

Summary of HJR 46 Work Group Session Dec. 12, 2007

SAVA Update

Sue O'Connell updated the work group on the Nov. 30 meeting of the State Administration and Veterans' Affairs Interim Committee, at which the committee approved the drafting of legislation for a mail ballot election pilot project and requested more information on election-related funding and resource issues. Sue said she plans to present SAVA with options, at its Jan. 7 meeting, for provisions it may want to include in the pilot project bill draft and will then draft legislation for review in February, based on the committee's direction.

Sue also discussed her plan for presenting an overview of the cleanup bill draft to SAVA at its Jan. 7 meeting. She anticipates that the committee will take public comment then and that based on decisions the committee makes, a final bill draft would be ready for review and action in February. Sue plans to discuss with SAVA whether some proposed changes are substantive enough to be put in separate legislation.

Final Review of Cleanup Bill Draft

Work group members went through each section of the cleanup bill to review whether additional changes were needed to any section. Based on these discussions, Sue will revise the draft and resend it before preparing it for SAVA's review. Sue also will talk further with some work group members to come up with language for a few of the sections. These areas included absentee ballots for absent military and overseas voters, reactivation of voter registration, and written instructions for mail ballot elections.

Mail Ballot Pilot Project

Work group members discussed information they believe should be collected during a pilot project, to help evaluate the results and identify any issues that should be addressed in future legislation. These items included:

- Statistics on the number of ballots mailed, returned as deliverable, and voted, with some of the data specific to certain precincts to try to gauge the effect on minority, student, and low-income voters.
- How ballots that are returned as undeliverable are handled, and how many of the ballots end up being delivered if people left forwarding addresses, updated their registrations, etc.
- How signatures were verified
- The types of education and outreach efforts that were used to let people know about the change in the type of election and to encourage them to update their registration information when they move
- The number of places of deposit that were available to voters, including the locations, the hours of operations, and the number of ballots returned to each place of deposit.
- The use of AutoMark machines, including the locations at which they were available, the number of times they malfunctioned, and how much time they were down during the voting period.
- The costs of conducting school bond or levy elections by mail, compared with the amount of money being raised by the bond issue or levy.

Jeanne Souvigny stressed that an effort needed to be made to collect this type of data for 2008 elections, to provide a comparison to any elections conducted only by mail in 2010. There

was a discussion of whether this should be a sort of “pre-requisite” for participation in the pilot project.

Some work group participants also suggested that SAVA consider whether the state should pay the return postage for voters, whether legislation should address how ballot privacy may be assured, and whether a hotline should be set up to report coercion.

And county election officials also discussed some of their concerns about a pilot project, noting that counties that participate in the pilot may face several difficulties if they must revert to polling place elections after the pilot project. The concerns included:

- They will not be using most of their election judges during the pilot project period, and it may be difficult to encourage former judges to resume those duties if mail ballot elections are not approved on a permanent basis in the future.
- The polling places that they’ve established would not be needed during the pilot project period, and it may be difficult to obtain the use of those in the future if mail ballot elections are not approved on a permanent basis.
- Unless all elections during the pilot project are conducted by mail, the participating counties will still need to maintain the equipment, election judges, and polling places that they have so that they can conduct the non-mail ballot elections at the polling places. This may result in some increased costs during the pilot project period.

Work group members also reviewed a draft of the survey to be sent to clerks and recorders about the mail ballot project. Sue said she will use the results of the survey and the work group comments to develop a list of items for SAVA’s consideration as they discuss the parameters of a pilot project at the January meeting.

Participants

Jeanne-Marie Souvigney, Montana Conservation Voters
Deb Mart, Cascade County Clerk and Recorder's Office
Rina Moore, Cascade County Clerk and Recorder
Lisa Kimmet, Secretary of State's Office
Alan Miller, Secretary of State's Office
Lynda Brannon, Montana Association of School Business Officials
Bob Vogel, Montana School Boards Association
Jackie Boyle, Office of Public Instruction
Duane Winslow, Secretary of State's Office/Yellowstone County
Alysha Goheen Janotta, Montana Women Vote
Joy Bruck, AARP
Elizabeth Andrews, Common Cause
Sue O'Connell, Legislative Services Division