

SENATE BILL NO. 149
INTRODUCED BY HAZELBAKER

IN THE SENATE

January 18, 1979	Introduced and referred to Committee on State Administration.
January 22, 1979	Rereferred to Committee on Judiciary.
January 30, 1979	Committee recommend bill do pass as amended. Report adopted.
January 31, 1979	Printed and placed on members' desks.
February 1, 1979	Second reading, do pass.
February 2, 1979	Considered correctly engrossed.
February 3, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 5, 1979	Introduced and referred to Committee on Judiciary.
March 9, 1979	Committee recommend bill be concurred in. Report adopted.
March 13, 1979	Second reading, concurred in.
March 15, 1979	Third reading, concurred in.

IN THE SENATE

March 16, 1979	Returned from second house. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 Senate BILL NO. 149
2 INTRODUCED BY Wahlbaker

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE MONTANA
5 RECALL ACT; AMENDING SECTIONS 2-16-614 AND 2-16-632, MCA."
6

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

8 Section 1. Section 2-16-614, MCA, is amended to read:
9 "2-16-614. Number of electors required for recall
10 petition. Recall petitions for elected or appointed state
11 officers shall contain the signatures of qualified electors
12 equalling at least 10% of the number of persons registered
13 to vote at the preceding state general election. A petition
14 for the recall of a state-district officer must contain the
15 signatures of qualified electors equalling at least 15% of
16 the number of persons registered to vote in the last
17 preceding election in that district. Recall petitions for
18 elected or appointed county officers shall contain the
19 signatures of qualified electors equalling at least 15% of
20 the number of persons registered to vote at the preceding
21 county general election. Recall petitions for elected or
22 appointed officers of municipalities or school districts
23 shall contain the signatures of qualified electors equalling
24 at least 20% of the number of persons registered to vote at
25 the preceding general election for the municipality or

1 school district."

2 Section 2. Section 2-16-632, MCA, is amended to read:
3 "2-16-632. Conduct of special elections. Special
4 elections for recall shall be conducted and the results
5 canvassed and certified in all respects as ~~general elections~~
6 ~~was the election in which the officer was elected to the~~
7 ~~office, except as herein otherwise provided. In the case of~~
8 ~~appointed officials, the election shall be conducted and the~~
9 ~~results canvassed and certified in all respects as was the~~
10 ~~election of the person who appointed the official. The~~
11 powers and duties conferred or imposed by law upon boards of
12 election, registration officers, canvassing boards, and
13 other public officials who conduct general elections are
14 conferred and imposed upon similar officers conducting
15 recall elections under the provisions of this section
16 together with the penalties prescribed for the breach
17 thereof."

-End-

-2- SB 149
INTRODUCED BILL

Approved by Committee
on Judiciary

SENATE BILL NO. 149

INTRODUCED BY HAZELBAKER

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE MONTANA
RECALL ACT; AMENDING SECTIONS 2-16-614 AND 2-16-632, MCA."

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

Section 1. Section 2-16-614, MCA, is amended to read:

"2-16-614. Number of electors required for recall
petition. Recall petitions for elected or appointed state
officers shall contain the signatures of qualified electors
equalling at least 10% of the number of persons registered
to vote at the preceding state general election. A petition
for the recall of a state-district officer must contain the
signatures of qualified electors equalling at least 15% of
the number of persons registered to vote in the last
preceding election in that district. Recall petitions for
elected or appointed county officers shall contain the
signatures of qualified electors equalling at least 15% of
the number of persons registered to vote at the preceding
county general election. Recall petitions for elected or
appointed officers of municipalities or school districts
shall contain the signatures of qualified electors equalling
at least 20% of the number of persons registered to vote at
the preceding general election for the municipality or

school district."

Section 2. Section 2-16-632, MCA, is amended to read:

"2-16-632. Conduct of special elections. Special
elections A SPECIAL ELECTION for recall shall be conducted
and the results canvassed and certified in ~~all respects as~~
~~general elections was the election in which the officer was~~
~~elected to the office~~ THE SAME MANNER THAT THE LAW IN EFFECT
AT THE TIME OF THE ELECTION FOR RECALL REQUIRES FOR AN
ELECTION TO FILL THE OFFICE THAT IS THE SUBJECT OF THE
RECALL PETITION, except as herein otherwise provided. In the
case of appointed officials AN OFFICIAL HOLDING A
NONSELECTIVE OFFICE, the election shall be conducted and the
results canvassed and certified in all respects as was the
election of the person who appointed the official THE SAME
MANNER THAT THE LAW IN EFFECT AT THE TIME OF THE ELECTION
FOR RECALL REQUIRES FOR AN ELECTION TO FILL THE OFFICE OF
THE PERSON WHO HAS THE POWER TO APPOINT SUCH OFFICIAL. The
powers and duties conferred or imposed by law upon boards of
election, registration officers, canvassing boards, and
other public officials who conduct general elections are
conferred and imposed upon similar officers conducting
recall elections under the provisions of this section
together with the penalties prescribed for the breach
thereof."

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at least 20% of the number of persons registered to vote at
the preceding general election for the municipality or

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and the results canvassed and certified in all respects as
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A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE MONTANA RECALL ACT; AMENDING SECTIONS 2-16-614 AND 2-16-632, MCA."

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

Section 1. Section 2-16-614, MCA, is amended to read:

"2-16-614. Number of electors required for recall petition. Recall petitions for elected or appointed state officers shall contain the signatures of qualified electors equalling at least 10% of the number of persons registered to vote at the preceding state general election. A petition for the recall of a state-district officer must contain the signatures of qualified electors equalling at least 15% of the number of persons registered to vote in the last preceding election in that district. Recall petitions for elected or appointed county officers shall contain the signatures of qualified electors equalling at least 15% of the number of persons registered to vote at the preceding county general election. Recall petitions for elected or appointed officers of municipalities or school districts shall contain the signatures of qualified electors equalling at least 20% of the number of persons registered to vote at the preceding general election for the municipality or

school district."

Section 2. Section 2-16-632, MCA, is amended to read:

"2-16-632. Conduct of special elections. Special elections A SPECIAL ELECTION for recall shall be conducted and the results canvassed and certified in ~~at~~ respects as general elections ~~was the election in which the officer was elected to the office~~ THE SAME MANNER THAT THE LAW IN EFFECT AT THE TIME OF THE ELECTION FOR RECALL REQUIRES FOR AN ELECTION TO FILL THE OFFICE THAT IS THE SUBJECT OF THE RECALL PETITION, except as herein otherwise provided. In the case of ~~appointed officials~~ AN OFFICIAL HOLDING A NONELECTIVE OFFICE, the election shall be conducted and the results canvassed and certified in ~~at~~ respects as ~~was the election of the person who appointed the official~~ THE SAME MANNER THAT THE LAW IN EFFECT AT THE TIME OF THE ELECTION FOR RECALL REQUIRES FOR AN ELECTION TO FILL THE OFFICE OF THE PERSON WHO HAS THE POWER TO APPOINT SUCH OFFICIAL. The powers and duties conferred or imposed by law upon boards of election, registration officers, canvassing boards, and other public officials who conduct general elections are conferred and imposed upon similar officers conducting recall elections under the provisions of this section together with the penalties prescribed for the breach thereof."

-End-