

HOUSE BILL NO. 336

INTRODUCED BY KANDUCH, D. BROWN,
MANUEL, DAILY, SEIFERT, PAVLOVICH, CONROY

IN THE HOUSE

January 19, 1981	Introduced and referred to Committee on Judiciary.
February 14, 1981	Committee recommend bill do pass. Report adopted.
February 16, 1981	Bill printed and placed on members' desks.
February 17, 1981	Motion pass consideration. Rereferred to Committee on State Administration
February 18, 1981	Motion pass consideration. Bill taken from Committee and referred to second reading.
February 20, 1981	Second reading, do pass.
February 21, 1981	Considered correctly engrossed.
February 24, 1981	Third reading, passed. Ayes, 59; Noes, 40. Transmitted to Senate.

IN THE SENATE

March 2, 1981	Introduced and referred to Committee on State Administration.
March 25, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 27, 1981	Second reading, concurred in.
March 30, 1981	Third reading, concurred in as amended. Ayes, 34; Noes, 14.

IN THE HOUSE

March 31, 1981 Returned from Senate with amendments.

April 8, 1981 Second reading, amendments not concurred in.

 On motion Conference Committee requested and appointed.

April 10, 1981 Conference Committee dissolved.

 On motion new Free Conference Committee requested and appointed.

 Free Conference Committee reported and dissolved.

April 11, 1981 Second reading, Free Conference Committee report adopted.

 On motion rules suspended and bill placed on third reading this day.

 Third reading, Free Conference Committee report adopted. Ayes, 66; Noes, 17. Transmitted to Senate.

IN THE SENATE

April 17, 1981 Free Conference Committee report adopted.

IN THE HOUSE

April 20, 1981 Returned from Senate. Concurred in. Sent to enrolling.

 Reported correctly enrolled.

HOUSE BILL NO. 336

INTRODUCED BY

Randolph Don Brown
Maureen Dail Sajat
Coursey Salnik

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT SOLICITATION WITHIN OR AT THE ENTRY OF ANY POLLING PLACE; AMENDING SECTION 13-35-218, MCA."

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

Section 1. Section 13-35-218, MCA, is amended to read:

"13-35-218. Coercion or undue influence of voters. (1)

No person, directly or indirectly, by himself or any other person in his behalf, in order to induce or compel a person to vote or refrain from voting for any candidate, the ticket of any political party, or any ballot issue before the people, may:

(a) use or threaten to use any force, coercion, violence, restraint, or undue influence against any person; or

(b) inflict or threaten to inflict, by himself or any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person.

(2) No person who is a minister, preacher, priest, or other church officer or who is an officer of any corporation or organization, religious or otherwise, may, other than by public speech or print, urge, persuade, or command any voter

to vote or refrain from voting for or against any candidate, political party ticket, or ballot issue submitted to the people because of his religious duty or the interest of any corporation, church, or other organization.

(3) No person may, by abduction, duress, or any fraudulent contrivance, impede or prevent the free exercise of the franchise by any voter at any election or thereby compel, induce, or prevail upon any elector to give or to refrain from giving his vote at any election.

(4) No person may, in any manner, interfere with a voter lawfully exercising his right to vote at an election so as to prevent the election from being fairly held and lawfully conducted. No person may obstruct the doors or entries of any polling place or engage in any solicitation of signatures for ballot issues within or at the entry of any polling place."

-End-

INTRODUCED BILL

HB 336

Approved by Committee
on Judiciary

HOUSE BILL NO. 336

INTRODUCED BY

Handwritten signatures: Randolph, Dan Brown, Coursey, Sabini, Manuel, Dale, Saylor

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 2 INTRODUCED BY *Kentucky Don Brown Courroy Sabat*
 3 *Manuel Dail Sajat*

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10 refrain from giving his vote at any election.

11 (4) No person may, in any manner, interfere with a
12 voter lawfully exercising his right to vote at an election
13 so as to prevent the election from being fairly held and
14 lawfully conducted.

15 (5) No person may obstruct the doors or entries of any
16 polling place ~~or engage in any solicitation.~~ SOLICITATION of
17 signatures for ballot issues OR FOR ANY OTHER PURPOSE within
18 ANY POLLING PLACE or at WITHIN 200 FEET OF the entry of any
19 polling place IS OBSTRUCTION WITHIN THE MEANING OF THIS
20 SUBSECTION."

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10 refrain from giving his vote at any election.

11 (4) No person may, in any manner, interfere with a
12 voter lawfully exercising his right to vote at an election
13 so as to prevent the election from being fairly held and
14 lawfully conducted.

15 (5) No person ON ELECTION DAY may obstruct the doors
16 or entries of any polling place ~~or engage in any~~
17 ~~solicitation OR ENGAGE IN ANY SOLICITATION, SOLICITATION~~ of
18 ~~signatures for ballot issues OR FOR ANY OTHER PURPOSE~~ within
19 ~~ANY POLLING PLACE or at AT WITHIN 200 FEET OF the entry of~~
20 ~~any polling place IS OBSTRUCTION WITHIN THE MEANING OF THIS~~
21 ~~SUBSECTION OR ENGAGE IN ANY SOLICITATION OF A VOTER WITHIN~~
22 ~~THE ROOM WHERE VOTES ARE BEING CAST OR ELSEWHERE IN ANY~~
23 ~~MANNER WHICH IN ANY WAY INTERFERES WITH THE ELECTION PROCESS~~
24 ~~OR OBSTRUCTS THE ACCESS OF VOTERS TO OR FROM THE POLLING~~
25 ~~PLACE."~~

.....April 10,..... 19 81...

FREE CONFERENCE COMMITTEE
ON HOUSE BILL NO. 336

(Report No. 1, April 10, 1981

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Free Conference Committee on House Bill No. 336, met April 10, 1981, and considered:

Senate State Administration Committee Amendments to the third reading copy, dated March 25, 1981, and recommend as follows:

That the House accede to Committee amendment No. 1;

That the Senate recede from Committee amendments No. 2 through No. 4;

That House Bill No. 336 be further amended as specified in the CLERICAL INSTRUCTIONS Nos. 1 and 2.

That the reference copy of House Bill No. 336 read as specified in the CLERICAL INSTRUCTIONS;

And, that the Conference Report to House Bill No. 336 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, line 15.

Following: "person"

Insert: "on election day"

2. Page 2, line 16.

Following: "~~solicitation~~"

Strike: the remainder of subsection (5).

Insert: "or engages in any solicitation of a voter within the room where votes are being cast or elsewhere in any manner which in any way interferes with the election process or obstructs the access of voters to or from the polling place"

FOR THE HOUSE:

R-L. Anderson
Anderson, Chairman

Harner S. Bertelsen
Bertelsen

Jack F. Kanduch
Kanduch

FOR THE SENATE:

Jack Galt
Galt, Chairman

Steve Brown
Brown

Ed Story
Story

March 25, 1981

SENATE STANDING COMMITTEE REPORT
(State Administration)

That House Bill No. 336 be amended as follows:

1. Page 2, line 13.

Following: "conducted."

Insert: "(5)"

2. Page 2, line 14.

Following: "place"

Strike: "or engage in any solicitation"

Insert: ". Solicitation"

3. Page 2, line 15.

Following: "issues"

Insert: "or for any other purpose"

Following: "within"

Insert: "any polling place"

Following: "or"

Strike: "at"

Insert: "within 200 feet of"

4. Page 2, line 16.

Following: "place"

Insert: "is obstruction within the meaning of this subsection"