

SENATE BILL REPORT

SB 6180

As Reported by Senate Committee On:
Government Operations, Tribal Relations & Elections, February 2, 2012

Title: An act relating to reducing costs and inefficiencies in elections.

Brief Description: Reducing costs and inefficiencies in elections.

Sponsors: Senators Swecker, Nelson and Sheldon; by request of Secretary of State.

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 1/24/12, 2/02/12 [DPS].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 6180 be substituted therefor, and the substitute bill do pass.

Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker, Ranking Minority Member; Benton, Chase and Nelson.

Staff: Sharon Swanson (786-7447)

Background: The Secretary of State (Secretary) has a wide range of duties to the citizens of this state, one of which is the facilitation and oversight of the election process. These electoral duties encompass elections for federal, statewide, and local offices, as well as initiatives and referenda submitted for voter approval. The various responsibilities of the Secretary in this regard include, but are not limited to, the following:

- providing citizens with access to state election laws and voter information;
- assisting county auditors in the election process;
- maintaining the state voter registration database;
- overseeing the functioning of vote tabulation systems; and
- overseeing the form and content of voter's pamphlets.

Summary of Bill (Recommended Substitute): The Secretary is required to make the most recent version of state election laws, and the pertinent administrative rules, available on the office website for access by county auditors and the public.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The types of acknowledgement notices an auditor is required to send to registered voters is reduced and simplified. Auditors no longer need to send a voter an individualized acknowledgement notice for every voter registration transaction, but the act continues to require that auditors send notice of the disposition a voter's registration in more than one state and/or voting in more than one state.

With respect to the vote tallying system testing required at least three days before each state primary or general election, county auditors, rather than the Secretary, are primarily responsible for conducting the testing of the programming of the vote tallying systems.

Statutory provisions governing the form and content of both state and local voters' pamphlets, and the Secretary's duties with respect to such pamphlets, are revised to include:

- the time frame for the approval of the publication and distribution of a local voter's pamphlet by the governing body of a county or city is increased from 40 to 50 days before any special election;
- fiscal impact statements regarding ballot measures must include directions to voters on how to find additional information regarding fiscal impacts on the website of the Office of Financial Management (OFM); and
- the assumptions underlying fiscal impact statements for ballot measures must be posted on the website of the OFM.

No primary may be held for any single position in a local, nonpartisan office if no more than two candidates have filed for the position.

In cases where there is a problem with the signature match between the ballot declaration and the voter registration document, the auditor has the option of notifying the voter either by telephone, electronic mail, or first class mail.

In the event voters are affected by a change of electoral jurisdiction due to a boundary change, the auditor must:

- update the registration records of every affected voter; and
- make personalized jurisdiction information available to the voters either online or by mail.

EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS COMMITTEE (Recommended Substitute): Removes language reducing the number of languages from eight to four that the Secretary must translate voter registration materials into. Restores current law to preserve the existing requirements for full text of statewide ballot measures to be provided to voters in voters' pamphlets, and for full text of local measures to be provided in local voters' pamphlets, if printed. Restores current law to require county auditors to notify voters of procedures for updating signatures when handwriting on ballot envelope does not match handwriting in voter registration file. Adds a technical amendment related to batch recounts.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony on Original Bill: PRO: This bill is a costs savings measure put forward by the Secretary of State. This measure will streamline many of our functions and end duplicative efforts.

Persons Testifying: PRO: Katie Blinn, Secretary of State.