HOUSE BILL NO. 875

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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 S	SENATE
March 4, 1985	Introduced and referred to Committee on State Administration.
March 25, 1985	Committee recommend bill be concurred in. Report adopted.
March 28, 1985	Second reading, concurred in.
March 30, 1985	Third reading, concurred 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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LC 0773/01

INTRODUCED BY Raming Phillips 1 2 3

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

10

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

Section 1. Section 13-2-203, MCA, is amended to read: "13-2-203. Registration by mail. (1) A qualified individual may register by mailing, postage paid, a properly completed registration form to the election administrator in 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

Montana Legislative Council

empowered to administer oaths or complete and sign the form
 and obtain the signature, address, and voting precinct of at
 least one registered voter in the county who shall witness
 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."

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

16 (a) the registration form, filled out and signed under 17 eath; 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."

Section 3. Section 13-2-214, MCA, is amended to read:
"13-2-214. Classification of federal post card

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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 application for registration and for ballot for each primary 4 and general election held during the year of its receipt. A 5 post card application must be received at least 50 days 6 7 prior to an election to be accepted for that election. An application received less than 50 days prior to an election 8 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.

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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:

<u>(a)</u> classify the application according to the precinct
in which the elector resides or, if the information is
insufficient to determine precinct of residence, assign an
appropriate precinct;

19 (2)--The--election-administrator-shally-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 $\frac{1}{2}$

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+3+--The-election-administrotor-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 inorderto-secure-a-ballot-he-must-mail-at-any
5	time-within-75-days-preceding-the-electionanotherfederai
6	postcard-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) Afederalpost-card-application-received-from
10	an-elector-in-theUnitedStatesservicewithin75days
11	precedinganelectionshallbe-treated-as-a-simultaneous
12	application-forregistrationandforballotWherethe
13	electorisalreadyregistered;thefederalpostcard
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. Buring Except as provided
20	in 13-2-214, during a period beginning 75 days before the
2 1	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 situated7anelectoria
24	United-States-Service; or an elector who will be unable to
25	go to the polls because of physical incapacity may apply to

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the election administrator for an absentee ballot."

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

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- 4 <u>NEW SECTION.</u> Section 6. Effective date. This act is
- 5 effective on passage and approval.

-End-

49th Legislature

HB 0875/02

APPROVED BY COMMITTEE ON STATE ADMINISTRATION

1	HOUSE BILL NO. 875
2	INTRODUCED BY RAMIREZ, 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.

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

empowered to administer oaths or complete and sign the form
 and obtain the signature, address, and voting precinct of at
 least one registered voter in the county who shall witness
 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."

Section 2. Section 13-2-212, MCA, is amended to read: "13-2-212. Registration of electors in the United States service. (1) Any elector in the United States service who is absent from the state and the county of which he is a resident may register by mailing to the election 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."

Section 3. Section 13-2-214, MCA, is amended to read:
"13-2-214. Classification of federal post card

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HB 875 SECOND READING

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

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 $\frac{1}{2}$

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

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

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+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 him that A BALLOT IS ENCLOSED OR THAT in-order-to-secure-a 4 ballot-he-must-mail-at-eny-time-within-75-days-preceding-the 5 election--another--federal--post--card--application--to--the б 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).

1.0 (4) (3) A--federal--post-card-application-received-from an-elector-in-the--United --States--service--within--75--days 11 preceding--an--election--shall--be-treated-as-a-simultaneous 12 13 application-for--registration--and--for--ballot---Where--the elector---is--already--registeredy--the--federal--post--card 14 15 application-shall-be-treated-as-an-application-for-a-ballot-16 The election administrator may use photocopies of the post 17 card application to complete all necessary records."

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

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

-End-

HOUSE BILL NO. 875

INTRODUCED BY RAMIREZ, PHILLIPS

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

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empowered to administer oaths or complete and sign the form
 and obtain the signature, address, and voting precinct of at
 least one registered voter in the county who shall witness
 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."

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

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18 (b) the federal post card application, filled out and19 signed under-oath.

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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."

Section 3. Section 13-2-214, MCA, is amended to read:
"13-2-214. Classification of federal post card

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THIRD READING

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
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5	and general election held IN WHICH HE IS ENTITLED TO VOTE
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12 <u>127</u> spon receipt 27 one electron doministrator 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 τ_i

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;

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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 election--another--federal--post--card--application--to--the 6 election--administrator he will be mailed an absentee ballot 7 for the next election in which he is entitled to vote under 8 9 subsection (1). 10 (4)(3) A--federal--post-card-application-received-from 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--registeredy--the--federal--post--card 14 application-shall-be-treated-as-an-application-for-a-ballot-15 16 The election administrator may use photocopies of the post 17 card application to complete all necessary records." 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. Buring Except as provided 20 in 13-2-214, during a period beginning 75 days before the 21 22 day of election and ending at noon on the day before the 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

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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,

4 MCA, is repealed.

5 NEW SECTION. Section 6. Effective date. This act is

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-End-

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-2-HB 875 **REFERENCE BILL**

card



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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
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2	(c) send to the applicant by the fastest mail service
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8	for the next election in which he is entitled to vote under
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2 the election administrator for an absentee ballot."

3 <u>NEW SECTION.</u> Section 5. Repealer. Section 13-2-213,

4 MCA, is repealed.

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5 NEW SECTION. Section 6. Effective date. This act is

6 effective on passage and approval.

-End-