

HOUSE BILL 730

Introduced by Spaeth, et al.

2/15	Introduced
2/16	Referred to State Administration
2/17	Hearing
2/17	Committee Report--Bill Passed
2/17	Fiscal Note Requested
2/20	Fiscal Note Received
2/21	2nd Reading Passed
2/21	Taken From Engrossing
2/21	Rereferred to Appropriations
2/22	Fiscal Note Printed
2/28	Hearing
3/23	Committee Report--Bill Passed
3/23	2nd Reading Passed as Amended
3/23	3rd Reading Passed

Transmitted to Senate

3/31	Referred to State Administration
4/05	Hearing
4/06	Committee Report--Bill Concurred as Amended
4/08	2nd Reading Concur Motion Failed
4/08	2nd Reading Indefinitely Postponed

1 *HOUSE* BILL NO. *730*  
2 INTRODUCED BY *Spurth Juleen Vengler*  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE SECRETARY  
5 OF STATE TO COMPILE AND MAINTAIN A LIST OF ALL REGISTERED  
6 VOTERS IN THE STATE; TRANSFERRING RESPONSIBILITY FOR MAILING  
7 THE VOTER INFORMATION PAMPHLET FOR BALLOT ISSUES FROM THE  
8 COUNTY OFFICIALS RESPONSIBLE FOR VOTER REGISTRATION TO THE  
9 SECRETARY OF STATE; AND AMENDING SECTIONS 13-2-115 AND  
10 13-27-410, MCA."

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

13 **Section 1.** Section 13-2-115, MCA, is amended to read:

14 "13-2-115. Registration lists to be prepared. (1)  
15 Immediately after registration is closed, the election  
16 administrator shall prepare and have printed lists of all  
17 registered electors in each precinct. Names of electors  
18 shall be listed alphabetically, with their residence address  
19 or mailing address if located where street numbers are not  
20 used. A preliminary list of registered electors may be  
21 printed before the close of registration for an election.  
22 If a preliminary list is printed, a supplementary list must  
23 be printed after the close of registration.

24 (2) A copy of the list of registered voters ~~shall~~ must  
25 be displayed at the polling place. Extra copies of the lists

1 ~~shall~~ must be retained by the election administrator and  
2 furnished to an elector upon request.

3 (3) The list of registered electors prepared for a  
4 primary election may be used for the general election if a  
5 supplemental list giving the additions and deletions since  
6 the primary list was prepared is printed. The election  
7 administrator may prepare lists for a special election, but  
8 lists are not required to be printed for special elections.

9 (4) Lists of registered voters need not be printed if  
10 the election will not be held.

11 (5) The election administrator shall forward a list of  
12 all registered voters in the county to the secretary of  
13 state according to rules adopted by the secretary of state.  
14 The secretary of state shall use the lists submitted by the  
15 election administrators to compile and maintain a list of  
16 all registered voters in the state. Upon written request,  
17 the secretary of state shall furnish to any elector for  
18 noncommercial use a current list of registered electors or  
19 mailing labels for registered electors. Upon delivery, the  
20 secretary of state shall collect a charge not to exceed the  
21 actual cost of compiling and maintaining the list and of  
22 reproducing the list or mailing labels."

23 **Section 2.** Section 13-27-410, MCA, is amended to read:

24 "13-27-410. Printing and distribution of voter  
25 information pamphlet. (1) The secretary of state shall

1 arrange with the department of administration by requisition  
 2 for the printing and delivery of a voter information  
 3 pamphlet for all ballot issues to be submitted to the people  
 4 at least 90 days before the election at which ~~they~~ the  
 5 issues will be submitted. The requisition ~~shall~~ must  
 6 include a delivery list providing for shipment of the  
 7 required number of pamphlets to each county and to the  
 8 secretary of state.

9 (2) The secretary of state shall estimate the number of  
 10 copies necessary to furnish one copy to every voter in ~~each~~  
 11 ~~county the state~~, except that two or more voters with the  
 12 same mailing address and the same last name may be counted  
 13 as one voter. The secretary of state shall provide for an  
 14 extra supply of the pamphlets in determining the number of  
 15 voter pamphlets to be ordered in the requisition.

16 (3) The department of administration shall call for  
 17 bids and contract with the lowest bidder for the printing  
 18 and delivery of the voter information pamphlet. The contract  
 19 ~~shall~~ must require completion of printing and shipment, as  
 20 specified on the delivery list, of the voter information  
 21 pamphlets by not later than 30 days before the election at  
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23 (4) ~~The county---official---responsible---for---voter~~  
 24 ~~registration-in-each-county~~ secretary of state shall mail  
 25 one copy of the voter information pamphlet to each

1 registered voter in the ~~county~~ state, except that two or  
 2 more voters with the same mailing address and the same last  
 3 name may be counted as one voter. The mailing ~~shall~~ must  
 4 take place no later than 2 weeks after the pamphlets are  
 5 received from the printer.

6 (5) Ten copies of the voter information pamphlet ~~shall~~  
 7 must be available at each precinct for use by any voter  
 8 wishing to read the explanatory information and complete  
 9 text before voting on the ballot issues."

10 NEW SECTION. Section 3. Extension of authority. Any  
 11 existing authority to make rules on the subject of the  
 12 provisions of [this act] is extended to the provisions of  
 13 [this act].

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB730, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring the Secretary of State to compile and maintain a list of all registered voters in the state; transferring responsibility for mailing the voter information pamphlet for ballot issues from the county officials responsible for voter registration to the Secretary of State; and amending Sections 13-2-115 and 13-27-410, MCA.

ASSUMPTIONS:

1. Voter information pamphlets to be published at 1988 levels (395,000 copies).
2. Bulk postage rate of \$.10 per ounce (each piece is 2 ounces).
3. Publication of voter information pamphlet for 1990 general election only.
4. Registration data will be compiled by Secretary of State's office through use of electronic scanner.
5. Purchase of equipment in FY90 to allow for smooth transfer of data.
6. 150 hours of computer programming time to set data base.
7. One additional FTE (grade 8).
8. Secretary of State will sell only statewide lists.
9. Price for statewide list would be \$10,000.

FISCAL IMPACT:

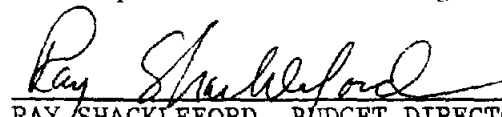
	Current	FY90 Proposed	Difference	Current	FY91 Proposed	Difference
	Law	Law		Law	Law	
<u>Revenues:</u>	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ 20,000	\$ 20,000
<u>Expenditures:</u>						
FTE	0	0	0	0	1.0	1.0
Personal Services	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ 12,509	\$ 12,509
Operating Expenses	-0-	4,800	4,800	2,000	79,992	77,992
Equipment	-0-	11,500	11,500	-0-	-0-	-0-
TOTAL	\$ -0-	\$ 16,300	\$ 16,300	\$ 2,000	\$ 92,501	\$ 90,501

Funding: General Fund


EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Counties will lose the revenue from sale of lists to the major parties for use in their development of statewide voter lists.

Counties will no longer pay the cost of mailing the voter information pamphlet, but may incur some cost in meeting the requirements for filing of lists with the Office of Secretary of State.

  
 RAY SHACKLEFORD, BUDGET DIRECTOR  
 OFFICE OF BUDGET AND PROGRAM PLANNING

DATE 2/20/89

  
 GARY L. SPAETH, PRIMARY SPONSOR

DATE 2/21/89

Fiscal Note for HB730, as introduced

**HB 730**

APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

1 HOUSE BILL NO. 730  
2 INTRODUCED BY Spaeth, Fulkerson, Vengler  
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9 SECRETARY OF STATE; AND AMENDING SECTIONS 13-2-115 AND  
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17 registered electors in each precinct. Names of electors  
18 shall be listed alphabetically, with their residence address  
19 or mailing address if located where street numbers are not  
20 used. A preliminary list of registered electors may be  
21 printed before the close of registration for an election.  
22 If a preliminary list is printed, a supplementary list must  
23 be printed after the close of registration.

24 (2) A copy of the list of registered voters shall ~~must~~  
25 be displayed at the polling place. Extra copies of the lists

1 shall ~~must~~ be retained by the election administrator and  
2 furnished to an elector upon request.

3 (3) The list of registered electors prepared for a  
4 primary election may be used for the general election if a  
5 supplemental list giving the additions and deletions since  
6 the primary list was prepared is printed. The election  
7 administrator may prepare lists for a special election, but  
8 lists are not required to be printed for special elections.

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10 the election will not be held.

11 (5) The election administrator shall forward a list of  
12 all registered voters in the county to the secretary of  
13 state according to rules adopted by the secretary of state.  
14 The secretary of state shall use the lists submitted by the  
15 election administrators to compile and maintain a list of  
16 all registered voters in the state. Upon written request,  
17 the secretary of state shall furnish to any elector for  
18 noncommercial use a current list of registered electors or  
19 mailing labels for registered electors. Upon delivery, the  
20 secretary of state shall collect a charge not to exceed the  
21 actual cost of compiling and maintaining the list and of  
22 reproducing the list or mailing labels."

23 **Section 2.** Section 13-27-410, MCA, is amended to read:

24 "13-27-410. Printing and distribution of voter  
25 information pamphlet. (1) The secretary of state shall

1 arrange with the department of administration by requisition  
 2 for the printing and delivery of a voter information  
 3 pamphlet for all ballot issues to be submitted to the people  
 4 at least 90 days before the election at which they the  
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 7 required number of pamphlets to each county and to the  
 8 secretary of state.

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 10 copies necessary to furnish one copy to every voter in each  
 11 county the state, except that two or more voters with the  
 12 same mailing address and the same last name may be counted  
 13 as one voter. The secretary of state shall provide for an  
 14 extra supply of the pamphlets in determining the number of  
 15 voter pamphlets to be ordered in the requisition.

16 (3) The department of administration shall call for  
 17 bids and contract with the lowest bidder for the printing  
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 24 ~~registration-in-each-county~~ secretary of state shall mail  
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1 registered voter in the county state, except that two or  
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 4 take place no later than 2 weeks after the pamphlets are  
 5 received from the printer.

6 (5) Ten copies of the voter information pamphlet ~~shall~~  
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 9 text before voting on the ballot issues."

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-End-

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 11 existing authority to make rules on the subject of the  
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 13 [this act].

-End-



## HOUSE BILL NO. 730

INTRODUCED BY SPAETH, QUILICI, VAUGHN

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE SECRETARY OF STATE TO COMPILE AND MAINTAIN A LIST OF ALL REGISTERED VOTERS ELECTORS IN THE STATE; TRANSFERRING RESPONSIBILITY FOR MAILING THE VOTER INFORMATION PAMPHLET FOR BALLOT ISSUES FROM THE COUNTY OFFICIALS RESPONSIBLE FOR VOTER REGISTRATION TO THE SECRETARY OF STATE; AND AMENDING SECTIONS 13-2-115 AND 13-27-410, MCA."

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(2) A copy of the list of registered voters ~~shall~~ must be displayed at the polling place. Extra copies of the lists

~~shall~~ must be retained by the election administrator and furnished to an elector upon request.

(3) The list of registered electors prepared for a primary election may be used for the general election if a supplemental list giving the additions and deletions since the primary list was prepared is printed. The election administrator may prepare lists for a special election, but lists are not required to be printed for special elections.

(4) Lists of registered voters need not be printed if the election will not be held.

(5) The election administrator shall forward a list of all registered voters ELECTORS in the county to the secretary of state according--to--rules--adopted--by--the secretary-of-state AS PROVIDED IN [SECTION 3]. The secretary of state shall use the lists submitted by the election administrators to compile and maintain a list of all registered voters ELECTORS in the state. Upon written request, the secretary of state shall furnish to any elector for noncommercial use a current list of registered electors or mailing labels for registered electors. Upon delivery, the secretary of state shall collect a charge not to exceed the actual cost of compiling and maintaining the list and of reproducing the list or mailing labels."

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 8 required number of pamphlets to each county and to the  
 9 secretary of state.

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 25 ~~registration-in-each-county~~ secretary of state shall mail

1 one copy of the voter information pamphlet to each  
 2 registered voter in the county state, except that two or  
 3 more voters with the same mailing address and the same last  
 4 name may be counted as one voter. The mailing ~~shall~~ must  
 5 take place no later than 2 weeks after the pamphlets are  
 6 received from the printer.

7 (5) ~~Ten~~ FIVE copies of the voter information pamphlet  
 8 ~~shall~~ must be available at each precinct POLLING PLACE for  
 9 use by any voter wishing to read the explanatory information  
 10 and complete text before voting on the ballot issues.

11 (6) AT THE REQUEST OF THE COUNTY ELECTION  
 12 ADMINISTRATOR, THE SECRETARY OF STATE SHALL PROVIDE THE  
 13 REQUESTED NUMBER OF ADDITIONAL COPIES OF THE VOTER  
 14 INFORMATION PAMPHLET TO THE COUNTY ELECTION ADMINISTRATOR  
 15 FOR DISTRIBUTION TO THE PUBLIC."

16 NEW SECTION. SECTION 3. ELECTION ADMINISTRATOR TO  
 17 PROVIDE LIST OF ELECTORS TO SECRETARY OF STATE. (1) THE  
 18 ELECTION ADMINISTRATOR IN EACH COUNTY SHALL PROVIDE TO THE  
 19 SECRETARY OF STATE A LIST OF ALL REGISTERED ELECTORS IN THE  
 20 COUNTY BY PRECINCT. THE LIST MUST INCLUDE THE FOLLOWING  
 21 INFORMATION FOR EACH ELECTOR:

- 22 (A) NAME OF ELECTOR;  
 23 (B) MAILING ADDRESS;  
 24 (C) PRECINCT NUMBER;  
 25 (D) REGISTRATION NUMBER ASSIGNED BY THE COUNTY

1 ELECTION ADMINISTRATOR PURSUANT TO 13-2-114.

2 (2) THE LIST PROVIDED PURSUANT TO SUBSECTION (1) MUST  
 3 BE A PAPER COPY. IF THE COUNTY ELECTION ADMINISTRATOR  
 4 MAINTAINS THE INFORMATION IN SOME FORM, SUCH AS ON A  
 5 COMPUTER DISK OR TAPE, AND THE SECRETARY OF STATE REQUESTS  
 6 THE INFORMATION IN THAT FORM, THE COUNTY ELECTION  
 7 ADMINISTRATOR MAY PROVIDE THE LIST IN A FORM OTHER THAN A  
 8 PAPER COPY.

9 (3) IN ODD-NUMBERED YEARS, THE LIST OF ELECTORS  
 10 REQUIRED BY SUBSECTION (1) MUST BE DELIVERED TO THE  
 11 SECRETARY OF STATE BY DECEMBER 15.

12 (4) IN EVEN-NUMBERED YEARS, THE LIST OF ELECTORS  
 13 REQUIRED BY SUBSECTION (1) MUST BE DELIVERED TO THE  
 14 SECRETARY OF STATE:

15 (A) NO LATER THAN JULY 1. IF THE COUNTY HAS MORE THAN  
 16 5,000 ELECTORS, THE LIST MUST INCLUDE ANY CHANGES MADE UP TO  
 17 AND INCLUDING THE JUNE PRIMARY. IF THE COUNTY HAS 5,000 OR  
 18 FEWER ELECTORS, THE LIST MAY INCLUDE INFORMATION THROUGH THE  
 19 CLOSE OF REGISTRATION PRIOR TO THE JUNE PRIMARY.

20 (B) 30 DAYS PRIOR TO THE CLOSE OF THE REGISTRATION  
 21 BEFORE THE GENERAL ELECTION;

22 (C) NO LATER THAN 10 DAYS FOLLOWING THE CLOSE OF  
 23 REGISTRATION FOR A GENERAL ELECTION. EACH ELECTION  
 24 ADMINISTRATOR SHALL PROVIDE THE SECRETARY OF STATE WITH A  
 25 SUPPLEMENTAL LIST OF ELECTORS, GIVING THE ADDITIONS AND

1 CHANGES MADE BETWEEN THE TIME THE LAST PREVIOUS LIST WAS  
 2 COMPILED AND THE CLOSE OF REGISTRATION.

3 NEW SECTION. Section 4. Extension of authority. Any  
 4 existing authority to make rules on the subject of the  
 5 provisions of [this act] is extended to the provisions of  
 6 [this act].

-End-

SENATE STANDING COMMITTEE REPORT

page 1 of 2  
April 6, 1989

SENATE COMMITTEE ON STATE ADMINISTRATION, HB 730  
page 2 of 2

MR. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 730 (third reading copy -- blue), respectfully report that HB 730 be amended and as so amended be concurred in:

Sponsor: Spaeth (Vaughn)

1. Title, line 9.  
Following: "STATE,"  
Strike: "AND"  
Following: "SECTIONS"  
Insert: "13-2-114,"  
Following: "13-2-115"  
Insert: ","

2. Title, line 10.  
Following: "MCA"  
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 1, line 13.  
Following: line 12  
Insert: "Section 1. Section 13-2-114, MCA, is amended to read:  
"13-2-114. Registration numbers to be assigned. (1) The registration form for each elector shall be assigned a number by the election administrator, using a system of numbering that best accommodates the filing system and list preparation method used. The election administrator may adopt the use of the elector's social security number as the registration number. If social security numbers are used, they may be provided to the secretary of state to be included on the list of electors required by [section 4], but they may not be printed on lists of registered voters by the election administrator or by the secretary of state or be released as public information.

(2) If social security numbers are used as the registration number, the election administrator may assign an alternative number for any elector who does not have a social security number or who declines to provide the number. A system of assigning alternative numbers shall be developed in consultation with the secretary of state.

(3) Upon receipt by the election administrator of a properly completed registration card, the registration of the elector is complete and the election administrator shall assign a registration number."

Renumber: subsequent sections

4. Page 6, line 3.

Following: line 2

Insert: "(5) The secretary of state may prescribe by rule the date for the submission of the list of electors if a special election requires the collection of the list at a time and in a manner not identified in this section."

5. Page 6.

Following: line 6.

Insert: "NEW SECTION. Section 6. Effective date. [This act] is effective July 1, 1989."

AND AS AMENDED BE CONCURRED IN

Signed:

*Farrell*  
William E. Farrell, Chairman

continued

scrhb730.406

SENATE  
HB 730