SJR 14 - STUDY PLAN OPTIONS

prepared for the
State Administration and Veterans' Affairs Interim Committee
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Origin of SJR 14

Senate Joint Resolution No. 14 was requested by the Senate Local Government Committee after the committee tabled Senate Bill No. 140, which was sponsored by Sen. Art Wittich (R-Bozeman). The bill proposed to combine school and primary elections. The committee tabled SB 140 on a motion by Sen. Alan Olson (R-Roundup) who stated that the concept of combining school and primary elections was a perennial issue that would continue to be brought before the legislature.

Sen. Olson also noted that the logistics of implementing such a bill, such as coordinating all the deadlines set in statute, were too complex to be tackled during the session and that it would be best to have an interim study so that all the technical concerns raised about implementing SB 140 could be adequately addressed. The committee tabled SB 140 and voted to request a committee bill that became SJR 14. The resolution states that the appropriate interim committee should "study local government and school district election procedures and identify opportunities to combine elections". [1]

Key policy concerns

The key policy concerns raised in prior discussions on bills to combine primary and school elections are:
•   how to improve voter turnout;
•   how to ensure the integrity of elections; and
•   how to manage the complexity of administering multiple elections.[2]

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[1] SJR 14, 2013 Session.

[2] The Legislative Background Brief, "SJR 14 Brief: History of Prior Consideration of Combining Primary & School Elections", June 2013, provides more information on the key policy concerns.

Study plan choices

The committee's decision points with respect to the study plan are: (1) which issue areas to focus on, (2) how much time to allocate to each issue, and (3) how deep to get into the issue.

What Issues?
The SJR 14 study tasks may be organized into the following issue areas:
- #1: Dates and deadlines
- #2: Ballots and boundaries
- #3: Jurisdictional issues
- #4: Other procedural issues
- #5: Voter challenges

How much time?
The three basic options for how much time the committee and staff could allocate time to the study may be compared to what "car size" the committee wants to drive:
- an economy car;
- a mid-size car; or
- an SUV.

An *economy* allocation of time to the SJR 14 study would be the minium amount of time necessary to cover the tasks outlined in SJR 14.

A *mid-size* allocation of time would mean that this SJR 14 study would at least be on par with other committee activities.

An *SUV* allocation of time would mean that the SJR 14 study would be a top priority.
*NOTE: Selection of this option means that the committee is interested in developing recommendations, which may include a bill draft on how school and primary elections could be combined. Because of the complexity of election laws, to accomplish this, **the committee would need to add two meetings** to its work plan schedule either as full meetings or as subcommittee meetings.*

How deep?
Studies typically follow a systematic progression as follows:
Phase I   Gather background information and define the real problems
Phase II   Identify and analyze options to address the problems
Phase III   Decide on a particular option and develop recommendations

In the study plan options presented in the chart below, staff correlated the time allocation to the study phases as follows:

- economy car   =   Phase I   =   2 meetings
- mid-size car   =   Phase I + Phase II   =   4 meetings
- SUV   =   Phase I + Phase II + Phase III   =   6 meetings

<u>What committee action is required?</u>
The committee as a whole must decide whether to select the economy, mid-size, or SUV study option and how deep to progress in the study. If the committee later wants to upgrade the "car size" of the study or extend a study phase, the study plan may be revised, but only by a majority vote of the full committee.

The committee's options are presented in the chart below. The ***key motions*** for the committee to consider would relate to:

1. What car size or option in the chart to select for each issue area?
2. How many meetings to devote to each study phase?
3. What activities should the committee engage in, all of the suggested activities listed in the appropriate block, only selected activities, or different activities than those listed?

Chart of SJR 14 Study Plan Options

SJR 14 Issue Areas and Study Tasks *Note: Cost issues are a subset of all of the listed issue areas, but especially addressed under #3, Jurisdictional Issues*	OPTION A -Economy Car *Define the Problems* 2 meetings	OPTIONS B - Mid-size Car *Analyze Options* 2 meetings	OPTION C - SUV *Develop Recommendations* 2 meetings
Issue Area #1: Dates and deadlines Task: Examine how existing dates, deadlines specified in statue would need to be adjusted in order to conduct combined school and primary elections and how other elections may or may not be affected.	• Develop a chart of all the elections and pertinent deadlines. One chart for even-year elections. One chart for odd-year election. • List specific MCA sections that would require amendment or coordination. • Outline of school budget cycles and all the different types of school elections under current law.	Plus - • Analysis of the various conflicting deadlines. • Identification of policy choices to be made by the committee or legislature. • Committee to hold round table discussion with stakeholders to identify specific options to address the issues and concerns raised.	Plus - • Committee work sessions on specific decision points develop a preliminary bill draft recommendation, hold a hearing, and finalize the bill. *(a subcommittee could be tasked to present a bill draft recommendation to the full committee)*

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Issue Area #2: Ballots and boundaries Task: Examine all the various administrative boundaries for jurisdictions holding elections, including state, legislative, county, school district, city, and other special district elections.	• Stakeholder working group to present one or more examples of ballots and boundaries for elections in the odd and even years under current law. • Presentation by stakeholders on how a combined primary and school election would potentially impact each of the odd-year and even-year elections.	Plus - • Analysis of ballot and boundary issues to identify legislative policy decision points. • Committee to hold round table discussion with stakeholders to identify specific options to address the issues and concerns raised.	Plus - • Committee work sessions on specific decision points develop a preliminary bill draft recommendation, hold a hearing, and finalize the bill. *(a subcommittee could be tasked to present a bill draft recommendation to the full committee)*
Issue Area #3: Jurisdictional issues Task: Examine roles and responsibilities of the Secretary of State, OPI, counties, county election administrator, school officials, and school election administrators. Examine costs associated with those roles and responsibilities, who pays for them and how.	• Outline of roles, responsibilities, and jurisdictional boundaries under current law. • Request information from each responsible agency on their costs. • Solicit stakeholder testimony to identify issues and concerns.	Plus - • Analysis of information presented and identification of legislative decision points. • Committee to hold round table discussion with stakeholders to identify specific options to address the issues and concerns raised.	Plus - • Committee work sessions on specific decision points develop a preliminary bill draft recommendation, hold a hearing, and finalize the bill. *(a subcommittee could be tasked to present a bill draft recommendation to the full committee)*

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Issue Area #4: Other procedural issues Task: Examine how to administer the technical elements of combined elections, including the effects on overseas and military voters, different poll locations, opening and closing times, mail ballot elections, etc.	• Ask various stakeholders to outline any other procedure issues not covered under another issue area.	Plus - • Analysis of information presented and identification of legislative decision points. • Committee to hold round table discussion with stakeholders to identify specific options to address the issues and concerns raised.	Plus - Committee work sessions on specific decision points develop a preliminary bill draft recommendation, hold a hearing, and finalize the bill. *(a subcommittee could be tasked to present a bill draft recommendation to the full committee)*
Issue Area #5: Voter challenges Task: Examine voter turn-out, issues related to potential voter confusion, and ways to ensure consistency for voters and adequate voter education.	• Ask stakeholders to explain current process with respect to voter education and current issues with respect to voter turnout. • Ask stakeholders to identify their ideas about how to handle voter challenges if primary and school elections were combined.	Plus - • Analysis of information presented and identification of legislative decision points. • Committee to hold round table discussion with stakeholders to identify specific options to address the issues and concerns raised.	Plus - • Committee work sessions on specific decision points develop a preliminary bill draft recommendation, hold a hearing, and finalize the bill. *(a subcommittee could be tasked to present a bill draft recommendation to the full committee)*

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