

HOUSE BILL NO. 106

INTRODUCED BY KADAS, PECK, BACHINI, EUDAILY

IN THE HOUSE

JANUARY 8, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON STATE ADMINISTRATION.

JANUARY 14, 1987 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

JANUARY 15, 1987 PRINTING REPORT.

JANUARY 17, 1987 SECOND READING, DO PASS.

JANUARY 19, 1987 ENGROSSING REPORT.

 THIRD READING, PASSED.

 TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 21, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON STATE ADMINISTRATION.

JANUARY 29, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

FEBRUARY 2, 1987 SECOND READING, CONCURRED IN.

FEBRUARY 4, 1987 THIRD READING, CONCURRED IN.
AYES, 44; NOES, 6.

 RETURNED TO HOUSE.

IN THE HOUSE

FEBRUARY 5, 1987 RECEIVED FROM SENATE.

 SENT TO ENROLLING.

1
2 INTRODUCED BY ^{HB} Kadas Cook ^{Bachman} Bachman ^{Endrey} Endrey BILL NO. ¹⁰⁶
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE SCHOOL
5 DISTRICTS TO CONDUCT MAIL BALLOT ELECTIONS; AND AMENDING
6 SECTIONS 13-19-102 AND 13-19-104, MCA."
7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9 Section 1. Section 13-19-102, MCA, is amended to read:
10 "13-19-102. Definitions. As used in this chapter, the
11 following definitions apply:
12 (1) "Election day" is the date established by law on
13 which a particular election would be held if that election
14 were being conducted by means other than a mail ballot
15 election.
16 (2) "Mail ballot election" means any election that
17 involves either candidates or ballot issues and is conducted
18 in compliance with the procedure specified in 13-19-106.
19 (3) "Political subdivision" means a political
20 subdivision of the state, including a school district.
21 ~~(3)(4)~~ "Return/verification envelope" means an
22 envelope that contains a secrecy envelope and ballot and
23 which is designed to:
24 (a) allow election officials, upon examination of the
25 outside of the envelope, to determine that the ballot is

1 being submitted by someone who is in fact a qualified
2 elector and who has not already voted; and
3 (b) allow it to be used in the United States mail.
4 ~~(4)(5)~~ "Secrecy envelope" means an envelope used to
5 contain the elector's ballot and that is designed to conceal
6 the elector's vote and to prevent that elector's ballot from
7 being distinguished from the ballots of other electors."
8 Section 2. Section 13-19-104, MCA, is amended to read:
9 "13-19-104. Mail ballot elections not mandatory --
10 when authorized -- when prohibited. (1) Conducting elections
11 by mail ballot is only one option available to local
12 officials and nothing in this chapter mandates that the
13 procedure be used.
14 (2) The following elections may be conducted by mail
15 ballot:
16 (a) an election in a political subdivision required to
17 hold annual elections under 13-1-104(3) ~~other than a school~~
18 ~~district~~;
19 (b) an election in a city of the third class, as
20 defined in 7-1-4111(3), if all of the candidates whose names
21 will appear on the ballot are candidates for offices to be
22 elected without party designation;
23 (c) an election in a town as defined in 7-1-4111(4);
24 (d) an election conducted under 7-13-2236 in an
25 unincorporated area; and

1 (e) a special election called by a local government
2 unit for the sole purpose of submitting one or more ballot
3 issues to its qualified electors if such special election is
4 not held in conjunction with a statutorily scheduled
5 election.

6 (3) The following elections may not be conducted by
7 mail ballot:

8 (a) an election held for one of the purposes or at the
9 time provided in 13-1-104(1) and 13-1-107(1);

10 (b) an election held for one of the purposes or at the
11 time provided in 13-1-104(2) and 13-1-107(2), except as
12 specifically allowed by subsections (2)(b) and (2)(c) of
13 this section;

14 ~~(c) an election for any purpose conducted by or on~~
15 ~~behalf of a school district;~~

16 ~~(d)(c)~~ an election being held under the provisions of
17 the Montana Recall Act, in Title 2, chapter 16, part 6;

18 ~~(e)(d)~~ an election involving candidates for public
19 office, except as specifically allowed by subsections (2)(a)
20 through (2)(c) of this section; and

21 ~~(f)(e)~~ a special election being held in conjunction
22 with a statutorily scheduled election."

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

1 ^{HB} BILL NO. ¹⁰⁶
2 INTRODUCED BY Kader Park Markus Eubank

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20 subdivision of the state, including a school district.

21 (4) "Return/verification envelope" means an
22 envelope that contains a secrecy envelope and ballot and
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25 outside of the envelope, to determine that the ballot is

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Kaden Cook *Patrick Eisdaily*

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