

HOUSE OF REPRESENTATIVES
Roll Call
STATE ADMINISTRATION COMMITTEE

DATE 2-10-05

| <u>NAME</u> | <u>PRESENT</u> | <u>ABSENT</u> | <u>EXCUSED</u> |
|---|----------------|---------------|----------------|
| REP. LARRY JENT, CHAIR | ✓ | | |
| REP. VERONICA SMALL-EASTMAN, VICE CHAIR | ✓ | | |
| REP. DEE BROWN, VICE CHAIR | ✓ | | |
| REP. JOAN ANDERSEN | ✓ | | |
| REP. MARY CAFERRO | ✓ | | |
| REP. SUE DICKENSON | ✓ | | |
| REP. EMELIE EATON | ✓ | | |
| REP. ROBIN HAMILTON | ✓ | | |
| REP. GORDON HENDRICK | ✓ | | |
| REP. TERESA HENRY | ✓ | | |
| REP. HAL JACOBSON | ✓ | | |
| REP. WILLIAM JONES | ✓ | | |
| REP. GARY MacLAREN | ✓ | | |
| REP. BRUCE MALCOLM | ✓ | | |
| REP. ALAN OLSON | ✓ 8:10 | | |
| REP. BERNIE OLSON | ✓ | | |



HOUSE STANDING COMMITTEE REPORT

February 10, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **State Administration** recommend that **House Bill 426** (first reading copy -- white) **do pass**.

Signed: _____

Larry Jent
Representative Larry Jent, Chair

- END -

Committee Vote:
Yes 11, No 5.

331252SC.hkh

2/11/05
LJ



HOUSE STANDING COMMITTEE REPORT

February 10, 2005

Page 1 of 2

Mr. Speaker:

We, your committee on **State Administration** recommend that **House Joint Resolution 6** (first reading copy -- white) do pass as amended.

Signed:


Representative Larry Jent, Chair

And, that such amendments read:

1. Title, page 1, line 5.

Strike: "RELOCATE"

Insert: "LOCATE"

2. Title, page 1, line 6.

Strike: "OFFICE" through "GLASGOW,"

Insert: "SATELLITE OFFICES IN RURAL"

3. Page 1, line 8.

Strike: "one of the six"

Insert: "many"

4. Page 1, line 9.

Strike: "was"

Insert: "were"

Strike: "Glasgow, Montana, to Billings,"

Insert: "rural areas to larger cities in"

5. Page 1, line 10.

Strike: "Glasgow and Billings"

Insert: "their rural homes and larger cities"

Committee Vote:

Yes 15, No 1.

331253SC.hkh

2/11/05

lbn

6. Page 1, line 11.

Strike: "the"

Following: "development"

Strike: "office provides"

Insert: "satellite offices provide"

7. Page 1, line 12.

Strike: "the Glasgow area"

Insert: "rural areas"

8. Page 1, line 16.

Strike: "relocate the"

Insert: "locate"

9. Page 1, lines 16 and 17.

Strike: "office " on line 16 through "Montana" on line 17

Insert: "satellite offices in the rural Montana communities where
the offices used to be located, including in Glasgow,
Plentywood, Malta, Wolf Point, Circle, Sidney, Glendive,
Miles City, Havre, Shelby, and Choteau"

- END -

COMMITTEE FILE COPY

TABLED BILL

The **HOUSE STATE ADMINISTRATION COMMITTEE** TABLED HB 263, HB 383, by motion, on
Thursday, February 10, 2005.

(For the Committee)

fbn

(Chief Clerk of the House)

12:25 *2/10*

(Time) (Date)

February 10, 2005

Marion A. Mood, Secretary

Phone: 444-1864



HOUSE STANDING COMMITTEE REPORT

February 10, 2005

Page 1 of 4

Mr. Speaker:

We, your committee on **State Administration** recommend that **House Bill 177** (first reading copy -- white) **do pass as amended.**

Signed: _____

Larry Jent
Representative Larry Jent, Chair

And, that such amendments read:

1. Title, page 1, line 13.

Strike: "ALLOWING"

Insert: "REVISING"

Strike: "AT ANY TIME TO"

Insert: "OF"

2. Title, page 1, line 14.

Strike: "CLARIFYING" through ";"

3. Title, page 1, line 18.

Following: "13-14-113,"

Insert: "13-15-107,"

Strike: "13-16-412, 13-16-414,"

4. Page 1, line 29.

Following: "state"

Insert: "as provided in subsection (2)"

5. Page 2, line 25.

Strike: "or" through "relative"

6. Page 2, line 30 through page 3, line 1.

Committee Vote:

Yes 16, No 0.

331251SC.hkh
3/18/05
jhw

Strike: subsection (6) in its entirety

Renumber: subsequent subsections

7. Page 7, line 2 through line 4.

Strike: "to" on line 2 through "intent." on line 4

Insert: "if:"

- (a) an election is held;
- (b) a person's name is written in on the ballot;
- (c) the person is qualified for and seeks election to the office for which the person's name was written in; and
- (d) no other candidate has filed a declaration or petition for nomination or a declaration of intent.

8. Page 8, line 6.

Strike: "orally"

Insert: "the challenger filling out and signing an affidavit"

Following: "challenge"

Insert: "and providing any evidence supporting the challenge"

9. Page 8, line 8.

Strike: "An" through the remainder of line 8

10. Page 8, line 9.

Following: "following"

Insert: "A challenge may be made on the"

11. Page 8, lines 17 and 18.

Strike: subsection (3) in its entirety

Insert: "(3) When a challenge has been made under this section:

(a) prior to the close of registration under 13-2-301, the election administrator shall question the challenger and the challenged elector and may question other persons to determine whether the challenge is sufficient or insufficient to cancel the elector's registration under 13-2-402; or

(b) after the close of registration or on election day, the election administrator or, on election day, the election judge shall allow the challenged elector to cast a provisional paper ballot, which must be handled as provided in 13-15-107.

(4) (a) In response to a challenge, the challenged elector may fill out and sign an affidavit to refute the challenge and swear that the elector is eligible to vote.

(b) If the challenge was not made in the presence of the elector being challenged, the election administrator or election judge shall notify the challenged elector as soon as possible of who made the challenge and the grounds of the challenge and

explain what information the elector may provide to respond to the challenge. The election administrator or, on election day, the election judge shall also provide to the challenged elector a copy of the challenger's affidavit and any supporting evidence provided. If the challenge is made more than 5 days before an election, "as soon as possible", as used in this subsection (4) (b), means no later than 5 days after the challenge.

(5) The secretary of state shall adopt rules to implement the provisions of this section and shall provide standardized affidavit forms for challengers and challenged electors."

12. Page 9.

Following: line 14

Insert: "Section 14. Section 13-15-107, MCA, is amended to read:

"13-15-107. Handling and counting provisional and challenged ballots. (1) To verify eligibility to vote, an elector who casts a provisional ballot in person shall provide information to the election administrator as listed below:

(a) present in person at the office of the election administrator by 5 p.m. on the day after the election a photo identification or other identifying document as described in 13-13-114(1)(a);

(b) send by facsimile or electronic mail by 5 p.m. on the day after the election a copy or scanned document that meets the identification requirements of 13-13-114(1)(a); or

(c) mail a copy or nonreturnable original document described in 13-13-114(1)(a) in a self-addressed return envelope provided by the election administrator. If the elector mails a document, the postmark on the envelope must be for the day of the election or the day following the election.

(d) if applicable, the information to respond to a challenge under 13-13-301.

(2) The election administrator shall determine prior to an election whether an absentee voter has provided sufficient identification to allow a ballot to be counted. If the information is insufficient, the election administrator shall follow procedures described in 13-13-241 to allow an absentee elector who failed to provide proper identifying information in the outer return envelope to verify eligibility to vote. An absentee elector whose ballot is determined to be provisional has until 5 p.m. on the day after the election to provide valid identification information either in person, by facsimile, by electronic mail, or by mail postmarked on the day of the election or the day after the election.

(3) A provisional ballot must be counted if the election administrator verifies the elector's eligibility pursuant to rules adopted under 13-13-603. However, a provisional ballot may not be counted if the election administrator cannot verify the elector's eligibility under the rules. If the ballot is provisional because of a challenge and the challenge was made on

the grounds that the elector is of unsound mind or serving a felony sentence in a penal institution, the elector's provisional ballot must be counted unless the challenger provides documentation by 5 p.m. the day after the election that a court has established that the elector is of unsound mind or that the elector has been convicted and sentenced and is still serving a felony sentence in a penal institution.

(4) The election administrator shall provide an elector who cast a provisional ballot but whose ballot was not counted with the reasons why the ballot was not counted.

(5) A provisional ballot cast by an elector whose voter information is verified before 5 p.m. on the day after the election must be removed from its provisional envelope, grouped with other ballots in a manner that allows for the secrecy of the ballot to the greatest extent possible, and counted as any other ballot.""

Renumber: subsequent sections

13. Page 12, line 1 through page 13, line 2.

Strike: sections 16 and 17 in their entirety

Renumber: subsequent sections

- END -

HOUSE OF REPRESENTATIVES

Roll Call Vote

STATE ADMINISTRATION COMMITTEE

DATE 2-10-05 BILL NO HB426 MOTION NO. 1

MOTION: Do Pass

Carried 11:5

| NAME | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|---|-----|----|--|
| REP. DEE BROWN, VICE CHAIR | | ✓ | |
| REP. VERONICA SMALL-EASTMAN, VICE CHAIR | ✓ | | |
| REP. JOAN ANDERSEN | | ✓ | |
| REP. MARY CAFERRO | ✓ | | |
| REP. SUE DICKINSON | ✓ | | |
| REP. EMELIE EATON | ✓ | | |
| REP. ROBIN HAMILTON | ✓ | | |
| REP. GORDON HENDRICK | ✓ | | |
| REP. TERESA HENRY | ✓ | | |
| REP. HAL JACOBSON | ✓ | | |
| REP. WILLIAM JONES | | ✓ | |
| REP. GARY MACLAREN | | ✓ | |
| REP. BRUCE MALCOLM | | ✓ | |
| REP. ALAN OLSON | ✓ | | |
| REP. BERNIE OLSON | ✓ | | |
| REP. LARRY JENT, CHAIRMAN | ✓ | | |

11 5

HOUSE OF REPRESENTATIVES

Roll Call Vote

STATE ADMINISTRATION COMMITTEE

DATE 2-10-05 BILL NO HB 383 MOTION NO. 2

MOTION: Am HB 038303. ask

fails

| NAME | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|---|-----|----|--|
| REP. DEE BROWN, VICE CHAIR | ✓ | | |
| REP. VERONICA SMALL-EASTMAN, VICE CHAIR | | ✓ | |
| REP. JOAN ANDERSEN | ✓ | | |
| REP. MARY CAFERRO | | ✓ | |
| REP. SUE DICKINSON | | ✓ | |
| REP. EMELIE EATON | | ✓ | |
| REP. ROBIN HAMILTON | | ✓ | |
| REP. GORDON HENDRICK | ✓ | | |
| REP. TERESA HENRY | | ✓ | |
| REP. HAL JACOBSON | | ✓ | |
| REP. WILLIAM JONES | ✓ | | |
| REP. GARY MACLAREN | ✓ | | |
| REP. BRUCE MALCOLM | ✓ | | |
| REP. ALAN OLSON | ✓ | | |
| REP. BERNIE OLSON | ✓ | | |
| REP. LARRY JENT, CHAIRMAN | | ✓ | |

8: 8 *fails*

HOUSE OF REPRESENTATIVES

Roll Call Vote

STATE ADMINISTRATION COMMITTEE

DATE 2-10-05 BILL NO HB 383 MOTION NO. 3

MOTION: HB 383 AA

to table

| NAME | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|---|-----|----|--|
| REP. DEE BROWN, VICE CHAIR | ✓ | | |
| REP. VERONICA SMALL-EASTMAN, VICE CHAIR | ✓ | | |
| REP. JOAN ANDERSEN | ✓ | | |
| REP. MARY CAFERRO | ✓ | | |
| REP. SUE DICKINSON | ✓ | | |
| REP. EMELIE EATON | ✓ | | |
| REP. ROBIN HAMILTON | | ✓ | |
| REP. GORDON HENDRICK | ✓ | | |
| REP. TERESA HENRY | ✓ | | |
| REP. HAL JACOBSON | ✓ | | |
| REP. WILLIAM JONES | ✓ | | |
| REP. GARY MACLAREN | ✓ | | |
| REP. BRUCE MALCOLM | ✓ | | |
| REP. ALAN OLSON | ✓ | | |
| REP. BERNIE OLSON | ✓ | | |
| REP. LARRY JENT, CHAIRMAN | ✓ | | |

15: 1

HOUSE OF REPRESENTATIVES

Roll Call Vote

STATE ADMINISTRATION COMMITTEE

DATE 2-10 BILL NO 177 MOTION NO. 4

MOTION: HB017708.ash funds

| NAME | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|---|-----|----|--|
| REP. DEE BROWN, VICE CHAIR | | ✓ | |
| REP. VERONICA SMALL-EASTMAN, VICE CHAIR | ✓ | | |
| REP. JOAN ANDERSEN | | ✓ | |
| REP. MARY CAFERRO | ✓ P | | |
| REP. SUE DICKINSON | ✓ | | |
| REP. EMELIE EATON | | ✓ | |
| REP. ROBIN HAMILTON | ✓ | | |
| REP. GORDON HENDRICK | | ✓ | |
| REP. TERESA HENRY | ✓ | | |
| REP. HAL JACOBSON | ✓ | | |
| REP. WILLIAM JONES | | ✓ | |
| REP. GARY MACLAREN | | ✓ | |
| REP. BRUCE MALCOLM | | ✓ | |
| REP. ALAN OLSON | | ✓ | |
| REP. BERNIE OLSON | | ✓ | |
| REP. LARRY JENT, CHAIRMAN | ✓ | | |

7 : 9

HOUSE OF REPRESENTATIVES

Roll Call Vote

STATE ADMINISTRATION COMMITTEE

DATE 2-10-05 BILL NO 17700 MOTION NO. 5

MOTION: 2:14 fails
HB01770.ash be adopted

| NAME | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|---|-----|-----|--|
| REP. DEE BROWN, VICE CHAIR | | ✓ | |
| REP. VERONICA SMALL-EASTMAN, VICE CHAIR | ✓ | | |
| REP. JOAN ANDERSEN | | ✓ | |
| REP. MARY CAFERRO | ✓ | | |
| REP. SUE DICKINSON | | ✓ | |
| REP. EMELIE EATON | | ✓ | |
| REP. ROBIN HAMILTON | | ✓ | |
| REP. GORDON HENDRICK | | ✓ | |
| REP. TERESA HENRY | | ✓ | |
| REP. HAL JACOBSON | ✓ | ✓ P | |
| REP. WILLIAM JONES | | ✓ | |
| REP. GARY MACLAREN | | ✓ | |
| REP. BRUCE MALCOLM | | ✓ | |
| REP. ALAN OLSON | | ✓ | |
| REP. BERNIE OLSON | | ✓ | |
| REP. LARRY JENT, CHAIRMAN | | ✓ | |

2 14

Y
N by proxy

COMMITTEE PROXY

DATE: _____

I request to be excused from the State Administration

Committee because of other commitments. I desire to leave my proxy vote with:

Veronica Amell-Eastman

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

| HOUSE BILL/AMENDMENT | AYE | NO | SENATE BILL/AMENDMENT | AYE | NO |
|-----------------------------|-----|----|-----------------------|-----|----|
| HB 17701.ash | X | | | | |
| HB 17709.ash | | | | | |
| HB 177 Conceptual Amendment | X | | | | |
| HB 17710.ash | | X | | | |
| HB 17707.ash | X | | | | |
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Rep./Sen. Math
(Signature)

✓
N by proxy

COMMITTEE PROXY

DATE: _____

I request to be excused from the State Administration

Committee because of other commitments. I desire to leave my proxy vote with:

Veronica Small-Eastman

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT AYE NO

SENATE BILL/AMENDMENT AYE NO

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|-------------------------|---|--|
| HB 17701.ash | X | |
| HB 17708.ash | X | |
| HB 17709.ash | | |
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Rep./Sen. _____

May Cefano
(Signature)

COMMITTEE PROXY

DATE: _____

I request to be excused from the State Admin

Committee because of other commitments. I desire to leave my proxy vote with:

Dee Brown

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT AYE NO

SENATE BILL/AMENDMENT AYE NO

2/10/05

| HOUSE BILL/AMENDMENT | AYE | NO |
|------------------------|-----|----|
| HB 026301.ash | X | |
| HB 0263 as amended | | |
| HB 026302 (Conceptual) | | |
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| SENATE BILL/AMENDMENT | AYE | NO |
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Rep./Sen. Brandon R. Hendrick
(Signature)