

HOUSE BILL NO. 631

INTRODUCED BY KEYSER, THOMAS, KOLSTAD, JENKINS

IN THE HOUSE

February 2, 1985	Introduced and referred to Committee on State Administration.
February 15, 1985	Committee recommend bill do pass as amended. Report adopted.  Bill printed and placed on members' desks.
February 16, 1985	Second reading, do not pass.
February 18, 1985	On motion, previous action reconsidered.
February 19, 1985	Second reading, do pass as amended.
February 20, 1985	Correctly engrossed.
February 21, 1985	Third reading, passed.  Transmitted to Senate.

IN THE SENATE

February 22, 1985	Introduced and referred to Committee on State Administration.
March 20, 1985	Committee recommend bill be concurrent in as amended. Report adopted.
March 22, 1985	Second reading, concurred in.

March 25, 1985

Third reading, concurred in.  
Ayes, 48; Noes, 1.

Returned to House with  
amendments.

IN THE HOUSE

March 26, 1985

Received from Senate.

April 8, 1985

Second reading, amendments  
concurred in.

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

Third reading, amendments  
concurred in.

Sent to enrolling.

Reported correctly enrolled.

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HOUSE BILL NO. 631

INTRODUCED BY

Raymond Thomas Koblentz

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT AN ELECTOR MAY REQUEST TO VOTE BY PAPER BALLOT ONLY WHERE VOTING MACHINES ARE USED; TO DEFINE "VOTING MACHINE"; AMENDING SECTION 13-17-305, MCA."

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

Section 1. Section 13-17-305, MCA, is amended to read:

"13-17-305. Request to use paper ballots. Where voting machines ~~or-devices~~ are used, an elector may request to vote by paper ballot instead of using the machine ~~or-device~~. The election judges shall provide the elector with a paper ballot when requested. Paper ballots shall be cast and counted by the election judges in the manner provided by law. For the purposes of this section, "voting machine" means a mechanical apparatus which is used for voting by using levers which provide a tabulating system within the machine."

-End-

APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

1 HOUSE BILL NO. 631

2 INTRODUCED BY KEYSER, THOMAS, KOLSTAD, JENKINS

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT AN  
5 ELECTOR MAY REQUEST TO VOTE BY PAPER BALLOT ONLY WHERE  
6 VOTING MACHINES ARE USED; TO DEFINE "VOTING MACHINE";  
7 AMENDING SECTION 13-17-305, MCA; AND PROVIDING AN EFFECTIVE  
8 DATE."

9

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

11 Section 1. Section 13-17-305, MCA, is amended to read:

12 "13-17-305. Request to use paper ballots. Where voting  
13 machines or-devices are used, an elector may request to vote  
14 by paper ballot instead of using the machine or-device. The  
15 election judges shall provide the elector with a paper  
16 ballot when requested. Paper ballots shall be cast and  
17 counted by the election judges in the manner provided by  
18 law. For the purposes of this section, "voting machine"  
19 means a mechanical apparatus which is used for voting by  
20 using levers which provide a tabulating system within the  
21 machine."

22 NEW SECTION. SECTION 2. EFFECTIVE DATE. THIS ACT IS  
23 EFFECTIVE JULY 1, 1985.

-End-

1 HOUSE BILL NO. 631

2 INTRODUCED BY KEYSER, THOMAS, KOLSTAD, JENKINS

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT AN  
5 ELECTOR MAY REQUEST TO VOTE BY PAPER BALLOT ONLY WHERE  
6 VOTING MACHINES ARE USED; TO PROVIDE THAT THE ELECTION  
7 ADMINISTRATOR MAY PROVIDE PAPER BALLOTS WHERE VOTING DEVICES  
8 ARE USED; TO DEFINE "VOTING MACHINE"; AMENDING SECTION  
9 13-17-305, MCA; AND PROVIDING AN EFFECTIVE DATE."

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 13-17-305, MCA, is amended to read:

13 "13-17-305. Request to use paper ballots.

14 (1) (A) Where voting machines or--devices are used, an  
15 elector may request to vote by paper ballot instead of using  
16 the machine or--device. The election judges shall provide  
17 the elector with a paper ballot when requested.

18 (B) WHERE VOTING DEVICES ARE USED, THE ELECTION  
19 ADMINISTRATOR, WITH APPROVAL OF THE GOVERNING BODY OF THE  
20 COUNTY, MAY PROVIDE PAPER BALLOTS IF THE ELECTION  
21 ADMINISTRATOR BELIEVES SUCH BALLOTS ARE NECESSARY. THE  
22 PRINTING OF PAPER BALLOTS PROVIDED PURSUANT TO THIS  
23 SUBSECTION IS AN ALLOWABLE ELECTION COST UNDER THE  
24 PROVISIONS OF 13-1-302.

25 (2) Paper ballots shall be cast and counted by the

1 election judges in the manner provided by law.

2 (3) For the purposes of this section, "voting machine"  
3 means a mechanical apparatus which is used for voting by  
4 using levers which provide a tabulating system within the  
5 machine."

6 NEW SECTION. SECTION 2. EFFECTIVE DATE. THIS ACT IS  
7 EFFECTIVE JULY 1, 1985.

-End-

THIRD READING

SENATE

STANDING COMMITTEE REPORT

March 20, 1985

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration HOUSE BILL No. 631

third reading copy ( blue color )

(Senator Harding will carry)

PROVIDING THAT ELECTORS MAY REQUEST A PAPER BALLOT WHEN VOTING MACHINE USED.

Respectfully report as follows: That HOUSE BILL No. 631

be amended as follows:

1. Page 1, line 20.

Following: "COUNTY"

Insert: "if the election administrator is an appointed official"

2. Page 1, line 21.

Following: "NECESSARY."

Insert: "However, if more than 5% of the electors voting in the last preceding general election voted using paper ballots, the election administrator shall provide paper ballots."

AND AS AMENDED

BE CONCURRED IN

XXXXXXXXXX

XXXXXXXXXX

Jack Haffey

Chairman.

HOUSE BILL NO. 631

INTRODUCED BY KEYSER, THOMAS, KOLSTAD, JENKINS

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT AN ELECTOR MAY REQUEST TO VOTE BY PAPER BALLOT ONLY WHERE VOTING MACHINES ARE USED; TO PROVIDE THAT THE ELECTION ADMINISTRATOR MAY PROVIDE PAPER BALLOTS WHERE VOTING DEVICES ARE USED; TO DEFINE "VOTING MACHINE"; AMENDING SECTION 13-17-305, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 13-17-305, MCA, is amended to read:

"13-17-305. Request to use paper ballots.

(1) (A) Where voting machines or--devices are used, an elector may request to vote by paper ballot instead of using the machine or-device. The election judges shall provide the elector with a paper ballot when requested.

(B) WHERE VOTING DEVICES ARE USED, THE ELECTION ADMINISTRATOR, WITH APPROVAL OF THE GOVERNING BODY OF THE COUNTY IF THE ELECTION ADMINISTRATOR IS AN APPOINTED OFFICIAL, MAY PROVIDE PAPER BALLOTS IF THE ELECTION ADMINISTRATOR BELIEVES SUCH BALLOTS ARE NECESSARY. HOWEVER, IF MORE THAN 5% OF THE ELECTORS VOTING IN THE LAST PRECEDING GENERAL ELECTION VOTED USING PAPER BALLOTS, THE ELECTION ADMINISTRATOR SHALL PROVIDE PAPER BALLOTS. THE PRINTING OF

PAPER BALLOTS PROVIDED PURSUANT TO THIS SUBSECTION IS AN ALLOWABLE ELECTION COST UNDER THE PROVISIONS OF 13-1-302.

(2) Paper ballots shall be cast and counted by the election judges in the manner provided by law.

(3) For the purposes of this section, "voting machine" means a mechanical apparatus which is used for voting by using levers which provide a tabulating system within the machine."

NEW SECTION. SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE JULY 1, 1985.

-End-

REFERENCE BILL

