



Approved by Committee on Judiciary

HOUSE BILL NO. 647

INTRODUCED BY JAMES MOORE, MULAR, JOHNSON, LESTER, DUSSAULT, KELLY, FINLEY, VINCENT, SCULLY

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR REGISTRATION TO VOTE BY MAIL; AMENDING SECTION 23-3006, R.C.M. 1947; AND REPEALING SECTIONS 23-3722 AND 23-3723, R.C.M. 1947."

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

Section 1. Section 23-3006, R.C.M. 1947, is amended to read as follows:

"23-3006. Method of registering -- absent electors in the United States service -- felony provisions. (1) An elector may register by appearing before the registrar or deputy registrar in the county in which he resides and by:

(a) Answering any questions asked by the registrar concerning items of information called for by registry cards;

(b) Signing and verifying or affirming the affidavit or affidavits on the back of the card.

~~(2) An elector may register by mailing, postage paid, a properly completed registration card to the registrar or deputy registrar in the county in which he resides any time prior to the close of registration for any election. A~~

~~registration card that is postmarked no later than 11:59 p.m. on the day of the close of registration or received on the next working day shall be considered timely.~~

(2) AN ELECTOR MAY REGISTER BY MAILING, POSTAGE PAID, A PROPERLY COMPLETED REGISTRY CARD TO THE REGISTRAR IN THE COUNTY IN WHICH HE RESIDES.

(A) THE REGISTRAR SHALL SEND REGISTRY CARDS FOR MAIL REGISTRATIONS TO ALL PERSONS REQUESTING THEM, WHETHER THE APPLICATION IS MADE IN WRITING OR BY TELEPHONE, AND SHALL, IN ADDITION, ARRANGE FOR THE CARDS TO BE AVAILABLE FROM CITY AND TOWN CLERKS WITHIN THE COUNTY AND MAY ARRANGE FOR THEM TO BE AVAILABLE AT OTHER LOCATIONS WITHIN THE COUNTY. THE MAIL REGISTRY CARD SHALL BE IN THE FORM PRESCRIBED BY THE SECRETARY OF STATE.

(B) THE ELECTOR SHALL COMPLETE, SIGN, AND EITHER VERIFY OR AFFIRM THE REGISTRY CARD BEFORE A NOTARY PUBLIC OR OTHER OFFICER EMPOWERED TO ADMINISTER OATHS, OR, COMPLETE AND SIGN THE CARD AND OBTAIN THE SIGNATURE, ADDRESS AND VOTING PRECINCT OF AT LEAST ONE REGISTERED VOTER IN THE COUNTY, WHO SHALL WITNESS FOR THE FACTS STATED ON THE REGISTRY CARD.

(C) THE REGISTRATION CARD MUST BE RECEIVED ON OR BEFORE THE DAY OF THE CLOSE OF REGISTRATION.

(D) UPON RECEIPT OF A PROPERLY EXECUTED REGISTRY CARD THE COUNTY REGISTRAR SHALL CAUSE TO BE SENT TO THE NEW VOTER

1 A POSTCARD AFFIRMING REGISTRATION AND GIVING THE LOCATION OF  
 2 THE VOTER'S POLLING PLACE. ON THE FACE OF THE NOTIFICATION  
 3 SHALL BE PRINTED THE WORDS, "DO NOT FORWARD, RETURN POSTAGE  
 4 GUARANTEED".

5 ~~(2)~~ (3) Any elector in the United States service who  
 6 is absent from the state and the county of which he is a  
 7 resident may register by:

8 (a) Mailing the registry card filled out and signed  
 9 under oath to the registrar, or

10 (b) Mailing the federal post card application filled  
 11 out and signed under oath to the registrar.

12 ~~(3)~~ (4) A person is guilty of a felony and upon  
 13 conviction shall be imprisoned in the state prison for not  
 14 less than one ~~(1)~~ nor more than three (3) years, if:

15 (a) He falsely personates another and causes the  
 16 person so personated to be registered; or,

17 (b) Falsely represents his name or other information  
 18 required by ~~registration to any registrar or deputy~~  
 19 ~~registrar and causes his name to be registered~~ UPON HIS  
 20 REGISTRY CARD, AND CAUSES OR ATTEMPTS TO CAUSE REGISTRATION  
 21 WITH THE CARD; OR,

22 (c) Causes any name to be placed upon the registry  
 23 lists other than in the manner provided by this act; OR,

24 (D) SIGNS A REGISTRY CARD KNOWINGLY WITNESSING ANY  
 25 FALSE OR MISLEADING STATEMENT."

1 SECTION 2. SECTIONS 23-3722 AND 23-3723, R.C.M. 1947,  
 2 ARE REPEALED.

-End-

HOUSE BILL NO. 647

INTRODUCED BY JAMES MOORE, MULAR, JOHNSON, LESTER,  
DUSSAULT, KELLY, FINLEY, VINCENT, SCULLY

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR  
REGISTRATION TO VOTE BY MAIL; AMENDING SECTION 23-3006,  
R.C.M. 1947; AND REPEALING SECTIONS 23-3722 AND 23-3723,  
R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
Section 1. Section 23-3006, R.C.M. 1947, is amended to  
read as follows:

"23-3006. Method of registering -- absent electors in  
the United States service -- felony provisions. (1) An  
elector may register by appearing before the registrar or  
deputy registrar in the county in which he resides and by:

(a) Answering any questions asked by the registrar  
concerning items of information called for by registry  
cards;

(b) Signing and verifying or affirming the affidavit  
or affidavits on the back of the card.

~~(2) -- An elector may register by mailing, postage paid,  
a properly completed registration card to the registrar or  
deputy registrar in the county in which he resides any time  
prior to the close of registration for any election. -- A~~

~~registration card that is postmarked no later than 11:59  
p.m. on the day of the close of registration or received on  
the next working day shall be considered timely.~~

(2) AN ELECTOR MAY REGISTER BY MAILING, POSTAGE PAID,  
A PROPERLY COMPLETED REGISTRY CARD TO THE REGISTRAR IN THE  
COUNTY IN WHICH HE RESIDES.

(A) THE REGISTRAR SHALL SEND REGISTRY CARDS FOR MAIL  
REGISTRATIONS TO ALL PERSONS REQUESTING THEM, WHETHER THE  
APPLICATION IS MADE IN WRITING OR BY TELEPHONE, AND SHALL,  
IN ADDITION, ARRANGE FOR THE CARDS TO BE AVAILABLE FROM CITY  
AND TOWN CLERKS WITHIN THE COUNTY AND MAY ARRANGE FOR THEM  
TO BE AVAILABLE AT OTHER LOCATIONS WITHIN THE COUNTY. THE  
MAIL REGISTRY CARD SHALL BE IN THE FORM PRESCRIBED BY THE  
SECRETARY OF STATE.

(B) THE ELECTOR SHALL COMPLETE, SIGN, AND EITHER  
VERIFY OR AFFIRM THE REGISTRY CARD BEFORE A NOTARY PUBLIC OR  
OTHER OFFICER EMPOWERED TO ADMINISTER OATHS, OR, COMPLETE  
AND SIGN THE CARD AND OBTAIN THE SIGNATURE, ADDRESS AND  
VOTING PRECINCT OF AT LEAST ONE REGISTERED VOTER IN THE  
COUNTY, WHO SHALL WITNESS FOR THE FACTS STATED ON THE  
REGISTRY CARD.

(C) THE REGISTRATION CARD MUST BE RECEIVED ON OR  
BEFORE THE DAY OF THE CLOSE OF REGISTRATION.

(D) UPON RECEIPT OF A PROPERLY EXECUTED REGISTRY CARD  
THE COUNTY REGISTRAR SHALL CAUSE TO BE SENT TO THE NEW VOTER

1 A POSTCARD AFFIRMING REGISTRATION AND GIVING THE LOCATION OF  
 2 THE VOTER'S POLLING PLACE. ON THE FACE OF THE NOTIFICATION  
 3 SHALL BE PRINTED THE WORDS, "DO NOT FORWARD. RETURN POSTAGE  
 4 GUARANTEED".

5 ~~(2)~~ (3) Any elector in the United States service who  
 6 is absent from the state and the county of which he is a  
 7 resident may register by:

8 (a) Mailing the registry card filled out and signed  
 9 under oath to the registrar, or

10 (b) Mailing the federal post card application filled  
 11 out and signed under oath to the registrar.

12 ~~(3)~~ (4) A person is guilty of a felony and upon  
 13 conviction shall be imprisoned in the state prison for not  
 14 ~~less than one (1) nor~~ more than three (3) years, if:

15 (a) He falsely personates another and causes the  
 16 person so personated to be registered; or,

17 (b) Falsely represents his name or other information  
 18 required ~~by registration to any registrar or deputy~~  
 19 ~~registrar and causes his name to be registered~~ UPON HIS  
 20 REGISTRY CARD, AND CAUSES OR ATTEMPTS TO CAUSE REGISTRATION  
 21 WITH THE CARD; or,

22 (c) Causes any name to be placed upon the registry  
 23 lists other than in the manner provided by this act; OR,

24 (D) SIGNS A REGISTRY CARD KNOWINGLY WITNESSING ANY  
 25 FALSE OR MISLEADING STATEMENT."

1 SECTION 2. SECTIONS 23-3722 AND 23-3723, R.C.M. 1947,  
 2 ARE REPEALED.

-End-

March 17, 1975

SENATE COMMITTEE ON JUDICIARY  
AMENDMENTS TO HOUSE BILL NO. 647

That House Bill No. 647, third reading, be amended as follows:

1. Amend page 2, section 1, line 23.

Following: "REGISTRATION"

Insert: "but in no event less than ten (10) days before  
the election"

HOUSE BILL NO. 647

INTRODUCED BY JAMES MOORE, MULAR, JOHNSON, LESTER,  
DUSSAULT, KELLY, FINLEY, VINCENT, SCULLY

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR  
REGISTRATION TO VOTE BY MAIL; AMENDING SECTION 23-3006,  
R.C.M. 1947; AND REPEALING SECTIONS 23-3722 AND 23-3723,  
R.C.M. 1947."

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

Section 1. Section 23-3006, R.C.M. 1947, is amended to  
read as follows:

"23-3006. Method of registering -- absent electors in  
the United States service -- felony provisions. (1) An  
elector may register by appearing before the registrar or  
deputy registrar in the county in which he resides and by:

(a) Answering any questions asked by the registrar  
concerning items of information called for by registry  
cards;

(b) Signing and verifying or affirming the affidavit  
or affidavits on the back of the card.

~~(2) An elector may register by mailing, postage paid,  
a properly completed registration card to the registrar or  
deputy registrar in the county in which he resides any time  
prior to the close of registration for any election, a~~

~~registration card that is postmarked no later than 11:59  
pm, on the day of the close of registration or received on  
the next working day shall be considered timely.~~

(2) AN ELECTOR MAY REGISTER BY MAILING, POSTAGE PAID,  
A PROPERLY COMPLETED REGISTRY CARD TO THE REGISTRAR IN THE  
COUNTY IN WHICH HE RESIDES.

(A) THE REGISTRAR SHALL SEND REGISTRY CARDS FOR MAIL  
REGISTRATIONS TO ALL PERSONS REQUESTING THEM, WHETHER THE  
APPLICATION IS MADE IN WRITING OR BY TELEPHONE, AND SHALL,  
IN ADDITION, ARRANGE FOR THE CARDS TO BE AVAILABLE FROM CITY  
AND TOWN CLERKS WITHIN THE COUNTY AND MAY ARRANGE FOR THEM  
TO BE AVAILABLE AT OTHER LOCATIONS WITHIN THE COUNTY. THE  
MAIL REGISTRY CARD SHALL BE IN THE FORM PRESCRIBED BY THE  
SECRETARY OF STATE.

(B) THE ELECTOR SHALL COMPLETE, SIGN, AND EITHER  
VERIFY OR AFFIRM THE REGISTRY CARD BEFORE A NOTARY PUBLIC OR  
OTHER OFFICER EMPOWERED TO ADMINISTER OATHS, OR, COMPLETE  
AND SIGN THE CARD AND OBTAIN THE SIGNATURE, ADDRESS AND  
VOTING PRECINCT OF AT LEAST ONE REGISTERED VOTER IN THE  
COUNTY, WHO SHALL WITNESS FOR THE FACTS STATED ON THE  
REGISTRY CARD.

(C) THE REGISTRATION CARD MUST BE RECEIVED ON OR  
BEFORE THE DAY OF THE CLOSE OF REGISTRATION BUT IN NO EVENT  
LESS THAN TEN (10) DAYS BEFORE THE ELECTION.

(D) UPON RECEIPT OF A PROPERLY EXECUTED REGISTRY CARD

1 THE COUNTY REGISTRAR SHALL CAUSE TO BE SENT TO THE NEW VOTER  
 2 A POSTCARD AFFIRMING REGISTRATION AND GIVING THE LOCATION OF  
 3 THE VOTER'S POLLING PLACE. ON THE FACE OF THE NOTIFICATION  
 4 SHALL BE PRINTED THE WORDS, "DO NOT FORWARD, RETURN POSTAGE  
 5 GUARANTEED".

6 ~~(2)~~--(3) Any elector in the United States service who  
 7 is absent from the state and the county of which he is a  
 8 resident may register by:

9 (a) Mailing the registry card filled out and signed  
 10 under oath to the registrar, or

11 (b) Mailing the federal post card application filled  
 12 out and signed under oath to the registrar.

13 ~~(3)~~--(4) A person is guilty of a felony and upon  
 14 conviction shall be imprisoned in the state prison for not  
 15 ~~less than one (1) nor~~ more than three (3) years, if:

16 (a) He falsely personates another and causes the  
 17 person so personated to be registered; or,

18 (b) Falsely represents his name or other information  
 19 required ~~by registration to any registrar or deputy~~  
 20 ~~registrar and causes his name to be registered~~ UPON HIS  
 21 REGISTRY CARD, AND CAUSES OR ATTEMPTS TO CAUSE REGISTRATION  
 22 WITH THE CARD; or,

23 (c) Causes any name to be placed upon the registry  
 24 lists other than in the manner provided by this act; OR,

25 (D) SIGNS A REGISTRY CARD KNOWINGLY WITNESSING ANY

1 FALSE OR MISLEADING STATEMENT."  
 2 SECTION 2. SECTIONS 23-3722 AND 23-3723, R.C.M. 1947,  
 3 ARE REPEALED.

-End-