IN THE SENATE
Introduced and referred to Committee on State Administration.

Committee recommend bill, as amended.

Printed and placed on members' desks.

Second reading, as amended.
Considered correctly engrossed.
Third reading, passed.
IN THE HOUSE
Introduced and referred to Committee on State Administration.

Committee recommend bill, concurred.

Second reading, concurred.
Third reading, concurred.
IN THE SENATE
Returned from House, concurred.
Sent to enrolling. Correctly enrolled. Signed by President.

GOVERNOR
Delivered to Governor.
Governor veto.
IN THE SENATE
Override veto transmitted to House.

IN THE HOUSE

No action taken in House.
iniroduced by Roomunson Hager
a bill for an act entitled: man act to require the person
appointed to fill a vacancy in an elective partisan office
to be a mehber of the same political pariy as his
PREDECESSOR; AMENDING SECTIONS 2-16-505. 2-16-506. 7-3-1217.
7-5-4219, 7-4-2106. 13-25-202, AND 69-1-106. MCA."
be it enacted by the legislature of the state of montana:
MEM SECIION Section 1. Vacancies in elective
partisan offices -- appointees to be of same political
party. whenever a vacancy occurs in an office which is
filled by a partisan election and when the person whose
position is to be filled served as a member of a political
party, the individual appointed to fill the vacancy must be
a member of the same political party.
Section 2. Section 2-16-505, MCA, is amended to read:
"2-16-505. Filling vacancies in certain elective
offices. 11 A vacancy in the office of either the secretary
of state, state auditor. attorney generd. clerk of the
supreme courte or superintendent of public instruction must
be filled by a person appointed by the governor, who holds
his office until the first Monday in January noxt after a
general election. At such election the office must be filled

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Ly election for the unexpired terme
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political partye the_appointee must te_a_meaber of the same
political_partya*
Section 3. Section 2-16-506, MCA, is amended to read:
-2-16-506. Filling vacancies -- appolater to be_of sane_political_party_-_ recess appointmentse (1) when any office becomes vacant and no mode is provided by law for filling the vacancy, the governor shall fill the vacancy by appointing a qualifled person to fill the unexpired term of the person whose office became vacant. Hhenever his predecessar secyed as a memer of a political partye the appointer must be a member of the same_galitical_ortye
(2) If the legistature or one house of the legistature must confirm an appointment of 3 person appointed by the governor to fill a vacancy, the governor may appoint the person to assume office before the legistature meets in its next reguldr session to consider the appointment. A person so appointed is vested with all the functions of the office upon assuming the office and is a de jure officer. notwithstanding the fact that the legislature has not yet confirmed the appointment. If the legislature does not confirm the appointment, the governor shall make a new appointment to fill the unexpired termo"
Section 4. Section 7-3-1217, MCA, is amended to read:
\(\varepsilon_{j} \mathrm{k}\)
-2-
INTRODUCED BILL
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-7-3-1217. Vacancies. (1) If a vacancy occurs in the commission, except as the result of a recall election some eligible person shall be chosen by a majority vote of the rnmainind meabers th fill the fitc: for the on \(x_{j}\) irmatorme
L21 If the vacant seat was filled on apartisan hasis and the person whose_position is belag filled served ds_a mener of a golltical gartye the indixidual belacted to fill the vacancy must be digember of the same political partye
tzł 131 Absence from all reqular meetings for a period of 90 days shall operate to vacate the seat of a meaber unless such absence be authorized by the commismion."
Section s. Section 7-3-4218. MCA. is amended to read:
"7-3-4218. Vacancies. (1) Vacancies in the office of adyor or councilmen shall be filled by appointment made by a majority vote of the remaining members of the council. If in filling such vacancy a tie vote should occurf then the person to fill said vacancy shall be determined by lot in such manner as said council may provida.
12) If the Yacaut seat vas_filled_by_a_sartisan election and the person pose position is to be filled secred as a rember of anditical odartye the_iadividual selected to fill the xacancy oust be a member of the same polltical partya
tztilil a person appointed to fill any such vacancy shall hold his office until the next general election and
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until his successor is elected and qualified. person elected to fill a vacancy shall hold office until this expiration of the tern for which the person he succeeds was alected."

Section 6. Section 7-4-2106. MCA, is amended to read:
-7-4-2106. Vacancy on board of county commissioners. (11 Wtrenever a vacancy occurs in the board of county comissioners from a failure to elect or otherwise, the district judge or judges in whose district the vacancy occurs must fill the vacancy, and such appointee shall fold office until the next general election.

121 Hhenever his predecessor served_as a mentiel of a political partye the apociatee oust be a qeaber of the same political party*"

Section 7. Section 13-25-202, MCA, is anended to read:
-13-25-202. Vacancy in office of United statps senator. (1) If a vacancy occurs in the office of United States senator an election to fill the vacancy shall bee held at the next general election. If the election is invalid or not held at that time, the election to fill the vacancy shall be held at the next succeeding general election.
(2) The governor may make a temporary appointment to fill the vacancy until the electioni_howevere_if his predecessor served as_a mepber of a_nolitical partye the

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apoointee must be_a_member of the same political_party."
    Section B. Section 69-1-106. MCA, is amended to read:
    *69-1-106. Vacancies. Any vacancy occurring in the
commission shall be filled by appointment by the governore
If bis predecessor secved_as_a_mether_of a oolitical_garike
the appointee nust be_a pegber of the_sane polltical_partye
Such appointee shall mold office untll the next general
election and until his successor is elected and qualifiede
At the biennial election following the occurrence of any
vacancy in the commission, there shall be elected one member
to fill out the unexpired term for which such vacancy
exists."
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-End-

## Approved by Committee on State Adminfstration

SENATE BILL NO. 128
INTROOUCED BY RASHUSSEN, HAGER
a bill for an act entitled: an act to require the person appointed to fill a vacancy in an elective partisan office TO BE A member of the same political party as his PREDECESSOR; AMENDING SECTIONS 2-16-505, 2-16-506. T-3-1217. 7-3-4218, 7-4-2106, 13-25-202. AND 69-1-106. MCA." be it enacted by the legislature of the state df montana:

NEHSECLIOAE Section l. Vacancies in elective partisan offices -- appointees to be of same political party. whenever a vacancy occurs in an office which is filled by a partisan election and when the person whose position is to be filled served as a member of a political party, the individual appointed to fill the vacancy must be a member of the same political party.

Section 2. Section 2-16-505, MCA, is amended to read:
"2-16-505. Filling vacancies in certain elective offices. 111 vacancy in the office of either the secretary of state, state auditor, attorney general. clerk of the supreme court, or superintendent of public instruction must be filled by a person appointed by the governor, who holds his office until the first Monday in January next after a yeneral election. At such election the office must be filled
oy election for the unexpired term.
12)_Wheneyor_his_predecessor secyed_as anember of a political_pactye_the_apooiotet_ust be_a_memberof the sana political pactyn"

Section 3. Section 2-16-506; MCA, is amended to read:
"2-16-506. Filling vacancies -- appolaten_to_be_of same_political_garty_-_ recess appointments. (i) When any office becomes vacant and no mode is provided by law for filling the vacancy, the governor shall fill the vacancy by appointing a qualified person to fill the unexpired term of the person whose office became vacante Hhenever his predecessor_seryod_as_amebor_of_a_politifal_pactye_the appointeq must be_a_enber of the salepolitical_pactye
(2) If the legislature or one house of the legislature must confira an appointment of a person appointed by the yovernor to fill a vacancy, the governor may appoint the person to assume office before the legislature meets in its next regular session to consider the appointeent. A person so appointed is vested with all the functions of the office upon assuming the office and is a de jure officer. notwithstanding the fact that the legislature has not yet confiraed the appointaent. If the legisiature does not confi:m the appointment, tire governor shall make a new appointment to fill the unexpired term.*

Section 4. Section 7-3-1217. MCA, is amended to read:
"7-3-1217. Vacancies. (1) If a vacancy occurs in the commission, except as the result of a recall election. some eligible person shall be chosen by majority vote of the remaining members to fill the place for the unexplied term.

121 If_therracant seat mas_filled_on_artisan_basis
 eremer_of_a_political_pactys_the_ladiridual.salected_tafill the_vacacy must be_a_etehar_of the_sana_oolitical_oartye
fZti3i absence from all regular metings for a period of 90 days shall operate to vacate the seat of a mer unless such absence be authorized by the commission-*

Section 5. Section 7-3-4218, HCA, is amended to read:
"7-3-4218. vacancies. (1) vacancies in the office of mayor or councilmen shall be filled by appointment made by ajarity vote of the remalining members of the councile If in filling such vacancy a tie vote should occure then the person to fill said vacancy shall be determined by lot in such manner as said councll may provide.
(2) If the racant_sat_ras filled_by_mactisap election_and the_person_mose position_is_to he filled secyed_as_a_mener_of a_olitical_oartyetha_indixidual selected_to fill the xacancy mist be anomber of the same political gactye
t2t131 person appointed to fill any such vacancy shall hold his office until the next general election and

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until his successor is elected and qualifiede A person
glected to fill a vacancy shall hold office until the
expiration of the term for which the person he succeeds was
elected."
Section 6. Section \(7-4-2106\). NCA, is amended to read:
-7-4-2106. Vacancy on board of county commissioners. 011 dhenever a vacancy occurs in the board of county comissioners from a failure to elect or otherwise, the district judge or judges in whose district the vacancy occurs must fill the vacancy, and such appointee shall nold office until the next general election.
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Section 7. Section 13-25-202, MCA, is amended to read:
-13-25-202. Vacancy in office of United States senator. (1) If a vacancy occurs in the office of United States senator, an election to fill the vacancy shall se held at the next general election. If the election is invalid or not held at that time, the election to fill the vacancy shall be held at the next succeeding generat election.
(2) The governor may make a temporary appointment to fill the vacancy until the electioni howevers if his IHE ARRDAIEESS Rredecessor_secyed_as_a_qember_of_a_political
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. $\mathfrak{A r t y n}$ _ the_appointee_must be_a_member of the_sane_political party*"

Section 8. Section 69-1-106. MCA, is amended to read:
"o9-1-106. Vacancies. my vacancy occurring in the commission shall be filled by appointment by the governor. If bis IHE ARPQINIEESS predecessor_seryed_as_a wenter of a
 Rolitical__Rarty: Such appointee shall hold office untif the next general election and until his successor is elected and qualified. At the biennial election following the occurrence of any vacancy in the commission, there shall be elected one member ta fill out the unexpired term for which such vacancy exists."
-End-

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            SENATE BILL NO. 128
            INTRODUCED BY RASMUSSEN, HAGER
A bill for an act entitled: man act to mequire the person
appointed to fill a vacancy in an elective partisan office
TO BE A MEMBER OF THE SAME POLITICAL PARTY AS HIS
PREDECESSOR EROH__A_LISI PRQYLDED_GY_THE_SAME_POLIILCAL
PABIY: AMENDING SECTIONS 2-16-505, 2-16-506. 7-3-1217.
7-3-4218, 7-4-2106, 13-25-202, ANO 69-1-106, MCA.*
be It enacted by the legislature of the state of montana:
    NEH_SECLIONe Section 1. vacancies in elective
partisan offices -- appointees to be of same political
party. Whenever a vacancy occurs in an office which is
filled by a partisan etection and when the person whose
position is to be filled served as a member of a political
party, the individual appointed to filf the vacancy must be
a nember of the same political party.
    Section 2. Section 2-16-505, MCA, is amended to read:
    -2-16-505. Filling vacancies in certain elective
offices. Ll\ A vacancy in the office of either the secretary
of state, state auditor, attorney general. clerk of the
supreme court, or superintendent of public instruction must
be filled by a person appointed by the governor, who holds
his office until the first Monday in January next after a
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general election. At such election the office must be filled by election for the unexpired terme
(2) Uhenever his predecessor served_as_a_efober of a political partye the appointere_matione_mer of the sane political_macty ANR SHAL_ AE SELECIED EAOA A._LES OF THREE HOLYIDUALS PROYIDED BY THE SIATEGEMIRAL_COWIIIEE OE THE PREDECESSOR ${ }^{-S}$ POLILICAL PARIYE MHENEYER_IHE GOYERNOR_IS WHABLE IO_SELECI AM_APPOINTEFEROH_THE SUBHIIIED_LISIE_THE GOYERMOR SHALL_REOUÉST_A_SECOMD LIST OF THREE HABES_EROM. THE SIAIE CENIRAL COHAITIEE OF IHE PREDECESSOROS ROLIIICAL
 SUBHLIIED OALIHE EIRSI LISIR IHE GOYERNOR SHALL THEXLSELECI


Section 3. Section 2-16-506, MCA, is amended to read:
-2-16-506. Filling vacancies - appoiateeto be of same political party - $=$ recess appointmentse (1) When any office becomes vacant and no mode is provided by law for filling the vacancy, the governor shall fill the vacancy by appointing a qualified person to fill the unexpired term of the person whose office became vacant. yheoever his gredecessor seryed as a nember of a political partye the appointes_must the a member of the sane_oolitical_party AND SHALL_OE SELECIED EROH_A_ISI OE IHBEE INOIYIDUALS PROYIDED EY_IHE SIAIE CEMIRAL_COMHIIEE_IE_IHE_PBEDECESSOR:S

 REQUESI_A SECDND_LISI_OE_IHREENAMES_EBQH_IUE_SIAIE CENIRAL COMMLIEE OF THE PREDECESSOR:S POLLLCAL_RARIYE IHE SECOND LISI_GAY MOI CONIAIN_ANY OE_IHE MABES_SUBHLIIEO_ON_IHEELRSI LISIs_IHE GOYERNOR SHALL_IHEM_SELESI_AH_ARPOLNIEE_EROH_IHE LOLYIDUALSMAMED ON BOIHLLISTSA
(2) If the legistature or one house of the fegisiature must confirm appointment of a person appointed by the governor to fill a vacancy the governor may appoint the person to assume office before the legislature meets in its next regular session to consider the appointment. A person so appointed is vested with all the functions of the office upon essuming the office and is a de jure officer, notwithstanding the fact thet the legislature has not yet confirmed the appointment. If the legfslature does not confirm the appointment. the governor shall make a new appointment to fill the unexpired term."

Section 4. Section 7-3-1217, MCAp is amended to read:
"7-3-1217. Vacancies. (1) 1f a vacancy occurs in the comission. except as the result of a recall election some eligible person shall be chosen by majority vote of the remaining members to fill the place for the unexpired terme

121_If the racant seat ras filled on_a partisan basis and_the_person_mbose_position_is_being_filled_served_as_a memer of a_political_partyenthe individual_selected_to_fill
> the_racancy_mat he_merthor of the sane political_party AND SHALK_BE_SELECIER_EROM_A_LLSI_OETHREE_INOIYIOUALS_RROYIDED AY__IBE_COUNIY_CENIRAL_COMALIIEE_OE_IHE_PREDECESSOR*S ROLIIICAL_RARIY, HHEHEYER_IHE_APPOLMLING BOABR_IS UNABLE_IO SELECI_AH_APPOLMIEE_EBOM_IHE_SUAMIIIED_LLSIE_IHEY_SHALL REOUESI_A_SECOND LISI OE IHREE NAMES EROM_IHE_COUNIY CEMIRAL GOHULIIEE DE IHE PREDEGESSOR:S POLIIICAL_PARIYE_IHE SECQND LISI_HAY_MOL_COMLALE ANY OE IHE HAMES SUBULIIED_ON_IHE EIRSI LISIn_IHE_APPOINIIAG BOARO_SHALL_IHEN_SELECI_AN_APPQINIEE EROH_IHE_INDIYID:ALS_MA苗ED ON_BOIH_LISISE
> t2ti34 Absence from all regular meetings for a period of 90 days shall operate to vacate the seat of a member unless such absence be authorized by the commission."

> Section 5. Section 7-3-4218. MCA, is amended to read:
> - $7-3-421 \mathrm{~B}$. Vacancies. (1) Vacancies in the office of mayor or councilmen shall be filled by appointment made by a majority vote of the remaining mesbers of the council. If in filling such vacancy a tie vote should occury then the person to fill said vacancy shall be determined by lot in such manner as said council may provide.
> 12)_If the racant_seat_ras_filled bx_a_oartisan glection_and_the_orson_thase_position_is_to_te_filled seryed_as_a_memer_of_a_political_party__the__individual selected__to_fill_the_racancy_must_be_a_neraber_of_the_same political_party AHD_SHALL_BE SELECIED EROM_A_LLSI_OE THREE


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Section 7. Section 13-25-202, MCA, is amended to read:
-13-25-202. Vacancy in office of United States senator- (1) If a vacancy occurs in the office of United states senator, an election to fill the vacancy shall be held at the next general election. If the election is invalid or not held at that time, the election to fill the vacancy shall be held at the next succeeding general election.
(2) The governor may make a temporary appointment to fill the vacancy until the electioni_hougyere_if his IHE ARPOLMIEE:S pCedecessor_secyed_as_a_meter_of_agitical partye the_aprointer must be_a meper of the_same political party AND SHALL BE_SELECIED_EROH_A_LISI OE_IUREE_INDIYIDUALS PROYIOEQ_BY_IHE SIALE_CENIRAL COHALIIEE OE IHE PREDECESSOR:S EOLIIICAL__PARIY__HEENEYER_IHE_GOYERNDB_IS_UNABLE_IO SELECI AN_APPOLNLEE_EROH_IHE SUBMLIED__LISLE_IHE_GOYERHOR_SHALL

BEOUESI A_SECOND_LISI_OE_THBEEMABES_EROM_IHE_SIAIE CEMIRAL COHBLIIEE_OETHE PREDECESSOROS_POLIIICAL_PARIYE_IHE SECOND LLSI GAY_NOI COMIALK_ANY OE IHE_HABES_SUBOLIIED_OH_IHE_ELRSI LLSI__IHE_COYERNOR_SHALL_THEN SELECI_AN_APEOLHIEE_EROH_IHE IBDIYIDJALS_MAED_OMBOTH_LSISA"

Section 8. Section 69-1-106. MCA, is amended to read:
m69-1-106. Vacancies. Any vacancy occurring in the comission shall be filled by appointment by the governor. If bis IHE APPOLMEEES DCedtcessor served_as_a_sember of a
 political party AND_SHAL_BE SELECIED_ERDG_A_LISI_DE_THBEE
 RREDECESSORES_ROLIICAL_PARIY__HEMEYER_IHE_GQYEBMOR_IS UGABLETOSELEGI AN_ARPOKMEE EROH_IHESURHLIIED_LISE_IHE GOYERMOR_SHAL_BEOUESI_A_SECOMD_LISI_OE IHAEE_HABES_EROH_THE SIALE CEMIRAL_COHALIIEE OF_IHE_PREDECESSOR:S POLIIICAL
 SURMLITED_OALIHEEERSI_HSIR_IHE_GOYERNOB_SHALG_IHEN SELECI AN ARPOLAIEE FROH IHE LHOIYIDUALS WABED OM BOIH_LISISE SUCh appointee shall mold office until the next general election and until his successor is elected and qualified. at the biennial election following the occurrence of any vacancy in the comission, there shall be elected one member to fill out the unexpired term for which such vacancy exists."
-End-

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            SENATE BILL NO. 128
            INTROOUCED BY RASMUSSEN, HAGER
A bILL FOR AN ACT ENTITLED: MAN ACT TO REQUIRE THE PERSON
APPOINTED TO fill a vacancy in an elective partiSan office
TO BE A MEMBER OF THE SAME POLITICAL PARTY AS HIS
PREDECESSOR ERDH__A_LISI__PROYIDED__BY__IHE_SABE_POLIILCAL
PABIY; AMENDING SECTIONS 2-16-505, 2-16-506. 7-3-1217,
7-3-4218, 7-4-2106, 13-25-202, ANO 69-1-106, MCA.*
be it enacted by the legislature of the state of montana:
    NEH SECLIQts Section 1. Vacancies In elective
partisan offices -- appointees to be of same political
party- Whenever d vacancy occurs in an office which is
filled by a partisan election and when the person whose
position is to be filled served as a member of a political
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    Section 2. Section 2-16-505, MCA, is amended to read:
    m2-16-505. Filling vacancies in certain elective
offices. 1l1 vacancy in the office of either the secretary
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his office until the first Monday in January next after a
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general election. at such election the office must be filled Dy election for the unexpired term.

121 Hbeoever_bis_oredecessor sarved_as_a_eener of a political_partya_the_appointeq_eust_be_a_ment_of the_same golitical__Darty AND_SHALL_BE_SELECIED_EROM_A_LISI_OE_IHREE INOLYLQUALS_PROYIDED_BY_IHE_SIAIE_GENIRAL_COMMLIIEE_OE_IHE PRERECESSOR:S_ROLIIICAL_PARIY_ HHENEYER_IHE COXERHOR_LS

 SIAIE CEMIRAL_COBHLIEE OE IHE_PBEDECESSOR:S_POLILCAL EABIY_IHE SECONO_LSI BAY HOI COAIAN AHY_OE IHE NABES SUBAIIED_ON_IHEEARSI_LISI: IHE_GOYERNOR SHALL_IHEN_SELECI AN _ARPOLNIEE_ERDB_IHE_HDLYIONALS_MAED_ON_BDIH_LISIS』*

Section 3. Section 2-16-506. MCA, is amended to read:
"2-16-506. filling vacancies -- appoiatee_to_te_of sam_oolitical_gacty_==- recess appointments. (1) when any office becomes vacant and no mode is provided by lam for filling the vacancy, the qovernor shall fill the vacancy by apointing a qualified person to fill the unexpired term of the person whose office became vacant. Hbenexer_bis
 apogintes_must_be_menber_of_the_same_political_party AND SHALL_-BE_SELECIED_EROA_A_LSI_OE_IHBEE_INRIYIDUALS_RROYIDED BY__IHE__SIAIE_CENIRAL_COHUIIIEE_OE__IHE__ PREDECESSQR:S ROLIIICAL_RABIY__HEEAEYER_IHE_GOYERNOR_IS_UHABLE_IO_SELECI
AN_ARPOINIEE_EBDH_IHE_SUBHLIIED__LSI__IHE_GOYERNOR_SHALL BEQUESI_A_SEGOND_LSI_OE_IHBEE_HAMES EROM_IHE_SIAIE_CENIRAL COBHLIIEE_OE_IHE_PBEDECESSOB:S_ROLIILCAL_RABIYE_IHE_SECOND LISI_HAY_HOI_COHIAIN_ANY_OE_IUE_NABES_SUBMILIER_ON_IHE_EIBSI LISI:_IHE_GOYGBNOR_SHAH_IHEN_SELECI_AN_ARPDAIEEEROM_IHE LHDLYIDUALS_NAHEQQN_BOIG_LSISA
(2) If the legisiature or one house of the legislature must confirm an appointment of a person appointed by the governor to fill a vacancy, the governor may appoint the person to assume office before the legislature meets in its next regular session to consider the appointment. A person so appointed is vested with all the functions of the office upon assuming the office and is a de jure officer, notwithstanding the fact that the legislature has not yet confirmed the appointment. If the legisiature does not confirm the appointment, the governor shall make a new appolntment to fill the unexpired terme*
Section 4. Section 7-3-1217. MCA, is amended to read:
-7-3-1217. Vacanciese (1) If a vacancy occurs in the comeission. except as the result of a recall election, some eligible person shall be chosen by a majority vote of the remaining members to filt the place for the unexpired term.
121_-Ifthe_vacant_sat Mas_filled_on_a_partisan basis and_the_parson__rbose_position_is_being_filled_secved_as_a member of_a_onitical_oartxa_tbe_iodividual_selected_tofill
the_yacancy must be_a_member_of_the_same_political_party $A B D$ SHALL_BE_SELECIER EROH_A_LLSL_OE_IEBEE_INDIYIOUALS_-RROYIOED BY__IHE_COUNIY_CEMIRAL__COMIIIEE_OE_IHE_PBEDEGESSOR:S RQLIILAL_PABIYA_HEENEYER_IHE_APROINIING_BOARD_IS_UNABLE_IQ SELECI_AN_ARPOLHLEE_EROU_IHE_SUBNLIIER_LISI:_IHEY_SHALL BEQUESI_A_SECOND_LISI_DE_IHREE_NAHES_EROM_IHE_COUNIY_CENTBAL COHMLIEE_OE_IHE_RBEDEGESSOROS_POLIIICAL_RARIY』_IHE_SECDND LISI_HAY_NOI_GOMLALA_ABY_OE_IHE_NAMES_SUBHLILED_ON_IBE_EIRSI LISI__IHE_APROINIIMG_BOABD_SHALL_IHEH_SELECI_AN_ARPONIEE EROH_IDE_INDIYIDUALS_MABED_ON_BOIH_LLSIS.
tzti31 Absence from all regular meetings for a period of 90 days shall operate to vacate the seat of a member unless such absence be authorized by the commission."

Section 5. Section $7-3-4218$, MCA, is amended to read:
-7-3-4218. Vacancies. (1) Vacancies in the office of mayor or councilmen shall be filled by appointment made by a majority vote of the remaininq members of the council. If in filling such vacancy a tie vote should occur, then the person to fill said vacancy shall be determined by lot in such manner as said council may provide.

121__If_the_Kacant_seat_Has_filled_by__a_-partisan election__and_the_person_-mbose__ossition_is_to_be_filled serfeg_as_a_mener_of_o_political_party__the_ingividual selected_to_fill_-the_yacancy_must_be_a_member_of_the_same pOlitical_qarty ANQ_SHALL_日E_SELEETEQ_EROM_A_LISI_QE_IHEEE


> INRIYIRUALS_PRQYIGERBY_IHE COUNIY CENIRAL COHMLIIEE QE IHE RREDECESSOR:S_ROLILIGAL_RARIY_ HHENEYER_IHE_APROINIIAG_BGABD IS_UNABLE_IQ_SELEEI_AN_APPOINIEEEROH_IHE_SUBMIIIED_LISIュ IUEY__SHALL__BEQUESI_-A__SECOND_LLSI_QE_IHBEE_UABES_ERDK_IHE COUNIY_CEMIBAL_COHELIIEE OE IHE_EREDEFESSOB:S__POLILLAL EABIYe__IHE_SECONQ_LISI__ZAY_ NOL_COAIAIH_ANY_OE_IHE_HAMES SUBELIIED_UN_IUE_EISSX_LISIE IUE_AEROIAIIAG_RDARQSHALL_IHEN SELEGI_AN_ARROINLEE_EBRH_IHE_INOLYIOLIALS NAMED_ON BOIE LISIS:*

> Section 7. Section 13-25-202, MCAr is amended to read:
> -13-25-202. Vacancy in office of United States senator. (1) If a vacancy occurs in the office of United States senator an election to fill the vacancy shall be held at the next general election. If the election is invalid or not held at that time, the election to fill the vacancy shall be held at the next succeeding general election.
> (2) The governor may make a temporary appointment to fill the vacancy until the electioni__bgeyefe_if hia LHE ARROLNIEE:S RCedecessor _seryed_as_a_menber_of a_political Darty_-the_aproiatee_must_be_a_oember_of_tbe_same_-political PaILY AND_SHALL_BE_SELESIER_EROM_A_LISI OE_IHREE INDIYIOUALS RROYIQER_OY_IHE_SIAIE_CENIRAL_CQMMIIIEE_OE_IHE_REEDECESSOR:S ROLIIICAL_RABIYR WHEUEYER_IHE_GOXEBNOR_LS UNABLE TQ SELEGI AN_APROLAIEE EROM_IUE_SUBHIIIED_KISIE_IHE_GOYERNQR_SHALh

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    Section 8. Section 69-1-106, MCA, is amended to read:
    m69-1-106. Vacancies. Any vacancy occurring in the comission shall be filled by appointment by the governor.
    
     politigal_party AND_SHALL_BE_SELECIEO_EROM_A_LSI_OE_IHREE
     PREDECESSOR:S POLIIICAL_PABIY___HHEMEYER_IHE_GOYERNOR_LS UABRLE_ID_SELEGI_AN_APROIBIEE_EROM_IHE_SUBMIIED_KISI__IUE GOYEBNOB_SHALL_BEOUESI_A SECOND_LISI_OE_IHBEE_HABES_EROH_IHE SIAIE_CENIRAL_COAHLIIEE_DE_IHE_REEECESSOR:S__POLIILAL RABIYe_IHE_SEGAD_LISI_HAY_HDI_CONIAIN_ANY_OE_IHE_NABES SUBALILEQ_OLIHE_EIBSI_WISIR_IHE_GOYEBNOB_SHALK_IEEM SELECI
     appointee shall hold office until the next general election and until his successor is elected and qualified. at the biennial election following the occurrence of any vacancy in the comission, there shall be elected one member to filt out the unexpired term for which such vacancy exists."
    -End-

