

HOUSE BILL NO. 875

INTRODUCED BY RAMIREZ, PHILLIPS

IN THE HOUSE

February 18, 1985	Introduced and referred to Committee on State Administration.
February 21, 1985	Committee recommend bill do pass as amended. Report adopted. Bill printed and placed on members' desks.
February 23, 1985	Second reading, do pass. Considered correctly engrossed.
February 26, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 4, 1985	Introduced and referred to Committee on State Administration.
March 25, 1985	Committee recommend bill be concurrred in. Report adopted.
March 28, 1985	Second reading, concurrred in.
March 30, 1985	Third reading, concurrred in. Ayes, 49; Noes, 0. Returned to House.

IN THE HOUSE

March 30, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

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2 INTRODUCED BY Ramsey Phillips
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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS
5 APPLICABLE TO REGISTRATION AND VOTING BY ABSENTEE BALLOT OF
6 ELECTORS IN THE UNITED STATES SERVICE; AMENDING SECTIONS
7 13-2-203, 13-2-212, 13-2-214, AND 13-13-211, MCA; REPEALING
8 SECTION 13-2-213, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
9 DATE."

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

12 Section 1. Section 13-2-203, MCA, is amended to read:

13 "13-2-203. Registration by mail. (1) A qualified
14 individual may register by mailing, postage paid, a properly
15 completed registration form to the election administrator in
16 the county in which he resides.

17 (2) The election administrator shall send registration
18 forms for mail registrations to all qualified individuals
19 requesting them and shall, in addition, arrange for the
20 forms to be widely and conveniently available within the
21 county. The mail registration form shall be designed as
22 prescribed by the secretary of state.

23 (3) The elector shall complete, sign, and, except as
24 provided in 13-2-212, either verify or affirm the mail
25 registration form before a notary public or other officer

1 empowered to administer oaths or complete and sign the form
2 and obtain the signature, address, and voting precinct of at
3 least one registered voter in the county who shall witness
4 the facts stated on the registration form.

5 (4) The registration form must be received by the
6 election administrator on or before the day of the close of
7 registration and must be returned to the administrator no
8 later than 15 days after the date it is signed by the
9 witness or officer before whom signed."

10 Section 2. Section 13-2-212, MCA, is amended to read:

11 "13-2-212. Registration of electors in the United
12 States service. (1) Any elector in the United States service
13 who is absent from the state and the county of which he is a
14 resident may register by mailing to the election
15 administrator:

16 (a) the registration form, filled out and signed under
17 oath; or

18 (b) the federal post card application, filled out and
19 signed ~~under-oath~~.

20 (2) The form of the federal post card application,
21 which may be used both as an application for registration
22 and for a ballot, shall be prescribed by the secretary of
23 state."

24 Section 3. Section 13-2-214, MCA, is amended to read:

25 "13-2-214. Classification of federal post card



-2- INTRODUCED BILL
HB 875

1 application. (1) Unless the elector is already registered, a
 2 federal post card application received from an elector in
 3 the United States service shall be treated as a simultaneous
 4 application for registration and for ballot for each primary
 5 and general election held during the year of its receipt. A
 6 post card application must be received at least 50 days
 7 prior to an election to be accepted for that election. An
 8 application received less than 50 days prior to an election
 9 must be treated as an application for the next election held
 10 more than 50 days from the date of receipt of the
 11 application.

12 (2) Upon receipt by the election administrator of a
 13 federal post card application, properly filled out and
 14 signed under oath, the election administrator shall:

15 (a) classify the application according to the precinct
 16 in which the elector resides or, if the information is
 17 insufficient to determine precinct of residence, assign an
 18 appropriate precinct;

19 ~~(2) The election administrator shall, upon receipt of~~
 20 ~~any federal post card application,~~

21 (b) immediately enter all information in the
 22 registration records of the office and either file the post
 23 card application with regular registration forms or file a
 24 photocopy attached to a regular registration form on which
 25 the information has been entered;

1 ~~(3) The election administrator shall~~

2 (c) send to the applicant by the fastest mail service
 3 available a notice that he has been registered and informing
 4 him that ~~in order to secure a ballot he must mail at any~~
 5 ~~time within 75 days preceding the election another federal~~
 6 ~~post card application to the election administrator he will~~
 7 ~~be mailed an absentee ballot for the next election in which~~
 8 ~~he is entitled to vote under subsection (1).~~

9 ~~(4)(3) A federal post card application received from~~
 10 ~~an elector in the United States service within 75 days~~
 11 ~~preceding an election shall be treated as a simultaneous~~
 12 ~~application for registration and for ballot, where the~~
 13 ~~elector is already registered, the federal post card~~
 14 ~~application shall be treated as an application for a ballot.~~
 15 The election administrator may use photocopies of the post
 16 card application to complete all necessary records."

17 Section 4. Section 13-13-211, MCA, is amended to read:
 18 "13-13-211. Application of absentee or physically
 19 incapacitated elector for ballot. During Except as provided
 20 in 13-2-214, during a period beginning 75 days before the
 21 day of election and ending at noon on the day before the
 22 election, an elector expecting to be absent from the county
 23 in which his voting precinct is situated, an elector in
 24 United States service, or an elector who will be unable to
 25 go to the polls because of physical incapacity may apply to

LC 0773/01

1 the election administrator for an absentee ballot."

2 NEW SECTION. Section 5. Repealer. Section 13-2-213,
3 MCA, is repealed.

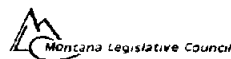
4 NEW SECTION. Section 6. Effective date. This act is
5 effective on passage and approval.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

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 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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 13 "13-2-203. Registration by mail. (1) A qualified
 14 individual may register by mailing, postage paid, a properly
 15 completed registration form to the election administrator in
 16 the county in which he resides.
 17 (2) The election administrator shall send registration
 18 forms for mail registrations to all qualified individuals
 19 requesting them and shall, in addition, arrange for the
 20 forms to be widely and conveniently available within the
 21 county. The mail registration form shall be designed as
 22 prescribed by the secretary of state.
 23 (3) The elector shall complete, sign, and, except as
 24 provided in 13-2-212, either verify or affirm the mail
 25 registration form before a notary public or other officer

1 empowered to administer oaths or complete and sign the form
 2 and obtain the signature, address, and voting precinct of at
 3 least one registered voter in the county who shall witness
 4 the facts stated on the registration form.
 5 (4) The registration form must be received by the
 6 election administrator on or before the day of the close of
 7 registration and must be returned to the administrator no
 8 later than 15 days after the date it is signed by the
 9 witness or officer before whom signed."
 10 Section 2. Section 13-2-212, MCA, is amended to read:
 11 "13-2-212. Registration of electors in the United
 12 States service. (1) Any elector in the United States service
 13 who is absent from the state and the county of which he is a
 14 resident may register by mailing to the election
 15 administrator:
 16 (a) the registration form, filled out and signed under
 17 oath; or
 18 (b) the federal post card application, filled out and
 19 signed under-oath.
 20 (2) The form of the federal post card application,
 21 which may be used both as an application for registration
 22 and for a ballot, shall be prescribed by the secretary of
 23 state."
 24 Section 3. Section 13-2-214, MCA, is amended to read:
 25 "13-2-214. Classification of federal post card



1 application. (1) Unless the elector is already registered, a
 2 federal post card application received from an elector in
 3 the United States service shall be treated as a simultaneous
 4 application for registration and for ballot for each primary
 5 and general election held IN WHICH HE IS ENTITLED TO VOTE
 6 during the year of its receipt. A post-card-application-must
 7 be--received--at--least--50--days--prior--to--an--election--to--be
 8 accepted--for--that--election.--An--application--received--less
 9 than--50--days--prior--to--an--election--must--be--treated--as--an
 10 application--for--the--next--election--held--more--than--50--days
 11 from--the--date--of--receipt--of--the--application.

12 (2) Upon receipt by the election administrator of a
 13 federal post card application, properly filled out and
 14 signed under oath, the election administrator shall:

15 (a) classify the application according to the precinct
 16 in which the elector resides or, if the information is
 17 insufficient to determine precinct of residence, assign an
 18 appropriate precinct;

19 (2) ~~The election administrator shall, upon receipt of~~
 20 ~~any federal post card application;~~

21 (b) immediately enter all information in the
 22 registration records of the office and either file the post
 23 card application with regular registration forms or file a
 24 photocopy attached to a regular registration form on which
 25 the information has been entered;

1 (3) ~~The election administrator shall~~
 2 (c) send to the applicant by the fastest mail service
 3 available a notice that he has been registered and informing
 4 him that A BALLOT IS ENCLOSED OR THAT in-order-to-secure-a
 5 ballot-he-must-mail-at-any-time-within-75-days-preceding-the
 6 election--another--federal--post--card--application--to--the
 7 election--administrator he will be mailed an absentee ballot
 8 for the next election in which he is entitled to vote under
 9 subsection (1).

10 (4) (3) ~~A federal post card application received from~~
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 12 ~~preceding an election shall be treated as a simultaneous~~
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 16 The election administrator may use photocopies of the post
 17 card application to complete all necessary records."

18 Section 4. Section 13-13-211, MCA, is amended to read:
 19 "13-13-211. Application of absentee or physically
 20 incapacitated elector for ballot. During Except as provided
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 22 day of election and ending at noon on the day before the
 23 election, an elector expecting to be absent from the county
 24 in which his voting precinct is situated, ~~an elector in~~
 25 ~~United States service,~~ or an elector who will be unable to

1 go to the polls because of physical incapacity may apply to
2 the election administrator for an absentee ballot."

3 NEW SECTION. Section 5. Repealer. Section 13-2-213,
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22 prescribed by the secretary of state.

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