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Senate BILL NO. 261

INTRODUCED BY

Michael Cole

Kevin Cooney, Mark Johnson, Jeff Storall, Bradley Cole

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING SELECTION OF PARTY COMMITTEE MEMBERS IN LARGE COUNTIES; AND AMENDING SECTIONS 13-38-201, 13-38-202, AND 13-38-205, MCA."

McNamara Estrada

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

Section 1. Section 13-38-201, MCA, is amended to read:

"13-38-201. Election of ~~committeemen~~ committee persons at primary -- appointments in larger counties. (1) ~~Each~~ (a) Except as provided in subsection (1)(b), each political party shall elect at each primary election one ~~man and one woman~~ person of each sex who shall serve as ~~committeemen~~ committee members for each election precinct. The ~~committeemen~~ committee members ~~shall~~ must be residents and registered voters of the precinct.

(b) In counties containing six or more whole house districts:

(i) each political party shall elect for each whole house district in the county one committee member who must be a resident and a registered voter of the house district and one committee member at large for the portion of the county not contained within the county's whole districts; and

(ii) the county presiding officer of the committee members shall appoint for each precinct in the county two precinct representatives, one person of each sex, who must be residents and registered voters of the precinct. Appointed precinct representatives are not committee members.

(2) An elector may be placed in nomination for ~~committeeman~~ committee member by a writing so stating, signed by the elector, notarized, and filed in the office of the registrar within the time for filing declarations naming candidates for nomination at the regular biennial primary election.

(3) The names of candidates for ~~precinct committeeman~~ committee members of each political party ~~shall~~ must be printed on the party ticket in the same manner as other candidates and the voter shall vote for them in the same manner as ~~he does~~ for other candidates."

Section 2. Section 13-38-202, MCA, is amended to read:

"13-38-202. ~~Committeemen~~ Committee members as party representatives -- county and city

1 ~~central committees.~~ (1) Each ~~committeeman~~ committee member shall represent ~~his~~ the committee member's
2 political party ~~for the precinct~~ in all ward or subdivision committees formed.

3 (2) The ~~committeemen in each precinct~~ committee members shall constitute the county central
4 committee of the respective political parties.

5 (3) ~~Committeemen~~ Committee members who reside within the limits of a city are ex officio the city
6 central committee of their respective political parties and have the power to make their own rules not
7 inconsistent with those of the county central committee. However, the county central committee has the
8 power to fill vacancies in the city central committee.

9 (4) Each ~~precinct committeeman~~ committee member has a term of 2 years from the date of his
10 election or appointment.

11 (5) If a vacancy occurs, the remaining members of the county committee may select a precinct or,
12 pursuant to 13-38-201(1)(b)(i), a house district resident to fill the vacancy."

13
14 **Section 3.** Section 13-38-205, MCA, is amended to read:

15 "13-38-205. **Organization and operation of committee.** (1) The committee shall meet ~~prior to~~
16 before the state convention of its political party and organize by electing a ~~chairman~~ presiding officer and
17 one or more ~~vice-chairmen~~ vice presiding officers. The ~~chairman~~ presiding officer or first ~~vice-chairman~~ vice
18 presiding officer ~~shall must~~ be a woman. The committee shall elect a secretary and other officers ~~as are~~
19 ~~proper~~. It is not necessary for the officers to be ~~precinct committeemen~~ committee members.

20 (2) The committee may select managing or executive committees and authorize subcommittees to
21 exercise all powers conferred upon the county, city, state, and congressional central committees by the
22 election laws of this state.

23 (3) The ~~chairman~~ presiding officer of the county central committee shall call the central committee
24 meeting and not less than 4 days before the date of the central committee meeting shall publish the call
25 in a newspaper published at the county seat and shall mail a copy of the call to each ~~precinct~~
26 ~~committeeman~~ committee member. If party rules permit the use of a proxy, ~~no~~ a proxy may not be
27 recognized unless held by an elector of the precinct, or pursuant to 13-38-201(1)(b)(i), of the house district
28 of the ~~committeeman~~ committee member executing it.

29 (4) The county ~~chairman~~ presiding officer of the party shall preside at the county convention. ~~No~~
30 A person other than a duly elected or appointed ~~committeeman~~ committee member or officer of the

1 committee is not entitled to participate in the proceedings of the committee.

2 (5) If a ~~committeeman~~ committee member is absent, the convention may fill the vacancy by
3 appointing some qualified elector of the party, resident in the precinct or house district, to represent the
4 precinct or house district in the convention.

5 (6) The county convention shall elect delegates and alternate delegates to the state convention
6 under rules of the state party. The ~~chairman~~ presiding officer and secretary of the county convention shall
7 issue and sign certificates of election of the delegates."

8 -END-