

## 1 HOUSE JOINT RESOLUTION NO. 23

2 INTRODUCED BY D. LAMM

3

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
5 MONTANA REQUESTING AN INTERIM STUDY OF MONTANA'S ELECTION PROCESS.

6

7 WHEREAS, during the 2013-2014 interim, the State Administration and Veterans' Affairs Interim  
8 Committee created an Elections Subcommittee to examine SJR 14, a study resolution from the 2013 Legislature  
9 that requested an examination of combining primary and school elections; and10 WHEREAS, after considering the complexity of election administration and the various inconsistencies  
11 contained in current laws, the Elections Subcommittee voted to develop a general revision bill to clean up the  
12 inconsistencies to the extent feasible; and

13 WHEREAS, the result was HB 84, which was nearly 175 pages long; and

14 WHEREAS, despite the comprehensive scope of HB 84, numerous bills introduced during the 2015  
15 Legislature proposed changes to Montana's election process and registration laws, some of which conflicted with  
16 changes proposed in HB 84; and17 WHEREAS, in 2015, six election-related bills were introduced by request of the Secretary of State  
18 compared to eight in 2013, seven in 2011, and two in 2009; and19 WHEREAS, in 2015, eight election-related bills were introduced by request of the Commissioner of  
20 Political Practices compared to six in 2013, one in 2011, and three in 2009; and21 WHEREAS, the large number of election-related bills and the limited timeframe that the Legislature's  
22 standing committees have to consider the proposed changes raise concerns about the consistency and security  
23 of Montana's election process; and24 WHEREAS, if the Legislature approves additional voting methods and opportunities to electors, it should  
25 balance those opportunities with the state's responsibility to conduct fair, transparent, and secure elections.

26

27 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
28 STATE OF MONTANA:29 That the Legislative Council be requested to designate an appropriate interim committee, pursuant to  
30 section 5-5-217, MCA, or direct sufficient staff resources to study Montana's current election process, specifically:

1 (1) elector eligibility and qualifications, including the types of identification required to register to vote,  
2 the types of identification required at a polling place to receive a ballot, and the procedures used by election  
3 administrators to verify an elector's qualifications to vote;

4 (2) the absentee ballot process, including:

5 (a) the processes used by electors to request, vote, and return ballots;

6 (b) the processes used by election administrators to mail, track, and count ballots;

7 (c) the processes used by election administrators to verify an elector's qualifications to vote, mailing  
8 address, and signature; and

9 (d) the effects of the increased use of the absentee voting process on election administrators and voters;

10 (3) the use of provisional ballots, including the number of electors using provisional ballots, the reasons  
11 the electors were unable to cast regular votes, and the number of provisional ballots that are ultimately counted  
12 in primary and general elections;

13 (4) the expansion of registration and voting opportunities through electronic means and the  
14 corresponding safeguards necessary to ensure the integrity of the vote; and

15 (5) current enforcement and prosecution of complaints of violations of the state's election laws.

16 BE IT FURTHER RESOLVED, that the study include review of any proposals that could improve the  
17 integrity and cohesiveness of the electoral process and increase Montanans' confidence in that process.

18 BE IT FURTHER RESOLVED, that the study include input from various stakeholders in the election  
19 process, such as the Office of the Secretary of State, the Commissioner of Political Practices, the Attorney  
20 General's Office, county election administrators and attorneys, and other interested parties as determined by the  
21 committee.

22 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be  
23 presented to and reviewed by an appropriate committee designated by the Legislative Council.

24 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review  
25 requirements, be concluded prior to September 15, 2016.

26 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,  
27 comments, or recommendations of the appropriate committee, be reported to the 65th Legislature.

28 - END -