

HOUSE BILL NO. 327

1/22 Introduced
1/22 Referred to State Administration
2/05 Hearing
2/09 Adverse Committee Report
2/11 Bill Killed

1 HOUSE BILL NO. 327
2 INTRODUCED BY Shannon

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE
5 ROTATION OF CANDIDATES' NAMES ON A BALLOT AND PROVIDING FOR
6 LISTING CANDIDATES' NAMES IN ORDER OF FILING; AMENDING
7 SECTIONS 13-12-205 AND 76-15-303, MCA."

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

10 Section 1. Section 13-12-205, MCA, is amended to read:

11 "13-12-205. Arrangement of names ~~----rotation~~ on
12 ballot. (1) The candidates' names shall be arranged
13 alphabetically on the ballot according to surnames the date
14 and time of filing under the title of the respective
15 offices.

16 (2) If two or more individuals are candidates for
17 nomination or election to the same office, the election
18 administrator shall ~~divide the ballot forms into sets equal~~
19 ~~in number to the greatest number of candidates for any~~
20 office list the names of the candidates according to date
21 and time of filing under the title of the office. The
22 ~~candidates for nomination to an office by each political~~
23 ~~party shall be considered separately in determining the~~
24 ~~number of sets necessary for a primary election;~~

25 (3) ~~The election administrator shall begin with a form~~

1 arranged--alphabetically--and--rotate--so--that--each--candidate's
2 name--will--be--at--the--top--of--the--list--for--each--office--on
3 substantially--an--equal--number--of--ballots.--If--it--is--not
4 numerically--possible--to--place--each--candidate's--name--at--the
5 top--of--the--list,--the--names--shall--be--rotated--in--groups--so
6 that--each--candidate's--name--is--as--near--the--top--of--the--list--as
7 possible--on--substantially--an--equal--number--of--ballots.

8 (4) ~~if the county contains more than one legislative~~
9 ~~district, the election administrator may rotate each~~
10 ~~candidate's name so that it will be at or near the top of~~
11 ~~the list for each office on substantially an equal number of~~
12 ~~ballots in each house district;~~

13 (5) ~~For purposes of rotation, the offices of president~~
14 ~~and vice president and of governor and lieutenant governor~~
15 ~~shall be considered as a group;~~

16 (6) ~~No more than one of the sets may be used in~~
17 ~~printing the ballot for use in any one precinct, and all~~
18 ~~ballots furnished for use in any precinct must be~~
19 ~~identical;~~"

20 Section 2. Section 76-15-303, MCA, is amended to read:

21 "76-15-303. General election. (1) All qualified
22 electors within the district are eligible to vote in the
23 election.

24 (2) The three candidates who receive the largest
25 number, respectively, of the votes cast in the election are



1 the elected supervisors for the district.

2 (3) In the general election, the names of all
3 individuals nominated by petition (if six or fewer) or by
4 election shall be printed, ~~arranged-in-a-rotating-order-of~~
5 the-surnames listed according to the date and time of filing
6 of each candidate's nominating petition, as provided under
7 13-12-205, upon ballots, with a square before each name and
8 a direction to insert an "X" mark in the square before any
9 three names to indicate the elector's preference.

10 (4) The election administrator in each county shall
11 prepare suitable nonpartisan ballots or place the names of
12 candidates on the regular general election ballot in the
13 same manner as other nonpartisan candidates for the election
14 of supervisors, which ballots shall be delivered to the
15 election judges in those precincts which contain registered
16 electors prior to each general election and each primary
17 election in which more than four candidates are nominated.
18 The election judges and other election officials in such
19 precincts shall submit such ballots to qualified electors,
20 conduct the election, and tabulate the results of such
21 election in the manner provided in Title 13."

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