

March 11, 2013

House Agriculture Committee  
Representative Lee Randall - Chair  
Representative Christy Clark - VChair  
Representative Kathleen Williams - Vchair  
Representative Dan Solomon - House Sponsor  
Committee Members:

Thank You for allowing myself to testify March 7, 2013 before your House Ag Committee, concerning SB 252 - An Act to generally revise irrigation district laws related to elections

Attached is a clean proposal, which would address the major concerns of the majority of persons who feel elections are about one person - one vote, and that we conduct all elections in Montana in a democratic process.

**Proposed Changes**

Title : Add -GENERALLY & DEFINE	-	Remove :THE NUMBER OF ACRES THAT MUST BE OWNED BY
Line 15: Add District - Remove County		
Line 16 : Add -Agent named as		
Line 17:		Remove
Line 18: - 23		Remove : Starting at 18- for each To 23 - to one vote.
Line 25		Remove - agent
All language of purchaser		Remove
Page 2 (4)		Remove

This proposal defines an elector, residency, and removes multiple acre voting . The proposal allows for an agent for guardians, executors, administrators, and trustees. Paragraph (4) - Page 2 - New language allows the board of commissioners to follow the election laws of montana, and protect the secrecy of the ballot.

\*Chairman Randall & Committee, could you refer this to SB 252 to House Local or General Government Committee. They deal with elects and may have some good ideas on how to improve the bill.

Thank You  
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*Proposal*

SENATE BILL NO. 252

INTRODUCED BY M. ROSENDALE

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A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING AND DEFINING AN ELECTOR IN ORDER TO CAST A VOTE FOR ELECTIONS WITHIN IRRIGATION DISTRICTS; AMENDING SECTION 85-7-1710, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 85-7-1710, MCA, is amended to read:

**"85-7-1710. Qualification of electors and nature of voting rights.** (1) At all elections held under the provisions of this part, except as otherwise expressly provided, the following holders of title or evidence of title to irrigable lands within the district, designated "electors", are entitled to vote:

(a) all individuals having the qualifications of electors under the constitution and general election laws of the state, except that registration of electors and district residency may not be required;

(b) agents named as guardians, executors, administrator, and trustees;

(2) In all elections held under this part, each elector is permitted to cast one vote. Irrespective of the acreage or fraction of acreage and location of the irrigable lands within the tracts designated by the commissioners for assessment and taxation purposes or within congressional subdivisions, platted lots or blocks(except as otherwise provided for), election precincts, or district divisions. Until the irrigable area under the proposed plan of reclamation is determined, all land included within the boundaries of the district must be considered irrigable land for election purposes.

(3) Whenever land is owned by co-owners, the owners may designate one of their number to cast the vote for the owners. Whenever the land is owned by a single owner, the owner shall cast the vote. Only one vote may be cast for all irrigable land by the voting co-owner. The co-owner designated for the purpose of voting, shall file with the secretary of the district or with the election officials a written instrument of the electors authority, executed and acknowledged by the proper officers of the corporation, by the single owner or co-owners, and upon filing, the agent or co-owner is an elector within the meaning of this part.

(4) For all elections held under this part, the board of commissioners shall follow the constitution and general election laws of the state.

**Section 2. Effective date.** [This act" is effective on passage and approval ) END-