

EXHIBIT

3-30-05

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SB 390

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FROM 2003 SESSION

# Bill would help candidates respond to attack ads

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HELENA — Saying some fairness needs to be inserted into political campaigns, a Bozeman legislator proposed Monday that candidates be guaranteed a chance to respond to last-minute attacks.

Republican Rep. Joe Balyeat found neither supporters nor opponents for his bill, but a Democratic Party official spoke in favor of it and hinted the measure may have bipartisan backing. Two Democrats are among sponsors of House Bill 523.

The legislation would require candidates, political committees or independent committees involved in a campaign to give the opposing side copies of any newspaper ad, printed materials or radio and TV ads that are used in the final 10 days of a race.

In cases involving newspaper or broadcast ads, the news media would be required to sell advertising space or time to the opponent for a response.

Balyeat said his proposal is intended to reduce the use of negative — and sometimes untrue — advertising in the closing days of a campaign.

"Politics is a messy business," he told the House State Administration Committee. "Negative cam-

paigning is effective because it only gives one version of the facts."

HBS23 would take an important step toward ensuring the other version is heard, Balyeat said.

A longtime critic of big government, he said his bill can accomplish the goal without creating more bureaucracy because it's up to candidates who are targeted in an ad to determine if it's an attack and warrants response.

Brad Martin, executive director for the Montana Democratic Party, called the bill an example of "good merit and good thinking."

He urged the committee to make sure the measure contains stiff enough punishment to encourage candidates to comply with the requirement to share campaign ads.

Balyeat suggested an addition to the bill that would require candidates to give their campaign ads to their opponents on the same day they are submitted to a newspaper, aired on TV or radio, put in the mail or delivered door-to-door.

Balyeat said his bill cannot address all the problems in campaigning practices, but can help reduce the use of negative advertising launched in the home stretch of a campaign.

"At least it's a start," he said.

