



MONTANA SECRETARY OF STATE

LINDA McCULLOCH

April 11, 2016

TO: The Honorable Dee Brown and Committee Members
State Administration and Veterans' Affairs Interim Committee

FROM: Montana Secretary of State Linda McCulloch
Elections and Government Services Division

The Secretary of State requests the following items be included in the State Administration and Veterans' Affairs Interim Committee House Bill 84 clean-up bill:

1. Change 13-1-502 to exempt conservation districts from the deadline requirements for special district elections in 13-1-504.

Reasoning: Special Districts cannot cancel their elections due to no competitive race until the write-in deadline (10 days before ballots must be available).

Conservation Districts elections are the only special district elections held with the federal primary or federal general election and their deadlines must align with primary or general election deadlines so that ballot printing can be coordinated. Counties cannot wait until 10 days before ballots must be available to print primary or general election ballots, and so must know before then whether a Conservation District election is going to be held in order to include any races on the ballots.

2. Change 13-13-205 (and various other codes affected by this change) to ensure that ballots are available in the county election office beginning 30 days before an election.

Reasoning: The law was changed in House Bill 84 to allow counties to send absentee ballots out 25 days instead of 30 days before election day. This was so that the absentee ballot mailing date was not the same as the deadline for close of voter registration. The change to 25 days gives counties 5 days to process voter registration forms and get address updates made so that ballots are mailed to the correct and updated address. However, ballots should still be available 30 days before the election for people who wish to do in-person absentee voting, and 29 days before the election for people registering at the county election office after the close of regular registration (such registrants are issued an in-person absentee ballot when they late register).

State Administration & Veterans' Affairs
April 19, 2016
Exhibit 16