

Minutes of meeting
SENATE JUDICIARY COMMITTEE
January 22, 1979

The eleventh meeting of the Senate Judiciary Committee was called to order by vice-chairman S. A. Olson at 10:03 a.m. in room 405. This meeting was a joint hearing with the House Judiciary Committee to consider the merits of Senate Bill 65, which is an act to generally revise the laws relating to elections.

ROLL CALL:

All members of the Senate Judiciary Committee were present with the exception of Senator Towe, who was excused.

CONSIDERATION OF SENATE BILL 65:

Senator Lensink, chief sponsor of the bill, gave an explanation and brief history of how this bill was put together. He explained that in the last sixty years, there has been no significant revision in the Montana election law, that the bill is not perfect and that there will be some disagreement and some errors. He invited suggestions for improvement and whatever amendments that any one had to offer.

Senator Lensink introduced Representative Eudaily, who went over the major revisions that were contained in this bill. The ones he specifically covered are checked on pages 12 to 16 in the red book on Election Laws prepared by the subcommittee on state legal services and election laws, November, 1978.

He also stated that this bill will prohibit a candidate from using a personal bank account for campaign funding, establish an aggregate amount that a candidate can spend, eliminate the requirement for reports having to be notarized, and the big one - the consolidation of all elections to be held in November with the national, state offices, legislators, soil and water districts, etc. to be held in even years and county offices, city elections, special districts, etc. to be held in odd years.

Vice-Chairman Olson, at this point, turned the meeting over to House Judiciary Chairman Scully. He asked for any further proponents.

Margaret Davis, representing the League of Women Voters gave a statement in favor of this bill. She offered two small amendments on page 47, line 12, after the word "more", that the word "adjoining" be inserted and on page 65, line 9, after the word "ballot". strike the word "may" and insert the word "shall" and after "size" strike "and" and insert "or". (See exhibit #1)

Chad Smith, representing the Montana School Board Association, said if this bill was including school elections, he would

have some proposed amendments and gave a copy to the secretary. (See Exhibit # 2)

Merrill Klundt, chairman of the Montana Clerk and Recorders Legislative Committee, offered a statement in support of this bill, and offered a number of amendments that he would like to see in this bill. (Exhibit # 3 & 4)

John Bell, representing the Montana Association of Clerks and Recorders, stated that he hardly endorsed this bill and he hoped that the committee would accept the amendments offered and pointed out that they have refrained from anything controversial.

Edith Cox, representing the Montana Association of County Treasurers supported the amendments.

R. Dean Zinnecker, from the Montana Association of Counties, gave a statement supporting the amendments offered by the clerks and recorders.

Edna Gunderson, representing the Democratic Party gave a statement opposing elections in odd-numbered years.

Dan Mizner, representing Montana League of Cities and Towns, stated that they supported the bill.

Bill Merrick, representing the Montana Broadcasters Association, gave a statement in support of the bill and offered written testimony to be included in the minutes.

Bob Biggerstaff from the Montana Association of Conservation Districts, offered support for this bill.

Janelle Fallan, representing the Montana Chamber of Commerce, explained that they generally support this bill.

Senator Lensink closed the hearing on this bill and said that he certainly appreciated the hard work that had gone into the preparation of this bill and for the support and testimony that everyone offered.

Senator O'Hara questioned as to how much expense was involved in having an election and Merrill Klundt explained that in Yellowstone County with 24 precincts the cost was \$92,000 in the last election alone. It was advised that there would be a fiscal note available at the end of the week.

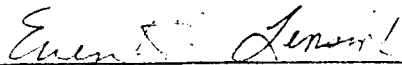
Dan Mizner requested that they provide a provision for some type of annual election as some cities have an annual election by charter.

Senator Anderson questioned if anyone had any figures to show if annual elections have increased voter turnout in any other states. Maggie Davis from the League of Women Voters, said they did not have any concise figures on this, but felt that it would have some positive effects.

There were no further questions concerning this bill and Senator Lensink closed the hearing.

There being no further business, the meeting was adjourned at 11:07 a.m.

After the hearing was over, Representative Eudaily gave the secretary some other proposed amendments that they would like to have included in this bill which is shown on Exhibit #5 with the star at the bottom of the page. Also John Hanson, Commissioner of Campaign Finances and Practices offered an amendment, which is shown as Exhibit #6 and which he would like to have considered by the committee.



EVERETT R. LENSINK, Chairman
Senate Judiciary Committee

Date 4/22/79

ROLL CALL

JUDICIARY COMMITTEE

46th LEGISLATIVE SESSION - 1979

NAME	PRESENT	ABSENT	EXCUSED
Lensink, Everett R., Chr. (R)	✓		
Olson, S. A., V. Chr. (R)	✓		
Turnage, Jean A. (R)	✓		
O'Hara, Jesse A. (R)	✓		
Anderson, Mike (R)	✓		
Galt, Jack E. (R)	✓		
Towe, Thomas E. (D)			✓
Brown, Steve (D)	✓		
Van Valkenburg, Fred (D)	✓		
Healy, John E. (Jack) (D)	✓		

Each Day Attach to Minutes.

SENATE

COMMITTEE

BILL SB 65

VISITORS' REGISTER

DATE 1/22/79

Please note bill no.

(check one)

NAME	REPRESENTING	BILL #	SUPPORT	OPPOSE
<i>Frank K. Wigner</i>	<i>Northrop of St</i>	<i>SB 65</i>	<i>X</i>	
<i>R. Allen Zenger</i>	<i>Nt. Gen of County</i>	<i>SB 65</i>	<i>amend</i>	
<i>Edward A. Bengert</i>	<i>MSBA</i>	<i>SB 65</i>	<i>X</i>	
<i>James A. Weller</i>	<i>International Brotherhood of</i>	<i>SB 65</i>	<i>X</i>	
<i>Margaret S. Davis</i>	<i>League of Women Voters</i>	<i>SB 65</i>	<i>X</i>	
<i>John N. Hanson</i>	<i>Campaign Finance & Practices</i>	<i>SB 65</i>	<i>X</i>	
<i>H. A. McFarland</i>	<i>Montana Broadcasters Assn.</i>	<i>SB 65</i>	<i>X</i>	
<i>W. H. Tillman</i>	<i>Mont. Chamber of Commerce</i>	<i>SB 65</i>	<i>X</i>	
<i>Robert L. Gibson</i>	<i>Secretary of State's Office</i>	<i>SB 65</i>		
<i>Mary F. Campbell</i>	<i>" " "</i>	<i>"</i>		
<i>Tom Ratter</i>	<i>Senate Clerk</i>	<i>SB 65</i>		
<i>James Woodard</i>	<i>Leg. Council</i>	<i>SB 65</i>		
<i>Paul G. Laum</i>	<i>Sec of State</i>	<i>SB 65</i>		
<i>James A. Weller</i>	<i>International Brotherhood of</i>	<i>SB 65</i>	<i>X</i>	
<i>James A. Weller</i>	<i>International Brotherhood of</i>	<i>SB 65</i>	<i>X</i>	

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

1. Title, line 15.
Strike: "13-4-106,"
2. Title, line 22.
Following: "THROUGH"
Strike: "13-14-204, 13-14-206"
Insert: "13-14-208"
3. Page 2, line 16.
Following: line 15
Insert: "declaration or"
Following: "nomination,"
Strike: "certificate of nomination, or"
4. Page 2, line 17.
Following: "nomination"
Insert: "or appointment as a candidate"
5. Page 8, line 20.
Following: "on the"
Strike: "second"
Following: "Tuesday"
Strike: "after"
Insert: "following"
6. Page 11, line 9.
Following: "of"
Strike: "a"
Insert: "an"
7. Page 16, line 10.
Following: "an"
Strike: "anual"
Insert: "annual"
8. Page 17, line 18.
Following: "plan."
Strike: remainder of lines 18
through 19 in their entirety
9. Page 23, line 25.
Following: "prepared"
Strike: ", "
10. Page 30, line 23.
Following: "determine"
Insert: "precinct of"
11. Page 32, line 12.
Following: "publish"
Insert: "or"

12. Page 33, line 7.
Following: line 6
Strike: "elections"
Insert: "election"
13. Page 34, line 9.
Following: "he"
Strike: "was"
Insert: "were"
14. Page 49, line 14.
Following: "in"
Strike: "[subsection (4) of section 54]"
Insert: "13-4-102(4)"
15. Page 65, line 24.
Following: "election"
The remainder of lines 24 through line 3 on page 25 were incorrectly printed. This is new material and should have been underlined. On line 24 "was" and in line 25 "be" should be deleted and should not have been printed in the bill.
16. Page 66, line 12.
Following: "the"
Strike: "sets"
Insert: "set"
17. Page 75, line 1.
Following: page 74
Strike: "elections"
Insert: "election"
18. Page 75, line 7
Following: line 6
Strike: line 7
Insert: "independent candidates or political parties not eligible to participate in primary"
19. Page 75, line 8.
Following: "election"
Strike: "ballot"
20. Page 82, line 6
Strike "prescribe form"
21. Page 82, line 7.
Strike: "and"

22. Page 82, line 8.
Strike: line 8 through
line 13 in their
entirety
Re-number: all subsequent subsections
23. Page 100, line 8.
Following: "section"
Strike: "114"
Insert: "112"
24. Page 100, line 22.
Strike: "["
25. Page 100, line 23.
Strike: "]"
26. Page 102, line 20.
Following: "obstruction,"
Strike: "and"
Insert: "or"
27. Page 106, line 14.
Following: "section"
Strike: "106"
Insert: "109"
28. Page 112, line 19.
Following: "judges--"
Strike: "pollbooks"
Insert: "pollbook"
29. Page 112, line 21.
Following: "note on the"
Strike: "pollbooks"
Insert: "pollbook"
30. Page 118, line 3.
Following: line 2
Strike: "13-2-512"
Insert: "[section 41"
Following: "and"
Strike: "13-2-514"
Insert: " 43]"
31. Page 118, line 11.
Following: "13-13-301"
Strike: "then"
Insert: "and the challenge has been determined
in favor of the individual challenged as
provided in 13-13-307,"

32. Page 122, line 12.
Following: line 11.
Strike: "["
Following: "14"
Strike: "]"
33. Page 122, line 17.
Following: "section"
Strike: "137"
Insert: "141"
34. Page 126, line 11.
Following: "each"
Insert: "vacancy for"
35. Page 126, line 12.
Following: "each"
Insert: "vacancy for"
36. Page 129, line 23.
Following: "the"
Strike: "pollbooks"
Insert: "pollbook"
37. Page 136, line 11.
Following: "13-15-402."
Strike: "Count"
Insert: "Canvass"
38. Page 137, line 10.
Strike: "for errors"
39. Page 140, line 13.
Following: "of"
Insert: "nomination or"
40. Page 142, line 17.
Following: "it shall"
Strike: "procede"
Insert: "proceed"
41. Page 143, line 23.
Following: "in"
Strike: "[section 160]"
Insert: 13-15-404
42. Page 152, line 13.
Strike: "referred or submitted"
43. Page 152, line 14.
Following: line 13
Strike: "question"
Insert: "ballot issue"

44. Page 155, line 20.
Following: "of the"
Strike: "ballot"
Insert: "polls"
45. Page 166, line 16.
Following: "of"
Strike: "["
Following: "17"
Strike: "]"
46. Page 166, line 22.
Following: "devices"
Strike: "and"
47. Page 166, line 23.
Strike: "their duties"
48. Page 176, line 21.
Following: "of"
Strike: "13-37-202"
Insert: "13-27-202"
49. Page 179, line 18.
Following: "in"
Strike: "13-13-108"
Insert: "[section 111"
Following: and
Strike: "13-17-303"
Insert: "112]"
50. Page 190, line 14.
Following: "of"
Insert: "nomination or"
51. Page 190, line 16.
Following: "of"
Insert: "nomination or"
52. Page 200, line 23.
Following: "candidate"
Strike: "shall"
Insert: "may"
53. Page 202, line 13.
Following: "of"
Strike: "["
Following: "37,"
Strike: "]"
54. Page 202, line 20.
Following: "or"
Strike: "["
Following: "37,"
Strike: "]"

55. Page 203, line 12.
Following: "under {"
Strike: "section "
Insert: "sections 244 and"
Following: "245"
Strike: "and section 246"
56. Page 203, line 16.
Following: "in {"
Strike: "section"
Insert: "sections 244 and"
Following: "245"
Strike: "and section"
57. Page 203, line 17.
Strike: "246"
58. Page 207, line 10.
Strike: "(4)"
59. Page 216, line 10.
Strike: "(5)"
60. Page 218, line 18.
Following: "at"
Strike: "such an event"
Insert: "fund raising events"
61. Page 218, line 24.
Following: line 23
Strike: "(6)"
Insert: "(7)"
62. Page 226, line 1.
Following: "the"
Strike: "the"
63. Page 259, line 15.
Following: "the"
Strike: "elections"
Insert: "election"
64. Page 262, line 20.
Following: [sections"
Strike: "137"
Insert: "139"
65. Page 262, line 21.
Following: "through"
Strike: "section 144"
Insert: "146"
66. Page 268, line 17.
Following: "administrator"
Insert: "--"

- 67. Page 268, line 19.
Following: "the"
Insert: "election"

- 68. Page 277, line 14.
Following: "far as"
Strike: "they are"
Insert: "it is"

- 69. Page 284, line 9.
Following: "the"
Insert: "election"

- 70. Page 284, line 11.
Following: "The"
Insert: "election"

- 71. Page 290, line 16.
Following: "section"
Strike: "139"
Insert: "141"

- 72. Page 292, line 17.
Following: "section"
Strike: "139"
Insert: "141"

- 73. Page 294, line 1.
Following: "7-7-2229"
Strike: "through 7-7-2231, 7-7-2233,
and 7-7-2234"
Insert: "and Title 13"

- 74. Page 322, line 2.
Following: "25"
Strike: "and"
Insert: ", "
Following: "30"
Insert: ", 41, and 43"

- 75. Page 323, line 14.
Strike: "13-4-106,"

- 76. Page 323, line 21.
Following: "through"
Strike: "13-14-204, 13-14-206"
Insert: "13-14-208"

Exhibit A

Amendments

League of Women Voters
of Montana
917 Harrison
Helena, Montana 59601

SB 65 - AN ACT TO GENERALLY REVISE THE LAWS RELATING TO ELECTIONS

Page 47, line 12 (13-3-104.2) after "more" insert adjoining

The League believes this would clarify the language in this section and prevent the possibility of creating precincts of non-contiguous wards or election districts. Such precincts would be both confusing and inconvenient for voters.

Page 65, line 9 (13-10-209.3) after "ballot" delete ~~may~~ and insert shall, after "size" delete ~~and~~ and insert or.

Ravalli Co. in 1978 encountered a problem when the party ballots were the same size and color as another ballot used during the June primary. A small but significant number of voters cast ballots for both political parties; the unrelated ballots being accepted by the judges as the unvoted partisan slates. A court challenge resulted and the county had to hold a special election in the fall. The League of Women Voters supports distinguishing the party primary ballots from other ballots offered at a primary election to insure accurate voting results and prevent expensive litigation and/or special elections where possible.

Page 142, line 10 NEW SECTION Expenses for recounts by petition and for tie votes.

Only in the case of tie votes, are recounts "automatic". The election laws as proposed are specific as to who pays the cost of a recount in a court ordered recount, but they do not address other types. Traditionally, county government has born the expense. The League believes it would be wise to clarify this matter within the election code.

Margaret S. Davis
Margaret S. Davis
League of Women Voters of Montana

SENATE BILL NO. 65

MR. CHAIRMAN: I move to amend Senate Bill No. 65 as follows:

- (1) On page 134 in line 4 by adding the following words
before the period: "except with regard to school district
elections wherein the required envelopes or packages shall
be returned to the school district clerk"
- (2) On page 300, lines 6 through 24, by re-inserting the matter
indicated to be deleted.
- (3) On page 309 in line 21, by deleting the number "20" and
inserting in lieu thereof the figure "15".
- (4) On page 309 in line 22 by deleting the word "trustees" and
inserting in lieu thereof the word "clerk".

Exhibit #3

County of Yellowstone

MERRILL H. KLUNDT
Clerk & Recorder



BILLINGS, MONTANA
59101

Mr. Everett R. Lensink, Chairman of Senate Judiciary Committee,
and Mr. John P. Scully, Chairman of House Judiciary Committee:

SUBJECT: SENATE BILL #65

As Chairman of the Montana Clerk & Recorders Legislative Committee, who have worked the past year and a half with the Legislative Council, the Interim Committee and Sub-Committees, we feel that the proposed bill is generally good, and do support it, but with exceptions as follows:

1. That County officials be elected on the even numbered years instead of the odd numbered years as proposed in Sec. 13-1-104, Sub. Sec. 2 on page 9, line 12. We recommend that County officials be elected in the even numbered years under Sec. 13-1-104, Sub. Sec. 1 on page 9, line 5.

We are aware that the Interim Sub-Committee and Full Committee are in favor of the County officials being elected on the odd year, and their reason being that this will result in a larger voter turnout if conducted with municipal elections.

The Montana Clerk & Recorders Association submitted a Bill in 1971 and 1973 sessions to change the election of School Trustees from the 1st Saturday of April to the 1st Tuesday in April to coincide with the Municipal Elections, but the bills were defeated. It was resubmitted in the 1974 session and passed, and at present time are conducted at the same time as Municipal Elections, in order that we could consolidate elections and have a larger voter turnout. However, in Yellowstone County it did not have much effect. Normally the Levy Election is held at the same time, but in School District #2, in Billings proper, the Levy Election is delayed and voted upon about 3 weeks later to avoid a larger voter turnout on the Levy Elections. The voter turnout in recent years is declining in Yellowstone County. (See attached sheet.)

The Montana Association of County Clerks are opposed to the change from the even numbered years to the odd numbered years, due to the fact that the voter turnout is much lower. With a lower voter turnout, many good, qualified candidates can be defeated by special interest groups. If I'm turned out to grass by a majority of the voters voting, I can accept it, but not by a minority vote.

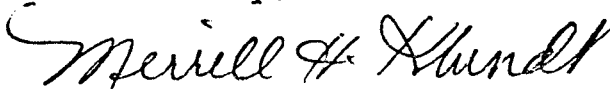
The Montana Elected County Officials group is also opposed to the above mentioned change. (See attached letter.) Another important fact is that there would have to be a county wide Primary and General Election held in all 56 counties, and this would increase the election costs considerably. The cost state wide would be in excess of \$500,000. In Yellowstone County, it would run approximately \$80,000, for the odd year elections.

2. Change the Primary Election date in the odd year, from the 2nd Tuesday after the second Monday in September to the 1st Tuesday after the 1st Monday in June. This is on page 8, line 21.

Note: Can be left in September if only Municipal Elections are held, or perhaps changed back to the 2nd Tuesday of February for the Primary Election, and the General Election to be held on the 1st Tuesday of April. Currently, there are only 14 days between the Primary and General Elections. (Sec. 47A-3-302 and Sec. 11-709) This is insufficient time, and especially when the County Elections Administrator will be conducting all City elections as stated in Sec. 13-1-104 & etc...

3. Sec. 7-5-132. Procedure to exercise right of Initiative or Referendum.
On line 10, page 258, strike 30 and substitute 60. Changing to 60 days would be uniform with the petition process for Bond Issues as now in Sec. 7-7-2228. This will give adequate time for the Election Administrator to check the petitions to determine if there are adequate signatures of electors on the petitions as to percentage requirement, if the issue will be voted upon and then meet the publication schedule for public notice to the electorate. At present time we have to publish notice before we know if the issue qualifies.

Yours truly,



MERRILL H. KLUNDT
Chairman of Montana
Clerk & Records Legislative
Committee on Elections

page 69 Joyce Alice ³³¹ among
Dec 69 If you want
Bring up clarification
of no ballot for minor
party in primary -
(make it apply to even year
only?)

Also - any changes you
want in Dec. 150 and
sequestered board/
(insert) Having a Marshall
for the sequestered
page 127

Exhibit # 4

~~John Moody~~

10-15-78

Alaskan state judge leaves primary election in chaos

ANCHORAGE, Alaska (UPI) — The Alaska general election on Nov. 7 seemed a shambles Saturday.

A state judge nullified the gubernatorial results of the Aug. 22 primary, and for the moment it was uncertain when, or if, a new primary can be held prior to the general election, just four weeks away.

Ballots were being printed, but without the names of Democratic and Republican candidates for governor. The primary winners by razor-thin margins were Gov. Jay Hammond, a Republican and former bush pilot, and Sen. Chaney Croft, a Democrat.

The state Supreme Court planned to

The ruling was issued Friday by Superior Court Judge John Moody of Anchorage and it directed the state to hold a new primary before Nov. 7. The details were left to election officials.

Some questions left unanswered were how absentee ballots could be scheduled and how ballots could be delivered to some of Alaska's tiny and extremely remote places. Former Gov. Walter Hickel, a rival to Gov. Hammond by a mere 93 votes in a recount, praised the decision to nullify the election.

Judge Moody said he found "actions of malconduct, mistakes and confusing pro-

Section 13-37-205, MCA, is amended to read as follows:

13-37-205. Campaign depositories. (1) Except as provided in 13-37-206, each candidate and each political committee shall designate one primary campaign depository for the purpose of depositing all contributions received and disbursing all expenditures made by the candidate or political committee. The candidate or political committee may also designate one secondary depository in each county in which an election is held and in which the candidate or committee participates. Deputy campaign treasurers may make deposits in and make expenditures from secondary depositories when authorized to do so as provided in 13-37-202(2). Only a bank authorized to transact business in Montana may be designated as a campaign depository. The candidate or political committee shall file the name and address of each primary and secondary depository so designated at the same time and with the same officer with whom the candidate or committee files the name of his or its campaign treasurer pursuant to 13-37-201. Nothing in this section shall prevent a political committee or candidate from having more than one campaign account in the same depository, but a candidate may not utilize his regular or personal account in the depository as a campaign account.

(2) No candidate shall use his campaign depository or funds deposited therein for any purpose other than the legitimate campaign expenses of his own candidacy; provided, however, that funds left over after all elections in a campaign may be used for any lawful purpose so long as their disposition is reported.



JOHN N. HANSON
COMMISSIONER
CAPITOL STATION
HELENA, MONTANA 59601
(406) 449-2942

The Big Sky Country
COMMISSIONER OF
CAMPAIGN FINANCES AND PRACTICES

Exhibit # 6

Amend Senate Bill No. 65, Section 244, page 202,
lines 16 and 17

Following: amount

Strike: remainder of lines 16 and 17

Insert: up to \$500 or three times the amount of
the unlawful contribution or expenditure,
whichever is greater

BOLKOVATZ AND ROMINE

ATTORNEYS AT LAW

320 EAST 6TH AVENUE

MAIL ADDRESS: P. O. BOX 1691

HELENA, MONTANA 59601

W. H. BOLKOVATZ

W. L. ROMINE

JOHN F. BELL

TELEPHONE 442-2220

AREA CODE 406

January 16, 1979

Dear Clerk & Recorder:

I propose to try to make the following amendments in committee hearing on Senate Bill 65:

Page 8, line 21, strike the word "September" and substitute the word "June".

On Page 9, line 5, strike the word "and" and after the word "court" add the words "and county officers".

Also on Page 9, line 12, strike the words "county and".

On Page 10, strike all of lines 4 through 7 and substitute the words "Polls must be open from 8 A.M. to 8 P.M. except polling places having fewer than 100 registered voters which must be open from ~~1 P.M.~~^{12 noon} to 8 P.M. or until".

On Page 12, strike all of lines 10 through 13.

The foregoing constitute the only amendments to SB 65 that I will attempt, and it is believed that such amending can be accomplished. Additionally, I will get a bill introduced, probably by Senator John Manley of Drummond, dealing with the rotation of candidates' names on ballots. He sponsored last session's SB 122 with Senator Frank Dunkle. The bill will be substantially the same this year.

H.B.5, dealing with bounties, has passed the House. It contains obsolete material as it is a recodification. The obsolete matter will be removed later.

The hearings Saturday on S.B. 22 and 14 before the Senate Taxation and Local Government Committees seemed to go very well, but we still need opposition letters to your senators as there will be a floor fight. The letters can be addressed to them at Capitol Station, Helena, MT 59601. Otherwise, we may very well have the big, new local government bill.

Your assistance will be appreciated.

Sincerely yours,

JOHN F. BELL

JFB:ask

1974PRIMARYJune 4, 1974

Reg. Voters	42,843	
Voted	15,441	36%

GENERALNovember 5, 1974

Reg. Voters	47,581	
Voted	29,091	61.14%

STUDY COMMISSIONER
SPECIAL ELECTIONNovember 5, 1974

Reg. Voters	34,785	
Voted	20,154	57.94%

1976PRIMARYJune 1, 1976

Reg. Voters	54,178	
Voted	24,208	44.6%

ALTERNATE FORM OF
GOVERNMENT ELECTIONSeptember 14, 1976

City Precincts	Reg. Voters	42,146	
	Voted	14,756	35%

County Precincts	Reg. Voters	56,636	
	Voted	19,709	34.8%

GENERALNovember 2, 1976

Reg. Voters	62,052	
Voted	44,763	72.14%

1977SPECIAL PRIMARYFebruary 8, 1977

Reg. Voters	45,580	
Voted	15,499	33.69%

SPECIAL GENERALApril 5, 1977

Reg. Voters	46,479	
Voted	22,902	49%

1978PRIMARYJune 6, 1978

Reg. Voters	50,725	
Voted	21,876	43%

GENERALNovember 7, 1978

Reg. Voters	55,399	
Voted	36,985	67%

1964PRIMARYJune 2, 1964

Reg. Voters	33,322	
Voted	23,260	69.8%

GENERALNovember 3, 1964

Reg. Voters	39,226	
Voted	34,401	87.7%

1966PRIMARYAugust 16, 1966

Reg. Voters	37,027	
Voted	16,427	44.36%

GENERALNovember 8, 1966

Reg. Voters	40,298	
Voted	30,696	76.17%

1968PRIMARYJune 4, 1968

Reg. Voters	35,317	
Voted	22,212	62.89%

GENERALNovember 5, 1968

Reg. Voters	40,523	
Voted	34,677	85.5%

1970PRIMARYJune 2, 1970

Reg. Voters	38,215	
Voted	17,316	45.31%

GENERALNovember 3, 1970

Reg. Voters	41,623	
Voted	30,600	73.51%

1972PRIMARYJune 6, 1972

Reg. Voters	41,375	
Voted	25,413	61.4%

GENERALNovember 7, 1972

Reg. Voters	50,735	
Voted	41,132	81.07%

County of Yellowstone

TREASURER



P. O. BOX 1235
BILLINGS, MONTANA
59103

January 16, 1979

Dear Committee Members:

As President of the Montana Elected County Officials Association, I am writing to express the views of the following members who make up this association.

1. Montana County Treasurers'
2. Montana County Clerk & Recorders'
3. Montana Clerks of District Court
4. Montana County Sheriff's
5. Montana Justices of the Peace
6. Montana County Attorneys'
7. Montana County Superintendents of School
8. Montana County Assessors
9. Montana County Surveyors
10. Montana County Auditors

We, the elected county officials of the State of Montana want to remain elected by the majority of the people as the law is now, in the even numbered years. We are against the current bill changing the elections to odd years - (S. B. 65).

We further state that the bill be amended to its former wording and remain elected.

We further look at the cost of conducting a primary and general election every year against every other year as it is now. This will increase election costs considerably in all counties through out the state.

We further realize that a special interest group could easily defeat a well qualified candidate with an odd year election when the voter turnout is small. Thus the majority are not voting.

Therefore, on behalf of our associations I must go on record opposing S. B. 65 on the above mentioned portion.

Sincerely yours,

MAY JENKINS, President
M.E.C.O.A.

9 With the change of County Officers ---, odd numbered years as is proposed, this will mean that we will have to have a Primary and General Election every year County wide. This will increase your election costs. The estimated increase is -----

<u>COUNTY</u>	<u>ESTIMATED INCREASE</u>
Beaverhead	\$14,000.00
Big Horn	\$20,000.00 or .37 mills
Blaine	
Broadwater	
Carbon	\$ 6,000.00
Carter	\$12,000.00
Cascade	(returned, but no estimate)
Chouteau	\$18,000.00 to \$20,000.00
Custer	\$20,000.00
Daniels	\$10,000.00
Dawson	\$15,000.00
Deer Lodge	
Fallon	\$ 8,000.00
Fergus	\$ 8,000.00
Flathead	Double full budget
Gallatin	\$45,000.00
Garfield	\$ 5,000.00
Glacier	\$ 7,000.00
Golden Valley	\$ 800.00 to \$1,000.00
Granite	
Hill	\$30,000.00 (each election)
Jefferson	\$8,000. to \$10,000.00
Judith Basin	\$17,500.00
Lake	\$30,000.00
Lewis & Clark	\$40,000.00
Liberty	\$ 4,000.00
Lincoln	
Madison	\$ 8,000.00 annually

COUNTYESTIMATED INCREASE

Missoula	\$40,000.00 per election
Musselshell	double
Park	\$12,000.00 to \$16,000.00
Petroleum	
Phillips	\$15,000.00
Pondera	\$11,000.00 each election
Powder River	(100%) \$23,000.00
Powell	\$ 8,000.00
Prairie	\$ 2,400.00
Ravalli	
Richland	\$10,000.00
Roosevelt	
Rosebud	\$ 7,200.00
Sanders	\$12,000.00
Sheridan	\$10,000.00
Silver Bow	double cost
Stillwater	\$10,000.00
Sweet Grass	\$ 2,350.00 plus possible extra help
Teton	\$ 5,500.00 to \$6,000.00
Toole	double
Treasure	\$ 3,500.00
Valley	
Wheatland	\$ 7,000.00
Wibaux	
Yellowstone	\$80,000.00 both elections

SENATE MEMBERS

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DIRECTOR, ACCOUNTING DIVISION

1979 Legislature

SENATE Bill No. 65 - Summary

AN ACT TO GENERALLY REVISE THE LAWS RELATING TO ELECTIONS.

This summary does not include discussion of form or grammatical changes. Substantive changes are briefly summarized for each section in which they occur.

Section 1. 13-1-101. Deletions are obsolete or replaced by other definitions.

(2), (3), (7), (10) add definitions for purposes of campaign finance and practices statutes.

(5) defines term used to indicate local election official throughout this bill.

(6) new definition of term used to replace "voter."

(8) clarifies what elections are general elections.

(13) new definition to cover all types of local government.

(14) conforms to general election definition.

(17) clarifies what special election is.

(18) defines term used in existing law but not defined.

Section 2. 13-1-103. Applies provision to primary election also.

Section 3. New. Replaces 13-1-105 and provides primary date for odd year election.

Section 4. 13-1-104. Lists officers elected in even and odd year elections.

Section 5. 13-1-106. Uniform hours for all polling places.

Section 6. New. Requires published notice of special elections (Notice for regular elections repealed). Allows publication by radio or television or newspaper. This provision is included in all publication requirement sections of this bill.

Section 7. 13-1-112. No substantive change.

Section 8. 13-1-113. No substantive change.

Section 9. 13-1-114. Age of elector add to provision for computation of time period.

Section 10. 13-1-122. No substantive change.

Section 11. New. Names secretary of state as chief election officer and clarifies authority of secretary of state and commissioner of campaign finances and practices.

Section 12. New. General provision covering prescription of and use of forms and duties of secretary of state.

Section 13. New. Duties of secretary of state to assist local officials.

Section 14. New. Provides for county election administrator and general duties. Optional with local governing body whether officer is clerk and recorder, other official or appointee.

Section 15. New. Election records are public records.

Section 16. New. Costs of election - county governing body determines sharing of costs where necessary.

Section 17. New. Consolidates and replaces existing provisions for retention and destruction of election records.

Section 18. New. Provides what election records kept by secretary of state.

Section 19. 13-2-102. Sets deadline for submission of names by political parties and sets term of office.

Section 20. 13-2-112. Minor changes for consistency.

Section 21. 13-2-114. Adds provision to protect privacy of individuals' social security number.

Section 22. 13-2-115. Minor change for consistency.

Section 23. 13-2-116. No substantive change.

Section 24. 13-2-117. No substantive change.

Section 25. New. Replaces 13-2-116 (2) and expands provisions to cover all elections.

Section 26. 13-2-201. Allows election administrator to open office for voter registration evenings and weekends.

Section 27. 13-2-202. No substantive change.

Section 28. 13-2-203. Increases distribution of mail registration cards and requires timely return of cards.

Section 29. 13-2-205. No substantive change.

Section 30. New. Replaces 13-2-203 (5). Provides safeguard against fraudulent registrations.

Section 31. 13-2-212. No substantive change.

Section 32. 13-2-213. No substantive change.

Section 33. 13-2-214. No substantive change.

Section 34. 13-2-301. Close of registration uniform for all elections and changes time of publication of notice of close.

Section 35. 13-2-302. No substantive change.

Section 36. 13-2-401.. Minor changes for consistency.

Section 37. 13-2-402. Allows cancellation in cases where authority is only implied in existing law.

Section 38. 13-2-403. Subsection (3) of 13-2-402 moved to this section and procedures clarified.

Section 39. 13-2-404. No substantive changes.

Section 40. 13-2-501. Requires elector to notify election administrator of change of residence or name and clarifies how notice given.

Section 41. New. Requires elector changing residence within county or who's name has changed to make correction in records before voting at first election at which he offers to vote after change.

Section 42. 13-2-502. Changes for consistency.

Section 43. New. Requires registration in new county of residence and clarifies when can vote absentee in former county of residence.

Section 44. 13-2-503. Amends procedures for notification of other jurisdictions of change of registration.

Section 45. 13-2-601. No substantive change.

Section 46. 13-2-603. Allows confirmation by telephone of erroneous omission of elector's name from precinct register.

Section 47. 13-3-101. No substantive change.

Section 48. 13-3-102. Changes time when precinct boundaries may be changed and provides for conforming boundaries of all types of election districts.

Section 49. 13-3-103. Requires written legal description of boundaries of precincts and election districts.

Section 50. 13-3-104. Broadens language to cover all types of election districts.

Section 51. 13-3-105. Sets time for designating polling places and provides for emergency changes.

Section 52. 13-4-101. Sets time for appointment of election judges; requires only a minimum number of judges in each precinct; designates all election workers as judges and provides for a chief judge.

Section 53. New. Replaces 13-4-102 (4) and specifies residence requirements.

Section 54. 13-4-102. Sets time for submission of names by political parties for appointment as election judges; allows all political parties participating in primary to submit lists; and allows election administrator to fill vacancies [replaces 13-4-103(2)].

Section 55. 13-4-103. Minor changes for consistency.

Section 56. 13-4-104. New material replaces wording in 13-4-203.

Section 57. 13-4-105. No substantive change.

Section 58. 13-4-106. Replaces all provisions relating to paying judges and allows paying mileage.

Section 59. 13-4-201. Deletes posting of notice of election in precincts; duties of chief election judge.

Section 60. 13-4-202. No substantive change.

Section 61. 13-4-203. Provides election administrator shall train election judges; allows individuals willing to be judges to attend training sessions; requires secretary of state to provide training materials and hold workshops for election administrators.

Section 62. New. Provides for emergency leave for election judges.

Section 63. 13-10-201. Sets beginning date for filing for office; changes deadline for filing from 40 to 50 days before primary election.

Section 64. 13-10-202. Raises salary limit for minimum filing fee to \$25.00 and minimum fee to \$15; deletes special provision for county commissioners; raises fee to \$10 for officials compensated by fees.

Section 65. 13-10-203. Minor changes for consistency.

Section 66. 13-10-204. Minor changes for consistency.

Section 67. 13-10-205.. Minor changes for consistency.

Section 68. 13-10-208. Changes date for certification of ballot for consistency and makes primary and general election provisions uniform.

Section 69. 13-10-209. Specifies provisions for ballots applying to primary only and allows not printing ballot for minor parties in primary under certain circumstances.

Section 70. 13-10-301. General provision for uniformity with general election procedures and specific provisions applying to primary only.

Section 71. 13-10-302. Clarification

Section 72. 13-10-303. Clarification

Section 73. 13-10-305. Minor changes for consistency and clarification.

Section 74. 13-10-311. Rewritten for uniformity with general election procedures and specifying primary procedures.

Section 75. 13-10-325. Changes deadline for withdrawal of candidate; provides form of withdrawal; specifies filing fee not refunded.

Section 76. 13-10-326. Vacancy provisions rewritten solve administrative and time problems.

Section 77. 13-10-327. Vacancy provisions rewritten to solve administrative and time problems.

Section 78. 13-10-328. No substantive change.

Section 79. 13-10-401. No substantive change.

Section 80. 13-10-402. No substantive change.

Section 81. 13-10-403. Requires write in blank on ballot.

Section 82. 13-10-405. Clarifies filing fee not required.

Section 83. 13-10-501. Minor changes for consistency.

Section 84. 13-10-502. Minor changes for consistency.

Section 85. 13-10-503. Minor changes for consistency.

Section 86. 13-10-504. Minor changes for consistency.

Section 87. 13-10-505. Minor changes for consistency.

Section 88. 13-10-601. Percentage of vote requirement changed for consistency - vote for successful candidate is used as basis throughout bill for uniformity.

Section 89. 13-10-604. No substantive change.

Section 90. 13-12-101. No substantive change.

Section 91. 13-12-102. General revisions for consistency and to add flexibility.

Section 92. 13-12-201. Amendments add necessary language from repealed sections relating to ballot form and certification as well as changes for consistency and flexibility.

Section 93. 13-12-202. Amendments add necessary language from repealed sections relating to ballot form and certification as well as changes for consistency and flexibility.

Section 94. 13-12-203. Amendments add necessary language from repealed sections relating to ballot form and certification as well as changes for consistency and flexibility.

Section 95. 13-12-204. Minor changes for consistency.

Section 96. 13-12-205. Requires all candidates (major and minor parties and independents) be rotated in same manner; provides method of rotating when there are more candidates than precincts in jurisdiction; allows rotation by legislative district.

Section 97. 13-12-207. Adds offices not covered in existing law.

Section 98. 13-12-208. Deletes detail covered by amendments to sections 13-12-201 through 13-12-203.

Section 99. 13-12-209. Minor changes for consistency.

Section 100. 12-12-210. Minor changes for consistency.

Section 101. 13-12-212. No substantive changes.

Section 102. New. Replaces 13-10-210.

Section 103. 13-13-101. Specifies duties implied in existing law.

Section 104. New. Replaces all or parts of 13-13-102, 13-13-105, 13-17-301, 13-18-202 and 13-18-203; minor changes for consistency.

Section 105. New. Replaces all or parts of 13-13-102, 13-13-105, 13-17-301, 13-18-202 and 13-18-203; minor changes for consistency.

Section 106. New. Replaces all or parts of 13-13-102, 13-13-105, 13-17-301, 13-18-202 and 13-18-203; minor changes for consistency.

Section 107. New. Replaces 13-13-104; adds requirement that elector give correct name and address to election judge and complete forms to make necessary corrections before voting.

Section 108. New. Replaces part of 13-13-103 and clarifies procedure for precincts using machine or devices.

Section 109. New. Replaces part of 13-13-103; minor changes for consistency.

Section 110. New. Replaces 13-13-106 and 13-13-107; minor changes for consistency.

Section 111. New. Allows taking ballot to elector able to come to premises but unable to enter polling place.

Section 112. New. Replaces 13-13-108. Clarifies provisions to insure elector may be assisted by individual of his choice without presence.

Section 113. New. Replaces 13-13-109. No substantive change.

Section 114. New. Allows additional poll watchers.

Section 115. New. Replaces 13-13-110. No substantive change.

Section 116. 13-13-201. Allows election judge to vote absentee if necessary.

Section 117. 13-13-203. Minor changes for consistency.

Section 118. 13-13-211. No substantive change.

Section 119. 13-13-212. Allow application for absentee ballot by letter rather than special form.

Section 120. 13-13-213. No substantive change.

Section 121. 13-13-214. Requires stamping ballot before sending to absentee elector and adds provisions for primary ballots.

Section 122. 13-13-221. Minor changes for consistency.

Section 123. 13-13-222. Minor changes for consistency.

Section 124. 13-13-231. Minor changes for consistency.

Section 125. 13-13-232. Minor changes for consistency.

Section 126. 13-13-233. Minor changes for consistency.

Section 127. New. Replaces 13-13-202 and 13-13-240.

Section 128. 13-13-234. No substantive change.

Section 129. 13-13-235. Changes in procedure for handling absentee ballots to conform to section 127 and clarify procedures.

Section 130. New. Replaces deleted parts of 13-13-235; minor changes for consistency.

Section 131. 13-13-236. Changes needed for consistency.

Section 132. 13-13-301. Adds "residence" to grounds for challenge.

Section 133. New. Replaces 13-13-302; changes needed for consistency.

Section 134. 13-13-304. Minor changes for consistency.

Section 135. 13-13-306. Minor changes for consistency.

Section 136. 13-13-307. Minor changes for consistency.

Section 137. 13-13-309 Minor changes for consistency.

Section 138. 13-13-310. Minor changes for consistency.

Section 139 through
Section 146 . New. Nonpartisan election procedures; replace 13-14-102 through 13-14-104, 13-14-201 through 13-14-204 and 13-14-206; revises replaced sections to cover all nonpartisan elections.

Section 147. New. Replaces 13-14-101; no substantive change.

Section 148. New. Replaces 13-14-207 and 13-14-208.

Section 149. New. Covers justices of the peace (conforms to an Attorney General opinion) and any other future judicial office, if necessary.

Section 150. New. Allows counting board to begin count before polls close at option of election administrator.

Section 151. 13-15-101. Minor changes for consistency.

Section 152. 13-15-201. Deletes provision allowing reconciling poll book and number of ballots by destroying ballots; requires written record of any discrepancies.

Section 153. 13-15-202. Subsection (3) replaces part of 13-15-201 of existing law; no substantive changes.

Section 154. 13-15-204. No substantive changes.

Section 155. 13-15-205. Minor changes for consistency.

Section 156. 13-15-301. Deleted subsection (1) covered by section 17 of this bill; no substantive changes.

Section 157. 13-15-401. Changes needed for consistency.

Section 158. 13-15-402. Changes needed for consistency.

Section 159. 13-15-403. Requires canvass board to record all write-in votes.

Section 160. 13-15-404. Revises requirements for report of canvass to conform to section 18 of this bill.

Section 161. 13-15-405. Adds provisions needed for consistency.

Section 162. 13-15-406. Adds reference to provision of campaign finances and practices act; deletes (2) because covered in other statutes.

Section 163. 13-15-501. Minor changes for consistency.

Section 164. 13-15-502. Minor changes for consistency.

Section 165. 13-15-503. Minor changes for consistency.

Section 166. New. Provisions needed for consistency with other provisions of bill.

Section 167. New. Provisions needed for consistency with other provisions of bill.

Section 168. New. Provisions needed for consistency with other provisions of bill.

Section 169. 13-15-504. Minor changes for consistency.

Section 170. 13-16-101. Minor changes for consistency.

Section 171. 13-16-201. Covers additional cases of close votes.

Section 172. 13-16-203. Minor changes for consistency.

Section 173. 13-16-204. Minor changes for consistency.

Section 174. 13-16-301. Specifies application for recount made to district court in county in which candidate resides only.

Section 175. 13-16-303. Minor changes for consistency.

Section 176. 13-16-304. Minor changes for consistency.

Section 177. 13-16-305. Minor changes for consistency.

Section 178. 13-16-307. Deletes requirement for compensation of canvassing board and clerks since county officials and employees cannot be compensated in addition to wages and costs to county can be recovered as part of recount costs; adds provision for recount on ballot issue.

Section 179. 13-16-401. Allows news media and interested citizens to observe recount.

Section 180. 13-16-402. Minor changes for consistency; subsections (5), (6) and (7) moved to sections 183 and 184 of this bill.

Section 181. New. Provisions added for recounts of votes cast by voting machines or devices.

Section 182. New. Provisions added for recounts of votes cast by voting machines or devices.

Section 183. New. Subsections (5), (6) and (7) of 13-16-402; no substantive change.

Section 184. New. Subsections (5), (6) and (7) of 13-16-402; no substantive change.

Section 185. 13-16-403. Procedures for voting machines and devices added.

Section 186. 13-16-404.. No substantive change.

Section 187. 13-16-501. Subsection (1) is provision from 13-10-318; no substantive change.

Section 188. 13-16-502. No substantive change.

Section 189. 13-16-503. Require one of candidates tied to be appointed.

Section 190. 13-16-504. Require one of candidates tied to be appointed.

Section 191. 13-16-505. Require one of candidates tied to be appointed.

Section 192. 13-16-506. Require one of candidates tied to be appointed.

Section 193. New. Covers any political subdivisions not covered by preceding sections.

Section 194. 13-17-101. Revisions to cover all types of
Section 195. 13-17-102. voting machines and devices - Chapter
Section 196. 13-17-103. 18 of existing law, covering
Section 197. 13-17-104. electronic voting devices, is
Section 198. 13-17-105. repealed.
Section 199. 13-17-106.

Section 200. New. Contains provisions from 13-18-105 and allows examination and use of new types of voting machines or devices without enacting enabling legislation.

Section 201. 13-17-201. Revisions needed to cover all
Section 202. 13-17-203. types of machines or devices and
Section 203. 13-17-204. changes needed for consistency.
Section 204. 13-17-206.
Section 205. 13-17-301.
Section 206. 13-17-305.
Section 207. 13-17-306.

Section 208. 13-25-101. Sets deadline for certification of presidential candidates for general election by political parties.

Section 209. 13-25-203. Provisions for time of holding election to fill vacancy in office of United States Representative.

Section 210. New. Provides for nominating candidates for election to fill vacancy in office of United States Senator or Representative.

Section 211. 13-26-109. Requires filing an official record of action of convention to ratify amendment to United States constitution with Montana Secretary of State.

Section 214. 13-27-402. Clarifies who writes argument for voter pamphlet.

Section 215. 13-35-106. Minor changes for consistency.

Section 216. 13-35-107. Broadens coverage.

Section 217. 13-35-202. No substantive change.

Section 218. 13-35-207. Deletes (3) for consistency with change to civil penalties.

Section 219. 13-35-211. Incorporates rule of commissioner of campaign finances and practices to more specifically define electioneering; other changes for consistency.

Section 220 13-35-215, 13-35-225, 13-35-226, 13-35-231,
through 13-36-101 through 13-36-103, 13-36-202,
Section 229. 13-36-205, and 13-36-207. Changes for consistency and to clarify procedures.

Section 230 13-37-111 through 13-37-114 and 13-37-117
through through 13-37-119. Clarifies authority
Section 236. of commissioner; other changes for consistency and clarify.

Section 237. 13-37-120. Deleted subsection (2) covered by 13-37-127.

Section 238 13-37-121, 13-37-123 through 13-37-127. No
through substantive change or minor changes for
Section 243. consistency.

Section 244. New. Change penalties from criminal to civil.

Section 245. New. Change penalties from criminal to civil.

Section 246. New. Change penalties from criminal to civil.

Section 247 13-37-201, 13-37-202, 13-37-205 13-37-206,
through 13-37-208 and 13-37-215. Incorporate rules
Section 252. of commissioner; minor changes for consistency and clarity.

Section 253. 13-37-216. Changes limits on contributions; broadens coverage to cover other offices.

Section 254. 13-37-217. Minor changes for consistency.

Section 255. 13-37-225. Minor changes for consistency.

Section 256. 13-37-226. Minor changes for consistency.

Section 257. 13-37-227. Allows commissioner to adopt rules relating to committees filing reports with federal election commission and out of state committees.

Section 258. 13-37-228. Broadens coverage to include political committees and clarifies provisions for carrying forward balances from one campaign to another.

Section 259. 13-37-229. Revises reporting requirements.

Section 260. 13-37-231. Incorporates rule of commissioner; minor changes for consistency.

Section 261. New. Require state and county central committees of political parties to file copy of rules with appropriate election official.

Section 262. New. Require state and county central committees of political parties to file copy of rules with appropriate election official.

Section 351 through Section 368. Amendments to Title 20, Education; requires general procedures in Title 13 be followed for school elections but leaves administration of school elections with school officials; other changes for consistency.

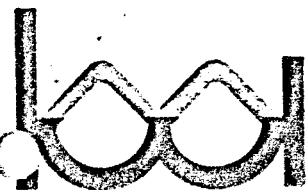
Section 369 through Section 374. Amendments to Title 76, Land Resources and Use, and Title 85, Water Use, for consistency with provisions of this bill.

Section 375. Transition schedule.

Section 376. Severability.

Section 377. Codification.

Section 378. Repealer.



montana broadcasters association

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TESTIMONY OF W.A. MERRICK

LOBBYIST MONTANA BROADCASTERS ASSOCIATION

January 22, RE SB #65

SENATE COMMITTEE

Mr. Chairman, Members of the Committee:

My name is Bill Merrick and I represent the Montana Broadcasters Association. Our member Radio and Television Stations have been actively involved in the election process in the State of Montana in the capacity of news media, advertising organizations, and civic leaders. We feel that the work of the interim committee on State Legal Services and Election Laws was done with much thought and study. The bill before you is an improvement of our present laws and one that our member TV and radio stations support. The refining process of state law which you are considering in this bill, may not provide all the answers, but it is certainly a big step forward and we recommend the passage of SB #65

Thank You.



League of Women Voters of Montana
917 Harrison
Helena, Montana 59601
22 January 79

Senate Bill 65 - An act to generally revise the laws relating to elections.

The League of Women Voters of Montana supports the passage of SB 65. For over 50 years this organization has monitored and worked with elections and election officials. We have been and will continue to be active in voter registration and in encouraging citizens to understand and participate in the election process.

In our large, sparsely populated state with many elected officials and a growing number of ballot issues, the vote of each individual Montanan carries considerable influence. To maintain the citizen's faith in the democratic process, the quality of elections must be the highest state law can provide. SB 65 is a comprehensive and unified proposal aimed at insuring quality elections on all levels of government.

The present state of Montana's election laws leaves much to be desired. Confusing and conflicting statutes baffle laymen, candidates, and election officials alike. The report of the interim Committee on State Legal Services and Election Laws summarizes these deficiencies well.

In 1977 the League supported the interim study of election laws, and subsequently followed the committee's deliberations closely. The committee encouraged the participation of interested groups such as the clerks and recorders, and its recommendations as contained in SB 65 received exceptionally thorough scrutiny.

Specifically the League endorses the streamlining of election administration, the concept of an election administrator to handle all elections (except school), and the clarification of cancellation and challenge of registration procedures. We also favor the precinct as the "territorial unit of elections". This is particularly important in legislative and local contests. The League supports the rescheduling of elections to provide for a November general election every year. Voters will have a much better opportunity to focus on the positions of county and city candidates and on the merits of local ballot issues.

In summary, clear and precise election laws do not benefit only those directly involved, but they are fundamentally important for all Montanans.

Margaret S. Davis

SUBCOMMITTEE ON STATE LEGAL SERVICES AND ELECTION LAWS

ELECTION LAWS

November 1978

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State Capitol

Helena, Montana 59601