

HOUSE BILL NO. 390

INTRODUCED BY WINSLOW

IN THE HOUSE

January 21, 1981	Introduced and referred to Committee on State Administration.
January 23, 1981	Fiscal note requested.
January 28, 1981	Fiscal note returned.
January 30, 1981	Committee recommend bill do pass as amended. Report adopted.
February 2, 1981	Bill printed and placed on members' desks.
February 3, 1981	Second reading, do pass.
February 4, 1981	Correctly engrossed.
February 6, 1981	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 7, 1981	Introduced and referred to Committee on Local Government.
March 11, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 13, 1981	Second reading, concurred in.
	Segregated.
March 14, 1981	Second reading, concurred in as amended.
March 17, 1981	Third reading, concurred in as amended. Ayes, 49; Noes, 1.

IN THE HOUSE

March 17, 1981	Returned from Senate with amendments.
April 7, 1981	Second reading, amendments not concurred in.
	On motion Conference Committee requested.
April 8, 1981	Conference Committee appointed.
April 15, 1981	Conference Committee reported and dissolved.
April 20, 1981	Second reading, Conference Committee report adopted.
	On motion rules suspended and Conference Committee report placed on third reading this day.
	Third reading, Conference Committee report adopted. Ayes, 95; Noes, 0. Sent to Senate.

IN THE SENATE

IN THE HOUSE

1 HOUSE BILL NO. 390
2 INTRODUCED BY W. L. Anderson

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE USE OF ANY
5 PUBLIC BUILDING EXCEPT A JAIL OR HOSPITAL AS A POLLING
6 PLACE; AMENDING SECTION 13-3-105, MCA."

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

9 Section 1. Section 13-3-105, MCA, is amended to read:
10 "13-3-105. Designation of polling place. (1) The
11 county governing body shall designate the polling place for
12 each precinct no later than 30 days before a primary
13 election. The same polling place shall be used for both the
14 primary and general election if at all possible. Changes may
15 be made by the governing body in designated polling places
16 up to 10 days before an election if a designated polling
17 place is not available. Polling places may be located
18 outside the boundaries of a precinct.

19 (2) Not more than 10 or less than 2 days before an
20 election, the election administrator shall publish in a
21 newspaper of general circulation in the county, a statement
22 of the locations of the precinct polling places. Notice may
23 also be given as provided in 2-3-105 through 2-3-107.

(3) An election administrator may make changes in the location of a polling place if an emergency occurs 10 days

1 or less before an election. Notice shall be posted at both
2 the old and new polling places, and other notice may be
3 given by whatever means available.

4 141. Any public building except a jail or hospital may
5 be used as a polling place. Such building must be furnished
6 at no charge as long as no structural changes are required
7 in order to use the building as a polling place."

- End -

-2- INTRODUCED BILL

HB 390

STATE OF MONTANA

REQUEST NO. 200-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 23, 19 81, there is hereby submitted a Fiscal Note for House Bill 390 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

Proposed legislation allows the use of any public building except a jail or hospital as a polling place.

Fiscal Impact

No fiscal impact to the state or to local governments is anticipated.

Lyle Manley, Jr.
BUDGET DIRECTOR
Office of Budget and Program Planning
Date: 1-28-81

Approved by Committee
on State Administration

1 HOUSE BILL NO. 390
2 INTRODUCED BY WINSLOD

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE USE OF ANY
5 PUBLIC BUILDING EXCEPT A--DATE--OR--HOSPITAL AS A POLLING
6 PLACE; AMENDING SECTION 13-3-105, MCA."

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

9 Section 1. Section 13-3-105, MCA, is amended to read:

10 "13-3-105. Designation of polling place. (1) The

11 county governing body shall designate the polling place for

12 each precinct no later than 30 days before a primary

13 election. The same polling place shall be used for both the

14 primary and general election if at all possible. Changes may

15 be made by the governing body in designated polling places

16 up to 10 days before an election if a designated polling

17 place is not available. Polling places may be located

18 outside the boundaries of a precinct.

19 (2) Not more than 10 or less than 2 days before an
20 election, the election administrator shall publish in a
21 newspaper of general circulation in the county, a statement
22 of the locations of the precinct polling places. Notice may
23 also be given as provided in 2-3-105 through 2-3-107.

(3) An election administrator may make changes in the location of a polling place if an emergency occurs 10 days

1 or less before an election. Notice shall be posted at both
2 the old and new polling places, and other notice may be
3 given by whatever means available.

4 (4) Any public building except a jail or hospital may
5 be used as a polling place. Such building must be furnished
6 at no charge as long as no structural changes are required
7 in order to use the building as a polling place."

-End-

SECOND READING

HOUSE BILL NO. 390

INTRODUCED BY WINSLOW

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE USE OF ANY
5 PUBLIC BUILDING EXCEPT-A--DATE--OR--HOSPITAL AS A POLLING
6 PLACE; AMENDING SECTION 13-3-105, MCA."

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14 primary and general election if at all possible. Changes may

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1 or less before an election. Notice shall be posted at both
2 the old and new polling places, and other notice may be
3 given by whatever means available.

4 Any public building except a jail or hospital may
5 be used as a polling place. Such building must be furnished
6 at no charge as long as no structural changes are required
7 in order to use the building as a polling place."

-End-

THIRD READING
HB 390

HOUSE BILL NO. 390
INTRODUCED BY WINSLOW

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE USE OF ANY
5 PUBLIC PUBLICLY--OWNED BUILDING EXCEPT--A--SAFE--OR
6 HOSPITAL AS A POLLING PLACE; AMENDING SECTION 13-3-105.
7 MCA."

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

10 Section 1. Section 13-3-105, MCA, is amended to read:

11 "13-3-105. Designation of polling place. (1) The

12 county governing body shall designate the polling place for

13 each precinct no later than 30 days before a primary

14 election. The same polling place shall be used for both the

15 primary and general election if at all possible. Changes may

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17 up to 10 days before an election if a designated polling

18 place is not available. Polling places may be located

19 outside the boundaries of a precinct.

20 (2) Not more than 10 or less than 2 days before an
21 election, the election administrator shall publish in a
22 newspaper of general circulation in the county, a statement
23 of the locations of the precinct polling places. Notice may
24 also be given as provided in 2-3-105 through 2-3-107.

(3) An election administrator may make changes in the

1 location of a polling place if an emergency occurs 10 days
2 or less before an election. Notice shall be posted at both
3 the old and new polling places, and other notice may be
4 given by whatever means available.

5 (4) Any public publicly publicly-owned building, WHETHER
6 OR NOT PUBLICLY OWNED, except a jail or hospital may be used
7 as a polling place PROVIDED THE OWNERS OR OTHER PERSONS IN
8 CHARGE CONSENT TO SUCH USE. Such building must be furnished
9 at no charge as long as no structural changes are required
10 in order to use the building as a polling place."

-End-

April 14.....

19 81

JOINT CONFERENCE COMMITTEE
ON SENATE AMENDMENTS TO HOUSE BILL NO. 390

(Report No. 1, April 14, 1981)

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Conference Committee on House Bill No. 390, met April 14, 1981, and considered:

Senate Local Government Committee Amendments to the third reading copy, dated March 11, 1981, and;

Senate Committee of the Whole Amendments to the third reading copy, dated March 14, 1981, and recommend as follows:

That the House accede to Standing Committee amendment nos. 1 and 2, dated March 11, 1981;

That the Senate recede from all Committee of the Whole amendments, dated March 14, 1981;

That the reference copy of House Bill No. 390 read as specified in the CLERICAL INSTRUCTIONS;

And, that the Joint Conference Committee Report to House Bill No. 390 be adopted.

CLERICAL INSTRUCTIONS:

1. Title, line 5.

Following: "PUBLIC"

Strike: "PUBLIC"

Insert: "PUBLICLY OWNED"

2. Page 2, line 5.

Following: "OWNED"

Insert: "publicly owned"

3. Page 2, lines 5 and 6.

Following: "building"

Strike: ", WHETHER OR NOT PUBLICLY OWNED,"

4. Page 2, lines 7 and 8.

Following: "place"

Strike: "PROVIDED THE OWNER OR OWNERS OR OTHER PERSONS IN
CHARGE CONSENT TO SUCH USE"

(cont'd)

April 14

19 81

Joint Conference Committee on
House Bill No. 390
Page 2

FOR THE HOUSE:

Alvin Winslow
Winslow, Chairman

John Ryan
Ryan

Gay Holliday
Holliday

FOR THE SENATE:

George McCallum
McCallum, Chairman

Hammond

Bill Thomas
Thomas

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HOUSE BILL NO. 390

INTRODUCED BY WINSLOW

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE USE OF ANY
5 PUBLIC PUBLICLY OWNED PUBLICLY OWNED BUILDING EXCEPT
6 A--DATE--OR--HOSPITAL AS A POLLING PLACE; AMENDING SECTION
7 13-3-105, MCA."

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23 of the locations of the precinct polling places. Notice may
24 also be given as provided in 2-3-105 through 2-3-107.

(3) An election administrator may make changes in the

1 location of a polling place if an emergency occurs 10 days
2 or less before an election. Notice shall be posted at both
3 the old and new polling places, and other notice may be
4 given by whatever means available.

-End-

March 11, 1981

SENATE STANDING COMMITTEE REPORT
(Local Government)

That House Bill No. 390 be amended as follows:

1. Title, line 5.
Following: Line 4
Strike: "PUBLIC"
Insert: "PUBLICLY OWNED"

2. Page 2, line 4.
Following: "Any"
Strike: "public"
Insert: "publicly owned"

March 14, 1981

SENATE COMMITTEE OF THE WHOLE

Proposed amendments to House Bill 390, third reading copy, as follows:

THAT THE FOLLOWING AMENDMENTS OF THE SENATE STANDING COMMITTEE ON LOCAL GOVERNMENT OF MARCH 11, 1981, BE STRICKEN:

1. Title, line 5.
Following: line 4.
Strike: "PUBLIC"
Insert: "PUBLICLY OWNED"

2. Page 2, line 4.
Following: "Any"
Strike: "public"
Insert: "publicly owned"

AND, FURTHER, THAT THE FOLLOWING AMENDMENTS BE MADE TO THE BILL:

1. Page 2, line 4.
Following: "Any"
Strike: "public"
Following: "building"
Insert: ", whether or not publicly owned,"

2. Page 2, line 5.
Following: "place"
Insert: "provided the owners or other persons in charge
consent to such use"