

SENATE BILL NO. 308

INTRODUCED BY BLAYLOCK, PINSONEAULT, LYNCH,
MOHAR, LYBECK, JACOBSON, FARRELL, B. BROWN

IN THE SENATE

February 2, 1985	Introduced and referred to Committee on State Administration.
February 22, 1985	Committee recommend bill do pass as amended. Report adopted.
February 23, 1985	Bill printed and placed on members' desks.
February 25, 1985	Second reading, do pass.
February 26, 1985	Considered correctly engrossed.
February 27, 1985	Third reading, passed. Ayes, 48; Noes, 2.
	Transmitted to House.

IN THE HOUSE

March 7, 1985	Introduced and referred to Committee on State Administration.
March 27, 1985	Committee recommend bill be concurrent in. Report adopted.
March 30, 1985	Second reading, concurred in.
April 1, 1985	Third reading, concurred in. Returned to Senate.

IN THE SENATE

April 1, 1985

Received from House.

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. *308*
 2 INTRODUCED BY *Blaylock* *Heuvelink* *Spreck*
 3 *Molan* *Lybeck* *Bob Brown*

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING VOTER
 5 REGISTRATION LAWS; AMENDING SECTIONS 13-2-203, 13-2-301, AND
 6 13-2-401, MCA."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

10 "13-2-203. Registration by mail. (1) A qualified
 11 individual may register by mailing, postage paid, a properly
 12 completed registration form to the election administrator in
 13 the county in which he resides.

14 (2) The election administrator shall send registration
 15 forms for mail registrations to all qualified individuals
 16 requesting them and shall, in addition, arrange for the
 17 forms to be widely and conveniently available within the
 18 county. The mail registration form shall be designed as
 19 prescribed by the secretary of state, and an explanation of
 20 the voter registration laws shall be attached to or printed
 21 on the standard registration form.

22 (3) The elector shall complete, sign, and either
 23 ~~verify or affirm the mail registration form before a notary~~
 24 ~~public or other officer empowered to administer oaths or~~
 25 ~~complete and sign the form and obtain the signature~~

1 ~~address, and voting precinct of at least one registered~~
 2 ~~voter in the county who shall witness the facts stated on~~
 3 ~~the registration form~~ return the registration form to the
 4 election administrator.

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~~ 30 days after the date it is signed ~~by the~~
 9 ~~witness or officer before whom signed.~~

10 Section 2. Section 13-2-301, MCA, is amended to read:

11 "13-2-301. Close of registration -- procedure. (1) The
 12 election administrator shall:

13 (a) close registrations for 30 days before any
 14 election; and

15 (b) publish a notice specifying the day registrations
 16 will close on radio or television as provided in 2-3-105
 17 through 2-3-107 or in a newspaper of general circulation in
 18 the county at least once a week for 3 weeks before the close
 19 of registration.

20 (2) Information to be included in the notice shall be
 21 prescribed by the secretary of state.

22 (3) An individual who submits a completed registration
 23 form to the election administrator before the deadline
 24 provided in subsection (1)(a) is allowed to correct a
 25 mistake on the completed registration form at any time



1 before the election, and thereafter the qualified elector is
 2 eligible to vote in the next election."

3 Section 3. Section 13-2-401, MCA, is amended to read:

4 "13-2-401. Cancellation of registration for failure to
 5 vote -- reregistration. (1) Except as provided in subsection
 6 (3), within 60 days after every general election in which a
 7 president is elected, the election administrator shall:

8 (a) send a postcard to each elector in each precinct
 9 who did not vote, as shown by the official pollbook and
 10 precinct register, to notify the elector that his name will
 11 be removed from the voter register unless the postcard is
 12 signed and returned to the election administrator within 14
 13 days after mailing;

14 (a)(b) cancel the registration of the electors who
 15 have not voted in each precinct, as shown by the official
 16 pollbook and precinct register of each precinct, unless the
 17 election administrator receives the signed notification
 18 return within 14 days after the mailing required in
 19 subsection (1)(a);

20 (b)(c) mark the form of each elector whose
 21 registration has been canceled; and

22 (e)(d) place canceled forms for the entire county in
 23 alphabetical order in the canceled file.

24 (2) An elector whose registration is canceled may
 25 reregister in the same manner as if he were registering for

1 the first time.

2 (3) The registration of an elector who votes by
 3 absentee ballot but whose ballot does not arrive in time to
 4 be counted may not be canceled if his ballot is received and
 5 rejected by the election administrator within 10 days
 6 succeeding the election.

7 (4) When the election administrator has completed
 8 cancellation of the electors' registration as provided in
 9 this section, a notice of cancellation shall be published on
 10 radio or television as provided in 2-3-105 through 2-3-107
 11 or in a newspaper of general circulation in the county once
 12 a week for 2 weeks. The notice shall be run in a display
 13 advertisement (known as ROP in the trade) if in a newspaper
 14 or as an announcement if on radio or television and shall be
 15 in a form prescribed by the secretary of state. The names
 16 of those electors whose registration has been canceled need
 17 not be published."

18 NEW SECTION. Section 4. Extension of authority. Any
 19 existing authority of the secretary of state to make rules
 20 on the subject of the provisions of this act is extended to
 21 the provisions of this act.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

SENATE BILL NO. 308

INTRODUCED BY BLAYLOCK, PINSONEAULT, LYNCH,
MOHAR, LYBECK, JACOBSON, FARRELL, B. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING VOTER
REGISTRATION LAWS; AMENDING SECTIONS 13-2-102, 13-2-203,
13-2-301, AND 13-2-401, MCA."

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

SECTION 1. SECTION 13-2-102, MCA, IS AMENDED TO READ:

"13-2-102. Deputy registrars. (1) A notary public who
fulfills the requirements of subsection (4) may be a deputy
registrar in the county in which he resides.

(2) (a) The governing body of each county may at its
discretion appoint two or more deputy registrars for each
precinct in the county before March 15 of each even-numbered
year.

(b) The number of deputy registrars, if appointed,
shall be equally divided between the political parties
meeting the requirements of 13-10-601 unless one or more of
the parties fail to submit the list required in subsection
(3) or submit an incomplete list. A political party which
qualifies under 13-10-501 may request the appointment of
deputy registrars and shall submit a list for such
appointments within 30 days of such qualification.

(c) An appointed deputy registrar must be a resident
elector in the precinct for which appointed but may register
electors in all precincts in the county state.

(3) Deputy registrars shall be appointed from lists of
individuals recommended by the qualified political parties,
submitted by February 1 of even-numbered years. If no lists
are submitted by political parties, the governing body may
appoint two deputy registrars for each precinct without
party recommendations.

(4) Each election administrator shall provide training
to all deputy registrars in registration procedures and
shall issue a certificate to each deputy registrar on
successful completion of the training. A deputy registrar
may not register voters without a current certificate. All
certificates expire on March 15 of each even-numbered year.

(5) Deputy registrars shall forward all completed
cards to the county registrar within 3 days. Registration
cards properly executed before a deputy registrar prior to
the close of registration shall be accepted for 3 days after
the close of registration.

(6) Each election administrator shall certify to the
secretary of state the names of each deputy registrar to
whom a certificate has been issued. The secretary of state
shall then compile a list of deputy registrars with current
certificates and make that list available to each election

1 administrator and the public."

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

3 "13-2-203. Registration by mail. (1) A qualified
4 individual may register by mailing, postage paid, a properly
5 completed registration form to the election administrator in
6 the county in which he resides.

7 (2) The election administrator shall send registration
8 forms for mail registrations to all qualified individuals
9 requesting them and shall, in addition, arrange for the
10 forms to be widely and conveniently available within the
11 county. The mail registration form shall be designed as
12 prescribed by the secretary of state ~~and an explanation of~~
13 ~~the voter registration laws shall be attached to or printed~~
14 ~~on the standard registration form.~~ A FORM PRESCRIBED BY THE
15 SECRETARY OF STATE EXPLAINING VOTER REGISTRATION
16 QUALIFICATIONS, DEADLINES, AND PURGE INFORMATION SHALL BE
17 DISTRIBUTED WITH THE MAIL REGISTRATION FORM.

18 (3) The elector shall complete, sign, and either
19 ~~verify or affirm the mail registration form before a notary~~
20 ~~public or other officer empowered to administer oaths or~~
21 ~~complete and sign the form and obtain the signature,~~
22 ~~address, and voting precinct of at least one registered~~
23 ~~voter in the county who shall witness the facts stated on~~
24 ~~the registration form~~ return the registration form to the
25 election administrator. EITHER VERIFY OR AFFIRM THE MAIL

1 REGISTRATION FORM BEFORE A NOTARY PUBLIC OR OTHER OFFICER
2 EMPOWERED TO ADMINISTER OATHS OR COMPLETE AND SIGN THE FORM
3 AND OBTAIN THE SIGNATURE, ADDRESS, AND VOTING PRECINCT OF AT
4 LEAST ONE REGISTERED VOTER IN THE COUNTY WHO SHALL WITNESS
5 THE FACTS STATED ON THE REGISTRATION FORM.

6 (4) The registration form must be received by the
7 election administrator on or before the day of the close of
8 registration and must be returned to the administrator no
9 later than ~~15~~ 30 ~~15~~ days after the date it is signed ~~by the~~
10 ~~witness or officer before whom signed~~ BY THE WITNESS OR
11 OFFICER BEFORE WHOM SIGNED."

12 Section 3. Section 13-2-301, MCA, is amended to read:

13 "13-2-301. Close of registration -- procedure. (1) The
14 election administrator shall:

15 (a) close registrations for 30 days before any
16 election; and

17 (b) publish a notice specifying the day registrations
18 will close on radio or television as provided in 2-3-105
19 through 2-3-107 or in a newspaper of general circulation in
20 the county at least once a week for 3 weeks before the close
21 of registration.

22 (2) Information to be included in the notice shall be
23 prescribed by the secretary of state.

24 (3) An individual who submits a completed registration
25 form to the election administrator before the deadline

1 provided in subsection (1)(a) is allowed to correct a
 2 mistake on the completed registration form at any time
 3 before the election UNTIL 5 P.M. ON THE 10TH DAY FOLLOWING
 4 THE CLOSE OF REGISTRATION, and thereafter the qualified
 5 elector is eligible to vote in the next election."

6 Section 4. Section 13-2-401, MCA, is amended to read:

7 "13-2-401. Cancellation of registration for failure to
 8 vote -- reregistration. (1) Except as provided in subsection
 9 (3), within 60 days after every general election in which a
 10 president is elected, the election administrator shall:

11 ~~(a) send a postcard to each elector in each precinct~~
 12 ~~who did not vote, as shown by the official pollbook and~~
 13 ~~precinct register, to notify the elector that his name will~~
 14 ~~be removed from the voter register unless the postcard is~~
 15 ~~signed and returned to the election administrator within 14~~
 16 ~~days after mailing;~~

17 (a)(b)(A) cancel the registration of the electors who
 18 have not voted in each precinct, as shown by the official
 19 pollbook and precinct register of each precinct, ~~unless the~~
 20 ~~election administrator receives the signed notification~~
 21 ~~return within 14 days after the mailing required in~~
 22 ~~subsection (1)(a);~~

23 (b)(c)(B) mark the form of each elector whose
 24 registration has been canceled; and

25 (c)(d)(C) place canceled forms for the entire county

1 in alphabetical order in the canceled file.

2 (2) An elector whose registration is canceled may
 3 reregister in the same manner as if he were registering for
 4 the first time.

5 (3) The registration of an elector who votes by
 6 absentee ballot but whose ballot does not arrive in time to
 7 be counted may not be canceled if his ballot is received and
 8 rejected by the election administrator within 10 days
 9 succeeding the election.

10 (4) ~~When the election administrator has completed~~
 11 ~~cancellation of the electors' registration as provided in~~
 12 ~~this section, a~~ A notice of cancellation shall be published
 13 on radio or television as provided in 2-3-105 through
 14 2-3-107 or in a newspaper of general circulation in the
 15 county once a week for 2 weeks PRIOR TO THE DATE OF
 16 CANCELLATION. The notice shall be run in a display
 17 advertisement (known as ROP in the trade) if in a newspaper
 18 or as an announcement if on radio or television and shall be
 19 in a form prescribed by the secretary of state. The names
 20 of those electors whose registration has been canceled need
 21 not be published."

22 NEW SECTION. Section 5. Extension of authority. Any
 23 existing authority of the secretary of state to make rules
 24 on the subject of the provisions of this act is extended to
 25 the provisions of this act.

-End-

-6-

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:10 SECTION 1. SECTION 13-2-102, MCA, IS AMENDED TO READ:11 "13-2-102. Deputy registrars. (1) A notary public who
12 fulfills the requirements of subsection (4) may be a deputy
13 registrar in the county in which he resides.14 (2) (a) The governing body of each county may at its
15 discretion appoint two or more deputy registrars for each
16 precinct in the county before March 15 of each even-numbered
17 year.18 (b) The number of deputy registrars, if appointed,
19 shall be equally divided between the political parties
20 meeting the requirements of 13-10-601 unless one or more of
21 the parties fail to submit the list required in subsection22 (3) or submit an incomplete list. A political party which
23 qualifies under 13-10-501 may request the appointment of
24 deputy registrars and shall submit a list for such
25 appointments within 30 days of such qualification.1 (c) An appointed deputy registrar must be a resident
2 elector in the precinct for which appointed but may register
3 electors in all precincts in the county state.4 (3) Deputy registrars shall be appointed from lists of
5 individuals recommended by the qualified political parties,
6 submitted by February 1 of even-numbered years. If no lists
7 are submitted by political parties, the governing body may
8 appoint two deputy registrars for each precinct without
9 party recommendations.10 (4) Each election administrator shall provide training
11 to all deputy registrars in registration procedures and
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13 successful completion of the training. A deputy registrar
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17 cards to the county registrar within 3 days. Registration
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19 the close of registration shall be accepted for 3 days after
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22 secretary of state the names of each deputy registrar to
23 whom a certificate has been issued. The secretary of state
24 shall then compile a list of deputy registrars with current
25 certificates and make that list available to each election

1 administrator and the public."

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

3 "13-2-203. Registration by mail. (1) A qualified
4 individual may register by mailing, postage paid, a properly
5 completed registration form to the election administrator in
6 the county in which he resides.

7 (2) The election administrator shall send registration
8 forms for mail registrations to all qualified individuals
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7 election administrator on or before the day of the close of
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12 Section 3. Section 13-2-301, MCA, is amended to read:

13 "13-2-301. Close of registration -- procedure. (1) The
14 election administrator shall:

15 (a) close registrations for 30 days before any
16 election; and

17 (b) publish a notice specifying the day registrations
18 will close on radio or television as provided in 2-3-105
19 through 2-3-107 or in a newspaper of general circulation in
20 the county at least once a week for 3 weeks before the close
21 of registration.

22 (2) Information to be included in the notice shall be
23 prescribed by the secretary of state.

24 (3) An individual who submits a completed registration
25 form to the election administrator before the deadline

1 provided in subsection (1)(a) is allowed to correct a
 2 mistake on the completed registration form at any time
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 4 THE CLOSE OF REGISTRATION, and thereafter the qualified
 5 elector is eligible to vote in the next election."

6 Section 4. Section 13-2-401, MCA, is amended to read:

7 "13-2-401. Cancellation of registration for failure to
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1 in alphabetical order in the canceled file.

2 (2) An elector whose registration is canceled may
 3 reregister in the same manner as if he were registering for
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22 secretary of state the names of each deputy registrar to
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3 "13-2-203. Registration by mail. (1) A qualified
4 individual may register by mailing, postage paid, a properly
5 completed registration form to the election administrator in
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7 (2) The election administrator shall send registration
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12 Section 3. Section 13-2-301, MCA, is amended to read:

13 "13-2-301. Close of registration -- procedure. (1) The
14 election administrator shall:

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16 election; and

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18 will close on radio or television as provided in 2-3-105
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 24 registration has been canceled; and

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1 in alphabetical order in the canceled file.

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10 (4) ~~When the election administrator has completed~~
 11 ~~cancellation of the electors' registration as provided in~~
 12 ~~this section, a~~ A notice of cancellation shall be published
 13 on radio or television as provided in 2-3-105 through
 14 2-3-107 or in a newspaper of general circulation in the
 15 county once a week for 2 weeks PRIOR TO THE DATE OF
 16 CANCELLATION. The notice shall be run in a display
 17 advertisement (known as ROP in the trade) if in a newspaper
 18 or as an announcement if on radio or television and shall be
 19 in a form prescribed by the secretary of state. The names
 20 of those electors whose registration has been canceled need
 21 not be published."

22 NEW SECTION. Section 5. Extension of authority. Any
 23 existing authority of the secretary of state to make rules
 24 on the subject of the provisions of this act is extended to
 25 the provisions of this act.

-End-

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