a party.

Although this bill may not save any one agency of the state of Montana an extraordinary large sum of money, it does place the burden of assuming the cost of using state government resources in private legal matters on the persons directly benefiting from the government service.

As an example, the Bureau Chief of the Water Rights Bureau of the Department of Natural Resources and Conservation provided me with the following information which covers the last year: 14 subpoenas have been issued to employees of the department's regional offices, which has resulted in those employees being in court for approximately 180 hours and in travel to and from court approximately 58.5 hours.

The Chief Legal Counsel for the Department of Administration has indicated that "[t]his legislation will stop the unnecessary calling of government employees in litigation. Sometimes employees are ordered to show up at civil litigant's dissolution hearings, this will limit that. Litigants will have to pay wages which will save the state money."

If the experience of other state agencies is similar to the Department of Natural Resources and Conservation, then you can see there will be even greater benefit to the State of Montana. And even in the short-term, say 10 years, the savings to the State of Montana becomes more and more clear. Ms. McDonough will give you the comments that have been received from other state agencies.

I hope you will see this bill as a "good government bill" which should cost the State \$0 to implement and yet net the State a substantial saving over the short-term. Thank you.

TESTIMONY
SENATE BILL NO. 372

SARAH McDONOUGH

My name is Sarah McDonough. I am a student at Helena Capital High School. I am a student in an Honors Government class. I appear here in support of Senate Bill No. 372.

As Ms. MacIntyre testified, various state agencies were contacted to determine whether the passage of this bill would have a positive impact on their agency. In addition to the Department of Natural Resources and Conservation and the Department of Administration, response were also received from the Department of Agriculture, Department of Fish, Wildlife and Parks, Department of Labor and Industry, Department of Family Services, and the Department of Revenue.

The following is a listing of the comments received from these agencies:

Department of Agriculture: "The department has always fulfilled what it believed to be its obligation to provide necessary information and to honor the subpoenas. It has also viewed this as unanticipated expenditures of time and money which might otherwise be devoted to other programs."

Department of Fish, Wildlife and Parks: The Department's fish and wildlife biologists occasionally receive subpoenas. This bill would allow the agency to recover the costs for their service that are otherwise lost to the programs. As indicated by the chief

legal counsel for the Department, "Requiring compensation may also curtail a practice of attempting to obtain 'free' expert testimony at the expense of the state."

Department of Labor and Industry: A survey was taken within the department and it was found that approximately 125 hours of staff time is used responding to subpoenas. At an average of \$12 per hour the agency could collect \$1,500.00 annually.

Department of Family Services: "DFS mostly receives subpoenas regarding custody disputes and some criminal cases. There would be a positive impact if the agency was reimbursed for employee time spent traveling and testifying. ... DFS social workers make an average hourly wage of \$12.65/hr. A rough estimate of days (8 hrs.) spent is anywhere from 200 to 500 days per year."

Department of Revenue: The Department of Revenue has employees who receive subpoenas concerning their job related duties. Most often the department employees who would be impacted by this bill are in the Liquor Division. There are about 5 or 6 subpoenas receive annually. The amount of pay and benefits has not been estimated by the Department of Revenue.

As you can see when all of the net positive impacts to each individual agency are added together, the State of Montana stands to recapture a discernible amount of money. This can be done by requiring those parties in lawsuits to which the state is not a party, but who subpoena state employees to testify in their behalf, to pay the real cost incurred by the State in providing the service.

Thank you. I hope you will pass this bill.

SB 379 -- Independent Expenditure Campaigns

- Defines an Independent Expenditure Campaign (IEC) as:
 - . One that is conducted independently
 - . Conducted without communication with or consent of the candidate benefited.
 - . AMENDMENT: Add prohibition of consent from and communication between a benefited candidate's campaign committee and the IEC.
 - . A PAC may conduct more than one IEC.

- Contributions to IEC:
 - . Must be made to a specific IEC fund.
 - . Are subject to I-118 limitations.
 - . Same contributor may not give both to an IEC and the candidate who may benefit from the IEC.

- Effect of IEC on Candidate Opposed/Opponent of Candidate Supported
 - . I-118 contribution limits are doubled for a candidate opposed by an IEC or for the opponent of a candidate supported by an IEC.
 - . Each additional IEC raises the limits for the opposed candidate or opponent of an IEC supported candidate by the I-118 amounts.
 - . AMENDMENT: Strike (b) [page 3, beginning on line 2]. This subsection does not make sense and the intent of the bill is achieved in 2(a).
 - . If there is communication between the IEC and the candidate benefited, all contributions to the IEC are counted toward the candidate's contribution limitations.

- Required Reports:
 - . Each IEC must be reported separately.
 - . Notice of an IEC and the name of the candidate supported/opposed must be filed with the Commissioner of Political Practices 30 days prior to expending any funds on the IEC.
 - . Contributions and expenditures must be reported on the timeline currently used for committees organized to support/oppose a ballot issue (page 1, line 22 and following).

- Section 5 (contribution limits under I-118) and Section 6 are included simply to conform current law to the provisions of SB 393.

SENATE STATE ADMIN.

EXHIBIT NO. 4

Amendments to Senate Bill No. 379
First Reading Copy

DATE 02-17-95

BILL NO. SB379

Requested by Sen. Sue Bartlett
For the Committee on Senate State Administration

Prepared by Sheri S. Heffelfinger
February 16, 1995

1. Page 1, line 14.
Following: "of the"
Insert: "candidate's committee or the"

DATE Fr. 02-17-95

SENATE COMMITTEE ON STATE Admin

BILLS BEING HEARD TODAY: SB392 / SB372 / SB372

Exec Act SB324 / SB300 / SB30 / SB98

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Check One

Name	Representing	Bill No.	Support	Oppose
Hilsi MacAtyle	self	372	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sarah McDonough	self	372	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Argenbrigi	Com. Pol Practices	379	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Deborah Smith	Common Cause		<input type="checkbox"/>	<input checked="" type="checkbox"/>
J.V. Bennett	Mont PIRG	379	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY