

Approved 4-9-91
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

The meeting was called to order by SENATOR DON SALLEE at
Chairperson

1:30 ~~xxx~~ p.m. on April 2 (Meeting II), 1991 in room 529-S of the Capitol.

All members were present ~~except~~ or excused:

Committee staff present:

Pat Mah, Legislative Research Department
Ardan Ensley, Office of the Revisor of Statutes
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:
Others attending: see attached list

The meeting was called to order at 1:35 p.m.

Staff continued their briefing on HB-2454.

There was discussion concerning Section 51 and the need to estimate the worth of an editorial by the media with a report being filed based on advertising rates. The Associations would have to report such articles as a separate expenditure.

Sections 54 through 58 concerning the competitive bid process would no longer be exempt. A change order would no longer be exempt from a competitive bid process depending on certain circumstances. Other areas impacted by these sections would be data processing equipment, Board of Regent institutions and abolishment of the telecommunication services contract. Those contracts would be subjected to general purchasing laws. All contracts for the state would be subject to competitive bid which would affect 35 sections of the law. Staff noted contracting does involve public officers i.e. conflict of interest. There appeared to be some confusion concerning the double subject. Staff noted it does not involve employment but contractual situations involving employment could be included depending on statutes which include some exceptions.

Staff noted Section 60 appeared to be in conflict with current law which states that boards of education are authorized to employ lobbyists.

HB-2068 - Minimum write-in votes in primary to have name printed on general election ballot.

Following consideration which noted this bill changed only the formula with the required numbers about the same, Senator Kerr, with a second from Senator Martin moved passage of House Bill 2068. The motion carried.

HB-2069 - Elections; concerning signing of petitions.

During discussion concerning HB-2069 it was noted on page 3, line 33, the amendment says "county" but should have read "election district". Senator Lee moved to change line 33, page 3 to read "election district" in place of "county". Senator Reilly seconded the motion and the motion carried. Discussion noted the purpose of the bill is to allow passing petitions for governor and lieutenant governor on a county wide basis. This bill changes only the circulating requirements of the petition in that petitions may be passed on an "election district" basis. Presently it must be done by precinct. Senator Lee moved, with a second by Senator Riley, to pass HB-2069. The motion carried.

House Bill 2326 was passed over since the House committee had just passed SB-83 with this bill amended into it.

HB-2022 - Application of voter registration on application for driver's licenses.

The question was raised whether consideration had been given to being able to register at a polling place when going in to vote. Senator Reilly noted the federal law contained provisions for potential voters to register at the polling place it was not necessary to provide for registration when applying for a motor vehicle license. The representative from

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

room 529-S Statehouse, at 1:30 ~~xxx~~ p.m. on April 2 (Meeting II), 1991

the office of the Secretary of State noted federal legislation had two provisions for exception from the "motor-voter" bill, one would be if registration is not required as in the case of North Dakota, or if you allow same day registration which is permitted in several states. The question was raised as to why, if federal legislation was pending, the bill was needed. Ron Thornburgh noted that the state's own legislation was preferable to having a federal system imposed upon the state.

Senator Rock, with a second from Senator Brady, moved passage of HB-2022. Senator Bond, with a second by Senator Kerr made a substitute motion to table HB-2022 until the 1992 session. The motion passed with 5 yea votes.

A member questioned whether or not the fiscal note was correct. A committee member noted provisions were in place which could result in a 5 percent loss in federal highway funds for non-compliance.

HB-2070 - Mail ballot elections for school district bonds.

House Bill 2070 was placed before the committee with staff noting an amendment be broadened to allow local units presently authorized to have a mail ballot election to conduct said election with the county election officer being involved on the date selection. A problem arose with the 90 days simply because the mail ballot takes much more effort. Noting a reasonable amount of time was needed. Discussion debated a period of 4 to 6 months. Staff noted the amendment could be phrased that the mail ballot election could be conducted on a date mutually agreed upon between the election commissioner and the entity involved which shall not be longer than 120 days following the date of the request.

Senator Lee moved, with a second by Senator Bond, to amend the amendment to read 120 days. The motion carried.

Senator Lee moved, with a second by Senator Rock, to pass HB-2070 out favorable as amended. The motion carried.

Discussion concerning the tabling of HB-2022 confirmed the motion was made to table until a time certain. Therefore it would come off the table at the beginning of the 1992 legislative session. The chairman requested the minutes to reflect this information.

The meeting adjourned at 2:25 p.m. and will convene at 12:30 p.m. April 3, 1991 in Room 519-S.

