

MINUTES

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

Call to Order: By CHAIRMAN ETHEL HARDING, on January 10, 1995,
at 10:00 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: SB30 SB24 SB5
Executive Action: N/A

{Tape: 1; Side: A; Approx. Counter: 54.5}

HEARING ON SB30

Opening Statement by Sponsor:

SEN. DELWYN GAGE, Senate District 43, Cut Bank, stated that the foremost topic that has been discussed with him since he arrived in Helena is the fact that voters aren't allowed to vote a split ticket in the Primary. This issue has been dodged for a long time, but there are a lot of people who don't necessarily want to vote Democratic or Republican. This is especially true with local elections where the voters are familiar with the candidates. Consequently, the voter either doesn't vote or they are required to vote a straight party ticket. That doesn't preclude them from not voting for some other people, as they are not required to vote for everybody on the ticket. But, it does

preclude them from supporting two people in the primary they believe to be very qualified. **SEN. GAGE** stated that there may be games played with the split ticket. However, people should be given the opportunity to support the candidates they want to support in the Primary, Democratic or Republican. That's the entire thrust of SB30.

Proponents' Testimony:

Laurie Koutnik, of the Christian Coalition of Montana, stated that members of her organization, Republicans and Democrats both, are concerned about their ability to vote for qualified people that best represent their feelings and their interests on issues. **Ms. Koutnik** described a situation from her personal family history to illustrate the difficulty caused by not being able to vote a split ticket in the primary. **Ms. Koutnik** said that common sense should prevail, and people should be allowed to vote for those they feel are most qualified.

SEN. MIKE FOSTER said that since he has a campaign reform bill that includes this very provision, he would like to go on record as a proponent of SB30.

Opponents' Testimony: None

Questions From Committee Members and Responses:

SEN. JEFF WELDON asked Senator Gage how the election administrators correspond two ballots so that there isn't a vote for a Republican candidate and a Democratic candidate by the same voter. **SEN. GAGE** said he thinks it will be done the same way write-in ballots are presently handled. The election officials make sure that the write-in ballot matches the person who is voting on the total ballot to ensure that the voter hasn't voted for somebody as a write-in and voted for the regular candidates. **SEN. GAGE** said he's not sure exactly how the election officials complete this process, but basically, that is how it's handled. Also, if you vote for both candidates or more than one candidate, your ballot is thrown out.

SEN. FOSTER asked Senator Gage to verify that SB30 is proposing exactly what his Bill is going to propose in that there may be two Republican candidates running for an office and two Democratic candidates running for the same office. In this case, the voter can vote for one of those people, or write-in for that office, but the voter cannot vote for one Republican and one Democrat. **SEN. GAGE** said that's true.

SEN. MACK COLE asked Senator Gage if this follows the same procedure that is used in the General Elections. **SEN. GAGE** said, "Yes." **SEN. COLE** said he assumes it would have to be worked out by the election judges or the counties to ensure double voting does not take place. **SEN. GAGE** stated that his initial feeling

was 'why even have a Primary?' Everybody who wants to run should run, and you vote in the General Election and the guy who gets the most votes wins. However, that method wouldn't work because somebody might not get a majority. **SEN. COLE** commented that he definitely thinks a Primary is needed to reduce the number of candidates down to one from each party. **SEN. GAGE** stated that the election administrators would structure the process so that it is the most administratively efficient.

SEN. VIVIAN BROOKE asked Senator Gage if he would agree to an amendment to delete the plural ballots and insert ballot?

SEN. GAGE responded that such an amendment would be fine -- whatever makes the most sense and works the best. **SEN. BROOKE** said she thinks it would complicate the administrative process of getting out the election returns if there were two ballots that had to be cross-checked for marks on one and not the other.

SEN. GAGE stated his concern with a single ballot deals with the process for write-in candidates. **SEN. BROOKE** said the process for write-in candidates would be handled on the ballot as well.

SEN. GAGE said he wouldn't have a problem with that personally, but that it would preclude any local people who may want to have two ballots from having two.

SEN. WELDON, speaking to Joe Kerwin, the Election Administrator at the Secretary of State's Office, stated he presumes that the Secretary of State has sufficient rule-making authority to carry out the details of SB30. **SEN. WELDON** asked Mr. Kerwin if he anticipated any technical problems with the way SB30 is written as it might affect rule-making? **Joe Kerwin** stated that there may be some changes in the laws, but it would be minor amendments to SB30 to clarify that the Secretary of State has the appropriate rule-making authority. In addition, there are sections that reference having separate ballots, identical ballots, that would have to be changed. There's also a section in Chapter 17 of Title 13 that deals with the specifications for voting machines. **Mr. Kerwin** said that voting machines have to be approved by the Secretary of State's Office to ensure the correct functioning of the software. There would also be some minor cleanup language to SB30. **Mr. Kerwin** also addressed the issue of counties having to deal with their software vendors to make changes and then the certification of the voting devices with the Secretary of State's office.

CHAIRMAN HARDING stated that she was concerned with the fact that there has not been testimony from any local election administrators.

Closing by Sponsor:

SEN. GAGE stated that SB30 is truly a people's Bill. He said that he circulated among the lobbyists asking what they thought of SB30. **SEN. GAGE** stated one of the lobbyists looked at SB30 and said, "It'll never fly." When Senator Gage asked him why not, the lobbyist responded, "It makes too much sense."

HEARING ON SB24Opening Statement by Sponsor:

SEN. CHUCK SWYSGOOD, Senate District 17, Dillon, said that SB24 is in answer to the many times the question was asked: "Why isn't a voter information pamphlet sent out with the absentee ballot?" The people who are especially affected by this lack of information are the service men and women stationed all over the United States and the world. The result is an uninformed voting public. SB24 does a couple of things. First, on page 2, it now states that if a statewide ballot issue appears on the ballot to be sent to the elector, the election administrators shall include a voter information pamphlet with the instructions. Sections 2 and 3 move the submission date forward (20 days sooner) for all information that is to be included in the information pamphlet as well as the date the pamphlets are delivered to the counties (15 days sooner).

Proponents' Testimony:

Joe Kerwin, of the Secretary of State's office, said his office thinks SB24 is an excellent Bill. It provides a needed opportunity to get the voter information pamphlet out to absentee voters. The law requires that the voter information pamphlet be at the polls so that as people go to vote, they have that information. The information pamphlet is especially important when there are a number of different ballot issues to be considered.

Susan Good, representing Citizens Against Prolific Spending, stated that it is not a great difficulty to have the text for the pros and cons submitted in advance. Her group would welcome any opportunity that allows people to make informed decisions.

Arlette Randash, representing Eagle Forum, stated that her organization receives calls to provide information on ballot issues to their members who serve in the military out of state and sometimes across the world. Also, on a personal level, her daughter attends college in Ohio and, during every election cycle, she calls home for ballot information.

Laurie Koutnik, Executive Director of Christian Coalition, stated her organization also responds to a tremendous amount of absentee voters who call for information not only on the candidates and their positions on issues, but on the ballot initiatives. Also, as an organization that worked to qualify bills and initiatives, the Christian Coalition believes it makes good sense to ensure that voters are an informed group.

Chris Imhoff, Legislative Chair of the League of Women Voters of Montana, handed out written testimony which she also read verbatim (EXHIBIT 1).

SEN. DON HARGROVE stated he would like to go on record as a proponent of SB24. **SEN. HARGROVE** said he voted an absentee ballot for several years, and if you don't live in the area and don't have the information, you wind up voting a straight ticket which is not conducive to the democratic process.

Opponents' Testimony:

Mark Mackin, citizen, stated he is not actually speaking as an opponent of SB24, but he asked whether SB24 would affect deadlines for signature gathering. **CHAIRMAN HARDING** asked Mr. Kerwin to answer Mr. Mackin's question. **Mr. Kerwin** answered that SB24 would not affect the deadlines for petition gathering at all.

Questions From Committee Members and Responses:

SEN. BROOKE asked Senator Swysgood who will be responsible for paying the postage to get the information pamphlets to the absentees. **SEN. SWYSGOOD** answered that it would be the responsibility of local election administrators, and local clerks of courts. **SEN. BROOKE** said she would interpret SB24 as a state mandate coming down to the local level without any fiscal note to support it. **SEN. SWYSGOOD** responded that the fiscal note will indicate a minimal increase in county government expenditures.

Closing by Sponsor:

SEN. SWYSGOOD stated SB24 is a people's bill and that the voters need to be informed on all election issues. SB24 attempts to correct the process to ensure Montana of an informed voting public.

CHAIRMAN HARDING closed the Hearing on SB24.

HEARING ON SB5

Opening Statement by Sponsor:

SEN. JEFF WELDON, Senate District 35, Arlee, said he believes that Montanans have, in no uncertain terms, protected the polling places from politicking. Two explicit examples of this are in current Montana Code. Section 13-35-233 prohibits campaigning or soliciting of votes on election day and provides for a strong penalty for doing so. Section 13-35-211 states that there will be no electioneering on election day within 200 feet of a polling place. Electioneering is defined in administrative rules, in part, as solicitation or support or opposition to a candidate or issue to be voted upon at the election or polling place by means of personal persuasion or the display or distribution of campaign material. **SEN. WELDON** said he believes the philosophy behind these protections is that election day and the polling place are indispensable parts of our democracy. SB5 attempts to strengthen

this philosophy by stating that electioneering also includes the promotion of a proposal to place a ballot issue on a future ballot. **SEN. WELDON** related two stories regarding problems with signature gathering at the polling place. One story was about a friend who lives in a large precinct who recounted an experience from the last election cycle of feeling as if he had literally run the gauntlet through signature gatherers at the door of his polling place. The second story was a letter Senator Weldon received from a person in Billings (**EXHIBIT 2**). **SEN. WELDON** said he believes signature gathering is, in fact, electioneering as it is an active endorsement and solicitation of support for a proposal to place a ballot issue on a future election ballot. Signature gathering is a promotion of a particular political policy, or more simply put, signature gathering is politicking. Supporting a ballot issue proposal is advancing a particular opinion, something we do not tolerate in other ways on election day. If it is the policy of our society to preserve the polling place for voters, then we ought to leave active politicking at least outside of the polling area. If our behavior as signature gatherers in any way restricts, inhibits, or intimidates a voter's access to the ballot box, then we really must change that behavior. SB5 attempts to strengthen our polling place by keeping our polling place free from a political taint by placing politics outside on election day.

Proponents' Testimony:

Don Waldron, representing the Montana Rural Education Association, stated he represents over 100 districts whose schools are used as polling places. **Mr. Waldron** said elections provide a good opportunity to have the taxpayers come into the schools, and the districts want to leave a good impression with the taxpayer. However, **Mr. Waldron** stated he has had good patrons of the schools ask to have the petition gatherers removed from the polling place. **Mr. Waldron** said his goal is to allow the taxpayers to come in freely and vote and enjoy their trip to the school.

Opponents' Testimony:

Arlette Randash, representing Eagle Forum, stated there are registration forms in the phone books, candidates register voters as they campaign, and organizations hold registration drives -- SB5 would chill the democratic process. By passing SB5, the very people who are most interested in good government, those who vote, would be prohibited from being solicited to even sign a petition at the most convenient place. **Ms. Randash** stated that the weather in Montana, even at the 200 foot limit, is a prohibition. **Ms. Randash** also said that asking someone to sign a petition to bring something to a vote on a ballot is not electioneering or promoting the success or defeat of an issue. It is an invitation to participate in grassroots government.

Susan Good, representing Citizens Against Prolific Spending, stated that many good ideas come from the Legislature, but good ideas also come from real folks out in the sticks. **Ms. Good** said that since the Magna Carta, people have had the right to petition the government. Anything that occurs that abrogates that right or makes it more difficult, is unacceptable to the group of people she represents. **Ms. Good** said that, on a more practical level, county clerks she spoke with were pleased with signatures that were gathered at a polling place. The signatures are organized by precinct and district and they are most certainly registered voters. **Ms. Good** pronounced that having to deal with signature gatherers at the polling place is a small price to pay for being able to participate in the political process.

Fred Happel, speaking for Montanans for Better Government, said his organization's view is that SB5 is nothing more than an attempt to circumscribe the right of the people and regress their grievances against the government.

C.B. Pearson, citizen, handed out written testimony which summarizes his statements (**EXHIBIT 3**). **Mr. Pearson** also suggested a procedure which was followed at the Stevensville polling place: after the voter had completed their voting, the election judges informed the voter that there were a number of petitions available, and if the voter was interested, it was their option to go over and participate. **Mr. Pearson** also cited weather as an issue in Montana for those who are gathering signatures.

J.V. Bennett, representing the Montana Public Interest Research Group (MONTPIRG), handed out written testimony which he also read verbatim (**EXHIBIT 4**).

Mark Mackin, citizen, stated that he has been active in initiatives since the mid-70's. **Mr. Mackin** said he believes that the gathering of signatures is certainly not electioneering, whether it is done in the schools or the polling places or supermarkets. But, it definitely is politicking, and he thinks we need more politicking, not less. **Mr. Mackin** said he opposes SB5 based on the statement in Section 1, Subsection B.

Mr. Mackin stated that when he has been at the polling place to gather signatures, he has made an effort to talk with the election judge and let him/her decide where he will be located. **Mr. Mackin** also said that he makes an effort never to approach a person before they go in to vote, but approaches them after they have voted. **Mr. Mackin** said that since voter participation has dropped about 25% in approximately the last 10 years, we should be looking for more ways to keep the excitement level up rather than to dampen the activity. Ballot issues motivate people both when they go to sign them and when they go to vote on them, thereby increasing voter participation.

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John Denson, Executive Director of United We Stand America, said that the result of SB5 will be to kill the petition process in the state of Montana. **Mr. Denson** said that SB5 is clearly a bill for bureaucrats and for government control, and he doesn't think that's what is wanted in this session.

Stan Frasier, citizen, said that some tax spending agencies, like schools, do not like the petition process because the taxpayers might actually stop the school districts from picking their pockets once in a while. **Mr. Frasier** said that it is already difficult for people, or a small organization, to collect enough signatures in a rural state like Montana to even get an issue on the ballot. **Mr. Frasier** stated that sometimes bad legislation comes from the initiative process, but we also sometimes get bad legislation from the Legislature.

Laurie Koutnik, Executive Director of Christian Coalition, said it is our responsibility to involve people in the democratic process and that SB5 would limit that involvement of the people. **Ms. Koutnik** said that the greatest voter turnout this last election also happened to be the election where there were the most initiatives on the ballot. **Ms. Koutnik** said that in times such as these, when people are so disillusioned with their government, we shouldn't act to reinforce that disillusionment.

Bob Davies, citizen, stated that our government is set up with a series of checks and balances, primarily the three branches of government. However, there are other checks and one is the petition process. It is not an easy process to meet the requirements that exist right now for putting a measure on the ballot, and we should not further restrict this process. **Mr. Davies** said that signature gatherers generally operate within the framework set up so as not to offend potential signers.

C.B. Pearson stated that **Jonathan Motl, of Montana Common Cause** asked him to specify his name for the record in opposition to SB5. **Mr. Motl** is in another committee hearing and could not attend the Hearing on SB5.

Walt Dupea, citizen, faxed written testimony to this Committee (EXHIBIT 5).

Questions From Committee Members and Responses:

SEN. BOB PIPINICH said that he had not intended to speak in support of SB5, until hearing the testimony of some opponents regarding non-disruptive behavior at the polling place.

SEN. PIPINICH said that when he last voted at Bonner School, there were tables set up by petition gatherers that blocked the entrance to the polling place. He asked the judge and also called the County Attorney to have the tables removed.

SEN. PIPINICH stated he is not opposed to the collecting of signatures or providing protection from the weather; but that it cannot interfere with access to the polling place.

SEN. MESAROS asked Senator Weldon if he encourages the public participation and developing public policy, and if petitions cannot be signed at the polling place, where would he propose the signature gatherers be located?

SEN. WELDON responded that he does encourage public participation and has, in fact, carried petitions in the past for groups with whom he agreed with their public agenda. **SEN. WELDON** said he has stood in supermarkets and gone door-to-door gathering signatures, and believes those are the appropriate places to conduct the signature gathering process. **SEN. WELDON** said his argument for SB5 is that the polling place is not the appropriate place for signature gathering.

SEN. HARGROVE commented that the testimony on SB5 seems to support the fact that we have a pretty good system regarding the initiative process in Montana and that we've achieved a good balance. **SEN. HARGROVE** said that much of the testimony has pointed out it is a challenge to achieve that balance and asked Senator Weldon if SB5 would disrupt that balance.

SEN. WELDON responded that he did not believe SB5 would disrupt that balance. **SEN. WELDON** commented that the restriction SB5 would place on signature gathering is the same restriction that has already been agreed on regarding other politicking issues on election day, that is to say it is outside of a protected zone around this area in which democracy is exercised on election day. **SEN. WELDON** believes we would find it unconscionable to have radio ads on election day supporting a future ballot measure or to have people with signs within that area. **SEN. WELDON** said SB5 is a protection for the balloting place and not against the initiative process.

SEN. COLE agreed with opponent Mark Mackin that this signature gathering is politicking. **SEN. COLE** stated he has had experiences with signature gatherers who obviously did not have the courteous nature of those who have testified at this Hearing. **SEN. COLE** asked if the 200 foot restriction is currently a law.

SEN. WELDON answered yes, that is the current law, and, in fact, that is where the provisions of SB5 are to be inserted. The current law says that within the 200 foot area, there is no electioneering. The current law is silent to say that electioneering includes gathering support for a proposal to place on a future ballot. However, administrative rules exempts bumper stickers.

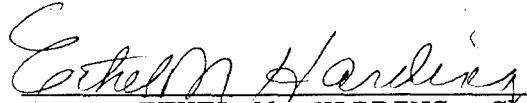
Closing by Sponsor:

SEN. WELDON stated that his motivation for SB5 is truly to protect the electoral process on election day in a balloting area. **SEN. WELDON** commented on some of the things expressed during the testimony. One opponent said that this was the most

convenient place to gather signatures. Another opponent stated that politics is not a convenient thing. **SEN. WELDON** said he absolutely agrees, and when he went door-to-door to gather signatures for various groups, it means your knuckles get sore on cold days. **SEN. WELDON** stated that, in no way, was the motivation for SB5 sour grapes for past political activity, and SB5 is not an attack on the political process. At the core of our political process, probably the central feature, is exercising your vote on election day. To believe that SB5 is an attack on the political process is misplaced criticism. One opponent argued that the initiative process is valued among the people in the state of Montana. **SEN. WELDON** said that, given the high number of voter turnout, he would argue that exercising your right to vote on election day is as equally, if not more, valued. In response to the comment that more politicking is needed, **SEN. WELDON** said he couldn't agree more, but not politicking within the polling place, as ironic as that sounds. The polling place is for the voter, his or her opinion, to collect his/her thoughts, form his/her opinions, and exercise the right to vote. **SEN. WELDON** said he thinks none of us would disagree that the key public participation element in our society is the voting place.

ADJOURNMENT

Adjournment: 11:20 AM



ETHEL M. HARDING, Chairman



GAIL MOSER, Secretary

EMH/gem

MONTANA SENATE
1995 LEGISLATURE
STATE ADMINISTRATION COMMITTEE

ROLL CALL

DATE _____

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**League of Women Voters
of Montana**



SENATE STATE ADMIN.

EXHIBIT NO. 1

DATE 01-10-95

BILL NO. SB24

WRITTEN TESTIMONY SUBMITTED BY THE LEAGUE OF WOMEN VOTERS

Senate

State Administration Committee

10:00 a.m., Tuesday, January 10, 1995

Senate Bill 24 by Swysgood

The League of Women voters believes that democratic government depends on the informed and active participation of its citizens in the voting process. Working to inform the voting public has been one of the guiding principles of national League activity for 75 years and of League of Women Voter efforts in Montana for 40 years. Senate Bill 24, requiring that a voter information pamphlet be sent with each absentee ballot if there is a statewide ballot issue on the ballot is to be commended for facilitating and promoting an informed voting public.

The League of Women Voters of Montana endorses Senate Bill 24 and urges a do pass on this measure.

Thank you.

Chris Imhoff
Legislative Chair LWVMT

MARK S. WATSON

SENATE STATE ADMIN.

EXHIBIT NO. 2

DATE 01-10-95

BILL NO. SB5

January 9, 1995

Senator Jeff Weldon
State Capitol
P.O. Box 201702
Helena, MT 59620-1702

VIA FAX TRANSMISSION

RE: Senate Bill 5

Dear Jeff:

I wanted to personally write you as the sponsor of Senate Bill 5 to express my support for your efforts. I believe SB5 is on the right track by prohibiting signature gathering in the ballot box locations.

As a relative newcomer to the State of Montana, I was surprised to see petition gatherers in my local voting booth area last election day. I am sure that locations are affected differently from place to place throughout the state, but basically petitions on various issues in the voting booth disturbed me.

As a citizen, I believe I have the right to visit my polling place without interference, whether passive or active, by the petition gatherers. I feel it is inappropriate for petition gatherers to encroach upon the democratic process on election day. I have even questioned the petition gatherers and found them to be ill informed or disinterested in the topics that they are gathering signatures for.

In the past, I have seen a distance of 300 feet required from the voting booth, with no electioneering occurring within that limitation. I would strongly encourage such a restriction be considered on such gatherings unless there is an official purpose for them to be present, i.e. information on a federal constitutional amendment.

Thank you for listening to my opinion. I wish you continued success during the upcoming legislative session.

Sincerely,



Mark S. Watson
Billings, MT

TESTIMONY OF C.B. PEARSON
IN OPPOSITION TO SENATE BILL 5
10 January 1995

Mr. Chairman and members of the Senate State Administration Committee for the record my name is C. B. Pearson. I live at 538 Rollins Street, Missoula, MT 59801.

I am here today to speak in opposition to Senate Bill 5.

With all due respect to my friend Senator Weldon, I believe SB 5 to be an unneeded measure. And, a measure that if passed into law could act to further alienate the Montana public from its government.

Montanans believe it is important to have a way to enact laws themselves if, for whatever reason, the legislature fails to act or to propose new legislation. Montanans realize that democracy comes in many forms and that it may be messy at times. In short, Montanans value their initiative process.

SB 5 runs counter to the wishes of the voters of Montana.

There are many reasons to vote against SB 5. I have listed what I believe to be some of the more compelling reasons to oppose this measure.

- It is an undemocratic measure that will make our initiative process less accessible to the voters.
- It will all but eliminate grass-roots initiative campaigns making sure that future campaigns are run only by the large and well-funded groups.
- It is an unneeded measure. To the best of my knowledge there have been no complaints about petitioning at the polls.
- It runs counter to efforts designed to make government more accessible to voters and more voter friendly.

For many years I have worked with the initiative process. It is my experience that voters going to polls on primary day are interested in politics and policy issues and that they appreciate the opportunity to sign petitions that address issues that face our great state. SB 5 would prevent this opportunity.

Thank you for your time and consideration.

MontPIRG

Montana Public Interest Research Group
360 Corbin Hall • Missoula, MT • (406) 243-2908

SENATE STATE ADMIN.

EXHIBIT NO. 4

DATE 01-10-95

BILL NO. SB 5

Testimony Against Senate Bill 5, January 10, 1995

State Administration Committee:

For the record, my name is J.V. Bennett, for the Montana Public Interest Research Group, or MontPIRG.

MontPIRG is a non-profit, non-partisan research and advocacy organization located on the University of Montana campus. MontPIRG represents 2500 student members and 1500 community members statewide.

MontPIRG opposes Senate Bill 5 because Montana is a very large rural state and the restrictions in place guaranteeing representative signatures from across the state already create a formidable task for anyone attempting to qualify initiatives.

Access to the public is not easily found. For instance, many stores and shopping centers, where large numbers of people congregate, did not allow us to petition. Even in front of a few post offices, we had to convince some postmasters of our right to be there collecting signatures.

A restriction such as the one SB 5 proposes would have certainly affected the possibility of collecting the more than 21,000 signatures required last year. Actually, the coalition for campaign finance reform, including MontPIRG collected closer to 28,000 signatures to qualify Initiative 118 in order to account for the voters whose signatures are disqualified for reasons such as failure to reregister a change of address. The ability to easily petition at the polls affords a guarantee, at least for that one day, qualified signatures.

Petitioners reported positive responses at the polling places from the voters. Most people were curious and interested in carrying their citizen involvement a step further by offering their signature. Response from people supervising the polls varied from actually setting up tables for the petitioners to use to inviting volunteers to come in out of the rain instead of standing outside. In most cases, this would not have been possible with a 200 foot restriction.

Montana citizens collected more than 1/3 of our total signatures at the polling places on primary day across the state. In order for the citizen's initiative process to continue to be a true citizens' effort to create law in Montana, we urge you to vote against Senate Bill 5.

SENATE STATE ADMIN.

EXHIBIT NO. 5

DATE 01-10-95

BILL NO. SB5

January 9, 1995

Senate Administration Committee:

Dear Chairman and committee members;

Subject SB 5:

I have been involved gathering signatures at polling places and it is a customary method used in Montana to qualify issues to be placed on the ballot. My experience has been very positive and folks have been cordial whether they wanted to sign or not. Our great distances low population numbers make it more imperative we keep this right to petition government.

It is unfortunate that certain people in government decide to try to make it difficult for the people asking our government for redress of grievance through the petition process. There are other moves also like requiring more signatures on petitions and centralization of power in Helena. SB 5 would greatly hamper this process by stopping signatures from being gathered at the polls. The only ones for this bill are people wanting make big government bigger. Please vote against this bad bill!!!

Sincerely,

Walt Dupea

Walt Dupea

P. O. Box 608

Bigfork, MT 59911 Phone (406) 837-5751

During January I will be in N. Dakota at:

Walt Dupea

% Marie Lithun

219 Harriet

Fessenden, ND 58438 Phone 701-547-3473

DATE January 10, 1995
 SENATE COMMITTEE ON State Administration
 BILLS BEING HEARD TODAY: SB 30
Senator Hage

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Check One

Name	Representing	Bill No.	Support	Oppose
Lauree Koutnik	CHRISTIAN COALITION of MT	30	✓	
Arlette Landash	EAGLE Forum	30	✓	
Barbara Madden				

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE : January 10, 1995
 SENATE COMMITTEE ON State Administration
 BILLS BEING HEARD TODAY: SB 24
Senator Swysgood

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Check One

Name	Representing	Bill No.	Support	Oppose
Joe Kerwin	SOS		✓	
CHRIS Imhoff	League of Women Voters of MT		✓	
Juan Dard	CAPS	SB 24	✓	
Lauree K Koznick	Christian Coalition of MT	SB 24	✓	
Arlette Landash	EAGLE Forum	"	✓	
Jenny Dodge	taxpayer	SB 24	✓	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE

January 10, 1995

SENATE COMMITTEE ON

State Administration

BILLS BEING HEARD TODAY:

SB 5Senator Jeff Weldon

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PLEASE PRINT

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Check One

Name	Representing	Bill No.	Support	Oppose
Arlette Randash	EAGLE Forum	SB5		✓
Mark Mackin	Self	SB5		✓
Don Waldner	MT Rural Ed Assoc	SB5	✓	
Smith metz	montana Common Cause			✓
John Foster	MREA	SB 5	✓	✓
Laurie Kourouk	Christian Coalition of MT	SB 5		✓
M Susan Good	CITIZENS PROLIFIC AGAINST	SB5		✓
J.V. Bennett	Mont PERG	SB5		✓
CB Plam	SELF	SB5		✓
John Denson	United We Stand	SB5		✓
Steve Frasier	Self	SB5		X
Paul Hoppel	Mont. for Deffer Govt			X
Bob Davies	Self	SB 5		x

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY