

SENATE BILL NO. 215

1/22 Introduced
1/23 Referred to State Administration
2/08 Hearing
2/11 Committee Report-Bill Do pass
2/13 2nd Reading Pass
2/15 3rd Reading Pass

Transmitted to House

2/27 Referred to State Administration
3/15 Hearing
3/15 Committee Report-Bill Concurred
3/22 2nd Reading Not Concurred
3/22 Reconsideration
3/25 2nd Reading Pass As Amended
3/27 3rd Reading Concurred

Returned to Senate With Amendments

4/02 2nd Reading Amendments Not Concurred
4/05 Conference Committee Appointed
4/20 Conference Committee Report

Senate

4/22 2nd Reading Conference Committee
Report Adopted
4/22 3rd Reading Conference Committee
Report Adopted

House

4/22 2nd Reading Conference Committee
Report Not Adopted
4/23 Free Conference Committee Appointed
4/24 Free Conference Committee Report

Senate

4/25 2nd Reading Free Conference Committee
Report Adopted
4/25 3rd Reading Free Conference Committee
Report Adopted
Died in Process

Senate BILL NO. 215

INTRODUCED BY *Hally Vincent Eck Kuba*
Hally Vincent Eck Kuba
Bill Endley
Bill Endley

BILL FOR AN ACT ENTITLED: "AN ACT TO DEFINE "MONETARY CONTRIBUTIONS" FOR PURPOSES OF THE LIMITATIONS ON CONTRIBUTIONS RECEIVED FROM POLITICAL COMMITTEES; AMENDING SECTION 13-37-218, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Section 13-37-218, MCA, is amended to read:
"13-37-218. Limitations on receipts from political committees. (1) A candidate for the state senate may receive no more than \$1,000 in total combined monetary contributions from all political committees contributing to his campaign, and a candidate for the state house of representatives may receive no more than \$600 in total combined monetary contributions from all political committees contributing to his campaign. 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 resulting figure shall be rounded off to the nearest \$50 increment. The commissioner of political practices shall publish the revised limitations as a rule. In-kind contributions may not be included in computing these limitation totals. The limitation provided in this section

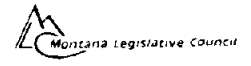
does not apply to contributions made by a political party eligible for a primary election under 13-10-601.

(2) For purposes of this section, "monetary contributions" means all contributions having a definite monetary value, including contributions of postage stamps, contracted services, payment of campaign debts, such as printing and advertising debts, and all other such contributions."

NEW SECTION. Section 2. Extension of authority. Any existing authority of the commissioner of political practices to make rules on the subject of the provisions of this act is extended to the provisions of this act.

-End-

INTRODUCED BILL
SB 215



APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

Senate BILL NO. *215*

Stuntz

INTRODUCED BY

Hoffy Vincent Eck Kudas Log

Waldman Smith Johnson Miles Eadsley
A BILL FOR AN ACT ENTITLED: "AN ACT TO DEFINE "MONETARY
Contributions CONTRIBUTIONS" FOR PURPOSES OF THE LIMITATIONS ON,

CONTRIBUTIONS RECEIVED FROM POLITICAL COMMITTEES; AMENDING
SECTION 13-37-218, MCA."

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

Section 1. Section 13-37-218, MCA, is amended to read:

"13-37-218. Limitations on receipts from political committees. (1) A candidate for the state senate may receive no more than \$1,000 in total combined monetary contributions from all political committees contributing to his campaign, and a candidate for the state house of representatives may receive no more than \$600 in total combined monetary contributions from all political committees contributing to his campaign. 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 resulting figure shall be rounded off to the nearest \$50 increment. The commissioner of political practices shall publish the revised limitations as a rule. In-kind contributions may not be included in computing these limitation totals. The limitation provided in this section

1 does not apply to contributions made by a political party
2 eligible for a primary election under 13-10-601.

3 (2) For purposes of this section, "monetary
4 contributions" means all contributions having a definite
5 monetary value, including contributions of postage stamps,
6 contracted services, payment of campaign debts, such as
7 printing and advertising debts, and all other such
8 contributions."

9 NEW SECTION. Section 2. Extension of authority. Any
10 existing authority of the commissioner of political
11 practices to make rules on the subject of the provisions of
12 this act is extended to the provisions of this act.

-End-

1 *Senate* BILL NO. *215*
 2 INTRODUCED BY *Huffy Vincent Eck Koda Loy*
 3 *Hallgrain Grace Johnson Mills Eadsley*
 4 *Baronow* BILL FOR AN ACT ENTITLED: "AN ACT TO DEFINE "MONETARY
 5 CONTRIBUTIONS" FOR PURPOSES OF THE LIMITATIONS ON
 6 CONTRIBUTIONS RECEIVED FROM POLITICAL COMMITTEES; AMENDING
 7 SECTION 13-37-218, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 13-37-218, MCA, is amended to read:
 11 "13-37-218. Limitations on receipts from political
 12 committees. (1) A candidate for the state senate may receive
 13 no more than \$1,000 in total combined monetary contributions
 14 from all political committees contributing to his campaign,
 15 and a candidate for the state house of representatives may
 16 receive no more than \$600 in total combined monetary
 17 contributions from all political committees contributing to
 18 his campaign. The foregoing limitations shall be multiplied
 19 by the inflation factor as defined in 15-30-101(8) for the
 20 year in which general elections are held after 1984; the
 21 resulting figure shall be rounded off to the nearest \$50
 22 increment. The commissioner of political practices shall
 23 publish the revised limitations as a rule. In-kind
 24 contributions may not be included in computing these
 25 limitation totals. The limitation provided in this section

1 does not apply to contributions made by a political party
 2 eligible for a primary election under 13-10-601.

3 (2) For purposes of this section, "monetary
 4 contributions" means all contributions having a definite
 5 monetary value, including contributions of postage stamps,
 6 contracted services, payment of campaign debts, such as
 7 printing and advertising debts, and all other such
 8 contributions."

9 NEW SECTION. Section 2. Extension of authority. Any
 10 existing authority of the commissioner of political
 11 practices to make rules on the subject of the provisions of
 12 this act is extended to the provisions of this act.

-End-



-2- THIRD READING
 SB 215

HOUSE

3-15-85
DATE

41

2:25
TIME

MR. CHAIRMAN: I MOVE TO AMEND Senate Bill No. 215

3rd reading copy (blue) as follows:
Color

- 1. Title, line 6.
Following: "COMMITTEES;"
Insert: "PROVIDING FOR AN EXCEPTION FROM SUCH LIMITATIONS FOR CERTAIN DISABLED PERSONS;"
- 2. Page 1, line 12.
Following: "(1)"
Strike: "A"
Insert: "Except as provided in subsection (3), a"
- 3. Page 2, following line 8.
Insert: "(3) The limitations in subsection (1) do not apply to a person who is physically disabled and has campaign expenditures for special services related to such disability that exceed 25% of campaign funds available to the candidate."

ADOPT ADOPT

REJECT

BFA

Erd Campbell
Campbell

COMMITTEE OF THE WHOLE AMENDMENT

3231540P.CW

3231540p.cw 3:40
3-23-85

HOUSE

3-23-85
DATE

SB 215
Page 2 of 2

3:40
TIME

MR. CHAIRMAN: I MOVE TO AMEND SENATE BILL No. 215

third reading copy (blue) as follows:
Color

1. Title, line 4.
Strike: "MONETARY"
2. Page 1, line 13.
Strike: "monetary"
3. Page 1, line 16.
Strike: "monetary"
4. Page 1, line 24.
Strike: "may not"
Insert: "must"
5. Page 2, lines 3 through 8.
Strike: "monetary" on line 3 through "contributions." on line 8.
Insert: "'contributions' means:
(a) an advance, gift, loan, conveyance, deposit, payment, or distribution of money or anything of value to influence an election, some of which are further defined as follows:
(i) "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.
(ii) "Money" includes currency of the United States or any foreign nation, checks, money orders, and any other negotiable instrument payable on demand.
(iii) "Anything of value" includes securities, goods, postage stamps, facilities, equipment, supplies, personnel, payment of campaign debts, advertising services, consulting, or other in-kind contributions provided without charge other than volunteer services or at a charge that is below the normal charge for the items.

- (iv) "Normal charge" means:
(A) for goods the price of those goods in the market from which they ordinarily would have been purchased at the time of their contribution; and
(B) 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 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.
- (v) "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.
(b) a transfer of funds between political committees; and
(c) 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.
- (3) "Contributions" does not mean:
(a) meals or lodging provided by individuals in their private residence for a candidate or other individual;
(b) 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;
(c) 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;
(d) filing fee paid by candidates;
(e) nonreimbursed payments for transportation expenses made by an individual in volunteering services to a candidate; and
(f) nonreimbursed payment from a volunteer's personal funds for usual and normal living expenses incidental to volunteer activity."

ADOPT
REJECT

CONTINUED
Rep. Winslow

ADOPT
REJECT

Rep. Winslow
Rep. Winslow

Chairman.

COMMITTEE OF THE WHOLE AMENDMENT

3251100P.CW

3-25-85

DATE

11:00

TIME

MR. CHAIRMAN: I MOVE TO AMEND Senate Bill No. 215

third reading copy (blue) as follows:
Color

1. Page 2, following line 12.
Insert: "NEW SECTION. Section 3. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

COMMITTEE OF THE WHOLE AMENDMENT

3231150P.CW (P. 4) 25

3-23-85

DATE

11:50

TIME

MR. CHAIRMAN: I MOVE TO AMEND SENATE BILL No. 215 #3

third reading copy (blue) as follows:
Color

1. Page 1, line 13.
Strike: "\$1,000"
Insert: "\$1,100"
2. Page 1, line 16.
Strike: "\$600"
Insert: "\$1,100"

ADOPT
REJECT

L. Roy Smith
Rep. Rep. Svrcek

ADOPT
REJECT

Dave Brown
Rep. Dave Brown

1 SENATE BILL NO. 215

2 INTRODUCED BY HAFFEY, VINCENT, ECK, KADAS, LORY,
3 STIMATZ, HALLIGAN, SPAETH, J. HAMMOND, DRISCOLL, MILES,
4 EUDAILY, HARPER, ADDY, BARDANOUVE, DANIELS

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO DEFINE "MONETARY
7 CONTRIBUTIONS" FOR PURPOSES OF THE LIMITATIONS ON
8 CONTRIBUTIONS RECEIVED FROM POLITICAL COMMITTEES; PROVIDING
9 FOR AN EXCEPTION FROM SUCH LIMITATIONS FOR CERTAIN DISABLED
10 PERSONS; AMENDING SECTION 13-37-218, MCA."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 13-37-218, MCA, is amended to read:

14 "13-37-218. Limitations on receipts from political
15 committees. (1) A EXCEPT AS PROVIDED IN SUBSECTION (3), A
16 candidate for the state senate may receive no more than
17 ~~\$1,000~~ \$1,100 in total combined monetary contributions from
18 all political committees contributing to his campaign, and a
19 candidate for the state house of representatives may receive
20 no more than ~~\$600~~ \$1,100 in total combined monetary
21 contributions from all political committees contributing to
22 his campaign. The foregoing limitations shall be multiplied
23 by the inflation factor as defined in 15-30-101(8) for the
24 year in which general elections are held after 1984; the
25 resulting figure shall be rounded off to the nearest \$50

1 increment. The commissioner of political practices shall
2 publish the revised limitations as a rule. In-kind
3 contributions ~~may--not~~ MUST be included in computing these
4 limitation totals. The limitation provided in this section
5 does not apply to contributions made by a political party
6 eligible for a primary election under 13-10-601.

7 (2) For purposes of this section, "monetary
8 contributions"--means--all--contributions--having--a--definite
9 monetary--value--including--contributions--of--postage--stamps,
10 contracted--services;--payment--of--campaign--debts;--such--as
11 printing--and--advertising--debts;--and--all--other--such
12 contributions. "CONTRIBUTIONS" MEANS:

13 (A) AN ADVANCE, GIFT, LOAN, CONVEYANCE, DEPOSIT,
14 PAYMENT, OR DISTRIBUTION OF MONEY OR ANYTHING OF VALUE TO
15 INFLUENCE AN ELECTION, SOME OF WHICH ARE FURTHER DEFINED AS
16 FOLLOWS:

17 (I) "LOAN" INCLUDES A GUARANTY, ENDORSEMENT, AND ANY
18 OTHER FORM OF SECURITY IN WHICH THE RISK OF NONPAYMENT RESTS
19 WITH THE SURETY, GUARANTOR, OR ENDORSER, AS WELL AS WITH A
20 POLITICAL COMMITTEE, CANDIDATE, OR OTHER PRIMARY OBLIGOR. A
21 LOAN IS A CONTRIBUTION TO THE EXTENT THAT THE OBLIGATION
22 REMAINS OUTSTANDING.

23 (II) "MONEY" INCLUDES CURRENCY OF THE UNITED STATES OR
24 ANY FOREIGN NATION, CHECKS, MONEY ORDERS, AND ANY OTHER
25 NEGOTIABLE INSTRUMENT PAYABLE ON DEMAND.

1 (III) "ANYTHING OF VALUE" INCLUDES SECURITIES, GOODS,
 2 POSTAGE STAMPS, FACILITIES, EQUIPMENT, SUPPLIES, PERSONNEL,
 3 PAYMENT OF CAMPAIGN DEBTS, ADVERTISING SERVICES, CONSULTING,
 4 OR OTHER IN-KIND CONTRIBUTIONS PROVIDED WITHOUT CHARGE
 5 (OTHER THAN VOLUNTEER SERVICES) OR AT A CHARGE THAT IS BELOW
 6 THE NORMAL CHARGE FOR THE ITEMS.

7 (IV) "NORMAL CHARGE" MEANS:

8 (A) FOR GOODS, THE PRICE OF THOSE GOODS IN THE MARKET
 9 FROM WHICH THEY ORDINARILY WOULD HAVE BEEN PURCHASED AT THE
 10 TIME OF THEIR CONTRIBUTION; AND

11 (B) FOR ANY SERVICES, OTHER THAN THOSE PROVIDED BY AN
 12 UNPAID VOLUNTEER, A CHARGE BASED ON THE WEEKLY, HOURLY, OR
 13 PIECEWORK RATE CHARGE, WHICHEVER IS BEST APPLICABLE,
 14 ORDINARILY PAID TO THE PERSON PROVIDING THE SERVICES.
 15 DONATED SERVICES MUST BE VALUED AT THE STANDARD PREVAILING
 16 RATE OF WAGES AND TRAVEL ALLOWANCE PROVISIONS APPLICABLE TO
 17 THE COUNTY OR LOCALITY IN WHICH THE WORK IS BEING PERFORMED
 18 AS THAT TERM IS DEFINED IN 18-2-401(5) AND DETERMINED IN
 19 18-2-402.

20 (V) "VOLUNTEER SERVICES" INCLUDE THOSE SERVICES TO A
 21 CANDIDATE OR POLITICAL COMMITTEE PROVIDED BY A PERSON WHO IS
 22 NOT RECEIVING FINANCIAL REIMBURSEMENT FROM A CANDIDATE OR
 23 POLITICAL ACTION COMMITTEE.

24 (B) A TRANSFER OF FUNDS BETWEEN POLITICAL COMMITTEES;
 25 AND

1 (C) A WRITTEN CONTRACT, PROMISE, OR AGREEMENT SUCH AS
 2 A SIGNED PLEDGE CARD, WHETHER OR NOT LEGALLY ENFORCEABLE TO
 3 MAKE A CONTRIBUTION, AND IS A REPORTABLE DEBT OWED TO THE
 4 CANDIDATE OR COMMITTEE UNTIL IT IS HONORED.

5 (3) CONTRIBUTIONS DOES NOT MEAN:

6 (A) MEALS OR LODGING PROVIDED BY INDIVIDUALS IN THEIR
 7 PRIVATE RESIDENCE FOR A CANDIDATE OR OTHER INDIVIDUAL;

8 (B) THE COST OF ANY BONA FIDE NEWS STORY, COMMENTARY,
 9 OR EDITORIAL DISTRIBUTED THROUGH THE FACILITIES OF ANY
 10 BROADCASTING STATION, NEWSPAPER, MAGAZINE, OR OTHER
 11 PERIODICAL PUBLICATION OF GENERAL CIRCULATION;

12 (C) THE COST OF ANY COMMUNICATION BY ANY MEMBERSHIP
 13 ORGANIZATION OR CORPORATION TO ITS MEMBERS OR STOCKHOLDERS
 14 OR EMPLOYEES, SO LONG AS SUCH ORGANIZATION IS NOT A PRIMARY
 15 POLITICAL COMMITTEE;

16 (D) FILING FEES PAID BY CANDIDATES;

17 (E) NONREIMBURSED PAYMENTS FOR TRANSPORTATION EXPENSES
 18 MADE BY AN INDIVIDUAL IN VOLUNTEERING SERVICES TO A
 19 CANDIDATE; AND

20 (F) NONREIMBURSED PAYMENT FROM A VOLUNTEER'S PERSONAL
 21 FUNDS FOR USUAL AND NORMAL LIVING EXPENSES INCIDENTAL TO
 22 VOLUNTEER ACTIVITY.

23 (3)(4) THE LIMITATIONS IN SUBSECTION (1) DO NOT APPLY
 24 TO A PERSON WHO IS PHYSICALLY DISABLED AND HAS CAMPAIGN
 25 EXPENDITURES FOR SPECIAL SERVICES RELATED TO SUCH DISABILITY

1 THAT EXCEED 25% OF CAMPAIGN FUNDS AVAILABLE TO THE
2 CANDIDATE."

3 NEW SECTION. Section 2. Extension of authority. Any
4 existing authority of the commissioner of political
5 practices to make rules on the subject of the provisions of
6 this act is extended to the provisions of this act.

7 NEW SECTION. SECTION 3. SEVERABILITY. IF A PART OF
8 THIS ACT IS INVALID, ALL VALID PARTS THAT ARE SEVERABLE FROM
9 THE INVALID PART REMAIN IN EFFECT. IF A PART OF THIS ACT IS
10 INVALID IN ONE OR MORE OF ITS APPLICATIONS, THE PART REMAINS
11 IN EFFECT IN ALL VALID APPLICATIONS THAT ARE SEVERABLE FROM
12 THE INVALID APPLICATIONS.

-End-

CONFERENCE COMMITTEE REPORT

Report No. 1.....

... APR 19, 1985.....

MR. SPEAKER

WITHOUT RECOMMENDATION

We, your _____ Conference Committee on

SENATE BILL NO.215, refernce copy,

met and considered _____, on April 16, all House Amendments to SENATE BILL
NO.215.

We recommend as follows:

That SENATE BILL NO.215, reference copy, be amended as follows:

1. Title, line 6.
Following: "MONETARY"
Insert: "MONETARY"

2. Page 1, lines 8 through 10.
Following: "COMMITTEES" on line 8
Strike: remainder of line 8 through "PERSONS;" on line 10

3. Page 1, line 15.
Following: "A"
Strike: remainder of line 15
Insert: "A"

(CONTINUED)

~~XX~~

~~FOR THE SENATE~~

~~FOR THE HOUSE~~

J.H.
wy

Adley
Hager

April 19, 1985

4. Page 1, line 17.
Following: "\$1,000"
Strike: "\$1,100"
Insert: "\$1,000"
Following: "monetary"
Insert: "monetary"

5. Page 1, line 20.
Following: "\$600"
Strike: "\$1,100"
Insert: "\$600"
Following: "monetary"
Insert: "monetary"

6. Page 2, line 3.
Following: "may-not"
Strike: "MUST"
Insert: "may not"

7. Page 2, line 12 through line 22, page 4.
Following: "~~contributions~~:" on line 12
Strike: remainder of line 12 through line 22, page 4
Insert: " "monetary contributions" means all contributions having a definite monetary value, including contributions of postage stamps, contracted services, payment of campaign debts, and all other such contributions."

8. Page 4, line 23 through line 2, page 5.
Strike: subsection (4) in its entirety

CCSB215

And that this Conference Committee report be adopted.

Jack Haffey
HAFFEY, CHM

Alley
ADDY

William P. Yellowtail Jr.
YELLOWTAIL

Harper
HARPER

ANDERSON

RAMIREZ

ADOPT REJECT

THOMAS

KMK

CONFERENCE COMMITTEE REPORT

Report No. 1

April 24 19 85

MR. SPEAKER

We, your _____ FREE _____ Conference Committee on

SENATE BILL NO. 215

met and considered _____ SENATE BILL NO. 215, reference copy _____

We recommend as follows:

That SENATE BILL NO.215, reference copy, be amended as follows:

1. Title, line 6. Following: "MONETARY" Insert: "MONETARY"

2. Page 1, lines 8 through 10. Following: "COMMITTEES" on line 8 Strike: remainder of line 8 through "PERSONS;" on line 10

3. Page 1, line 15. Following: "A" Strike: remainder of line 15 Insert: "A"

(CONTINUED)

FOR THE SENATE

FOR THE HOUSE

FOR THE HOUSE

ADOPT REJECT

April 24

19 85

4. Page 1, line 17. Following: "\$17,000" Strike: "\$1,100" Insert: "\$1,000" Following: "menetary" Insert: "monetary"

5. Page 1, line 20. Following: "\$600" Strike: "\$1,100" Insert: "\$700" Following: "menetary" Insert: "monetary"

6. Page 2, line 3. Following: "may-not" Strike: "MUST" Insert: "may not"

7. Page 2, line 12 through line 22, page 4. Following: "contributions;" on line 12 Strike: remainder of line 12 through line 22, page 4 Insert: " "monetary contributions" means all contributions having a definite monetary value, including contributions of postage stamps, contracted services, payment of campaign debts, and all other such contributions."

8. Page 4, line 23 through line 2, page 5. Strike: subsection (4) in its entirety

CCSB215

And that this Conference Committee report be adopted.

HAFPEY, CHM [Signature]

ADDY [Signature]

YELLOWTAIL [Signature]

HARPER SCHYE [Signature]

ANDERSON [Signature]

MERCER [Signature]

ADOPT REJECT

THOMAS

Chairman.