



## State Administration and Veterans' Affairs Interim Committee

### 63rd Montana Legislature

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February 6, 2014

TO: State Administration and Veterans' Affairs Interim Committee

FROM: Rep. Bryce Bennett, Chairman, SJR 14 Subcommittee on Elections

RE: Update on SJR 14 Subcommittee Activities and Action

The SJR 14 Subcommittee on Elections met January 17 to continue work on Montana's elections laws. As you know, our subcommittee previously decided to set aside further consideration of combining primary and school elections in favor of working on recommendations to resolve inconsistencies in our current laws, especially with respect to elections for special purpose districts and school districts.

Based on our goal of making our election laws more consistent, staff prepared a packet of materials for us that included bill drafts for discussion purposes. We reviewed and discussed these bill drafts with a working group of stakeholders who came to the table to share their perspectives, expertise, and suggestions. This working group included:

- Linda McCulloch, Secretary of State;
- Lisa Kimmet, Deputy for Elections, SOS;
- Nicole Thuotte, School Finance Specialist, Office of Public Instruction;
- Denise Ulberg, Montana Association of School Business Officials;
- Bob Vogel, Montana School Board's Association;
- Vicki Zeier, Missoula County Election Administrator;
- Regina Plettenberg, Association of Election Administrators;
- Harold Blattie, Exec. Dir., MACo;
- Shantil Siaperas, Legislative Liaison, MACo;
- Alec Hansen, Montana League of Cities and Towns; and
- Mary Beveridge, member of the general public, Helena.

The bill drafts were developed in four parts:

1. General laws contained in Title 13;
2. School election laws contained in Title 20;
3. Special purpose district election laws contained in Title 7; and
4. Other special purpose district election laws contained in Title 75 and Title 86.

After a good discussion, the working group came to a general consensus on the Parts 1, 3, and 4 bill drafts, and the subcommittee voted unanimously to approve them for the full committee's consideration at our next meeting, April 8.

The recommendations are to:

1. clarify the definitions for general, primary, special, and regular school elections;
2. clarify statutory language setting the actual day for a general, primary, or regular school election;
3. establish consistent candidate filing deadlines for even-year and odd-year elections so that the filing deadlines in any election year would be the same--no sooner than 145 days and no later than 85 days before the election;
4. establish an umbrella statute concerning special purpose district elections and election notice provisions so that individual statutes for each type of special purpose district could simply reference the umbrella statute rather than duplicate language;
5. require that any election concerning special purpose districts (except for elections related to finance, such as approval of bonds or of tax or fee assessments) would be held on the same day as the regular school election, which is the first Tuesday after the first Monday of May each year;
6. provide that candidate filing deadlines for board members of special purpose districts would be the same as for all other types of candidates (no sooner than 145 days or later than 85 days before the election); and
7. clarify that the county election administrator is responsible for special purpose district elections and that if the district is within more than one county, then the county with the most electors in the district is to conduct the election.

There may also be some recommendations included in the bill draft that will make special purpose district laws concerning election by acclamation, terms of office, oaths of office, and vacancies more consistent.

With respect to school election statutes, staff will be meeting with working group members sometime in March to revise some sections of our Part 2 bill draft affecting Title 20. After this is done, our subcommittee will meet again by conference call to take action on the proposed bill draft so that we may also forward these Title 20 recommendations to the full committee at the April 8 meeting.