

HOUSE BILL NO. 283

Introduced: 01/18/83

Referred to Committee on State Administration: 01/18/83
Hearing: 2/8/83

2nd Reading: 02/23/83, Do Pass, As Amended
3rd Reading: 02/23/83, Do Pass

Transmitted to Senate: 02/23/83

Referred to Committee on State Administration: 03/01/83
Hearing: 3/22/83
Report: 3/24/83, Be Concurred In, As Amended

2nd Reading: 3/25/83, Be Concurred In, As Amended
3rd Reading: 03/28/83
Bill Killed

1 *House* BILL NO. *283*
 2 INTRODUCED BY *Winters Thomas* *Menahan Regan*
 3 *Koultrecht* *Kitschmann* *Schultz* *Switzer* *Conant* *M. Hansen*
 4 *Reynolds* *Phillips* *Harmon* *Orsillo* *Bliss*
 5 A BILL FOR AN ACT ENTITLED: "AN ACT PLACING A LIMIT ON
 6 POLITICAL COMMITTEE CAMPAIGN CONTRIBUTIONS; LIMITING
 7 EXPENDITURES FOR ELECTIVE OFFICES; REQUIRING THE REPORTING
 8 TO THE COMMISSIONER OF POLITICAL PRACTICES OF IN-KIND
 9 SERVICES PROVIDED BY POLITICAL COMMITTEES; AND REQUIRING
 10 REPORTS TO INCLUDE COPIES OF CERTAIN MAILINGS; AMENDING
 11 SECTIONS 13-37-216, 13-37-229, AND 13-37-230, MCA."
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 13 Section 1. Section 13-37-216, MCA, is amended to read:
 14 "13-37-216. Limitations on contributions and
 15 expenditures. (1) Aggregate contributions for all elections
 16 in a campaign by an individual, other than the candidate, to
 17 a candidate and political committees organized on his behalf
 18 are limited as follows:
 19 (a) for candidates filed jointly for the office of
 20 governor and lieutenant governor, not to exceed \$1,500;
 21 (b) for a candidate to be elected for state office in
 22 a statewide election, other than the candidates for governor
 23 and lieutenant governor, not to exceed \$750;
 24 (c) for a candidate for public service commissioner,
 25 district court judge, or state senator, not to exceed \$400;

1 and
 2 (d) for a candidate for any other public office, not
 3 to exceed \$250.
 4 (2) For the purposes of this subsection, an
 5 independent committee means a committee which is not
 6 specifically organized on behalf of a particular candidate
 7 or which is not controlled either directly or indirectly by
 8 a candidate or candidate's committee and which does not act
 9 jointly with a candidate or candidate's committee in
 10 conjunction with the making of expenditures or accepting
 11 contributions. For the purpose of limitation on
 12 contributions, political party organizations are independent
 13 committees. Aggregate contributions by an independent
 14 committee to a candidate and political committees organized
 15 on his behalf for all elections in a campaign are limited as
 16 follows:
 17 (a) for candidates filed jointly for the offices of
 18 governor and lieutenant governor, not to exceed \$8,000;
 19 (b) for a candidate to be elected for state office in
 20 a statewide election, other than the candidates for governor
 21 and lieutenant governor, not to exceed \$2,000;
 22 (c) for a candidate for public service commissioner,
 23 not to exceed \$1,000;
 24 (d) for a candidate for the state senate, not to
 25 exceed \$600;

INTRODUCED BILL

(e) for a candidate for any other public office, not to exceed \$300.

(3) At no time may the aggregate amount of contributions received from all political committees for any candidate or ballot issue exceed 20% of the total amount of contributions received from all sources for that candidate or ballot issue.

(4) In the year in which an election is held for an office sought by a candidate, no expenditures may be made by a candidate or the principal campaign committee of that candidate or otherwise on behalf of that candidate which result in an aggregate amount in excess of the following amounts:

(a) for governor and lieutenant governor, running together, \$500,000;

(b) for secretary of state, \$200,000;

(c) for attorney general, \$150,000;

(d) for state auditor, \$100,000;

(e) for superintendent of public instruction, \$100,000;

(f) for public service commissioner, \$20,000;

(g) for chief justice or justice of the supreme court, \$25,000;

(h) for district court judge, \$8,000;

(i) for state senator, \$8,000;

(j) for state representative, \$4,000;

(k) for county attorney, \$5,000;

(l) for clerk of district court, \$2,500;

(m) for county sheriff, \$8,000;

(n) for county clerk and recorder, \$3,000;

(o) for county commissioner, \$15,000;

(p) for county superintendent of schools, \$10,000;

(q) for county treasurer, \$3,000;

(r) for public administrator, \$2,000;

(s) for county assessor, \$2,000;

(t) for county coroner, \$2,000;

(u) for justice of the peace, \$2,000;

(v) for all other elected offices, \$2,000.

(5) In the year in which an election is held on a ballot issue, expenditures to support the measure may not exceed an aggregate amount of \$250,000 and expenditures to oppose the measure may not exceed \$250,000.

(3)(6) The limitations imposed by this section do not apply to public funds contributed to a candidate under part 3 of this chapter."

Section 2. Section 13-37-229, MCA, is amended to read:

"13-37-229. Disclosure of contributions received. Each report required by this chapter shall disclose the following information:

(1) the amount of cash on hand at the beginning of the

1 reporting period;

2 (2) the full name and mailing address (occupation and
3 the principal place of business, if any) of each person who
4 has made aggregate contributions, other than loans, of \$25
5 or more to the candidate or political committee (including
6 the purchase of tickets and other items for events such as
7 dinners, luncheons, rallies, and similar fund-raising
8 events), together with the aggregate amount of those
9 contributions within the reporting period and the total
10 amount of contributions made by that person;

11 (3) the total sum of individual contributions made to
12 or for the political committee or candidate and not reported
13 under subsection (2) of this section;

14 (4) the name and address of each political committee
15 or candidate from which the reporting committee or candidate
16 received any transfer of funds, together with the amount and
17 dates of all transfers;

18 (5) each loan from any person during the reporting
19 period, together with the full names and mailing addresses
20 (occupation and principal place of business, if any) of the
21 lender and endorsers, if any, and the date and amount of
22 each loan;

23 (6) the amount and nature of debts and obligations
24 owed to a political committee or candidates, in the form
25 prescribed by the commissioner;

1 (7) an itemized account of proceeds which total less
2 than \$25 from a person from mass collections made at
3 fund-raising events;

4 (8) each contribution, rebate, refund, or other
5 receipt not otherwise listed under subsections (2) through
6 (7) of this section during the reporting period;

7 (9) the total sum of all receipts received by or for
8 the committee or candidate during the reporting period;

9 (10) an itemized account of all in-kind services
10 provided by a political committee for the specific purpose
11 of:

12 (a) advocating any candidate or ballot issue; or

13 (b) opposing any candidate or ballot issue;

14 ~~†††~~(11) other information that may be required by the
15 commissioner to fully disclose the sources of funds used to
16 support or oppose candidates or issues."

17 Section 3. Section 13-37-230, MCA, is amended to read:

18 "13-37-230. Disclosure of expenditures made — copies
19 of mailings. (1) Each report required by this chapter shall
20 disclose the following information, except that a candidate
21 shall only be required to report the information specified
22 in this section if the transactions involved were undertaken
23 for the purpose of influencing an election:

24 ~~††~~(a) the full name and mailing address (occupation
25 and the principal place of business, if any) of each person

1 to whom expenditures have been made by the committee or
 2 candidate during the reporting period, including the amount,
 3 date, and purpose of each expenditure and the total amount
 4 of expenditures made to each person;

5 ~~(2)(b)~~ the full name and mailing addresses (occupation
 6 and the principal place of business, if any) of each person
 7 to whom an expenditure for personal services, salaries, and
 8 reimbursed expenses have been made, including the amount,
 9 date, and purpose of that expenditure and the total amount
 10 of expenditures made to each person;

11 ~~(3)(c)~~ the total sum of expenditures made by a
 12 political committee or candidate during the reporting
 13 period;

14 ~~(4)(d)~~ the name and address of each political
 15 committee or candidate to which the reporting committee or
 16 candidate made any transfer of funds, together with the
 17 amount and dates of all transfers;

18 ~~(5)(e)~~ the name of any person to whom a loan was made
 19 during the reporting period, including the full name and
 20 mailing address (occupation and principal place of business,
 21 if any) of that person, and the full name and mailing
 22 address (occupation and principal place of business, if any)
 23 of the endorser, if any, and the date and amount of each
 24 loan;

25 ~~(6)(f)~~ the amount and nature of debts and obligations

1 owed by a political committee or candidate in the form
 2 prescribed by the commissioner;

3 ~~(7)(g)~~ other information that may be required by the
 4 commissioner to fully disclose the disposition of funds used
 5 to support or oppose candidates or issues.

6 (2) Each report required by this chapter must also
 7 include a copy of any mailing endorsing or opposing any
 8 candidate or ballot issue."

-End-

STATE OF MONTANA

REQUEST NO. 161-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 20, 19 83, there is hereby submitted a Fiscal Note for House Bill 283 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 283 places a limit on political committee campaign contributions; limits expenditures for elective offices; requires the reporting to the commissioner of political practices of in-kind services provided by political committees; and requires reports to include copies of certain mailings.

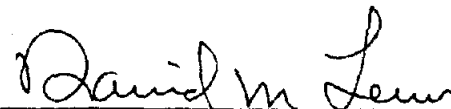
ASSUMPTIONS:

- 1) Proposed legislation can be administered with current level FTE.
- 2) Proposed legislation would not create additional litigation.
- 3) The increased limitations upon candidates and/or political committees would not create the necessity for additional audits.

FISCAL IMPACT:

None.

FISCAL NOTE 7:V/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-25-83

Approved by Committee
on State Administration

HOUSE BILL NO. 283

INTRODUCED BY WINSLOW, THOMAS, SHONTZ,
MENAHAH, REGAN, FAGG, CURTISS, NORDTVEDT,
KITSELMAN, SCHULTZ, SWITZER, ERNST, HANSON,
BERTELSEN, PHILLIPS, HANNAH, DRISCOLL, BLISS,
DAILY, KEYSER, MARKS, LORY, EUDAILY, SCHYE,
SAUNDERS, VINGER, RAMIREZ, FABREGA,
VINCENT, ADDY

A BILL FOR AN ACT ENTITLED: "AN ACT PLACING A LIMIT ON
POLITICAL COMMITTEE CAMPAIGN CONTRIBUTIONS; LIMITING
EXPENDITURES FOR ELECTIVE OFFICES; REQUIRING THE REPORTING
TO THE COMMISSIONER OF POLITICAL PRACTICES OF IN-KIND
SERVICES PROVIDED BY POLITICAL COMMITTEES; AND REQUIRING
REPORTS TO INCLUDE COPIES OF CERTAIN MAILINGS; AMENDING
SECTIONS 13-37-216, 13-37-229, AND 13-37-230, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 13-37-216, MCA, is amended to read:

"13-37-216. Limitations on contributions and
expenditures. (1) Aggregate contributions for all elections
in a campaign by an individual, other than the candidate, to
a candidate and political committees organized on his behalf
are limited as follows:

(a) for candidates filed jointly for the office of

governor and lieutenant governor, not to exceed \$1,500;

(b) for a candidate to be elected for state office in
a statewide election, other than the candidates for governor
and lieutenant governor, not to exceed \$750;

(c) for a candidate for public service commissioner,
district court judge, or state senator, not to exceed \$400;
and

(d) for a candidate for any other public office, not
to exceed \$250.

(2) For the purposes of this subsection, an
independent committee means a committee which is not
specifically organized on behalf of a particular candidate
or which is not controlled either directly or indirectly by
a candidate or candidate's committee and which does not act
jointly with a candidate or candidate's committee in
conjunction with the making of expenditures or accepting
contributions. For the purpose of limitation on
contributions, political party organizations are independent
committees. Aggregate contributions by an independent
committee to a candidate and political committees organized
on his behalf for all elections in a campaign are limited as
follows:

(a) for candidates filed jointly for the offices of
governor and lieutenant governor, not to exceed \$8,000;

(b) for a candidate to be elected for state office in

1 a statewide election, other than the candidates for governor
2 and lieutenant governor, not to exceed \$2,000;

3 (c) for a candidate for public service commissioner,
4 not to exceed \$1,000;

5 (d) for a candidate for the state senate, not to
6 exceed \$600;

7 (e) for a candidate for any other public office, not
8 to exceed \$300.

9 (3) At no time may the aggregate amount of
10 contributions received from all political committees for any
11 candidate or ballot issue exceed 20% of the total amount of
12 contributions received from all sources for that candidate
13 or ballot issue.

14 (4) In the year in which an election is held for an
15 office sought by a candidate, no expenditures may be made by
16 a candidate or the principal campaign committee of that
17 candidate or otherwise on behalf of that candidate which
18 result in an aggregate amount in excess of the following
19 amounts:

20 (a) for governor and lieutenant governor, running
21 together, \$500,000;

22 (b) for secretary of state, \$200,000;

23 (c) for attorney general, \$150,000;

24 (d) for state auditor, \$100,000;

25 (e) for superintendent of public instruction,

1 \$100,000;

2 (f) for public service commissioner, \$20,000;

3 (g) for chief justice or justice of the supreme court,

4 \$25,000;

5 (h) for district court judge, \$8,000;

6 (i) for state senator, \$8,000;

7 (j) for state representative, \$4,000;

8 (k) for county attorney, \$5,000;

9 (l) for clerk of district court, \$2,500;

10 (m) for county sheriff, \$8,000;

11 (n) for county clerk and recorder, \$3,000;

12 (o) for county commissioner, \$15,000;

13 (p) for county superintendent of schools, \$10,000;

14 (q) for county treasurer, \$3,000;

15 (r) for public administrator, \$2,000;

16 (s) for county assessor, \$2,000;

17 (t) for county coroner, \$2,000;

18 (u) for justice of the peace, \$2,000;

19 (v) for all other elected offices, \$2,000.

20 (5) In the year in which an election is held on a
21 ballot issue, expenditures to support the measure may not
22 exceed an aggregate amount of \$250,000 and expenditures to
23 oppose the measure may not exceed \$250,000.

24 (3)(6) The limitations imposed by this section do not
25 apply to public funds contributed to a candidate under part

1 3 of this chapter."

2 Section 2. Section 13-37-229, MCA, is amended to read:

3 "13-37-229. Disclosure of contributions received. Each
4 report required by this chapter shall disclose the following
5 information:

6 (1) the amount of cash on hand at the beginning of the
7 reporting period;

8 (2) the full name and mailing address (occupation and
9 the principal place of business, if any) of each person who
10 has made aggregate contributions, other than loans, of \$25
11 or more to the candidate or political committee (including
12 the purchase of tickets and other items for events such as
13 dinners, luncheons, rallies, and similar fund-raising
14 events), together with the aggregate amount of those
15 contributions within the reporting period and the total
16 amount of contributions made by that person;

17 (3) the total sum of individual contributions made to
18 or for the political committee or candidate and not reported
19 under subsection (2) of this section;

20 (4) the name and address of each political committee
21 or candidate from which the reporting committee or candidate
22 received any transfer of funds, together with the amount and
23 dates of all transfers;

24 (5) each loan from any person during the reporting
25 period, together with the full names and mailing addresses

1 (occupation and principal place of business, if any) of the
2 lender and endorsers, if any, and the date and amount of
3 each loan;

4 (6) the amount and nature of debts and obligations
5 owed to a political committee or candidates, in the form
6 prescribed by the commissioner;

7 (7) an itemized account of proceeds which total less
8 than \$25 from a person from mass collections made at
9 fund-raising events;

10 (8) each contribution, rebate, refund, or other
11 receipt not otherwise listed under subsections (2) through
12 (7) of this section during the reporting period;

13 (9) the total sum of all receipts received by or for
14 the committee or candidate during the reporting period;

15 ~~(10) an itemized account of all in-kind services~~
16 ~~provided by a political committee for the specific purpose~~
17 ~~of:~~

18 ~~(a) advocating any candidate or ballot issue; or~~

19 ~~(b) opposing any candidate or ballot issue;~~

20 ~~and (c) other information that may be required by the~~
21 ~~commissioner to fully disclose the sources of funds used to~~
22 ~~support or oppose candidates or issues."~~

23 Section 3. Section 13-37-230, MCA, is amended to read:

24 "13-37-230. Disclosure of expenditures made ~~in~~ copies
25 of mailings. (1) Each report required by this chapter shall

disclose the following information, except that a candidate shall only be required to report the information specified in this section if the transactions involved were undertaken for the purpose of influencing an election:

(1) the full name and mailing address (occupation and the principal place of business, if any) of each person to whom expenditures have been made by the committee or candidate during the reporting period, including the amount, date, and purpose of each expenditure and the total amount of expenditures made to each person;

(2) the full name and mailing addresses (occupation and the principal place of business, if any) of each person to whom an expenditure for personal services, salaries, and reimbursed expenses have been made, including the amount, date, and purpose of that expenditure and the total amount of expenditures made to each person;

(3) the total sum of expenditures made by a political committee or candidate during the reporting period;

(4) the name and address of each political committee or candidate to which the reporting committee or candidate made any transfer of funds, together with the amount and dates of all transfers;

(5) the name of any person to whom a loan was made during the reporting period, including the full name and

mailing address (occupation and principal place of business, if any) of that person, and the full name and mailing address (occupation and principal place of business, if any) of the endorsers, if any, and the date and amount of each loan;

(6) the amount and nature of debts and obligations owed by a political committee or candidate in the form prescribed by the commissioner;

(7) other information that may be required by the commissioner to fully disclose the disposition of funds used to support or oppose candidates or issues.

~~(2) Each report required by this chapter must also include a copy of any mailing endorsing or opposing any candidate or ballot issue."~~

-End-

No second reading printing.
On motion taken from printing
& referred to second reading.
(2/23/83)

HOUSE BILL NO. 283

INTRODUCED BY WINSLOW, THOMAS, SHONTZ,
MENAHAN, REGAN, FAGG, CURTISS, NORDTVEOT,
KITSELMAN, SCHULTZ, SWITZER, ERNST, HANSON,
BERTELSEN, PHILLIPS, HANNAH, DRISCOLL, BLISS,
DAILY, KEYSER, MARKS, LORY, EUDAILY, SCHYE,
SAUNDERS, VINGER, RAMIREZ, FABREGA,
VINCENT, ADDY

A BILL FOR AN ACT ENTITLED: "AN ACT ~~REVISING THE DEFINITION~~
~~OF CONTRIBUTION FOR THE PURPOSE OF CAMPAIGN PRACTICES;~~
PLACING A LIMIT ON POLITICAL COMMITTEE CAMPAIGN
CONTRIBUTIONS; ~~LIMITING EXPENDITURES FOR ELECTIVE OFFICES~~
~~ESTABLISHING VOLUNTARY EXPENDITURE LIMITS FOR CANDIDATES AND~~
~~BALLOT ISSUES;~~ AND REQUIRING THE REPORTING TO THE
COMMISSIONER OF POLITICAL PRACTICES OF IN-KIND SERVICES
PROVIDED BY POLITICAL COMMITTEES; ~~AND REQUIRING REPORTS TO~~
~~INCLUDE COPIES OF CERTAIN MAILINGS;~~ AMENDING SECTIONS
~~13-1-101, 13-37-216, AND 13-37-229; AND 13-37-238, MCA."~~

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

SECTION 1. SECTION 13-1-101, MCA, IS AMENDED TO READ:

"13-1-101. Definitions. As used in this title, unless
the context clearly indicates otherwise, the following
definitions apply:

(1) "Anything of value" means any goods that have a
certain utility to the recipient that is real and that is
ordinarily not given away free but is purchased.

(2) "Candidate" means:

(a) an individual who has filed a declaration or
petition for nomination, acceptance of nomination or
appointment as a candidate for public office as required by
law;

(b) for the purposes of chapters 35, 36, or 37, an
individual who has publicly announced his intention to seek
nomination or election to public office by write-in vote and
who has received a contribution or made an expenditure or
has given an authorization to another person to receive a
contribution or make an expenditure for the purpose of
supporting his nomination or election.

(3) (a) "Contribution" means:

(i) an advance, gift, loan, conveyance, deposit,
payment, or distribution of money or anything of value to
influence an election; ~~some of which terms are further~~
~~defined as follows:~~

(A) "loan" includes a guarantee, endorsement, and any
other form of security in which the risk of nonpayment rests
with the surety, guarantor, or endorser as well as with a
political committee, candidate, or other primary obligor. A
loan is a contribution to the extent that the obligation

1 remains outstanding.

2 (81) "money" includes currency of the United States or
3 of any foreign nation; checks; money orders; and any other
4 negotiable instrument payable on demand;

5 (81) "anything of value" includes securities, goods,
6 facilities, equipment, supplies, personnel, advertising
7 services, or other in-kind contributions provided without
8 charge (other than volunteer services) or at a charge that
9 is below the normal charge for the items. "Normal charge"
10 for goods means the price of those goods in the market from
11 which they ordinarily would have been purchased at the time
12 of their contribution; and "normal charge" for any services,
13 other than those provided by an unpaid volunteer, means a
14 charge based on the weekly, hourly, or piecework rate
15 charge, whichever is best applicable, ordinarily paid to the
16 person providing the services.

17 (ii) a transfer of funds between political committees;

18 (iii) the payment by a person other than a candidate or
19 political committee of compensation for the personal
20 services of another person that are rendered to a candidate
21 or political committee;

22 (iv) a written contract, promise, or agreement, such as
23 a signed pledge card, whether or not legally enforceable, to
24 make a contribution, and is a reportable debt owed to the
25 candidate or committee until it is honored.

1 (b) "Contribution" does not mean:

2 (i) services provided without compensation by
3 individuals volunteering a portion or all of their time on
4 behalf of a candidate or political committee or meals and
5 lodging provided by individuals in their private residence
6 for a candidate or other individual;

7 (ii) the cost of any bona fide news story, commentary,
8 or editorial distributed through the facilities of any
9 broadcasting station, newspaper, magazine, or other
10 periodical publication of general circulation;

11 (iii) the cost of any communication by any membership
12 organization or corporation to its members or stockholders
13 or employees, so long as such organization is not a primary
14 political committee; or

15 (iv) filing fees paid by the candidate;

16 (v) payments made for the purpose of determining
17 whether an individual should become a candidate, such as
18 those incurred in conducting a poll;

19 (vi) unreimbursed payments for transportation expenses
20 made by an individual in volunteering services to a
21 candidate, to the extent that the cumulative value of the
22 payments does not exceed \$100 for an election; or

23 (vii) unreimbursed payment from a volunteer's personal
24 funds for usual and normal living expenses incident to
25 volunteer activity.

1 (4) "Election" means a general, special, or primary
2 election held pursuant to the requirements of state law,
3 regardless of the time and/or purpose.

4 (5) "Election administrator" means the county clerk
5 and recorder or the individual designated by a county
6 governing body to be responsible for all election
7 administration duties, except that with regard to school
8 elections, the term means the school district clerk.

9 (6) "Elector" means an individual qualified and
10 registered to vote under state law.

11 (7) (a) "Expenditure" means a purchase, payment,
12 distribution, loan, advance, promise, pledge, or gift of
13 money or anything of value made for the purpose of
14 influencing the results of an election.

15 (b) "Expenditure" does not mean:

16 (i) services, food, or lodging provided in a manner
17 that they are not contributions under subsection (3);

18 (ii) payments by a candidate for his filing fee or for
19 personal travel expenses, food, clothing, lodging, or
20 personal necessities for himself and his family;

21 (iii) the cost of any bona fide news story, commentary,
22 or editorial distributed through the facilities of any
23 broadcasting station, newspaper, magazine, or other
24 periodical publication of general circulation; or

25 (iv) the cost of any communication by any membership

1 organization or corporation to its members or stockholders
2 or employees, so long as such organization is not a primary
3 political committee.

4 (8) "General election" means an election held for the
5 election of public officers throughout the state at times
6 specified by law, including elections for officers of
7 political subdivisions when the time of the election is set
8 on the same date for all similar political subdivisions in
9 the state.

10 (9) "Individual" means a human being.

11 (10) "Issue" or "ballot issue" means a proposal
12 submitted to the people at an election for their approval or
13 rejection, including but not limited to initiatives,
14 referenda, proposed constitutional amendments, recall
15 questions, school levy questions, bond issue questions, or a
16 ballot question. For the purposes of chapters 35, 36, and
17 37, an issue becomes a "ballot issue" upon certification by
18 the proper official that the legal procedure necessary for
19 its qualification and placement upon the ballot has been
20 completed, except that a statewide issue becomes an "issue"
21 upon approval by the secretary of state of the form of the
22 petition or referral.

23 (11) "Person" means an individual, corporation,
24 association, firm, partnership, cooperative, committee,
25 club, union, or other organization or group of individuals

1 or a candidate as defined in subsection (2) of this section.

2 (12) "Political committee" means a combination of two
3 or more individuals or a person other than an individual who
4 makes a contribution or expenditure:

5 (a) to support or oppose a candidate or a committee
6 organized to support or oppose a candidate or a petition for
7 nomination; or

8 (b) to support or oppose a ballot issue or a committee
9 organized to support or oppose a ballot issue; or

10 (c) as an earmarked contribution.

11 (13) "Political subdivision" means a county,
12 consolidated municipal-county government, municipality,
13 special district, or any other unit of government, except
14 school districts, having authority to hold an election for
15 officers or on a ballot issue.

16 (14) "Primary" or "primary election" means an election
17 held throughout the state to nominate candidates for public
18 office at times specified by law, including nominations of
19 candidates for offices of political subdivisions when the
20 time for such nominations is set on the same date for all
21 similar subdivisions in the state.

22 (15) "Public office" means a state, county, municipal,
23 school, or other district office that is filled by the
24 people at an election.

25 (16) "Registrar" means the county election

1 administrator and any regularly appointed deputy or
2 assistant election administrator.

3 (17) "Special election" means an election other than a
4 statutorily scheduled primary or general election held at
5 any time for any purpose provided by law. It may be held in
6 conjunction with a statutorily scheduled election.

7 (18) "Voting machine or device" means any equipment
8 used to record, tabulate, or in any manner process the vote
9 of an elector."

10 Section 2. Section 13-37-216, MCA, is amended to read:

11 "13-37-216. Limitations on contributions ~~and~~
12 ~~expenditures~~ -- VOLUNTARY LIMITATIONS ON EXPENDITURES. (1)
13 Aggregate contributions for all elections in a campaign by
14 an individual, other than the candidate, to a candidate and
15 political committees organized on his behalf are limited as
16 follows:

17 (a) for candidates filed jointly for the office of
18 governor and lieutenant governor, not to exceed \$1,500;

19 (b) for a candidate to be elected for state office in
20 a statewide election, other than the candidates for governor
21 and lieutenant governor, not to exceed \$750;

22 (c) for a candidate for public service commissioner,
23 district court judge, or state senator, not to exceed \$400;
24 and

25 (d) for a candidate for any other public office, not

1 to exceed \$250.

2 (2) For the purposes of this subsection, an
3 independent committee means a committee which is not
4 specifically organized on behalf of a particular candidate
5 or which is not controlled either directly or indirectly by
6 a candidate or candidate's committee and which does not act
7 jointly with a candidate or candidate's committee in
8 conjunction with the making of expenditures or accepting
9 contributions. For the purpose of limitation on
10 contributions, political party organizations are independent
11 committees. Aggregate contributions by an independent
12 committee to a candidate and political committees organized
13 on his behalf for all elections in a campaign are limited as
14 follows:

15 (a) for candidates filed jointly for the offices of
16 governor and lieutenant governor, not to exceed \$8,000;

17 (b) for a candidate to be elected for state office in
18 a statewide election, other than the candidates for governor
19 and lieutenant governor, not to exceed \$2,000;

20 (c) for a candidate for public service commissioner,
21 not to exceed \$1,000;

22 (d) for a candidate for the state senate, not to
23 exceed \$600;

24 (e) for a candidate for any other public office, not
25 to exceed \$300.

1 ~~(3) (A) At no time may the aggregate amount of~~
2 ~~MONEYARY contributions received from all political~~
3 ~~committees for any candidate or ballot-issue exceed 20% of~~
4 ~~the total amount of contributions received from all sources~~
5 ~~for that candidate or ballot-issue~~ VOLUNTARY CAMPAIGN
6 EXPENDITURE LIMITS ESTABLISHED IN (A) THROUGH (H) AND (K)
7 THROUGH (V) OF SUBSECTION (4).

8 ~~(B) AT NO TIME MAY THE AGGREGATE AMOUNT OF MONETARY~~
9 ~~CONTRIBUTIONS RECEIVED FROM ALL POLITICAL COMMITTEES FOR A~~
10 ~~CANDIDATE FOR THE STATE SENATE EXCEED \$1,000 OR \$600 FOR A~~
11 ~~CANDIDATE FOR THE STATE HOUSE OF REPRESENTATIVES.~~

12 ~~(C) IN-KIND CONTRIBUTIONS MAY NOT BE INCLUDED IN~~
13 ~~COMPUTING THE LIMITATION TOTALS PROVIDED FOR IN SUBSECTIONS~~
14 ~~(3)(A) AND (3)(B).~~

15 ~~(4) In the year in which an election is held for an~~
16 ~~office sought by a candidate, A CANDIDATE IS ENCOURAGED TO~~
17 ~~VOLUNTARILY AGREE THAT no expenditures may will be made by a~~
18 ~~THE candidate or the principal campaign committee of that~~
19 ~~candidate or otherwise on behalf of that candidate which~~
20 ~~result in an aggregate amount in excess of the following~~
21 ~~amounts:~~

22 ~~(a) for governor and lieutenant governor, running~~
23 ~~together, \$500,000;~~

24 ~~(b) for secretary of state, \$200,000;~~

25 ~~(c) for attorney general, \$150,000;~~

1 (d) for state auditor, \$100,000;
 2 (e) for superintendent of public instruction,
 3 \$100,000;
 4 (f) for public service commissioner, \$20,000;
 5 (g) for chief justice or justice of the supreme court,
 6 \$25,000;
 7 (h) for district court judge, \$8,000;
 8 (i) for state senator, \$8,000;
 9 (j) for state representative, \$4,000;
 10 (k) for county attorney, \$5,000;
 11 (l) for clerk of district courts, \$2,500;
 12 (m) for county sheriff, \$8,000;
 13 (n) for county clerk and recorder, \$3,000;
 14 (o) for county commissioner, \$15,000;
 15 (p) for county superintendent of schools, \$10,000;
 16 (q) for county treasurer, \$3,000;
 17 (r) for public administrator, \$2,000;
 18 (s) for county assessor, \$2,000;
 19 (t) for county coroner, \$2,000;
 20 (u) for justice of the peace, \$2,000;
 21 (v) for all other elected offices, \$2,000;
 22 (5) In the year in which an election is held on a
 23 ballot issue, A PERSON OR POLITICAL COMMITTEE ORGANIZED IN
 24 SUPPORT OF OR IN OPPOSITION TO A BALLOT ISSUE IS ENCOURAGED
 25 TO VOLUNTARILY LIMIT expenditures to IN support OF OR IN

1 OPPOSITION TO the measure may not exceed 10 an aggregate
 2 amount of NOT TO EXCEED \$250,000 and expenditures to oppose
 3 the measure may not exceed \$250,000.
 4 (3)(b) The limitations imposed by this section do not
 5 apply to public funds contributed to a candidate under part
 6 3 of this chapter."
 7 Section 3. Section 13-37-229, MCA, is amended to read:
 8 "13-37-229. Disclosure of contributions received. Each
 9 report required by this chapter shall disclose the following
 10 information:
 11 (1) the amount of cash on hand at the beginning of the
 12 reporting period;
 13 (2) the full name and mailing address (occupation and
 14 the principal place of business, if any) of each person who
 15 has made aggregate contributions, other than loans, of \$25
 16 or more to the candidate or political committee (including
 17 the purchase of tickets and other items for events such as
 18 dinners, luncheons, rallies, and similar fund-raising
 19 events), together with the aggregate amount of those
 20 contributions within the reporting period and the total
 21 amount of contributions made by that person;
 22 (3) the total sum of individual contributions made to
 23 or for the political committee or candidate and not reported
 24 under subsection (2) of this section;
 25 (4) the name and address of each political committee

1 or candidate from which the reporting committee or candidate
2 received any transfer of funds, together with the amount and
3 dates of all transfers;

4 (5) each loan from any person during the reporting
5 period, together with the full names and mailing addresses
6 (occupation and principal place of business, if any) of the
7 lender and endorsers, if any, and the date and amount of
8 each loan;

9 (6) the amount and nature of debts and obligations
10 owed to a political committee or candidates, in the form
11 prescribed by the commissioner;

12 (7) an itemized account of proceeds which total less
13 than \$25 from a person from mass collections made at
14 fund-raising events;

15 (8) each contribution, rebate, refund, or other
16 receipt not otherwise listed under subsections (2) through
17 (7) of this section during the reporting period;

18 (9) the total sum of all receipts received by or for
19 the committee or candidate during the reporting period;

20 ~~(10) an itemized account of all in-kind services~~
21 ~~provided by a political committee for the specific purpose~~
22 ~~of:~~

23 ~~(a) advocating any candidate or ballot issue; or~~

24 ~~(b) opposing any candidate or ballot issue;~~

25 ~~(10)(11) other information that may be required by the~~

1 commissioner to fully disclose the sources of funds used to
2 support or oppose candidates or issues."

3 ~~Section 3. Section 13-37-230, MCA, is amended to read:~~

4 ~~"13-37-230. Disclosure of expenditures made --- capital~~

5 ~~of --- mailings. (1) Each report required by this chapter shall~~

6 ~~disclose the following information, except that a candidate~~

7 ~~shall only be required to report the information specified~~

8 ~~in this section if the transactions involved were undertaken~~

9 ~~for the purpose of influencing an election:~~

10 ~~(1)(a) the full name and mailing address (occupation~~

11 ~~and the principal place of business, if any) of each person~~

12 ~~to whom expenditures have been made by the committee or~~

13 ~~candidate during the reporting period, including the amount,~~

14 ~~date, and purpose of each expenditure and the total amount~~

15 ~~of expenditures made to each person;~~

16 ~~(2)(b) the full name and mailing addresses (occupation~~

17 ~~and the principal place of business, if any) of each person~~

18 ~~to whom an expenditure for personal services, salaries, and~~

19 ~~reimbursed expenses have been made, including the amount,~~

20 ~~date, and purpose of that expenditure and the total amount~~

21 ~~of expenditures made to each person;~~

22 ~~(3)(c) the total sum of expenditures made by a~~

23 ~~political committee or candidate during the reporting~~

24 ~~period;~~

25 ~~(4)(d) the name and address of each political~~

~~committee--or--candidate--to--which--the--reporting--committee--or
 candidate--made--any--transfer--of--funds--together--with--the
 amount--and--dates--of--all--transfers;~~

~~(5)(g) the name of any person to whom a loan was made
 during the reporting period, including the full name and
 mailing address (occupation and principal place of business
 if any) of that person, and the full name and mailing
 address (occupation and principal place of business if any)
 of the endorser, if any, and the date and amount of each
 loan;~~

~~(6)(f) the amount and nature of debts and obligations
 owed by a political committee or candidate in the form
 prescribed by the commissioner;~~

~~(7)(g) other information that may be required by the
 commissioner to fully disclose the disposition of funds used
 to support or oppose candidates or issues;~~

~~(2) Each report required by this chapter must also
 include a copy of any mailing endorsing or opposing any
 candidate or ballot issue"~~

-End-

March 25, 1983

SENATE COMMITTEE OF THE WHOLE AMENDMENT

That House Bill No. 283 be amended as follows:

1. Page 4, line 2.

Following: "(i)"

Strike: Remainder of line 2 through "or" on line 4

March 25, 1983

SENATE COMMITTEE OF THE WHOLE AMENDMENT

That House Bill No. 283 be amended as follows:

1. Strike: All Senate State Administration Committee Amendments in their entirety.

March 24, 1983

SENATE STANDING COMMITTEE REPORT
(State Administration)

That House Bill No. 283 be amended as follows:

1. Page 2, line 1.
Following: "goods"
Insert: "or services"
2. Page 3, line 7.
Following: "services,"
Insert: "consulting,"
3. Page 3, line 8.
Following: "charge"
Strike: "(other than volunteer services)"
4. Page 3, line 16.
Following: "services"
Insert: "Donated services must be valued at the standard prevailing rate of wages, including fringe benefits for health and welfare and pension contributions and travel allowance provisions applicable to the county or locality in which the work is being performed, as that term is defined in 18-2-401(5) and determined in 18-2-402."
5. Page 3, following line 16.
Insert: "(d) Volunteer services include those services to a candidate or political committee provided by a person who is not receiving financial reimbursement from a candidate or political action committee."
6. Page 10, line 2.
Strike: "MONETARY"
7. Page 10, line 3.
Following: "exceed"
Strike: "20%"
Insert: "35%"
8. Page 10, line 8.
Following: "(B)"
Strike: "AT NO TIME MAY"
Insert: "In the 1984 election"
Following: "OF"
Strike: "MONETARY"
9. Page 10, line 10.
Following: "SENATE"
Insert: "may not"
Following: "EXCEED"
Strike: "\$1,000 or \$600"
Insert: "\$2,500 or \$1,500"

SENATE STANDING COMMITTEE REPORT
STATE ADMINISTRATION H.B. No. 283
MARCH 24, 1983
Page 2

10. Page 10, line 11.
Following: "REPRESENTATIVES."
Insert: "The foregoing limitations shall be multiplied by the inflation factor, as defined in 15-30-101(8), for the year in which general elections are held after 1984. The commissioner of political practices shall publish the revised limitations as a rule."
11. Page 10, line 12.
Following: "CONTRIBUTIONS"
Strike: "MAY NOT"
Insert: "shall"
12. Page 11, line 10.
Strike: "\$5,000"
Insert: "\$15,000"
13. Page 11, line 11.
Strike: "\$2,500"
Insert: "\$7,500"
14. Page 11, line 12.
Strike: "\$8,000"
Insert: "\$15,000"
15. Page 11, line 13.
Strike: "\$3,000"
Insert: "\$7,500"
16. Page 11, line 15.
Strike: "\$10,000"
Insert: "\$15,000"
17. Page 11, line 16.
Strike: "\$3,000"
Insert: "\$7,500"
18. Page 11, line 17.
Strike: "\$2,000"
Insert: "\$7,500"
19. Page 11, line 18.
Strike: "\$2,000"
Insert: "\$7,500"
20. Page 11, line 19.
Strike: "\$2,000"
Insert: "\$7,500"
21. Page 11, line 20.
Strike: "\$2,000"
Insert: "\$7,500"
22. Page 11, line 21.
Strike: "\$2,000"
Insert: "\$7,500"

HOUSE BILL NO. 283

INTRODUCED BY WINSLOW, THOMAS, SHONTZ,

MENAHAN, REGAN, FAGG, CURTISS, NORDTVEDT,

KITSELMAN, SCHULTZ, SWITZER, ERNST, HANSON,

BERTELSEN, PHILLIPS, HANNAH, DRISCOLL, BLISS,

DAILY, KEYSER, MARKS, LORY, EUDAILY, SCHYE,

SAUNDERS, VINGER, RAMIREZ, FABREGA,

VINCENT, ADDY

A BILL FOR AN ACT ENTITLED: "AN ACT ~~REVISING THE DEFINITION~~
~~OF CONTRIBUTION FOR THE PURPOSE OF CAMPAIGN PRACTICES;~~
 PLACING A LIMIT ON POLITICAL COMMITTEE CAMPAIGN
 CONTRIBUTIONS; ~~LIMITING EXPENDITURES FOR ELECTIVE OFFICES~~
~~ESTABLISHING VOLUNTARY EXPENDITURE LIMITS FOR CANDIDATES AND~~
~~BALLOT ISSUES;~~ AND REQUIRING THE REPORTING TO THE
 COMMISSIONER OF POLITICAL PRACTICES OF IN-KIND SERVICES
 PROVIDED BY POLITICAL COMMITTEES; ~~AND REQUIRING REPORTS TO~~
~~INCLUDE COPIES OF CERTAIN MAILINGS;~~ AMENDING SECTIONS
 13-1-101, 13-37-216, AND 13-37-229, ~~AND 13-37-230, MCA."~~

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

SECTION 1. SECTION 13-1-101, MCA, IS AMENDED TO READ:

"13-1-101. Definitions. As used in this title, unless
 the context clearly indicates otherwise, the following
 definitions apply:

(1) "Anything of value" means any goods ~~OR SERVICES~~
 that have a certain utility to the recipient that is real
 and that is ordinarily not given away free but is purchased.

(2) "Candidate" means:

(a) an individual who has filed a declaration or
 petition for nomination, acceptance of nomination or
 appointment as a candidate for public office as required by
 law;

(b) for the purposes of chapters 35, 36, or 37, an
 individual who has publicly announced his intention to seek
 nomination or election to public office by write-in vote and
 who has received a contribution or made an expenditure or
 has given an authorization to another person to receive a
 contribution or make an expenditure for the purpose of
 supporting his nomination or election.

(3) (a) "Contribution" means:

(i) an advance, gift, loan, conveyance, deposit,
 payment, or distribution of money or anything of value to
 influence an election, ~~some of which terms are further~~
~~defined as follows:~~

(A) "loan" includes a guarantee, endorsement, and any
 other form of security in which the risk of nonpayment rests
 with the surety, guarantor, or endorser as well as with a
 political committee, candidate, or other primary obligor. A
 loan is a contribution to the extent that the obligation

remains outstanding.

(B) "money" includes currency of the United States or of any foreign nation, checks, money orders, and any other negotiable instrument payable on demand;

(C) "anything of value" includes securities, goods, facilities, equipment, supplies, personnel, advertising services, ~~EARNINGS~~, or other in-kind contributions provided without charge ~~for~~ ~~than~~ ~~volunteer~~ ~~services~~ ~~(OTHER THAN VOLUNTEER SERVICES)~~ or at a charge that is below the normal charge for the items. "Normal charge" for goods means the price of those goods in the market from which they ordinarily would have been purchased at the time of their contribution; and "normal charge" for any services, other than those provided by an unpaid volunteer, means a charge based on the weekly, hourly, or piecework rate charge, whichever is best applicable, ordinarily paid to the person providing the services. ~~DONATED SERVICES MUST BE VALUED AT THE STANDARD PREVAILING RATE OF WAGES, INCLUDING FRINGE BENEFITS FOR HEALTH AND WELFARE AND PENSION CONTRIBUTIONS AND TRAVEL ALLOWANCE PROVISIONS APPLICABLE TO THE COMMUNITY OR LOCALITY IN WHICH THE WORK IS BEING PERFORMED, AS THAT TERM IS DEFINED IN 10-2-401.51 AND DETERMINED IN 10-2-402.~~

~~(D) VOLUNTEER SERVICES INCLUDE THOSE SERVICES TO A CANDIDATE OR POLITICAL COMMITTEE PROVIDED BY A PERSON WHO IS NOT RECEIVING FINANCIAL REIMBURSEMENT FROM A CANDIDATE OR~~

~~REGULATORY ACTION COMMITTEE~~

(ii) a transfer of funds between political committees;

(iii) the payment by a person other than a candidate or political committee of compensation for the personal services of another person that are rendered to a candidate or political committee;

~~(iv) a written contract, promise, or agreement, such as a signed pledge card, whether or not legally enforceable, to make a contribution, and is a reportable debt owed to the candidate or committee until it is honored.~~

(b) "Contribution" does not mean:

(i) services ~~provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee or~~ meals and lodging provided by individuals in their private residence for a candidate or other individual;

(ii) the cost of any bona fide news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication of general circulation;

(iii) the cost of any communication by any membership organization or corporation to its members or stockholders or employees, so long as such organization is not a primary political committee; or

(iv) filing fees paid by the candidate;

~~(vi) payments made for the purpose of determining whether an individual should become a candidate, such as those incurred in conducting a poll;~~

~~(vii) unreimbursed payments for transportation expenses made by an individual in volunteering services to a candidate, to the extent that the cumulative value of the payments does not exceed \$100 for an election; or~~

~~(viii) unreimbursed payment from a volunteer's personal funds for usual and normal living expenses incident to volunteer activity.~~

(4) "Election" means a general, special, or primary election held pursuant to the requirements of state law, regardless of the time and/or purpose.

(5) "Election administrator" means the county clerk and recorder or the individual designated by a county governing body to be responsible for all election administration duties, except that with regard to school elections, the term means the school district clerk.

(6) "Elector" means an individual qualified and registered to vote under state law.

(7) (a) "Expenditure" means a purchase, payment, distribution, loan, advance, promise, pledge, or gift of money or anything of value made for the purpose of influencing the results of an election.

(b) "Expenditure" does not mean:

(i) services, food, or lodging provided in a manner that they are not contributions under subsection (3);

(ii) payments by a candidate for his filing fee or for personal travel expenses, food, clothing, lodging, or personal necessities for himself and his family;

(iii) the cost of any bona fide news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication of general circulation; or

(iv) the cost of any communication by any membership organization or corporation to its members or stockholders or employees, so long as such organization is not a primary political committee.

(8) "General election" means an election held for the election of public officers throughout the state at times specified by law, including elections for officers of political subdivisions when the time of the election is set on the same date for all similar political subdivisions in the state.

(9) "Individual" means a human being.

(10) "Issue" or "ballot issue" means a proposal submitted to the people at an election for their approval or rejection, including but not limited to initiatives, referenda, proposed constitutional amendments, recall questions, school levy questions, bond issue questions, or a

1 ballot question. For the purposes of chapters 35, 36, and
 2 37, an issue becomes a "ballot issue" upon certification by
 3 the proper official that the legal procedure necessary for
 4 its qualification and placement upon the ballot has been
 5 completed, except that a statewide issue becomes an "issue"
 6 upon approval by the secretary of state of the form of the
 7 petition or referral.

8 (11) "Person" means an individual, corporation,
 9 association, firm, partnership, cooperative, committee,
 10 club, union, or other organization or group of individuals
 11 or a candidate as defined in subsection (2) of this section.

12 (12) "Political committee" means a combination of two
 13 or more individuals or a person other than an individual who
 14 makes a contribution or expenditure:

15 (a) to support or oppose a candidate or a committee
 16 organized to support or oppose a candidate or a petition for
 17 nomination; or

18 (b) to support or oppose a ballot issue or a committee
 19 organized to support or oppose a ballot issue; or

20 (c) as an earmarked contribution.

21 (13) "Political subdivision" means a county,
 22 consolidated municipal-county government, municipality,
 23 special district, or any other unit of government, except
 24 school districts, having authority to hold an election for
 25 officers or on a ballot issue.

1 (14) "Primary" or "primary election" means an election
 2 held throughout the state to nominate candidates for public
 3 office at times specified by law, including nominations of
 4 candidates for offices of political subdivisions when the
 5 time for such nominations is set on the same date for all
 6 similar subdivisions in the state.

7 (15) "Public office" means a state, county, municipal,
 8 school, or other district office that is filled by the
 9 people at an election.

10 (16) "Registrar" means the county election
 11 administrator and any regularly appointed deputy or
 12 assistant election administrator.

13 (17) "Special election" means an election other than a
 14 statutorily scheduled primary or general election held at
 15 any time for any purpose provided by law. It may be held in
 16 conjunction with a statutorily scheduled election.

17 (18) "Voting machine or device" means any equipment
 18 used to record, tabulate, or in any manner process the vote
 19 of an elector."

20 Section 2. Section 13-37-216, MCA, is amended to read:

21 "13-37-216. Limitations on contributions and
 22 ~~expenditures~~ -- VOLUNTARY LIMITATIONS ON EXPENDITURES. (1)
 23 Aggregate contributions for all elections in a campaign by
 24 an individual, other than the candidate, to a candidate and
 25 political committees organized on his behalf are limited as

1 follows:

2 (a) for candidates filed jointly for the office of
3 governor and lieutenant governor, not to exceed \$1,500;

4 (b) for a candidate to be elected for state office in
5 a statewide election, other than the candidates for governor
6 and lieutenant governor, not to exceed \$750;

7 (c) for a candidate for public service commissioner,
8 district court judge, or state senator, not to exceed \$400;
9 and

10 (d) for a candidate for any other public office, not
11 to exceed \$250.

12 (2) For the purposes of this subsection, an
13 independent committee means a committee which is not
14 specifically organized on behalf of a particular candidate
15 or which is not controlled either directly or indirectly by
16 a candidate or candidate's committee and which does not act
17 jointly with a candidate or candidate's committee in
18 conjunction with the making of expenditures or accepting
19 contributions. For the purpose of limitation on
20 contributions, political party organizations are independent
21 committees. Aggregate contributions by an independent
22 committee to a candidate and political committees organized
23 on his behalf for all elections in a campaign are limited as
24 follows:

25 (a) for candidates filed jointly for the offices of

1 governor and lieutenant governor, not to exceed \$8,000;

2 (b) for a candidate to be elected for state office in
3 a statewide election, other than the candidates for governor
4 and lieutenant governor, not to exceed \$2,000;

5 (c) for a candidate for public service commissioner,
6 not to exceed \$1,000;

7 (d) for a candidate for the state senate, not to
8 exceed \$600;

9 (e) for a candidate for any other public office, not
10 to exceed \$300.

11 ~~(3) (A) At no time may the aggregate amount of~~
12 ~~MONEIARY MONETARY contributions received from all political~~
13 ~~committees for any candidate or ballot issue exceed 28% 35%~~
14 ~~20% of the total amount of contributions received from all~~
15 ~~sources for that candidate or ballot issue VOLUNTARY~~
16 ~~CAMPAIGN EXPENDITURE LIMITS ESTABLISHED IN (A) THROUGH (H)~~
17 ~~AND (K) THROUGH (V) OF SUBSECTION (4).~~

18 ~~(B) AT NO TIME MAY IN THE 1994 ELECTION AT NO TIME MAY~~
19 ~~THE AGGREGATE AMOUNT OF MONETARY MONETARY CONTRIBUTIONS~~
20 ~~RECEIVED FROM ALL POLITICAL COMMITTEES FOR A CANDIDATE FOR~~
21 ~~THE STATE SENATE MAY NOT EXCEED \$1,000 OR \$600 \$2,500 OR~~
22 ~~\$1,500 \$1,000 OR \$600 FOR A CANDIDATE FOR THE STATE HOUSE OF~~
23 ~~REPRESENTATIVES. THE FOLLOWING LIMITATIONS SHALL BE~~
24 ~~MULTIPLIED BY THE INFLATION FACTOR AS DEFINED IN~~
25 ~~15-29-10101 FOR THE YEAR IN WHICH GENERAL ELECTIONS ARE~~

1 ~~HEREAFTER--THE--COMMISSIONER--OF--POLITICAL--PRACTICES~~
2 ~~SHALL--PUBLISH--THE--REVISED--LIMITATIONS--AS--A--RULE~~
3 (C) ~~IN-KIND CONTRIBUTIONS MAY--NOT~~ ~~SHALL MAY NOT BE~~
4 ~~INCLUDED IN COMPUTING THE LIMITATION TOTALS PROVIDED FOR IN~~
5 ~~SUBSECTIONS (3)(A) AND (3)(B).~~
6 (4) ~~In the year in which an election is held for an~~
7 ~~office sought by a candidate, A CANDIDATE IS ENCOURAGED TO~~
8 ~~VOLUNTARILY AGREE THAT no expenditures may WILL be made by a~~
9 ~~THE candidate or the principal campaign committee of that~~
10 ~~candidate or otherwise on behalf of that candidate which~~
11 ~~result in an aggregate amount in excess of the following~~
12 ~~amounts:~~
13 (a) ~~for governor and lieutenant governor, running~~
14 ~~together, \$500,000;~~
15 (b) ~~for secretary of state, \$200,000;~~
16 (c) ~~for attorney general, \$150,000;~~
17 (d) ~~for state auditor, \$100,000;~~
18 (e) ~~for superintendent of public instruction,~~
19 ~~\$100,000;~~
20 (f) ~~for public service commissioner, \$20,000;~~
21 (g) ~~for chief justice or justice of the supreme court,~~
22 ~~\$25,000;~~
23 (h) ~~for district court judge, \$8,000;~~
24 (i) ~~for state senator, \$8,000;~~
25 (j) ~~for state representative, \$4,000;~~

1 (k) ~~for county attorney, \$5,000; \$15,000; \$5,000;~~
2 (l) ~~for clerk of district court, \$2,500; \$7,500; \$2,500;~~
3 (m) ~~for county sheriff, \$8,000; \$15,000; \$8,000;~~
4 (n) ~~for county clerk and recorder, \$3,000; \$7,500;~~
5 ~~\$3,000;~~
6 (o) ~~for county commissioner, \$15,000;~~
7 (p) ~~for county superintendent of schools, \$18,000;~~
8 ~~\$15,000; \$10,000;~~
9 (q) ~~for county treasurer, \$3,000; \$7,500; \$3,000;~~
10 (r) ~~for public administrator, \$2,000; \$7,500; \$2,000;~~
11 (s) ~~for county assessor, \$2,000; \$7,500; \$2,000;~~
12 (t) ~~for county coroner, \$2,000; \$7,500; \$2,000;~~
13 (u) ~~for justice of the peace, \$2,000; \$7,500; \$2,000;~~
14 (v) ~~for all other elected offices, \$2,000; \$7,500;~~
15 ~~\$2,000.~~
16 (5) ~~In the year in which an election is held on a~~
17 ~~ballot issue, A PERSON OR POLITICAL COMMITTEE ORGANIZED IN~~
18 ~~SUPPORT OF OR IN OPPOSITION TO A BALLOT ISSUE IS ENCOURAGED~~
19 ~~TO VOLUNTARILY LIMIT expenditures to IN support OF OR IN~~
20 ~~OPPOSITION TO the measure may not exceed IN an aggregate~~
21 ~~amount of NOT TO EXCEED \$250,000 and expenditures to--on--the~~
22 ~~the measure may not exceed--\$250,000.~~
23 (6) The limitations imposed by this section do not
24 apply to public funds contributed to a candidate under part
25 3 of this chapter."

1 Section 3. Section 13-37-229, MCA, is amended to read:
 2 "13-37-229. Disclosure of contributions received. Each
 3 report required by this chapter shall disclose the following
 4 information:

5 (1) the amount of cash on hand at the beginning of the
 6 reporting period;

7 (2) the full name and mailing address (occupation and
 8 the principal place of business, if any) of each person who
 9 has made aggregate contributions, other than loans, of \$25
 10 or more to the candidate or political committee (including
 11 the purchase of tickets and other items for events such as
 12 dinners, luncheons, rallies, and similar fund-raising
 13 events), together with the aggregate amount of those
 14 contributions within the reporting period and the total
 15 amount of contributions made by that person;

16 (3) the total sum of individual contributions made to
 17 or for the political committee or candidate and not reported
 18 under subsection (2) of this section;

19 (4) the name and address of each political committee
 20 or candidate from which the reporting committee or candidate
 21 received any transfer of funds, together with the amount and
 22 dates of all transfers;

23 (5) each loan from any person during the reporting
 24 period, together with the full names and mailing addresses
 25 (occupation and principal place of business, if any) of the

1 lender and endorsers, if any, and the date and amount of
 2 each loan;

3 (6) the amount and nature of debts and obligations
 4 owed to a political committee or candidates, in the form
 5 prescribed by the commissioner;

6 (7) an itemized account of proceeds which total less
 7 than \$25 from a person from mass collections made at
 8 fund-raising events;

9 (8) each contribution, rebate, refund, or other
 10 receipt not otherwise listed under subsections (2) through
 11 (7) of this section during the reporting period;

12 (9) the total sum of all receipts received by or for
 13 the committee or candidate during the reporting period;

14 ~~(10) an itemized account of all in-kind services~~
 15 ~~provided by a political committee for the specific purpose~~
 16 ~~of:~~

17 ~~(a) advocating any candidate or ballot issue; or~~

18 ~~(b) opposing any candidate or ballot issue;~~

19 ~~(10)(iii) other information that may be required by the~~
 20 ~~commissioner to fully disclose the sources of funds used to~~
 21 ~~support or oppose candidates or issues."~~

22 ~~Section 3--Section 13-37-230, MCA, is amended to read:~~

23 ~~"13-37-230--Disclosure of expenditures made ---copies~~
 24 ~~of--mailings-- 111 Each report required by this chapter shall~~
 25 ~~disclose the following information, except that a--candidate~~

1 shall--only--be-required-to-report-the-information-specified
 2 in-this-section-if-the-transactions-involved-were-undertaken
 3 for-the-purpose-of-influencing-an-election;

4 (1)(a) the full name and mailing address, occupation
 5 and the principal place of business, if any, of each person
 6 to whom expenditures have been made by the committee or
 7 candidate during the reporting period, including the amount,
 8 date, and purpose of each expenditure and the total amount
 9 of expenditures made to each person;

10 (2)(b) the full name and mailing addresses, occupation
 11 and the principal place of business, if any, of each person
 12 to whom an expenditure for personal services, salaries, and
 13 reimbursed expenses have been made, including the amount,
 14 date, and purpose of that expenditure and the total amount
 15 of expenditures made to each person;

16 (3)(c) the total sum of expenditures made by a
 17 political committee or candidate during the reporting
 18 period;

19 (4)(d) the name and address of each political
 20 committee or candidate to which the reporting committee or
 21 candidate made any transfer of funds, together with the
 22 amount and dates of all transfers;

23 (5)(e) the name of any person to whom a loan was made
 24 during the reporting period, including the full name and
 25 mailing address, occupation and principal place of business,

1 if any of that person, and the full name and mailing
 2 address, occupation and principal place of business, if any,
 3 of the endorser, if any, and the date and amount of each
 4 loan;

5 (6)(f) the amount and nature of debts and obligations
 6 owed by a political committee or candidate in the form
 7 prescribed by the commissioner;

8 (7)(g) other information that may be required by the
 9 commissioner to fully disclose the disposition of funds used
 10 to support or oppose candidates or issues;

11 (2) Each report required by this chapter must also
 12 include a copy of any mailing endorsing or opposing any
 13 candidate or ballot issue."

-End-