

SENATE BILL NO. 48

INTRODUCED BY TOWE

IN THE SENATE

January 3, 1983	Introduced and referred to Committee on State Administration.
January 20, 1983	Committee recommend bill do pass as amended. Report adopted.
January 21, 1983	Bill printed and placed on members' desks.
January 22, 1983	Second reading, do pass as amended.
January 24, 1983	Correctly engrossed.
January 25, 1983	Third reading, passed. Ayes, 37; Noes, 13. Transmitted to House.

IN THE HOUSE

January 26, 1983	Introduced and referred to Committee on State Administration.
February 7, 1983	Committee recommend bill be concurred in as amended. Report adopted.
February 9, 1983	Motion pass consideration until 46th Legislative Day.
February 28, 1983	Second reading, pass consideration.
March 1, 1983	Second reading, concurred in.
March 2, 1983	Third reading, concurred in.

IN THE SENATE

March 3, 1983	Returned to Senate with amendments.
March 4, 1983	Second reading, amendments not concurred in. On motion, Conference Committee requested.
March 7, 1983	Conference Committee appointed.
April 13, 1983	Conference Committee reported.
April 15, 1983	Second reading, report rejected.
April 16, 1983	Conference Committee report adopted by House.
April 18, 1983	Conference Committee dissolved. On motion, Free Conference Committee requested and appointed.
April 20, 1983	Free Conference Committee reported. Second reading, Free Conference Committee report adopted.
April 21, 1983	Third reading, Free Conference Committee report adopted. Free Conference Committee report adopted by House. Sent to enrolling. Reported correctly enrolled.

1 SENATE BILL NO. 48
 2 INTRODUCED BY TOWE
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT FOR THE SIMPLIFICATION
 5 OF BALLOTS TO BE USED IN VOTING MACHINES AND DEVICES;
 6 PROVIDING THAT LOCAL ELECTION ADMINISTRATORS MAY REQUEST
 7 THAT ONLY THE BALLOT ISSUE NUMBER AND THE FOR AND AGAINST
 8 STATEMENTS APPEAR ON THE BALLOT AND THAT ALL OTHER
 9 INFORMATION BE DISTRIBUTED TO ELECTORS AS THEY ENTER THE
 10 POLLING PLACE; AMENDING SECTIONS 13-17-206 AND 13-27-501,
 11 MCA."
 12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 14 Section 1. Section 13-17-206, MCA, is amended to read:
 15 "13-17-206. Arrangement of machine ballot. ~~The Except~~
 16 ~~as provided in 13-27-501, the~~ order and arrangement of
 17 ballots to be used with voting machines or devices shall be
 18 the same as paper ballots insofar as possible and shall be
 19 prescribed by the secretary of state before each election."
 20 Section 2. Section 13-27-501, MCA, is amended to read:
 21 "13-27-501. Secretary of state to certify ballot form.
 22 (1) The secretary of state shall furnish to the official of
 23 each county responsible for preparation and printing of the
 24 ballots, at the same time as he certifies the names of the
 25 persons who are candidates for offices to be filled at the

1 election, a certified copy of the form in which each ballot
 2 issue to be voted on by the people at that election is to
 3 appear on the ballot.
 4 ~~(2) Unless Except as provided in subsection (3), and~~
 5 ~~unless~~ otherwise provided in the legislative act or petition
 6 placing the issue on the ballot, the secretary of state
 7 shall list for each issue:
 8 (a) the number;
 9 (b) the method of placement on the ballot;
 10 (c) the title;
 11 (d) the attorney general's explanatory statement if
 12 applicable;
 13 (e) the fiscal statement if applicable; and
 14 (f) the statements of the implication of a vote for or
 15 against the issue that are to be placed beside the diagram
 16 for marking the ballot.
 17 ~~(3) If a county uses voting machines or devices and if~~
 18 ~~the county election administrator requests, voting machine~~
 19 ~~or device ballots shall contain only the information~~
 20 ~~contained in subsections (2)(a) and (2)(f). If the county~~
 21 ~~election administrator requests, that the abbreviated ballot~~
 22 ~~be prepared, copies of the information contained in~~
 23 ~~subsections (2)(a) through (2)(f) must be distributed to~~
 24 ~~each elector by an election registrar as the elector enters~~
 25 ~~the polling place.~~

INTRODUCED BILL

1 (4) The secretary of state shall use for each ballot
2 issue the title of the legislative act or legislative
3 constitutional proposal or the title provided by the
4 attorney general or district court. Following the number of
5 the ballot issue, the secretary of state shall include one
6 of the following statements to identify why the issue has
7 been placed on the ballot:

8 (1)(a) an act referred by the legislature;
9 (2)(b) an amendment to the constitution proposed by
10 the legislature;
11 (3)(c) an act of the legislature referred by
12 referendum petition; or
13 (4)(d) a law or constitutional amendment proposed by
14 initiative petition."

-End-

Approved by Committee
on State Administration

SENATE BILL NO. 48

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A BILL FOR AN ACT ENTITLED: "AN ACT FOR THE SIMPLIFICATION OF BALLOTS TO BE USED IN VOTING MACHINES AND DEVICES; PROVIDING THAT LOCAL ELECTION ADMINISTRATORS MAY REQUEST THAT ONLY THE BALLOT ISSUE NUMBER AND THE FOR AND AGAINST STATEMENTS APPEAR ON THE BALLOT AND THAT ALL OTHER INFORMATION BE DISTRIBUTED TO ELECTORS AS THEY ENTER THE POLLING PLACE; AMENDING SECTIONS 13-17-206 AND SECTION 13-27-501, MCA."

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

~~Section 1. Section 13-17-206, MCA, is amended to read:~~

~~"13-17-206. Arrangement of machine ballots--The Except as provided in 13-27-501, the order and arrangement of ballots to be used with voting machines or devices shall be the same as paper ballots insofar as possible and shall be prescribed by the secretary of state before each election."~~

Section 1. Section 13-27-501, MCA, is amended to read:

"13-27-501. Secretary of state to certify ballot form.

(1) The secretary of state shall furnish to the official of each county responsible for preparation and printing of the ballots, at the same time as he certifies the names of the persons who are candidates for offices to be filled at the

election, a certified copy of the form in which each ballot issue to be voted on by the people at that election is to appear on the ballot.

~~(2) Unless Except as provided in subsection (3), and unless~~ otherwise provided in the legislative act or petition placing the issue on the ballot, the secretary of state shall list for each issue:

(a) the number;

(b) the method of placement on the ballot;

(c) the title;

(d) the attorney general's explanatory statement if applicable;

(e) the fiscal statement if applicable; and

(f) the statements of the implication of a vote for or against the issue that are to be placed beside the diagram for marking the ballot.

~~(3) If a county uses voting machines or devices and if the county election administrator requests IN WRITING AT THE TIME BALLOTS FROM THAT COUNTY ARE SUBMITTED TO THE SECRETARY OF STATE FOR CERTIFICATION, voting machine or device SUCH ballots shall contain only the information contained in subsections (2)(a), (2)(e), and (2)(f). If the county election administrator requests that the abbreviated ballot be prepared, copies of the information contained in subsections (2)(a) through (2)(f) must be distributed to~~

1 ~~each elector by an election registrar~~ JUDGE as ~~the elector~~
2 ~~enters the polling place.~~

3 (4) The secretary of state shall use for each ballot
4 issue the title of the legislative act or legislative
5 constitutional proposal or the title provided by the
6 attorney general or district court. Following the number of
7 the ballot issue, the secretary of state shall include one
8 of the following statements to identify why the issue has
9 been placed on the ballot:

10 (1)(a) an act referred by the legislature;

11 (2)(b) an amendment to the constitution proposed by
12 the legislature;

13 (3)(c) an act of the legislature referred by
14 referendum petition; or

15 (4)(d) a law or constitutional amendment proposed by
16 initiative petition."

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election, a certified copy of the form in which each ballot issue to be voted on by the people at that election is to appear on the ballot.

~~(2) Unless Except as provided in subsection (3), and unless otherwise provided in the legislative act or petition placing the issue on the ballot, the secretary of state shall list for each issue:~~

~~(a) the number;~~

~~(b) the method of placement on the ballot;~~

~~(c) the title;~~

~~(d) the attorney general's explanatory statement if applicable;~~

~~(e) the fiscal statement if applicable; and~~

~~(f) the statements of the implication of a vote for or against the issue that are to be placed beside the diagram for marking the ballot.~~

~~(3) If a county uses voting machines or devices and if the county election administrator requests in writing at the time ballots from that county are submitted to the secretary of state for certification, voting machine or device such ballots shall contain only the information contained in subsections (2)(a), (2)(f), and (2)(ff). If the county election administrator requests that the abbreviated ballot be prepared, copies of the information contained in subsections (2)(a) through (2)(ff) must be distributed to~~

~~each elector by an election registrar -WAGE as the elector enters the polling places~~

~~441(3)~~ The ~~WHEN REQUIRED TO DO SO, THE~~ secretary of state shall use for each ballot issue the title of the legislative act or legislative constitutional proposal or the title provided by the attorney general or district court. Following the number of the ballot issue, the secretary of state shall include one of the following statements to identify why the issue has been placed on the ballot:

- ~~(1)(a)~~ an act referred by the legislature;
- ~~(2)(b)~~ an amendment to the constitution proposed by the legislature;
- ~~(3)(c)~~ an act of the legislature referred by referendum petition; or
- ~~(4)(d)~~ a law or constitutional amendment proposed by initiative petition."

THERE IS A NEW MCA SECTION THAT READS:

NEW SECTION. Section 2. Abbreviated form of the certified ballot. The county election administrator may, at least 14 days prior to the deadline for ballot certification by the secretary of state, request in writing that he be furnished an abbreviated form of the certified ballot. The secretary of state shall furnish to all counties from which he has received such a request a certified ballot containing

only the information in subsections (2)(a), (2)(e), and (2)(f) of 13-27-501. If the county election administrator requests that the abbreviated ballot be prepared, copies of the information contained in subsections (2)(a) through (2)(f) must be distributed to each elector by an election judge as the elector enters the polling place.

-End-

April 19, 1983

19

FREE CONFERENCE COMMITTEE
SENATE BILL 48
(Report No. 1)

Mr. President:

We, your Free Conference Committee on Senate Bill 48,
met and considered:

Senate Bill 48, third reading copy (Blue); and
House State Administration Committee amendments of
February 7, 1983.

We respectfully recommend as follows:

That the Senate accede to House State Administration
Committee amendments number 1 and 2;

That the House recede from House State Administration
Committee amendment number 3;

That Senate Bill 48 be further amended as specified in
Clerical Instructions 1; and

That this Free Conference Committee report be adopted.

.....
CLERICAL INSTRUCTIONS FOR REFERENCE COPY (SALMON)

1) Title, line 7.

Following: "NUMBER"

Insert: ", THE FISCAL STATEMENT,"

2) Page 4, line 1.

Following: "~~1~~-(2)(e)-,"

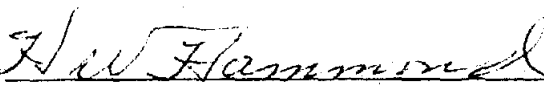
Insert: ", (2)(e),"

FOR THE SENATE

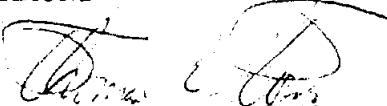
FOR THE HOUSE


MARBUT, CHAIR


BRAND, CHAIR


HAMMOND


DRISCOLL


TOWE


MUELLER

April 12 19 83

CONFERENCE COMMITTEE ON
AMENDMENTS TO SENATE BILL 48
(Report No. 1)

Mr. President:

We, your conference committee on amendments to Senate Bill 48, met and considered House State Administration Committee amendments to the third reading copy (blue). We recommend as follows:

That the Senate accede to House State Administration Committee amendments number 1 through 3; and

That this conference committee report on Senate Bill 48 be adopted.

CLERICAL INSTRUCTIONS FOR REFERENCE COPY (SALMON)


No changes from reference copy.

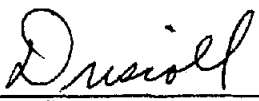
FOR THE SENATE


FOR THE HOUSE


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

~~Section 13-17-206, MCA, is amended to read:~~

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(1) The secretary of state shall furnish to the official of each county responsible for preparation and printing of the ballots, at the same time as he certifies the names of the persons who are candidates for offices to be filled at the

election, a certified copy of the form in which each ballot issue to be voted on by the people at that election is to appear on the ballot.

(2) ~~Unless Except as provided in subsection (3) of SECTION 2,~~ and unless otherwise provided in the legislative act or petition placing the issue on the ballot, the secretary of state shall list for each issue:

(a) the number;

(b) the method of placement on the ballot;

(c) the title;

(d) the attorney general's explanatory statement if applicable;

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(f) the statements of the implication of a vote for or against the issue that are to be placed beside the diagram for marking the ballot.

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1 ~~each elector by an election registrar whose name the elector~~
 2 ~~enters the polling place~~

3 ~~++(3) The WHEN REQUIRED TO DO SO, THE~~ secretary of
 4 state shall use for each ballot issue the title of the
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19 Section 2. Abbreviated form of the certified ballot.
 20 The county election administrator may, at least 14 days
 21 prior to the deadline for ballot certification by the
 22 secretary of state, request in writing that he be furnished
 23 an abbreviated form of the certified ballot. The secretary
 24 of state shall furnish to all counties from which he has
 25 received such a request a certified ballot containing only

1 the information in subsections (2)(a) ~~++(e)++~~ and (2)(f) of
 2 13-27-501. If the county election administrator requests
 3 that the abbreviated ballot be prepared, copies of the
 4 information contained in subsections (2)(a) through (2)(f)
 5 must be distributed to each elector by an election judge as
 6 the elector enters the polling place.

-End-

HOUSE OF REPRESENTATIVES

February 7, 1983

State Administration Committee amendments to SB 48

1. Page 2, lines 4 through 6.

Strike: "subsection (3)"

Insert: "[section 2]"

Strike: "and" on line 4 through "," on line 6.

2. Page 3, line 8.

Following: "state"

Insert: ", when required to do so,"

3. Page 4, line 1.

Strike: ", (2) (e),"

And as amended, be concurred in.

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election, a certified copy of the form in which each ballot issue to be voted on by the people at that election is to appear on the ballot.

(2) Unless ~~Except as provided in subsection (1)~~ [SECTION 2], ~~and unless~~ otherwise provided in the legislative act or petition placing the issue on the ballot, the secretary of state shall list for each issue:

(a) the number;

(b) the method of placement on the ballot;

(c) the title;

(d) the attorney general's explanatory statement if applicable;

(e) the fiscal statement if applicable; and

(f) the statements of the implication of a vote for or against the issue that are to be placed beside the diagram for marking the ballot.

~~(3) If a county uses voting machines or devices and if the county election administrator requests in writing at the time ballots from that county are submitted to the secretary of state for certification, voting machine or device ballots shall contain only the information contained in subsections (1) through (2) and (2) if the county election administrator requests that the abbreviated ballot be prepared, copies of the information contained in subsections (1) through (2) must be distributed to~~

~~each elector by an election registrar, where as the elector enters the polling places~~

~~(1)(3)~~ The WHEN REQUIRED TO DO SO, THE secretary of state shall use for each ballot issue the title of the legislative act or legislative constitutional proposal or the title provided by the attorney general or district court. Following the number of the ballot issue, the secretary of state, WHEN REQUIRED TO DO SO, shall include one of the following statements to identify why the issue has been placed on the ballot:

- ~~(1)(a)~~ an act referred by the legislature;
- ~~(1)(b)~~ an amendment to the constitution proposed by the legislature;
- ~~(1)(c)~~ an act of the legislature referred by referendum petition; or
- ~~(1)(d)~~ a law or constitutional amendment proposed by initiative petition."

THERE IS A NEW MCA SECTION THAT READS:

Section 2. Abbreviated form of the certified ballot. The county election administrator may, at least 14 days prior to the deadline for ballot certification by the secretary of state, request in writing that he be furnished an abbreviated form of the certified ballot. The secretary of state shall furnish to all counties from which he has received such a request a certified ballot containing only

the information in subsections (2)(a) ~~and (2)(e)~~, (2)(f), and (2)(f) of 13-27-501. If the county election administrator requests that the abbreviated ballot be prepared, copies of the information contained in subsections (2)(a) through (2)(f) must be distributed to each elector by an election judge as the elector enters the polling place.

-End-