

EXHIBIT I

Page 1

Montana House State Administrative Hearing
House Bill 176
Audio Transcription
January 21, 2021

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Page 3

1 election. I am proud to be bringing the first in
2 election integrity bills, and I'm happy to support our
3 new Secretary of State, Christi Jacobsen, as she
4 assures election integrity in Montana.
5 We are blessed with the privilege of voting,
6 but we also must accept responsibility for that
7 privilege. Elections don't pop up out of the blue and
8 surprise us. If we are a responsible voter, we study
9 the ballot ahead of time, and we also note -- need to
10 know that we need to register to vote.
11 One of our state's election administrators
12 pointed out to me that we are only one of 11 states
13 that still allows same-day registration. That's less
14 than 25 percent of our states. Many states require an
15 average of 15 days prior to the election to register,
16 and she adds, changing the statute is a best practice
17 approach, to mitigate against voter fraud, and ensure
18 voter integrity. The changes proposed will make the
19 Montana voting system more robust, and ensures that
20 every legitimate vote by every legitimate voter, is
21 counted.
22 The intent of House Bill 176 is to provide a
23 solution for citizens discouraged from registering to
24 vote and casting a ballot due to long lines and
25 extended wait times by making the process more

Page 2

1 (Recording begins)
2 CHAIRWOMAN MCKAMEY: This opens the hearing
3 on House Bill 176. Oh, excuse me, Representative
4 Heyman, I'm sorry?
5 REPRESENTATIVE HEYMAN: I'm sorry to
6 interrupt. I just thought you could share if we had
7 the EA today.
8 CHAIRWOMAN MCKAMEY: Oh, thank you. There
9 will be no executive action today. We'll have that on
10 Tuesday, Representative Heyman, thank you so much for
11 asking.
12 REPRESENTATIVE HEYMAN: Thank you.
13 CHAIRWOMAN MCKAMEY: Okay. I have to start
14 again. This opens the hearing on House Bill 176.
15 Welcome to the podium Representative Greef.
16 REPRESENTATIVE GREEF: Ty, Madam Chair.
17 Madam Chair and members of the committee, I am Sharon
18 Greef, and I represent House District 88, which is the
19 north end of the Bitterroot Valley, the towns of
20 Florence and Stevensville.
21 I am here today to bring to you House Bill
22 176. The purpose of this bill is to change
23 registration from the day of election until the Friday
24 before. There is a provision that allows military and
25 overseas electors to register on the day of the

Page 4

1 efficient for the benefit of all Montanans, and it will
2 reduce the opportunity for mistakes.
3 Current law places election officials, in
4 between handling new voter registration, issuing
5 replacement ballots, accepting deposited ballots, and
6 even counting ballots, all at the same time. The focus
7 of House Bill 176 is not to burden. It is not to
8 disenfranchise, and it is not to provide a forum for a
9 historical debate. But it is important to administer
10 an election with complete fairness for all voters.
11 Madam Chair and members of the committee, I
12 urge you to consider the importance of this bill.
13 There are others here also to testify on it. Madam
14 Chair.
15 CHAIRWOMAN MCKAMEY: Thank you,
16 Representative. Are there proponents for House Bill
17 176?
18 SECRETARY JACOBSEN: Madam Chair and members
19 of the committee, I'm Christi Jacobsen. I'm the new
20 Secretary of State, and it's an absolute honor and
21 privilege to be here before all of you. I look forward
22 to our partnership during the legislature. And I want
23 to thank Representative Greef for bringing this very
24 important legislation forward to strengthen the
25 integrity of elections.

Page 5

1 I stand here to support this, along with four
 2 other legislative priorities that we will be bringing
 3 to your committee along the way, and I thank you for
 4 your time today.
 5 CHAIRWOMAN MCKAMEY: Thank you, Secretary of
 6 State.
 7 Are there further proponents for House Bill
 8 176?
 9 MR. CORSON: Yes, good morning Madam Chair
 10 and members of the committee. I'm Dana Corson. D-A-N-
 11 A. C-O-R-S-O-N. And I'm the director of elections and
 12 voter services for the Montana Secretary of State's
 13 Office.
 14 And thank you, Representative Greef, for
 15 addressing your concerns about voter registration, and
 16 the impacts it has on the operations of the election
 17 office in the closing days of an election. It's a huge
 18 challenge to address and attend to all of the details
 19 and the surprises that the two days before an election
 20 can bring to the county election offices, and I think I
 21 can speak for everybody here, that we appreciate all
 22 the good work and efforts of our county election
 23 offices.
 24 But despite all that good effort, our office
 25 continues to hear about the confusion and frustration

Page 6

1 that voters have who are in line, waiting for
 2 considerable periods of time, just trying to get their
 3 business done, and they end up walking away and still
 4 not being able to exercise their right to vote. The
 5 stories aren't new. We hear about the same stories
 6 time and time again, election after election.
 7 Some would want to put the blame on the
 8 procrastination of the voter, insisting that with
 9 rights come responsibilities. Others claim that better
 10 planning by the voter would fix the issue. Others
 11 blame the local election office for a lack of
 12 resources. And others blame advocacy groups for
 13 driving voters at the last minute.
 14 Unless a change is made, the problem will
 15 continue, and the problem will grow. Montanans deserve
 16 a better voting experience, and this bill will
 17 reallocate the necessary resources of the county
 18 election office to address registrations and free up
 19 time for election officials on the Monday and Tuesday
 20 of the election for all registered voters. I recommend
 21 the committee due pass House Bill 176, and thank you
 22 for your time.
 23 CHAIRWOMAN MCKAMEY: Thank you very much,
 24 Director Corson.
 25 Do we have further proponents for the House

Page 7

1 Bill 176?
 2 SENATOR CUFFE: Madam Chair, my name is Mike
 3 Cuffe, the senator for Senate District 1, which is all
 4 of Lincoln County, Eureka and Libby-Troy.
 5 And I spent a lot of time on the campaign
 6 trail this year. I did not have a personal campaign,
 7 but I spent a lot of time with Christi Jacobsen, Craig
 8 Gianforte and a number of others. There's no question
 9 where my basic philosophies come from.
 10 I think this is a very important thing. The
 11 people spoke. The people spoke very loudly. And our
 12 new Secretary of State heard them. If anyone didn't
 13 get the message, they have not been paying to --
 14 attention to television news, to lawsuits, to the folks
 15 around the coffee shops.
 16 My big intent is to reduce the likelihood of
 17 errors, to reduce that frantic pace in many courthouses
 18 that happen on Election Day. I've been told over
 19 recent years -- I started to carry this bill a couple
 20 years ago, backed off from it, but I had been told that
 21 our elections are headed for a train wreck. I was told
 22 this by more than one Clerk of Court -- Clerk and
 23 Recorder, I'm sorry.
 24 So the big -- number one big answer, this
 25 bill you are hearing today, simple separation of

Page 8

1 registration deadline day from Election Day. Let the
 2 folks give their full attention to get registration
 3 properly done on Friday. On Tuesday, come in and focus
 4 entirely on getting the election done properly, the
 5 votes counted properly, and in a timely fashion. I
 6 have only one disappointment in this bill, and if you
 7 want to look, right at the top of it, it says that the
 8 sponsor is Representative Sharon Greef. And I wanted
 9 my name there. That's the only thing. But
 10 Representative Greef, I'm so proud of her for walking
 11 in and saying, I'm doing it, I've got it done, I've got
 12 my bill draft in, and you can be my co-sponsor. And I
 13 am so honored that she asked me to do that, and I'm so
 14 proud of her, for taking this bill on. This is a big
 15 one. And as the Secretary of State said, this is one
 16 of at least four voter -- Election Day -- election
 17 integrity bills, and I think we have a great
 18 responsibility to set the tone going forward to make
 19 our elections the best they can be. Thank you, Madam
 20 Chair and members of the committee.
 21 CHAIRWOMAN MCKAMEY: Thank you, Senator
 22 Cuffe.
 23 Are there further proponents for House Bill
 24 176? Further proponents for House Bill 176?
 25 MS. BEVERIDGE: Madam Chair and members of

Page 9

1 the committee, my name is Mary Beveridge. M-A-R-Y. B-
 2 E-V-E-R-I-D-G-E. And I come to you today in support of
 3 this bill. I started a group where I trained about 600
 4 poll watchers on election laws. We met with the county
 5 clerks before we went out into their counties, and this
 6 was one of the issues that they brought up, because one
 7 of the questions I did ask them was, what would you
 8 change? And this was by far the foremost item that
 9 they would have changed.

10 And the reason I started our poll watching
 11 adventure was to find out firsthand what was really
 12 happening at the polls. And this -- the same-day
 13 registration did cause a lot of chaos that was there,
 14 and my support of this bill is that that day should be
 15 for voting, and not registering.

16 And as the previous sponsor and other
 17 proponents have stated, it's very difficult not to know
 18 that there's an election. And when I was looking at
 19 the numbers of registered voters in Montana, if you
 20 take our population, which is, we'll just say, roughly
 21 about a million people, and if there's 85 percent that
 22 are voting age, we had, right before the election,
 23 around 730,000 of those people registered. So the
 24 majority of people are registered, and are registering
 25 before the election. And I think that's all I have.

Page 10

1 Thank you so much.

2 CHAIRWOMAN MCKAMEY: Thank you,
 3 Ms. Beveridge.

4 MS. BEVERIDGE: Do you need me to stay?
 5 CHAIRWOMAN MCKAMEY: Good idea, yes, please.
 6 Everyone who provides testimony should be available.
 7 Next proponent for House Bill 176?
 8 MR. ELLIS: Pardon my hearing aids falling
 9 out. My name is Doug Ellis. I'm here from Broadwater
 10 County. I'm currently the Treasurer, Clerk and
 11 Recorder, Superintendent of Schools, and Election
 12 Administrator of that county. I've been in this
 13 position for about eight years. Before that, I was the
 14 Chief Deputy in the same office. So I've worked
 15 elections for about 19 years. Seen a lot of changes.

16 I would like to support this bill
 17 wholeheartedly, and thank you for bringing it forward.
 18 One of our biggest problems is trying to run an
 19 election in a decent and -- decent way that is --
 20 excuse my words, but, organized, when you still have
 21 people coming in to vote, to register to vote.

22 We -- our day starts off, on an election,
 23 about five in the morning, getting the machines ready
 24 to take to the polling places, and loading up our
 25 reports, and getting our people ready, our poll

Page 11

1 workers. So it's a long day. My first election, I
 2 worked from five in the morning until five at night. I
 3 was back at eight o'clock the next day.

4 So I just want to tell you, your election
 5 workers for the county, and the election judges that we
 6 have to hire, are very dedicated to elections.
 7 Elections is probably by far the most trying position
 8 that I have, and a lot of it is because of same-day
 9 registration. It's extremely hard to put the
 10 information of all of the voters into the system, get
 11 their ballots counted, and keep the numbers correct,
 12 while you're still registering people to vote the same
 13 day you're having an election. It's extremely hard. I
 14 can't emphasize that enough.

15 We -- before an election, an election
 16 administrator puts in three to four ads in the local
 17 paper, to let people know the date of the close of
 18 registration, so they've had three or four warnings
 19 that the election registration is going to close, plus
 20 they've already had 365 days to get in and vote. Four
 21 years, if you go by presidential elections. We're not
 22 trying to keep people from voting. We want people to
 23 vote. My county had the largest turnout of any
 24 election we've ever had for this last presidential
 25 election.

Page 12

1 We were one of only nine counties that had a
 2 poll election. To have a poll election, we need poll
 3 workers. Poll workers have to be trained for two
 4 hours. I had three trainings that I had not planned
 5 on, because of COVID and poll workers dropping out. It
 6 ended up that the day before the election, we had our
 7 last training and got enough people to put all five of
 8 our precincts in one building so we could have a poll
 9 election. We usually have three different areas that
 10 people can vote, three different buildings. And a lot
 11 -- and while you're doing all of this, you're still
 12 registering people to vote.

13 It's extremely hard to keep your numbers
 14 straight. We've got ballots coming in, we've got --
 15 throughout the year, I know there are other counties,
 16 Lewis and Clark is one, that the Treasurer, Clerk and
 17 Recorder, Superintendent of Schools, and Election
 18 Administrator, wears the same hat. There are three or
 19 four counties that are that way in Montana, but most
 20 counties, also the Clerk and Recorder is the Election
 21 Administrator.

22 So you don't just have the election to run,
 23 also, you're preparing deeds, you're recording, you're
 24 filing deeds, you're doing your regular office work
 25 while you're mailing your ballots out. In my office,

Page 13

1 the November election just happens to come about the
 2 same time we're mailing out 7,000 tax bills, and we're
 3 collecting payments for those tax bills, and we're
 4 mailing out 5,000 ballots, and we're collecting those
 5 ballots, and the ballots have to be mailed out on a
 6 certain day. A lot of them come back about the same
 7 time. So it's not uncommon to have 400 ballots come in
 8 on one day that you have to put into the system, we
 9 have to verify every signature on every ballot, to make
 10 sure it matches the voter's signature. It's a time
 11 intensive thing, to put on an election, and the Clerk
 12 and Recorders and the Election Administrators, need
 13 that time in order to bring the ballots in, put them in
 14 the system, verify the signatures.

15 The day before the election, you have to run
 16 your reports for the poll workers so they know who's
 17 registered, who's not registered, who might be
 18 provisional. There's a lot of work that goes into
 19 reports and preparing of this election. This is a very
 20 important bill.

21 Again, I'd like to say, we're not trying to
 22 keep people from voting. We want them to vote. I love
 23 it when people come out to the polls. I love having a
 24 poll election. But if it's a mail election, it doesn't
 25 change the work that you do. You still have to bring

Page 14

1 in all those ballots. You still have to verify all the
 2 signatures. You have to count all the ballots, whether
 3 it's by a machine or by hand. And again, that's very
 4 time intensive. It takes a lot of time, a lot of
 5 preparation. We have six people in my office, and I'm
 6 glad I have six. I wish I had more, because when the
 7 election comes, all six of the people in my office are
 8 election judges. They're trained. And I -- besides
 9 the other four trainings I had this year to try and
 10 bring people in to run an election on a very hard year
 11 to have an election, but I would just ask all of you to
 12 vote in favor of this bill. It's very well needed, and
 13 it would be very well appreciated.

14 Our offices need the time to run an election.
 15 It would be nice to be able to just put on an election
 16 and not have to run an election like you're running a
 17 marathon. When we're done, at the end of the day we
 18 are completely drained, and we need that time to get
 19 this done correctly, to get the votes cast correctly,
 20 to get them counted, and our reports done. There are
 21 so many things we need to do that most people don't
 22 even see. I would just urge you to support this bill,
 23 and I thank you for bringing it forward. Thank you for
 24 listening to me.

25 CHAIRWOMAN MCKAMEY: Thank you very much,

Page 15

1 Mr. Ellis.
 2 Further proponents that are on site? There
 3 are no further proponents on site.
 4 Are there proponents on -- excuse me.
 5 Senator Cuffe, did you have a --
 6 SENATOR CUFFE: Madam Chair, I have an email
 7 from our Clerk and Recorder.
 8 CHAIRWOMAN MCKAMEY: Okay.
 9 SENATOR CUFFE: If it's okay, I'll have it
 10 printed and get it to your committee secretary for
 11 distribution.
 12 CHAIRWOMAN MCKAMEY: You have permission,
 13 yes, that'll be terrific, thank you.
 14 Do we have any further testimony from
 15 proponents on site? Do we have any -- we do not have
 16 any proponents on Zoom, as far as I can see. Is that
 17 correct, Ms. Street?
 18 MS. STREET: Yes, that's correct.
 19 CHAIRWOMAN MCKAMEY: Thank you very much.
 20 Okay. With that, we will begin with
 21 testimony from opponents. First on site, and then on
 22 Zoom. We have four opponents on site. The first one
 23 to the podium. Welcome.
 24 MR. THOMPSON: (First Nations language
 25 spoken) Madam Chair, members of the committee. My name

Page 16

1 is Jordan Thompson. That's T-H-O-M-P-S-O-N. And I
 2 represent the Confederated Salish and Kootenai Tribes
 3 of the Flathead Nation.
 4 With all due respect to the sponsor,
 5 Representative Greef, and with a lot of respect to the
 6 election workers, CSKT opposes House Bill 176. The
 7 Salish and Kootenai Tribes believe a democracy should
 8 be accessible to all Montanans and U.S. citizens as
 9 possible.
 10 In 2014, the Montana late voter registration
 11 revision measure was brought as a legislatively
 12 referred state statute. That would have accomplished
 13 much of the same thing that this bill brings today, and
 14 57 percent of Montanans voted no on that measure. We
 15 agree with this public sentiment, the last we know of,
 16 where the public actually voted on this, and think that
 17 we should keep elections open until Election Day.
 18 In addition, Montana consistently ranks well
 19 in election administration assessments in the U.S., as
 20 seen in surveys such as MIT's Election Performance
 21 Index. Let's keep voting as accessible as possible to
 22 all Montanans and think of other solutions, and oppose
 23 House Bill 176. Thank you for your time.
 24 CHAIRWOMAN MCKAMEY: Thank you, Mr. Thompson.
 25 Further opponents on site for House Bill 176?

Page 17

1 MR. SUNCHILD: Good morning, Madam Chair and
 2 members of the committee. My name is Keaton Sunchild,
 3 S-U-N-C-H-I-L-D. I am the political director for
 4 Montana Native Vote.
 5 I just want to talk about a couple of the
 6 hurdles that the people that our organization has
 7 members from, that they face when it comes to voting in
 8 elections. We know that our reservations are very
 9 large in terms of land area, and lots of these folks
 10 are traveling great distances, and by closing off voter
 11 registration earlier than needed, we're making it even
 12 harder for them to vote. And part of the tradition on
 13 a lot of our reservations is, they go to vote on
 14 Election Day, and if you're a first-time voter, part of
 15 that includes registering to vote, and so we need to
 16 make sure that that's still an option for them. And we
 17 heard today about how the people have spoken, and
 18 Jordan just talked about it, too.
 19 You know, they spoke when it came to L.R. 126
 20 a number of years ago, that they didn't want to end
 21 voter registration early. So we've seen a lot lately
 22 that there's a small number of people that don't
 23 necessarily think that the will of the people is
 24 correct, but I think we need to get back to that
 25 tradition, and the only thing I've heard today is that

Page 18

1 we don't need to end registering to vote early, we just
 2 need to invest in more open and more free and more fair
 3 elections. And for those reasons, I am urging you to
 4 vote no on this bill, and I thank you guys for your
 5 time.
 6 CHAIRWOMAN MCKAMEY: Thank you, Mr. Sunchild.
 7 Further opponents on site for House Bill 176?
 8 MS. BRENNEMAN: Mr. Chairman -- oh. Madam
 9 Chairwoman. I'm very sorry. Madam Chairwoman,
 10 representatives. Beth Brenneman, B-R-E-N-N-E-M-A-N.
 11 And I'm an attorney with Disability Rights Montana.
 12 And back in 2005, when we originally adopted this
 13 measure, we did it with many, many individuals, many,
 14 many stakeholders, including the clerks, that were all
 15 embracing making sure that everybody who's eligible to
 16 vote can vote. And we were all excited. It was a
 17 wonderful time, and we -- it's been a tremendous
 18 success.
 19 And one of the reasons I was involved -- and
 20 just a bit about our organization. We were federally
 21 created in the '70s to investigate abuse and neglect of
 22 people with disabilities in institutional settings, and
 23 that's what we still do. And one of the things that we
 24 see all of the time is that with all of the work that
 25 goes into finding an appropriate placement for somebody

Page 19

1 who has serious health conditions, whether it be a
 2 nursing home, assisted living, another hospital
 3 setting, nobody is thinking about voting.
 4 And that's because there are other things to
 5 think about. There are other emergency things that
 6 have to be handled, but unfortunately what that means
 7 is, direct care staff that work at these institutions
 8 are left to be the ones to help people register to
 9 vote, and they often have many, many other things that
 10 they have to do instead, and so registration to vote is
 11 really not considered when people are going into those
 12 settings.
 13 So we've been able to fill that gap, and
 14 we're happy to do it. We've worked hard to get agency
 15 into the law, and that's a reasonable accommodation for
 16 people with disabilities that can have somebody else go
 17 and get them registered, and help them get the ballot
 18 and deliver the ballot. But if they can't register
 19 late, we can't help them. And unfortunately, this
 20 happens far more often than you might think. It's not
 21 a huge number of people, but they're people that earned
 22 their right to vote. They've lived long lives. They
 23 happen to need some help right now, and they really
 24 need the ability to exercise that right to vote, not
 25 just because it's their constitutional right, but

Page 20

1 because it's normalcy.
 2 And in a situation like that, where everyone
 3 is placed in crisis, it's really important for people
 4 to be able to have that, to be able to participate in
 5 their community and to be able to vote.
 6 This is similarly true for people in the
 7 community with serious disabilities that have home
 8 health care. Again, our rates are not good, and home
 9 health care have a whole lot of things to worry about.
 10 Helping people get dressed, making sure that they have
 11 their catheter, making sure that they eat, as opposed
 12 to making sure that they're registered to vote. That's
 13 not a perfect system, it's not a perfect system, I wish
 14 they had the time to really help people with those
 15 issues, but they don't.
 16 Please don't make it harder for these people
 17 to vote. Late registration has been a godsend for
 18 them, and we do all that we can to make sure that
 19 people can exercise the franchise. Thank you.
 20 CHAIRWOMAN MCKAMEY: Thank you very much,
 21 Ms. Brenneman.
 22 Next opponent -- excuse me, pro -- next
 23 opponent on House Bill 176.
 24 MS. STUTZER: Thank you. Good morning, Madam
 25 Chair and members of the committee. My name is Katjana

Page 21

1 Stutzer. For the record, that's K-A-T-J-A-N-A, S-T-U-
 2 T-Z-E-R. And I'm here on behalf of the Montana Public
 3 Interest Research Group, or MontPIRG. We represent
 4 students across the state of Montana.
 5 And as you've been hearing from the other
 6 opponents of this bill, this would impact lots of
 7 different groups in unique ways, and particularly
 8 students as well. Although it doesn't only affect
 9 students. The average American -- one in eight of
 10 average Americans move once a year. You can imagine
 11 that that rate is a lot higher for students who are
 12 often relocating from every county across Montana to
 13 our colleges and universities, and as a recent student
 14 myself, I can say that I moved every single year that I
 15 attended the University of Montana.
 16 So you can imagine that there are some really
 17 good reasons, as other folks are telling you, that
 18 folks might need to register late. If you change a
 19 name, or if you move, and don't even realize that you
 20 haven't updated your voter registration, show up on
 21 Election Day to vote, and then realize that you no
 22 longer can vote and need to re-register, that's a
 23 situation that many people find themselves in.
 24 We don't have data yet from the Secretary of
 25 State available for 2020. But between 2006 and 2018,

Page 22

1 over 60,488 Montanans used same-day voter registration,
 2 and as a former proponent of the bill pointed out, the
 3 vast majority of people are registered before Election
 4 Day, to keep in mind.
 5 So although this is -- in the total
 6 percentage of voters, a small amount, over 60,000
 7 people using same-day voter registration clearly causes
 8 harm to that group of people, and over 137,000 use late
 9 registration as well.
 10 And this is across the board. These aren't
 11 all from the same place. Fifty-four out of fifty-six
 12 of our counties had at least one Election Day
 13 registrant in 2018, and every single county had an
 14 Election Day registrant in 2016. And also note that in
 15 2018, over 40 percent of those late registration users
 16 were not new to the state, and were not new voters.
 17 They simply showed up on Election Day, and their voter
 18 registration was out of date. That's a large group of
 19 our reliable voters who are just trying to participate
 20 in our election system being disenfranchised by this
 21 law.
 22 So clearly, this bill causes harm. We're --
 23 the United States is recognized as the leading
 24 democracy in the world because of access to the ballot,
 25 and we have a responsibility to protect that for all of

Page 23

1 our citizens no matter what the reason is that they
 2 need to register on Election Day. But I would also ask
 3 you to bear in mind that there are some very good
 4 reasons, as folks have pointed out today, that people
 5 may need to register late.
 6 I would just close with further, I know that
 7 we heard earlier that the people have spoken in saying
 8 they're concerned about Election Day registration. But
 9 the people also spoke in 2014, when they voted no on
 10 L.R. 126. With the majority of the districts
 11 represented by you, members of the committee in this
 12 room, your districts voted no on L.R. 126, including
 13 the district of the sponsor of this bill.
 14 We've had same-day, Election Day registration
 15 for over a decade that passed through these chambers
 16 with bipartisan support, and it's been working for
 17 elections offices and for the people since then. We
 18 reviewed it in 2014. The people have spoken on this
 19 issue, and I really encourage you to take that to heart
 20 when you vote, and I urge you to vote no on this bill.
 21 Thank you.
 22 CHAIRWOMAN MCKAMEY: Thank you, Ms. Stutzer.
 23 Are there further opponents to House Bill 176
 24 on site?
 25 MR. FORSTAG: Madam Chair, members of the

Page 24

1 committee. My name is Sam Forstag, and I'm here on --
 2 that is F-O-R-S-T-A-G, and I am here on behalf of the
 3 American Civil Liberties Union of Montana. We rise in
 4 opposition to this bill.
 5 Article 2, Section 13, of our state's
 6 Constitution declares that all elections shall be free
 7 and open, and that no power, civil or military, shall
 8 prevent the free exercise of this right. We know that
 9 thousands of Montanans use same-day registration and
 10 late registration as a vital means of accessing that
 11 right to vote, and that Montanans in every county,
 12 every legislative district, Montanans that voted for
 13 and are represented by each of you, voted
 14 overwhelmingly to -- against these restrictions that
 15 are proposed in House Bill 176 today.
 16 Beyond the Montana State Constitution, the
 17 United States Constitution instructs that -- instructs
 18 us to afford citizens equal protection under the law,
 19 with particular care to the fundamental right to vote.
 20 And these constitutional imperatives are something we
 21 ought to strive toward, not back away from.
 22 With respect to the sponsor, to proponents of
 23 this bill, we ask that you please provide Montanans
 24 with consistency and with fidelity to the vote that
 25 they all took in 2014, and vote no on this bill. Thank

Page 25

1 you for your time, and I am available for questioning.
 2 CHAIRWOMAN MCKAMEY: Thank you, Mr. Forstag.
 3 Are there any further opponents on site for
 4 House Bill 176?
 5 Seeing none, we will go to the Zoom list, and
 6 we will first hear from Ms. Sellers.
 7 UNIDENTIFIED: Chairwoman, Ms. Sellers has
 8 not called in as of yet.
 9 CHAIRWOMAN MCKAMEY: Okay. We will move to
 10 the next one in line. We will follow -- just by way of
 11 information, Ms. Street, we will just follow the order
 12 consecutively down the list as it was printed off by
 13 you. Will that be okay?
 14 MS. STREET: Yes.
 15 CHAIRWOMAN MCKAMEY: Okay. Thank you,
 16 Ms. Sellers [sic].
 17 All right. Then Ms. Millie Robinson, please.
 18 MS. ROBINSON: Yes. Thank you, Madam Chair
 19 and members of the committee. My name is Millie
 20 Robinson. Last name is R-O-B-I-N-S-O-N, and I live in
 21 Glendive. I'm here testifying on behalf of the
 22 Northern Plains Resource Council, in opposition to
 23 House Bill 176.
 24 Northern Plains is opposing this bill because
 25 it contradicts our belief in a fair and transparent

Page 26

1 democracy that is accessible to everyone. We believe
 2 that it's the right and responsibility of all citizens
 3 to participate in decisions that affect their lives,
 4 and that citizens' rights to vote should not be
 5 suppressed or made more difficult by their decision
 6 makers.
 7 As others have mentioned, Montanans have
 8 already fairly recently resoundingly rejected this same
 9 proposal in 2014, on L.R. 126. Election Day voter
 10 registration provides just one additional opportunity
 11 for working people to cast their vote when they might
 12 not otherwise be able to. Before I retired, I drove 35
 13 minutes to Wibaux to work, and I taught many years
 14 long, long hours in schools. I know lots of other
 15 people who drive those distances to get to work. They
 16 work in our communities, in our clinics, our schools,
 17 our businesses. They don't have time to get to a
 18 courthouse to get late registered during a work break.
 19 We need to be able to register on Election
 20 Day. There have already been many reasons given why
 21 somebody might need to late register on Registration
 22 [sic] Day. All of them legitimate.
 23 It's not the government's job to infringe on
 24 our right to vote in Montana elections. That right
 25 extends through Election Day. We have a fairly small

Page 27

1 population, much smaller than other states who also
 2 have same-day registration rights, and luckily,
 3 Election Day voter registration is not something new.
 4 It doesn't require significant implementation. We
 5 already have it, and our county election officials are
 6 already doing a fantastic job of handling it. Please,
 7 don't try to fix something that isn't broken. Protect
 8 our rights to Election Day registration by voting no on
 9 House Bill 176. Thank you for your time.
 10 CHAIRWOMAN MCKAMEY: Thank you, Ms. Robinson.
 11 Next opponent on Zoom on the list is Alexa
 12 Bunnion? Runnion? Runnion. Yes. There we go. This
 13 print is very small. Welcome to the
 14 MS. RUNNION: Madam --
 15 CHAIRWOMAN MCKAMEY: Uh-huh.
 16 MS. RUNNION: -- thank you, Madam Chair and
 17 members of the committee. My name is Alexa Runyon, R-
 18 U-N-N-I-O-N. I'm a University of Montana student, and
 19 I oppose this bill which unnecessarily makes it more
 20 difficult for students to vote.
 21 Our elections thus far have been free, fair,
 22 and accessible, and I'm asking you to keep them that
 23 way. I've submitted written testimony as well, and I
 24 urge you to read them. Please vote no on House Bill
 25 176, and thank you all.

Page 28

1 CHAIRWOMAN MCKAMEY: Thank you, Ms. Runnion.
 2 Next will be -- there's no last name provided
 3 here -- oh. The next one will be Alanna Wulf. Thank
 4 you. Welcome, Ms. Wulf.
 5 MS. WULF: Can you hear me?
 6 CHAIRWOMAN MCKAMEY: Yes, we can.
 7 MS. WULF: Okay, great. Thank you very much.
 8 My name is Alanna Wulf. That's A-L-A-N-N-A. W-U-L-F.
 9 And I work for Big Sky 55 Plus, which is a non-profit
 10 organization that advocates for policies, public
 11 policies that make a difference in the lives of
 12 Montanans 55 and older, as well as the lives of future
 13 generations. We have 2,000 members across the state,
 14 and our organization stands in opposition to House Bill
 15 176.
 16 Same-day voter registration benefits our
 17 elderly, mobility limited members, who don't have
 18 constant access, or consistent access to
 19 transportation, and our rural members, who don't work
 20 traditional hours, and don't often make it into town.
 21 Any barrier that prevents our eligible voters from
 22 participating in the democratic process is unmistakably
 23 undemocratic, and on a personal note, working on a
 24 campaign to defeat L.R. 126 back in 2014 was my first
 25 venture into political organizing, and I canvassed

Page 29

1 thousands of people that year, and I will not forget a
 2 particular, but not uncommon conversation I had with a
 3 gentleman who did not hold the same political
 4 persuasion that I do.
 5 He told me that while we disagree on many
 6 things, we agree that maintaining Election Day voter
 7 registration protects all Montanans, that all
 8 Democrats, all Republicans, all Independents, all of
 9 our ability to exercise our constitutional right, not
 10 privilege, our constitutional right to vote. So I urge
 11 you, and so does Big Sky 55 Plus and our members, to
 12 vote no on House Bill 176. Thank you.
 13 CHAIRWOMAN MCKAMEY: Thank you, Ms. Wulf.
 14 MS. STREET: Ms. Chair?
 15 CHAIRWOMAN MCKAMEY: Thank you, Ms. Street,
 16 yes?
 17 MS. STREET: Andy has not called in to
 18 testify.
 19 CHAIRWOMAN MCKAMEY: Okay, thank you.
 20 MS. STREET: Next on the list is John
 21 Elliston.
 22 CHAIRWOMAN MCKAMEY: Welcome, John Elliston.
 23 MR. ELLISTON: Good morning, Madam Chair and
 24 members of the committee. Thank you for giving me this
 25 opportunity to register my opposition to House Bill

Page 30

1 176.
 2 In 2005, when I was the Senate Majority
 3 Leader, I sponsored Senate Bill 302, the act which
 4 provided for same-day voter registration, and voting on
 5 the same day. This bill passed with overwhelming
 6 bipartisan support, including the endorsement of the
 7 Republican Secretary of State, Brad Johnson. The votes
 8 on third reading were 42 to 8 in the Senate, and 89 to
 9 8 in the House.
 10 Over the last seven election cycles, same-day
 11 voter registration has functioned well, and has allowed
 12 for the increasingly high percentage of registered
 13 voters who are actually voting in our elections. It
 14 has not caused fraud. It has not caused errors. We
 15 hear often about allegations of fraud or errors, but
 16 very infrequently do we hear actual cases of that.
 17 Let's look at the evidence. And furthermore,
 18 it has not caused significant administrative problems,
 19 as our local elections administrators have implemented
 20 the law.
 21 And moreover, voter turnout has risen to new
 22 heights. This can be attributed, in part, to the fact
 23 that voters may register on the same day that they
 24 vote. I want to turn your attention specifically to
 25 the difficulty of someone who lives a long way away

Page 31

1 from their election office. If they are needing to
 2 bring their registration up to date, it imposes upon
 3 them, this bill would impose upon them, the necessity
 4 of making two long distance trips to the election
 5 office, one to register, and one to vote. This is
 6 simply an increased burden upon the electorate, which
 7 diminishes the likelihood that they will participate.
 8 Moreover, the people of the state have twice
 9 reaffirmed the importance of this in rejecting L.R.
 10 126, and once before this came before the legislature,
 11 and it was killed. I would urge you to vote against
 12 House Bill 176. Same-day voter registration for
 13 Montana voters has made it easier for Montanans to vote
 14 and participate in our democracy. This is a result
 15 that we should all be able to support. Please vote no
 16 on this bill. Thank you for giving me this opportunity
 17 to express these opinions.
 18 CHAIRWOMAN MCKAMEY: Thank you very much,
 19 Mr. Elliston.
 20 Is the next person Danielle Vazquez?
 21 MS. VAZQUEZ: Yeah, hi. Can you all hear me?
 22 CHAIRWOMAN MCKAMEY: Yes, we can.
 23 MS. VAZQUEZ: Cool. Good morning, Madam
 24 Chair, members of the committee. My name is Danielle
 25 Vazquez. That's D-A-N-I-E-L-L-E. Vazquez, V-A-Z-Q-U-

Page 32

1 E-Z.
 2 And I am here today on behalf of the
 3 Indigenous Organizers Collective of Montana, and we
 4 rise up in opposition to this bill. This bill would
 5 create unnecessary barriers to Montanans'
 6 constitutional right to vote, and we believe that
 7 access to the ballot shouldn't be conditional. Every
 8 eligible Montanan has the right to register to vote and
 9 cast a ballot, and working long hours or living in a
 10 rural area should not be a disqualification for casting
 11 a ballot. So again, we are asking you all to oppose
 12 this bill. Thank you.
 13 CHAIRWOMAN MCKAMEY: Thank you, Ms. Vazquez.
 14 Further opponents on Zoom?
 15 MS. STREET: Madam Chair, Kelly Lynch, who
 16 registered to testify has not called in.
 17 CHAIRWOMAN MCKAMEY: Okay.
 18 MS. STREET: Guest will be Eleanor Smith,
 19 also known as Ellie Smith.
 20 CHAIRWOMAN MCKAMEY: Okay. Thank you. If I
 21 may ask a question, Ms. Street, at this time --
 22 MS. STREET: Sure.
 23 CHAIRWOMAN MCKAMEY: -- do we have -- just
 24 for time management purposes, do we have -- how many do
 25 we have left that have actually registered and shown up

Page 33

1 on Zoom?

2 MS. STREET: Six, ma'am.

3 CHAIRWOMAN MCKAMEY: Thank you very much,

4 Ms. Street.

5 Okay. Ms. Smith, welcome to the House State

6 Administration.

7 MS. SMITH: Thank you, Madam Chair and

8 members of the committee. My name is Eleanor Smith.

9 E-L-E-A-N-O-R, S-M-I-T-H. And I'm here on behalf of

10 Montana Women Vote, a statewide organization of

11 low-income women and families.

12 Low-income Montanans and working families

13 rely on same-day voter registration for access to the

14 ballot and for all of the reasons previously stated, we

15 also rise in opposition to this bill. Thank you so

16 much.

17 CHAIRWOMAN MCKAMEY: Thank you, Ms. Smith.

18 Is Ms. Caldwell -- welcome to State

19 Administration, Ms. Caldwell.

20 MS. CALDWELL: Hello, Chairwoman McKamey.

21 Can you hear me okay?

22 CHAIRWOMAN MCKAMEY: We can, thank you.

23 MS. CALDWELL: Great. Good morning, Chair

24 and members of the committee. My name is Lauren

25 Caldwell. That's L-A-U-R-E-N, last name is C-A-L-D-W-

Page 34

1 E-L-L.

2 I am here with you virtually on behalf of the

3 Montana Federation of Public Employees, and the

4 educators and employee members we represent across

5 Montana.

6 Every two years, our members through a

7 democratic process draft, amend, and pass our

8 legislative program in which they task us as staff to

9 carry out their will at the legislature. And one of

10 the principal components of their directive is to

11 protect voting rights, specifically to oppose

12 legislation that is designed to -- and this is a quote

13 from our legislative program.

14 Deny or impede any eligible Montana

15 citizen's right to register and vote.

16 Unfortunately, House Bill 176 does just that,

17 which is why I'm here today. As you've heard, and as

18 you know, this is not a new debate. In 2005, as

19 Senator Elliston was just mentioning, nearly unanimous

20 bipartisan majorities voted to pass same-day voter

21 registration in Senate Bill 302, and I just wanted to

22 ground that in specifics. It passed 42 to 8 in the

23 Senate, and 89 to 8 in the House, on third reading.

24 Then in 2013, your predecessors wanted to

25 review this question again, and they chose to put it to

Page 35

1 a vote of the people through L.R. 126. In 2014,

2 Montanans voiced their opinion on it loud and clear.

3 They rejected 126 by majorities statewide, and

4 majorities in 80 out of 100 legislative districts.

5 Because of that choice, Montanans continue to

6 turn out to vote in record numbers. We should be proud

7 of that fact. We're very high compared to other

8 states, and indeed, I think that the bar should be set

9 very high for the legislature when you specifically

10 asked Montanans to weigh in on an issue, they let you

11 know what they think, and then you consider overturning

12 it. There should be a really high bar for that.

13 Some of these facts have been shared, so I

14 just want to emphasize a few about how many Montanans

15 would be impacted if House Bill 176 is allowed to pass.

16 So late registration figures from the Secretary of

17 State for the 2021 election aren't available yet, but

18 what we can tell you is that between 2006 and 2018,

19 60,488 Montanans used same-day voter registration.

20 But this bill, as you know, isn't just about

21 same-day voter registration. It rolls it back to the

22 Friday before. So it's important to also know that

23 137,957 Montanans utilized late voter registration to

24 cast a ballot. And those statistics are all available

25 on the Secretary of State's website.

Page 36

1 In 2018 alone, an election in which many of

2 you were on the ballot, 8,053 voters registered on

3 Election Day, and 21,700 registered during the late

4 registration window for the general election.

5 Fifty-six out of four -- I'm sorry. Fifty-four out of

6 fifty-six counties had at least one Election Day

7 registrant in 2018, and in 2016, every single county in

8 the state had Election Day registrants.

9 For the most recently available data, the

10 2018 general election, as was mentioned, over 40

11 percent of Montanans who used late voter registration

12 were not new to the state, or newly registering in

13 Montana. They were county to county or precinct to

14 precinct registration changes. That tells us that a

15 lot of these folks are showing up to vote on Election

16 Day. They have done their work to register, but they

17 find once they arrive at their polling place that they

18 are still registered at the previous address. Right

19 now, they have a clear remedy for this, but if this

20 bill were to pass, those Montanans would be unable to

21 have their voice heard in our elections.

22 You all are in a critical position. Thank

23 you for your service on a committee charged with the

24 fairness, security, and accessibility of our elections,

25 serving on a committee to uphold our state

Page 37

1 constitutional promise that all Montanans have a right
 2 to access the ballot without interference.
 3 I urge you to stand with Montanans and reject
 4 this attempt to thwart their will, disenfranchise
 5 thousands of Montanans every election, and undermine
 6 our strong election laws. Please vote no on House
 7 Bill 176. Thank you very much.
 8 CHAIRWOMAN MCKAMEY: Thank you, Ms. Caldwell.
 9 Next we will hear from Ms. Kindness. We're
 10 not hearing you, Ms. Kindness.
 11 MS. KINDNESS: Hello? Can you hear me?
 12 CHAIRWOMAN MCKAMEY: We can now, thank you.
 13 MS. KINDNESS: Good morning Madam Chair and
 14 members of the committee. My name is Lori Kindness.
 15 Last name spelled K-I-N-D-N-E-S-S. In appearance
 16 before the committee today on House Bill 176, I am in
 17 opposition.
 18 This election season I assumed a role to get
 19 out the vote with Montana Native Vote as an advocate
 20 for the Crow Reservation and Bighorn County. My
 21 teammates and I worked tirelessly for the people by
 22 registering them to vote, and encouraging the important
 23 message that your vote is your voice. Amid a global
 24 pandemic, we adapted and rotated weekly through six
 25 districts, and set up drive through pop-up sites,

Page 38

1 ensuring COVID-19 safety protocol. We assisted every
 2 person we could reach within voter age to register to
 3 vote. This took place until the very minute the polls
 4 closed on Election Night. My team set up a drive
 5 through site across Bighorn County Courthouse with a
 6 bulk supply of registration cards and made ourselves
 7 available for any questions the public may have had.
 8 Bighorn County Courthouse was the only
 9 location in all of Bighorn County that -- the location
 10 that you could vote. The line spilled into the
 11 alleyway and near Forest Street. We assisted over 150
 12 people on Election Day alone with voter registration.
 13 As a result of full force aided efforts, the Secretary
 14 of State's website recorded history voter turnout in
 15 Bighorn County despite the pandemic.
 16 Every voter should be given every opportunity
 17 to register to vote, considering the real issues the
 18 very rural populations face. The economy, lack of
 19 employment, lack of income, and lack of transportation,
 20 as well as recognizing our disabled and elderly, and
 21 those who are at high risk, especially during these
 22 times.
 23 If denying satellite sites in our county
 24 wasn't already a cue for voter suppression, denying
 25 citizens their due diligence may certainly contribute.

Page 39

1 It is so important that House Bill 176 does not close
 2 late voter registration. It is my plea to the
 3 committee to consider no on House Bill 176. Thank you.
 4 CHAIRWOMAN MCKAMEY: Thank you, Ms. Kindness.
 5 Next we have Ms. Barbour.
 6 MS. BARBOUR: Thank you Chairwoman McKamey
 7 and members of the committee. Are you able to hear me?
 8 CHAIRWOMAN MCKAMEY: Yes, we are. Thank you.
 9 MS. BARBOUR: Hi there. My name is Ruthie
 10 Barbour, spelled B-A-R-B-O-U-R. And I'm here today on
 11 behalf of Forward Montana. Forward Montana is the
 12 largest civic engagement organization in the state. We
 13 work to engage and mobilize young Montanans to
 14 participate in all aspects of democracy.
 15 As an organization there was also -- we were
 16 also in opposition of L.R. 126 in 2014, which I'm sure
 17 you've heard, it's a similar referendum that sought to
 18 remove same-day voter registration. And we strongly
 19 rise in opposition to House Bill 176. Forward Montana
 20 works specifically with college students and young
 21 people across all corners of the state. Our members
 22 feel enormously passionate about being involved in our
 23 democratic process and making sure their voices are
 24 heard.
 25 But barriers such as the ones that House

Page 40

1 Bill 176 proposes would prevent them from exercising
 2 their constitutional right. Same-day voter
 3 registration ensures that every voter has equitable
 4 access to the polls, and allows our democracy to
 5 thrive.
 6 Montana's record voter turnout in the 2020
 7 elections demonstrates how engaged the people of
 8 Montana are in their local and national elections.
 9 This past election cycle, our organization aided in
 10 staffing a non-partisan voter hotline that helped
 11 voters remedy issues with casting a ballot, like
 12 updating their address, or finding their polling
 13 location.
 14 Many of these people that we talked to in
 15 those days leading up to the election ultimately ended
 16 up using same-day registration services to make their
 17 voice heard. Whether you're a single parent with
 18 limited access to childcare, someone who works full-
 19 time, a full-time student, or someone who doesn't have
 20 reliable access to transportation, or someone who
 21 simply lives at an extreme distance from their polling
 22 location, sometimes the only opportunity to register to
 23 vote and cast a ballot may be on the day of the
 24 election.
 25 For many rural and indigenous people, the

Page 41

1 long commute to their local elections office may be the
 2 only possible day to register and cast a ballot as in
 3 person or by mail voter registration is the only way to
 4 register to vote in Montana, it's important that all
 5 Montanans have every avenue open to them to register
 6 and cast a ballot.

7 This bill is directly harmful to Montana's
 8 seniors, folks who live in rural areas, young people,
 9 and indigenous people. Why change a process that has
 10 not only been working to serve Montanans, but has shown
 11 no negative effects on the efficacy and efficiency of
 12 our elections?

13 As you've heard, L.R. 126 was voted down in
 14 2014 by the majority of Montana voters, who believe
 15 that every resident of Montana should have the right to
 16 register to vote on the day of the election. Please
 17 honor the will of your constituents, who have already
 18 spoken on this issue, and stand with the majority of
 19 Montanans in voting no for House Bill 176. Thank you.

20 CHAIRWOMAN MCKAMEY: Thank you, Ms. Barbour.
 21 Next we have Delilah [sic] Killback.
 22 Welcome.

23 MS. KILLSBACK: Good morning, Madam Chair and
 24 members of the committee. My name is Daliyah
 25 Killback, spelled D-A-L-I-Y-A-H K-I-L-L-S-B-A-C-K.

Page 42

1 And I represent Western Native Voice. Our organization
 2 is in opposition to House Bill 176, because it would
 3 impede access to democracy for many Montana citizens,
 4 disproportionately, American Indians.

5 The people of Montana have already spoken.
 6 As you have already heard today, six years ago, the
 7 majority of Montana voters voted against L.R. 126, a
 8 ballot measure that would have done the same thing.
 9 Many American Indians, especially those on rural
 10 reservations, rely on Election Day voter registration
 11 and late voter registration. American Indians face
 12 disproportionate barriers to access -- to voting access
 13 in Montana. The average voter turnout in reservation
 14 precincts is 20 percentage points below the average
 15 turnouts of precincts outside of reservation
 16 boundaries. Distance to polling, registration
 17 locations, and the cost of travel are all barriers to
 18 voting. These issues have been brought against Montana
 19 in litigation many times before.

20 House Bill 176 would make it even more
 21 difficult for American Indians to rightfully cast their
 22 vote. Every citizen in Montana, including American
 23 Indians, has the right to vote to ensure that their
 24 voice is heard.
 25 Elected officials should respect the will and

Page 43

1 the rights of Montana voters. Rights as a voter should
 2 not end before Election Day begins, as clearly stated
 3 in the -- in Montana's constitution. Our organization
 4 urges this committee to vote against House Bill 176.
 5 Thank you.

6 CHAIRWOMAN MCKAMEY: Thank you,
 7 Ms. Killback.

8 I see the next person that is registered
 9 here, Ms. Street, is Ms. Brenneman, but she has -- she
 10 appeared on site, so we will go to Ms. Liefer or
 11 Liefer?

12 MS. LIEFER: Yes, thank you, Madam Chair. My
 13 name is -- and members of the committee, my name is
 14 Nancy Liefer and I am here today on behalf of the
 15 League of Women Voters of Montana.

16 For over 100 years, the League of Women
 17 Voters has promoted citizens' rights to vote as the
 18 hallmark of a strong democracy. The citizens who
 19 drafted Montana's 1972 [sic] constitution, it was a
 20 true bipartisan effort that included nine League of
 21 Women Voters members, an addition of strong democracy
 22 for Montana.

23 House Bill 176 would weaken our democracy.
 24 Montana completed two elections in 2020 flawlessly. A
 25 lawsuit found no evidence of problems. Moreover,

Page 44

1 Montana had the largest turnout in decades, due in part
 2 to voters who registered and voted on Election Day.

3 Every vote is precious. The League of Women
 4 Voters opposes House Bill 176, and encourages this
 5 committee to reject this bill that prevents Montana
 6 voters from registering and voting. Thank you.

7 CHAIRWOMAN MCKAMEY: Thank you, Ms. Liefer.
 8 Ms. Street, have any of those who were not on
 9 at the assigned time shown?

10 MS. STREET: Madam Chair, the answer is no.

11 CHAIRWOMAN MCKAMEY: Okay, thank you.

12 MS. STREET: (Indiscernible) the opponents.

13 CHAIRWOMAN MCKAMEY: Okay.

14 So that completes the testimony of opponents
 15 online. Are there any further opponents on site,
 16 Sergeant?

17 SERGEANT: No.

18 CHAIRWOMAN MCKAMEY: Thank you very much.
 19 With that, seeing none, we will proceed to
 20 informational witnesses. We will take on site
 21 testimony first, and we welcome any informational
 22 witnesses that are on site at this time. Informational
 23 witnesses on site.
 24 Thank you, Sergeant.
 25 Any informational witnesses on Zoom? Online?

Page 45

1 MS. STREET: Madam Chair.
 2 CHAIRWOMAN MCKAMEY: Welcome,
 3 Ms. Plettenberg.
 4 MS. PLETTENBERG: Madam Chair, members of the
 5 committee, good morning, and I am Regina Plettenberg.
 6 I am the Clerk and Recorder in Ravalli County, and I am
 7 here on behalf of the Montana Association of Clerk and
 8 Recorders. And although you may hear testimony from
 9 individual Clerks or receive written testimony for or
 10 against this bill, as an association, we are remaining
 11 neutral, and I am here today to answer any questions
 12 that you -- the committee may have. Thank you.
 13 CHAIRWOMAN MCKAMEY: Thank you,
 14 Ms. Plettenberg. Just double checking to make sure
 15 there are no further informational witnesses on site,
 16 in case they missed the announcement.
 17 Seeing none, let's proceed to questions from
 18 the committee. Questions from the committee?
 19 Ms. Binkley.
 20 REPRESENTATIVE BINKLEY: Thank you, Madam
 21 Chair. I had a question for Mr. Dana Corson.
 22 CHAIRWOMAN MCKAMEY: Mr. Corson, please.
 23 MR. CORSON: Good morning.
 24 REPRESENTATIVE BINKLEY: Good morning. Madam
 25 Chair, Mr. Corson, I'm curious to know the process of

Page 46

1 verification when someone is registering to vote. What
 2 type of -- do you go against a database? Are they
 3 registered in another county? Are they registered in
 4 another state? What is the time frame? I guess I just
 5 would like some information regarding that, I'm sorry.
 6 CHAIRWOMAN MCKAMEY: Representative, we
 7 certainly welcome all of your questions.
 8 REPRESENTATIVE BINKLEY: Thank you.
 9 CHAIRWOMAN MCKAMEY: And just ask one
 10 question at a time --
 11 REPRESENTATIVE BINKLEY: Oh, I'm sorry. Yes,
 12 thank you --
 13 CHAIRWOMAN MCKAMEY: -- no, it's not --
 14 REPRESENTATIVE BINKLEY: -- I apologize.
 15 CHAIRWOMAN MCKAMEY: -- no, no problem. I
 16 just want to get all of your questions answered.
 17 REPRESENTATIVE BINKLEY: Thank you.
 18 CHAIRWOMAN MCKAMEY: So one at a time,
 19 please.
 20 REPRESENTATIVE BINKLEY: Thank you. So
 21 what's the verification process?
 22 MR. CORSON: Okay, so Madam Chair and
 23 Representative Binkley, so for new registration, it
 24 requires the application, and the voter's affirmation
 25 that they are 18 years old, a U.S. citizen, have

Page 47

1 resided in the county for 30 days. They also present
 2 some form of ID. Typically we'll get like the last
 3 four digits of their Social Security number, along with
 4 their name, their date of birth, which can be checked
 5 against the Social Security database, and then they can
 6 do a Montana driver's license or Montana ID.
 7 They could also do the supplemental forms of
 8 that as well. Failing that, people will end up in what
 9 we call a provisional voter until those things are
 10 identified and cured, and identity can be assured of
 11 the voter. Does that answer your question?
 12 REPRESENTATIVE BINKLEY: Yes, and I have --
 13 may I have follow up?
 14 CHAIRWOMAN MCKAMEY: Follow up,
 15 Representative Binkley.
 16 REPRESENTATIVE BINKLEY: Thank you.
 17 So what is the process on same-day voter
 18 registration for verifying that information that you
 19 just supplied me with?
 20 MR. CORSON: So, Madam Chair and
 21 Representative Binkley, the voter will come in. They
 22 will either have their form filled out or not filled
 23 out, so when they step up, they're probably working on
 24 the form so that the clerk can take that information to
 25 the form and get it into the Montana Votes database,

Page 48

1 the present-day voter registration system. And that's
 2 when those checks are done in terms of new
 3 registration. Other activities will occur if you're
 4 there, maybe moving between precincts or county to
 5 county. There's further checks that will need to be
 6 done prior to a ballot being issued. But strictly --
 7 and what I'm talking about is just brand new voter
 8 registrations.
 9 REPRESENTATIVE BINKLEY: May I have one more
 10 follow up?
 11 CHAIRWOMAN MCKAMEY: Follow up,
 12 Representative Binkley.
 13 REPRESENTATIVE BINKLEY: Thank you, Madam
 14 Chair, Mr. Corson.
 15 So what is the time frame on that
 16 verification process, as far as being able to know that
 17 they are not registered somewhere else?
 18 MR. CORSON: And Madam Chair and
 19 Representative Binkley, so this doesn't guarantee that
 20 the person is registered somebody -- somewhere else.
 21 That is on the applicant's own affirmation, and it's a
 22 violation of election law in their own state or the
 23 other state where they might be registered. It doesn't
 24 do that. It only proves identity. It proves I'm Dana
 25 Corson because I present myself with that name, with my

Page 49

1 date of birth, and my driver's license or Social
 2 Security number, I can validate who I am. So it only
 3 validates identity.
 4 The rest of it is, you know, is am I a U.S.
 5 citizen? Have I really been here for 30 days? That's
 6 all on the applicant's honor.
 7 REPRESENTATIVE BINKLEY: Thank you.
 8 CHAIRWOMAN MCKAMEY: Thank you, Mr. Corson
 9 and Representative Binkley. Further questions from the
 10 committee?
 11 Representative Putnam?
 12 REPRESENTATIVE PUTNAM: Madam Chair, this is
 13 for Mr. Corson.
 14 CHAIRWOMAN MCKAMEY: Mr. Corson, please.
 15 REPRESENTATIVE PUTNAM: Madam Chair,
 16 Mr. Corson. So if somebody's new to the state, and
 17 they're going to -- have been a resident at 30 days on
 18 Election Day, are they still able to vote, or able to
 19 register to vote ahead of time, before they hit that 30
 20 day mark?
 21 MR. CORSON: Madam Chair and Representative
 22 Putnam, so if I understand your question correctly,
 23 you've got somebody coming in who will have been a
 24 resident by Election Day?
 25 REPRESENTATIVE PUTNAM: Yes.

Page 50

1 MR. CORSON: And meet all of the
 2 requirements? Yes, they'll be able to vote on -- at
 3 that time. Their ballot would be valid.
 4 REPRESENTATIVE PUTNAM: Clarification, Madam
 5 Chair.
 6 Would they be able --
 7 CHAIRWOMAN MCKAMEY: Follow up,
 8 Representative.
 9 REPRESENTATIVE PUTNAM: Would they be able to
 10 vote ahead of time? Or register ahead of time, prior
 11 to same day?
 12 MR. CORSON: And Madam Chair and
 13 Representative Putnam, say your question again, please?
 14 REPRESENTATIVE PUTNAM: So say they wanted --
 15 they get to town, they want to register right away, so
 16 they've been a resident for five days. Can they
 17 register?
 18 MR. CORSON: Madam Chair and Representative
 19 Putnam, so, in that declaration, it says you've been a
 20 resident for 30 days, so that would not be a true
 21 statement.
 22 REPRESENTATIVE PUTNAM: Okay.
 23 MR. CORSON: For the applicant to make.
 24 REPRESENTATIVE PUTNAM: Thank you.
 25 CHAIRWOMAN MCKAMEY: Thank you, Mr. Corson,

Page 51

1 Representative Putnam.
 2 Further questions from the committee?
 3 Representative Whitman.
 4 REPRESENTATIVE WHITMAN: Oh, I think we're
 5 running down the line here with our questions.
 6 CHAIRWOMAN MCKAMEY: Not quite.
 7 REPRESENTATIVE WHITMAN: And again a question
 8 for Mr. Corson. And I hope that this is the right
 9 direction. Can you tell me for registering to vote, is
 10 it just in person? Can people register to vote by
 11 mail, or by online? Are those acceptable methods to
 12 vote or are they only allowed to register in person?
 13 MR. CORSON: Madam Chair and Representative
 14 Whitman, so that's a good question, and a point of
 15 clarification after listening to some of the testimony
 16 today.
 17 So regular registration ends, you know,
 18 approximately 30 days before the election. Up to that
 19 point, there's a variety of ways for the voter to get
 20 that information to the Clerk's Office. It doesn't
 21 have to be in person. So with that being said, when
 22 late registration starts, it requires the person to
 23 appear in person anyway during the late registration
 24 period, to process that voter application.
 25 REPRESENTATIVE WHITMAN: Okay. Thank you.

Page 52

1 MR. CORSON: So the idea behind it is, the --
 2 you'll have further checks, you'll have a face to face
 3 transaction, in conformance with Montana law.
 4 REPRESENTATIVE WHITMAN: Thank you.
 5 CHAIRWOMAN MCKAMEY: Representative Hayman?
 6 REPRESENTATIVE HAYMAN: Thank you, Madam
 7 Chair. I have a question for Mr. Corson.
 8 CHAIRWOMAN MCKAMEY: Mr. Corson.
 9 REPRESENTATIVE HAYMAN: Could you walk us
 10 through the number of --
 11 CHAIRWOMAN MCKAMEY: To the chair -- excuse
 12 me.
 13 REPRESENTATIVE HAYMAN: -- same day election
 14 restraints -- registrants over the last few cycles?
 15 How many have registered? Do you -- and as part of
 16 that, do you have the numbers for 2020?
 17 MR. CORSON: And Madam Chair and
 18 Representative Hayman, we're working on those 2020
 19 numbers. The previous years are on our website, so
 20 we'll have that updated as soon as we can. They've
 21 been working on that these past few weeks. Request
 22 permission to submit it to the committee?
 23 CHAIRWOMAN MCKAMEY: We would appreciate that
 24 submission, Director Corson.
 25 MR. CORSON: Okay, thank you.

Page 53

1 REPRESENTATIVE HAYMAN: Madam Chair, I have
 2 another question, but I need a moment.
 3 CHAIRWOMAN MCKAMEY: Okay. We'll go to
 4 Representative Karjala.
 5 REPRESENTATIVE KARJALA: Thank you, Madam
 6 Chair. My question is for Ms. Plettenberg, please.
 7 CHAIRWOMAN MCKAMEY: Ms. Plettenberg. We're
 8 not hearing you. You are muted. There you go.
 9 MS. PLETTENBERG: Madam Chair, Representative
 10 Karjala, yes.
 11 REPRESENTATIVE KARJALA: Thank you. Madam
 12 Chair, Ms. Plettenberg, you know we've heard a lot of
 13 testimony today about the number of people who utilize
 14 voting at the polls. We've heard a lot of testimony
 15 about folks who are using same-day voter registration,
 16 late voter registration, and it seems to me the
 17 preponderance of the numbers of people who are voting
 18 at the polls are either previously registered voters or
 19 late registered voters, and not same-day registered
 20 voters, and yet same-day voters who are registering cut
 21 across all demographics of the state of Montana, and
 22 they also are spread all across the state of Montana.
 23 I think Ms. Caldwell's testimony backed that up,
 24 speaking to the --
 25 CHAIRWOMAN MCKAMEY: Excuse me. Excuse me.

Page 54

1 Is there a --
 2 REPRESENTATIVE KARJALA: -- common late
 3 registrants --
 4 CHAIRWOMAN MCKAMEY: Excuse me,
 5 Representative. Is there a question here?
 6 REPRESENTATIVE KARJALA: Yeah, no, I'm trying
 7 to ground it. Thank you, Madam Chair.
 8 CHAIRWOMAN MCKAMEY: Okay. Proceed.
 9 REPRESENTATIVE KARJALA: Thank you.
 10 Ms. Plettenberg, would you please speak to
 11 the numbers of same-day registrants versus late
 12 registrants, folks that are already registered who come
 13 to the polls, and the impact that that has on you?
 14 MS. PLETTENBERG: Representative Karjala.
 15 Yes, so I can't -- you know I don't have numbers for
 16 the whole state. What I can tell you is -- so in
 17 Montana, voter -- regular -- what we call regular voter
 18 registration closes 30 days before the election.
 19 So after that time, what that is, what
 20 regular registration really means is that's the last
 21 day that you could either mail in, fax, or email -- or
 22 basically submit a registration that's not in person.
 23 That's the last day.
 24 And from then on, late registration begins.
 25 And so what this bill is proposing is rolling it back

Page 55

1 to that Friday before. In my county I can tell you
 2 that that would have meant that about 200 people would
 3 not have voted in Ravalli County. We would have had to
 4 have told them no. That -- those were just new. We
 5 actually had 171 new late registrants on the Monday and
 6 Tuesday for this last election.
 7 Now, if folks were already registered, they
 8 would have had the option to go vote on Election Day at
 9 their old polling place. That would maybe have meant a
 10 little more travel, so -- or in some counties, maybe a
 11 lot more travel, I guess it just depends on the size of
 12 the county. Does that answer your question?
 13 REPRESENTATIVE KARJALA: That's fine. Thank
 14 you Madam -- or Madam Chair, Ms. Plettenberg.
 15 CHAIRWOMAN MCKAMEY: Thank you,
 16 Ms. Plettenberg.
 17 Next is Representative Custer.
 18 REPRESENTATIVE CUSTER: I have several, but
 19 I'll start with Mr. Corson.
 20 CHAIRPERSON MCKAMEY: Mr. Corson, please.
 21 REPRESENTATIVE CUSTER: Madam Chair,
 22 Mr. Corson, I was wondering when we -- when you give us
 23 the list that you were going to give us for the late
 24 registrants, could we have it from 2005 for both the
 25 primary and the general?

Page 56

1 And if you can get it without too much
 2 problem, the ones that are actually registered on that
 3 Monday before the election because that would --
 4 essentially doing this would be the amount of people
 5 that could potentially be disenfranchised or have to go
 6 to their old polling place or maybe be voting in the
 7 wrong district for the wrong legislator.
 8 That would be potentially -- by doing this
 9 bill, that would be potentially what we're looking at
 10 here, of people that would maybe -- wouldn't get to
 11 vote or would be in the wrong district. Would that be
 12 possible?
 13 MR. CORSON: Madam Chair, Representative
 14 Custer, yes. So the reports I've been -- we're
 15 familiar with are, you know, those registering, you
 16 know, the same day and previous to Election Day. And
 17 then, of course, the clarification on new versus
 18 precinct-to-precinct versus county-to-county moves. Do
 19 you think that would be -- satisfy the request for you?
 20 REPRESENTATIVE CUSTER: Mainly, Madam Chair,
 21 Mr. Corson, I was just thinking about the same day,
 22 separate those out. And then the -- and just the
 23 Monday morning, not worry about if they're new or just
 24 happened to transfer, because they're probably --
 25 they've got an issue if they're in there, probably,

Page 57

1 right before the election, and they didn't do it 30
 2 days before, is what I'm thinking.
 3 But those would be -- that -- I'm just
 4 talking about the amount of people that would be
 5 affected on that Monday morning and then the same day
 6 that wouldn't get to -- get you -- their issue resolved
 7 where they're supposed to be, or they're brand new.
 8 MR. CORSON: Madam Chair, Representative
 9 Custer, let me work with our vendor on that and see if
 10 we can backstep that on the same day and previous day
 11 and then prior to those two days.
 12 REPRESENTATIVE CUSTER: And if it's too much
 13 work, even just a couple of elections would be good.
 14 CHAIRPERSON MCKAMEY: The Chair, please.
 15 REPRESENTATIVE CUSTER: Please. Thank you.
 16 MR. CORSON: And thank you.
 17 CHAIRPERSON MCKAMEY: Thank you, Mr. Corson.
 18 Representative Walsh.
 19 REPRESENTATIVE WALSH: Madam Chairman, a
 20 question for Director Corson.
 21 CHAIRPERSON MCKAMEY: Director Corson.
 22 REPRESENTATIVE WALSH: Madam Chair, Director
 23 Corson, I have a couple of questions. So the first one
 24 would be, what's the percentage of absentee voters in
 25 the last election? Do we know that?

Page 58

1 MR. CORSON: Madam Chair and Representative
 2 Walsh, for the 2020 election? Madam Chair and
 3 Representative Walsh, that's a difficult number. Most
 4 of the counties ran -- every county ran what we call a
 5 mail ballot election. So every voter who was active
 6 received a ballot. It doesn't have that absentee flair
 7 to it.
 8 During the general election, I think there
 9 were 11 counties who conducted what we call the polling
 10 place election versus the mail ballot election. So the
 11 polling place are the traditional elections that we've
 12 seen over the years, supported by Montana law. I can
 13 give you those numbers for those counties that
 14 conducted the election like that.
 15 But the other analysis that might be useful
 16 for you, is to take a look at the absentee status for
 17 the voters that were sent a ballot and conduct that
 18 review that way. So like me in Yellowstone County, we
 19 were a mail ballot election, but I'm not an absentee
 20 voter.
 21 So I can give you that blend of people who
 22 did get a ballot and voted. Versus those that got a
 23 ballot and were in the absentee status to get to that
 24 number for you. Would that work for you?
 25 REPRESENTATIVE WALSH: Yes.

Page 59

1 A follow-up question, Madam Chair.
 2 CHAIRPERSON MCKAMEY: Follow-up,
 3 Representative Walsh.
 4 REPRESENTATIVE WALSH: Explain maybe to
 5 myself and -- how can I tell if I'm registered to vote?
 6 I mean, where's the public information that -- so I
 7 know that I'm registered and those type of things?
 8 MR. CORSON: Madam Chair and Representative
 9 Walsh, so one of the services the Secretary of State
 10 offers is what we call the My Voter Page. And,
 11 hopefully, you hear about that from your county
 12 election administrators or in some of the materials
 13 that you get in your ballot material.
 14 So the idea behind that is, is you come onto
 15 the service. It's a web service. You can type in your
 16 name, first and last, and date of birth. And it finds
 17 you, and it says, you know, who you are, your address
 18 that you're presently at.
 19 If there's an election coming up, it'll talk
 20 about whether the ballot's been issued to you or not.
 21 It'll tell you whether you are in an absentee status or
 22 just a regular polling place voter. If you have
 23 submitted your ballot back, it'll tell you when the
 24 clerk accepted the ballot back.
 25 And if there was trouble with it, if it was

Page 60

1 rejected or accepted. And if it was rejected, the
 2 reasons for it. And during federal elections, there,
 3 we also show sample ballots for the voters as well so
 4 you can see the ballot that you'll get for your
 5 precinct and your county. We do these for all of the
 6 even-year federal elections, both primary and general.
 7 REPRESENTATIVE WALSH: Thank you.
 8 CHAIRPERSON MCKAMEY: Thank you, Director
 9 Corson.
 10 Representative Kortum.
 11 REPRESENTATIVE KORTUM: Thank you, Madam
 12 Chair.
 13 My question is for Sam Forstag.
 14 CHAIRPERSON MCKAMEY: Mr. Forstag.
 15 MR. FORSTAG: Pardon me, Madam Chair,
 16 Representative -- I didn't catch who's asking the
 17 question.
 18 CHAIRPERSON MCKAMEY: Representative Kortum.
 19 REPRESENTATIVE KORTUM: Madam Chair,
 20 Mr. Forstag, we heard some concerns early on in the
 21 hearing about the integrity of our elections. Do you
 22 have any data, statistics, or knowledge of court cases
 23 on voter fraud?
 24 MR. FORSTAG: Madam Chair, Representative
 25 Kortum, as many of you, I'm sure, are aware and have

Page 61

1 seen in the news, there has been no substantive
 2 evidence as reviewed by courts and numerous cases just
 3 this past election confirming any evidence of
 4 widespread voter fraud. And from anything that has
 5 been reviewed by courts, it does not seem to be a
 6 substantive concern.

7 CHAIRPERSON MCKAMEY: Thank you, Mr. Kortum.
 8 Thank you, Mr. Forstag.

9 MR. FORSTAG: Thank you.

10 CHAIRPERSON MCKAMEY: Representative Hayman.
 11 REPRESENTATIVE HAYMAN: Thank you, Madam
 12 Chair. I have a question for Ms. Plettenberg.

13 CHAIRPERSON MCKAMEY: Ms. Plettenberg,
 14 please.

15 REPRESENTATIVE HAYMAN: Madam Chair,
 16 Ms. Plettenberg, if voter registration is closed at
 17 5 p.m. on Friday, will clerks need to work through the
 18 weekend to process these voters' registration in time
 19 for the following week? Or will people who register to
 20 vote on that Friday be casting provisional ballots?

21 MS. PLETTENBERG: Madam Chair, Representative
 22 Hayman, no. Well, yeah, I mean, we usually work the
 23 weekend before the election. And normally, what we're
 24 doing that weekend is printing precinct registers.
 25 The Friday before -- the only day that if you

Page 62

1 cast a ballot, you know, with the late registration
 2 process that you have to vote it -- that you may have
 3 cast it provisionally is Election Day because we
 4 already have those registers and the supplements
 5 printed.

6 And so a voter could be in the register,
 7 like, maybe out here at one of my Precinct 5, but
 8 they've moved to Precinct 3. So if they come and late
 9 register on election day, I still have them in the
 10 register at Precinct 5.

11 And so to ensure that they don't get to vote
 12 twice, we have them cast a provisional ballot when they
 13 late register until we can confirm that they did not
 14 vote in their old precinct at the polling place.

15 REPRESENTATIVE HAYMAN: Thank you.

16 CHAIRPERSON MCKAMEY: Thank you,
 17 Ms. Plettenberg, Representative Hayman.

18 Further questions from the committee?
 19 Representative -- oh, excuse me. I'm sorry.
 20 I thought you were pointing to somebody else. I'm very
 21 sorry, my error. Representative Weatherwax.

22 REPRESENTATIVE WEATHERWAX: Thank you, Madam
 23 Chair. Nice to be visible again.

24 My question is for Mr. Corson.
 25 CHAIRPERSON MCKAMEY: Director Corson,

Page 63

1 please.

2 REPRESENTATIVE WEATHERWAX: Madam Chair,
 3 Mr. Corson, I have a question for these -- I guess the
 4 question is for 18-year-olds -- 17-year-olds, I mean.
 5 I just saw in here it says 30 days before election.
 6 Okay. No matter what area, no matter what county, no
 7 matter where you are in the state of Montana, every
 8 18-year-old -- not every 18-year-old, most 18-year-olds
 9 are excited to be able to vote.

10 So in that 30 days, if they're not 18 before
 11 that 30 days, they lose that milestone, I guess. And I
 12 mean, I'm not talking just about tribal communities.
 13 I'm talking about every community in the state. And we
 14 say that all votes matter, and in 30 days, how many
 15 18-year olds -- how many 17-year-olds are going to turn
 16 18 and be able to vote? So can you address that?

17 MR. CORSON: Yes, Madam Chair and
 18 Representative Weatherwax, so the -- we see
 19 registrations in the voter system for people younger
 20 than 18 years old. And, you know, some of that comes
 21 from your driver's license. Some of it comes just from
 22 the voter-initiated activity to the election office to
 23 get registered in time. It's a proactive thing.

24 So the trick on the law is, and the law isn't
 25 100 percent explicitly clear, but the idea is the

Page 64

1 ballot for the voter wouldn't count until he's 18. So
 2 the clerks have a variety of processes. We talked
 3 about his last week with one of the technical
 4 committees for our -- with our clerks, the METAC
 5 (phonetic) Committee.

6 And we can -- the opportunity exists for
 7 people to do that. The clerks will typically hold that
 8 ballot until they turn the age of majority, 18, and
 9 then allow that ballot to be counted. So there's a
 10 process for it now. I think you'll see some
 11 standardization in process come out across the counties
 12 to make it more uniform.

13 REPRESENTATIVE WEATHERWAX: Thank you.

14 CHAIRPERSON MCKAMEY: Thank you, Mr. Corson.
 15 And my apologies, again, Vice-Chair
 16 Weatherwax. I thought you were trying to draw my
 17 attention elsewhere.

18 And the next question from the committee will
 19 be Representative Bertoglio.

20 REPRESENTATIVE BERTOGLIO: Madam Chair, this
 21 is for Director Corson.

22 CHAIRPERSON MCKAMEY: Director Corson,
 23 please.

24 REPRESENTATIVE BERTOGLIO: Thank you for
 25 taking so many questions. So I registered a long, long

Page 65

1 time ago when I got --

2 CHAIRPERSON MCKAMEY: Excuse me.

3 REPRESENTATIVE BERTOGLIO: So Madam Chair --

4 CHAIRPERSON MCKAMEY: Thank you.

5 REPRESENTATIVE BERTOGLIO: -- Director

6 Corson, so can you talk about the process for absentee

7 -- being an absentee voter getting an absentee ballot?

8 Because I was in the military, I've always done

9 absentee voting, getting that absentee ballot.

10 Would this address the traveling time for

11 those people that work long hours, and they can't go

12 somewhere twice? Would that be an answer? What is the

13 process to qualify for an absentee voter registration?

14 MR. CORSON: Madam Chair and Representative

15 Bertoglio --

16 REPRESENTATIVE BERTOGLIO: Bertoglio, thank

17 you.

18 MR. CORSON: Bertoglio, excuse me. So for

19 absentee voters, first of all, you need to become

20 registered, which you are. And then, you could make an

21 application to the Election Office to be an absentee

22 voter, to obtain that absentee status. And it's a

23 pretty convenient process. And you can even get it

24 narrowed for specifics of time.

25 So if you're a sunbird person and you're

Page 66

1 going to be gone from November 1st to February 28th,

2 you can declare those times, and your ballot will

3 arrive to you at your remote location. Outside of

4 those time frames, it'll come to your present mailing

5 address.

6 So in terms of how this bill affects an

7 absentee voter, I don't see that because those absentee

8 ballots will be mailed out shortly after the close of

9 regular registration, or the start of late registration

10 anyway. So I don't see it as an impact to those

11 people. This bill would only impact people who are new

12 registrants, you know, new faces to the system. And

13 affect the ability to register up until that 5 o'clock

14 on Friday.

15 Most Montanans are aware of all the

16 deadlines. If you're a hunter or angler or things like

17 that, you're aware of specific dates in fish and

18 wildlife law. Voters are vulnerable for that too. I

19 think our office would be proactive in messaging to the

20 voting community in Montana about any changes when this

21 bill becomes passed.

22 REPRESENTATIVE BERTOGLIO: Madam Chair,

23 thank you.

24 CHAIRPERSON MCKAMEY: Thank you, Director

25 Corson.

Page 67

1 Representative Karjala.

2 REPRESENTATIVE KARJALA: Thank you, Madam

3 Chair. Representative Running Wolf had a question, and

4 his hand raise function on his Zoom isn't working

5 today.

6 CHAIRPERSON MCKAMEY: Oh, okay. Thank you.

7 Representative Running Wolf.

8 REPRESENTATIVE RUNNING WOLF: Thank you,

9 Madam Chair.

10 And thank you, Representative Karjala, for

11 picking up -- backing me up by trying to get the

12 question out there.

13 Ms. Chair, I have a question for -- I think

14 his name's Doug Ellis.

15 CHAIRPERSON MCKAMEY: Ellis, I believe.

16 REPRESENTATIVE RUNNING WOLF: Okay. Ellis.

17 CHAIRPERSON MCKAMEY: Mr. Ellis, please.

18 REPRESENTATIVE RUNNING WOLF: Yes.

19 CHAIRPERSON MCKAMEY: Mr. Ellis, are you

20 available?

21 He is outside the room right now,

22 Representative Running Wolf. We are trying to summon

23 him to the room.

24 REPRESENTATIVE RUNNING WOLF: Well, Madam

25 Chair, I think I can ask Ms. Plettenberg the question,

Page 68

1 then.

2 CHAIRPERSON MCKAMEY: Ms. Plettenberg,

3 please.

4 Oh, Mr. Ellis is here, Representative Running

5 Wolf.

6 REPRESENTATIVE RUNNING WOLF: Thanks, Madam

7 Chair.

8 CHAIRPERSON MCKAMEY: On Zoom, Mr. Ellis,

9 welcome to the podium.

10 MR. ELLIS: Thank you.

11 CHAIRPERSON MCKAMEY: Representative Running

12 Wolf.

13 REPRESENTATIVE RUNNING WOLF: Madam Chair,

14 Mr. Ellis -- excuse me. Can you give me a rundown of

15 how your day starts on Election Day? Well, I would say

16 a couple of days up to the Election Day and the day

17 after. Can you -- I think you kind of told us a little

18 bit, but can you explain it in more detail?

19 MR. ELLIS: Madam Chair and Representative

20 Running Wolf, a couple of days before the election, my

21 day will start opening the office, doing motor

22 vehicles, doing filing for clerk and recording, doing

23 various jobs that we have to do from day-to-day.

24 We will have people who drop ballots off in

25 our office. We will take those ballots and enter them

Page 69

1 into the Montana Votes System and check the signatures
 2 as we have time. And register anyone that comes in to
 3 vote. I'm not sure how much detail you want.
 4 It's -- we do four different jobs in my
 5 office. So we have motor vehicles, we have driver's
 6 licenses, we have clerk and recording, and we have
 7 election administrating. I do superintendent of
 8 schools so whatever comes across my desk is what I do.
 9 As far as the elections, a couple of days
 10 before the election, we really are busy inputting the
 11 ballots into Montana Votes and putting late registrants
 12 into Montana Votes and checking their signatures. We
 13 also have registration cards that are sent in by mail.
 14 We have registration cards that come in online. We
 15 have registration cards that come in through the
 16 driver's license system. So we have to input those
 17 into Montana Votes. Does that answer your question?
 18 REPRESENTATIVE RUNNING WOLF: Follow-up,
 19 Madam Chair.
 20 CHAIRPERSON MCKAMEY: Follow-up,
 21 Representative Running Wolf.
 22 REPRESENTATIVE RUNNING WOLF: So is them days
 23 usually like a 9 to 5 or does it -- and just on the
 24 election, is it during that time and the time frame
 25 from that Friday to say that Wednesday, is it 9 to 5

Page 70

1 days? Or is it longer days? Or how many --
 2 MR. ELLIS: No. They're longer --
 3 REPRESENTATIVE RUNNING WOLF:
 4 (Indiscernible).
 5 CHAIRPERSON MCKAMEY: Excuse me, to the
 6 Chair, please.
 7 MR. ELLIS: I'm sorry. Representative
 8 Running Wolf and Madam Chair, I think the presidential
 9 election this year, for 2020, it would be the Friday
 10 before the election; my day started at seven o'clock.
 11 I just went in an hour early, started putting ballots
 12 in the computer and checking signatures.
 13 I worked through my lunch. I worked until
 14 seven o'clock that night having a training, so I could
 15 get election judges to keep my polls open. I finally
 16 got home at about 7:30. I took about three phone calls
 17 while I was at home about -- regarding elections. We
 18 did not work Saturday or Sunday. We kind of rested up
 19 for the Monday that was to come.
 20 And on Monday, we started at 8 o'clock and
 21 worked until about 8 o'clock that evening to count
 22 ballots -- not count ballots the way you think but
 23 count the ballots that come in, enter them into a poll
 24 book, and verify the signatures. When I say count
 25 ballots, what I mean is we are -- we separate our

Page 71

1 ballots in packages of 25; it just kind of helps us
 2 keep a little more organized.
 3 Once they're in 25, batches of 25, we check
 4 their signatures and make sure the signature matches.
 5 If the signatures don't match, then we try to contact
 6 the voter. If we have a current phone number, we'll
 7 call them, email them, whatever way that we can contact
 8 the voter.
 9 That's another reason for registering to
 10 vote. I don't know if people realize how important
 11 that registration is. If you change your phone number,
 12 it would be a good idea to re-register to vote, so the
 13 election administrator has a current number in case
 14 there's a problem with your ballot.
 15 You know, we hand out voter registration. I
 16 heard a few questions about out-of-state people wanting
 17 to register to vote, people who've moved in from out-
 18 of-state. When we do their motor vehicle, we ask them
 19 if they're registered to vote, and at that time, we'll
 20 hand them a voter registration card that they can fill
 21 out right then and hand back to us or mail back in at
 22 their own convenience.
 23 And Tuesday, the day of the election, like I
 24 stated before, my day started at five o'clock, getting
 25 the voting equipment ready. We have to do an Election

Page 72

1 Day test on a certain amount of our machines to make
 2 sure the machines are still reading the ballots
 3 correctly, load the ballots, load the machines and the
 4 ballots up and take them to the polling places. Set up
 5 the polling place, swear in the election judges. We
 6 worked until, I think, it was almost midnight on
 7 Election Day.
 8 Our last voter came in to register at 7:58
 9 p.m. That's about the time when all the ballots are
 10 coming in from the polls, and you're trying to count
 11 the ballot, count the actual votes on the ballots, and
 12 see who won the election. It's a little late in the
 13 last few elections because we're still registering
 14 voters and handing out a ballot and waiting for them to
 15 vote.
 16 If they're in the office by eight o'clock on
 17 Election Day, they still get to register and vote even
 18 though we're trying to count the ballots and get the
 19 numbers to the state so the candidates can know who won
 20 the election.
 21 REPRESENTATIVE RUNNING WOLF: Madam Chair.
 22 CHAIRPERSON MCKAMEY: Representative Running
 23 Wolf.
 24 REPRESENTATIVE RUNNING WOLF: Can I have one
 25 more follow-up?

1 CHAIRPERSON MCKAMEY: A follow-up?
 2 REPRESENTATIVE RUNNING WOLF: And that will
 3 be it.
 4 CHAIRPERSON MCKAMEY: Thank you.
 5 A follow-up for Representative Running Wolf.
 6 REPRESENTATIVE RUNNING WOLF: Miss -- Madam
 7 Chair, Mr. Ellis, thank you for your service of what
 8 you do for the elections. It's a lot of hard work, it
 9 sounds like. But back again to the questions I'm
 10 asking. This doesn't last for the whole entire year of
 11 your job, as during the elections it happens every two
 12 years, and it sounds like you put in a lot of work.
 13 But that ain't how your day goes every day throughout
 14 your work session, is it?
 15 MR. ELLIS: No. The -- no, you're correct,
 16 Madam Chair and Representative Running Wolf, the
 17 elections don't last the entire year. However, we do
 18 have people that register throughout the year. I
 19 believe this year for my report to the Secretary of
 20 State, I think, I just sent the last one in about three
 21 weeks ago for the presidential election.
 22 But, no, my typical day throughout the year
 23 starts at 8 and usually ends at 5. And, like I said,
 24 we do motor vehicle, we do driver's licenses, we do
 25 clerk and recording, we do -- I take care of the home

1 school people in my county. We do the commissioner
 2 minutes.
 3 We -- just the various things that come in
 4 but elections, even though there's not an election
 5 every year, on the off years, you have what is called
 6 an NVRA process where you're checking the voters and
 7 making sure that they're -- if they're not registered,
 8 you send them -- if they've fallen off and become a
 9 voter that's in the -- I can't think of the terminology
 10 right now if they're -- if they've fallen off to where
 11 they're not registered, we send them a letter letting
 12 them know that their registration has lapsed and ask
 13 them to re-register. And give them a chance to sign up
 14 for an absentee ballot at the same time.
 15 There's various things throughout the year
 16 you can do for an election to keep things running
 17 smoothly. That's one of the problems with getting
 18 election judges and getting help for elections. It's
 19 not every day of the year. So when election day comes,
 20 and you're trying to run an election and register
 21 voters, the extra help that you need is hard to come by
 22 because, as you said, it's not a daily thing.
 23 There's not a lot of people that want a job
 24 for one week or two weeks. It's hard to find people
 25 that will come in and just fill in. It's hard to find

1 trained people that will come and fill in to do things
 2 with elections. They have to be trained for -- to be
 3 an election judge. It takes two hours each year. So,
 4 yeah, it just makes the job a little bit more difficult
 5 to find the help you need on the -- at the crunch time
 6 when you really need it.
 7 REPRESENTATIVE RUNNING WOLF: Thank you,
 8 Madam Chair.
 9 CHAIRPERSON MCKAMEY: And thank you,
 10 Mr. Ellis.
 11 And thank you, Representative Running Wolf.
 12 Representative Karjala, please.
 13 And then we have some of the committee
 14 on-site too.
 15 REPRESENTATIVE KARJALA: Thank you, Madam
 16 Chair. My question is for Ms. Plettenberg.
 17 CHAIRPERSON MCKAMEY: Ms. Plettenberg.
 18 MS. PLETTENBERG: Madam Chair and
 19 Representative Karjala.
 20 REPRESENTATIVE KARJALA: Thank you, Madam
 21 Chair and Ms. Plettenberg. I think we just heard
 22 someone say that this bill will only impact folks new
 23 to the system. I think that was how they put it.
 24 In the event that would create some confusion
 25 about how this bill would work, would you please

1 describe to us the types of voters who utilize Election
 2 Day registration please? Or the reasons that they
 3 would, I guess, would be a better way to ask it.
 4 MS. PLETTENBERG: Yes, Madam Chair and
 5 Representative Karjala, so what we see is there's
 6 usually about three types of voters. There is, of
 7 course, those that are new to the state and to your
 8 county. And then there are those that are just new to
 9 your county that maybe they're moving from -- we get it
 10 a lot here in my county between Ravalli and Missoula.
 11 There's a lot of moves that way.
 12 And I think that Director Corson was kind of
 13 explaining that the system, when we're registering
 14 them, the system does, like, almost automatically it
 15 verifies their driver's license or those last four of
 16 the Social Security. But it's also looking to see if
 17 they have a ballot out in that prior county.
 18 So we're doing that. So what we have to do
 19 is void that ballot if they have -- of course, if it's
 20 been accepted, then we won't let them vote in our
 21 county for this election. But if it's not been
 22 accepted in the prior county, we'll get it voided, and
 23 then we can get them registered and issue them a ballot
 24 in the correct, you know, in their correct county.
 25 The same thing for a precinct, what we call

Page 77

1 precinct-to-precinct changes, which is what I was
 2 describing earlier, if somebody moves from one area of
 3 my county to another, they'll come in. And a lot of
 4 times, people want to do that because maybe there is --
 5 we see it a lot, especially if there's, like, a levy on
 6 the ballot or a school district issue and they were
 7 registered in a previous school district.

8 Now, they've moved, but they didn't get
 9 updated, and they want to vote on that school district
 10 bond or whatever. They'll come in and do that
 11 precinct-to-precinct change rather than voting in that
 12 prior precinct.

13 REPRESENTATIVE KARJALA: Madam Chair and
 14 Ms. Plettenberg, thank you so much.

15 CHAIRPERSON MCKAMEY: Thank you,
 16 Ms. Plettenberg and Representative.

17 Questions, again, from the committee.
 18 And cite Representative Custer, please.

19 REPRESENTATIVE CUSTER: Madam Chair for
 20 Ms. Beveridge.

21 CHAIRPERSON MCKAMEY: Ms. Beveridge. We'll
 22 wait for Ms. Beveridge to enter the room.

23 MS. BEVERIDGE: Madam Chair, members of the
 24 committee.

25 REPRESENTATIVE CUSTER: Thank you, Madam

Page 78

1 Chair, Ms. Beveridge. And thank you for being a poll
 2 worker trainer. And you mentioned in your testimony
 3 that there was chaos. I was wondering, were you at a
 4 polling place, or were you, if it was this past
 5 election, were you working at a polling place where you
 6 mentioned chaos? Or was -- were you at the, maybe, at
 7 the county courthouse because it was a mail ballot and
 8 you saw the line? I was just trying to clarify that.

9 MS. BEVERIDGE: Chairman and Representative
 10 Custer.

11 REPRESENTATIVE CUSTER: Uh-huh.

12 MS. BEVERIDGE: We didn't do the poll-
 13 watching this election. This was in past elections
 14 that I had trained poll-watchers. And they were out in
 15 ten different counties. So and it -- and when they
 16 were done, they sent me all of their observations.
 17 They noted everything that they had seen.

18 And we saw things like, I don't know if I
 19 could describe them as poll-watchers, but they were
 20 people that were at the counties that were talking to
 21 voters when they were coming in, asking them if they
 22 had been registered before or if they'd voted before.
 23 And then they were making phone calls and doing
 24 something with the person, and we couldn't determine
 25 what that was.

Page 79

1 And there was just a lot of chaos. There was
 2 a lot of people there running around. It was just
 3 difficult to tell exactly what was going on and
 4 especially since it went so late into the night. We
 5 had people that were stalked and followed in cars that
 6 -- because they dared to ask a question about things.
 7 So there was just a lot of -- the only way I can
 8 describe it is chaos going on and not really knowing.
 9 It was just difficult, even from watching, to figure
 10 out what was going on.

11 And it would seem that on Election Day,
 12 people -- you go to the regular polls where they're not
 13 doing same-day registration, and it's in very orderly
 14 fashion, people go in, vote, they leave. And this is
 15 not what we observed. And it had to do with the
 16 same-day registration and the lines. The people that
 17 were there that were just doing odd things. So that's
 18 pretty much all I can really describe what we saw.

19 REPRESENTATIVE CUSTER: Follow-up?
 20 CHAIRPERSON MCKAMEY: Follow-up for
 21 Representative Custer.

22 REPRESENTATIVE CUSTER: That was my point for
 23 clarification is this wasn't happening at a polling
 24 place. This was happening in the lines at the county
 25 courthouse or wherever the election office was where

Page 80

1 they could register on Election Day. People were
 2 working the line, is what you're saying.

3 MS. BEVERIDGE: Absolutely.

4 REPRESENTATIVE CUSTER: Working the line.
 5 Okay. Thank you.

6 MS. BEVERIDGE: I'm sorry I didn't clarify
 7 that.

8 REPRESENTATIVE CUSTER: I just needed to know
 9 that because I was thinking if it was at the polling
 10 place, they don't register at the polling place.

11 MS. BEVERIDGE: No.

12 REPRESENTATIVE CUSTER: So I was just trying
 13 to clarify that, and I thought possibly --

14 CHAIRPERSON MCKAMEY: Excuse me.

15 REPRESENTATIVE CUSTER: Madam Chair.

16 CHAIRPERSON MCKAMEY: Madam Chair, please.

17 REPRESENTATIVE CUSTER: Madam Chair, and I
 18 thought maybe you were referring to, sometimes there's
 19 an exit poll at the polling place, so I wanted to just
 20 clarify that. Thank you.

21 MS. BEVERIDGE: Is that it?

22 CHAIRPERSON MCKAMEY: Thank you, Ms.
 23 Beveridge, Representative Custer.

24 Further questions?
 25 Representative Putnam, please. Oh, excuse

Page 81

1 me.

2 Representative Whitman, did you have a

3 question before that?

4 REPRESENTATIVE WHITMAN: That's okay.

5 CHAIRPERSON MCKAMEY: No. Excuse me. No.

6 REPRESENTATIVE WHITMAN: I'll take it next.

7 CHAIRPERSON MCKAMEY: Representative Whitman,

8 please.

9 REPRESENTATIVE WHITMAN: Thank you. Madam

10 Chair, this would be for the representative from

11 MontPIRG, please.

12 CHAIRPERSON MCKAMEY: Representative from?

13 REPRESENTATIVE WHITMAN: From MontPIRG.

14 CHAIRPERSON MCKAMEY: Okay. Thank you.

15 MS. STUTZER: Madam Chair, Representative

16 Whitman.

17 REPRESENTATIVE WHITMAN: Madam Chair,

18 director from MontPIRG?

19 MS. STUTZER: No. Just a lobbyist.

20 REPRESENTATIVE WHITMAN: Okay. This question

21 is kind of regarding the university and college student

22 that you've referred to. You indicated that a lot of

23 them are impacted by not being able to register because

24 they move around a lot, and they get distracted, and

25 things don't happen, correct?

Page 82

1 MS. STUTZER: Sure. Yeah.

2 REPRESENTATIVE WHITMAN: Okay. So with that

3 in mind and you had indicated that you move, generally,

4 yearly. How many times during that time did you forget

5 to register for your classes at the university?

6 MS. STUTZER: For my classes --

7 REPRESENTATIVE WHITMAN: Uh-huh.

8 MS. STUTZER: -- at the university?

9 REPRESENTATIVE WHITMAN: Uh-huh.

10 MS. STUTZER: I didn't forget to register for

11 my classes.

12 REPRESENTATIVE WHITMAN: Okay. And what

13 would happen to the students if they forgot to register

14 for their classes?

15 MS. STUTZER: Well, they could still

16 register, but they'd have to go through an additional

17 process to get into those classes.

18 REPRESENTATIVE WHITMAN: And they don't

19 attend the class --

20 CHAIRPERSON MCKAMEY: Excuse me.

21 REPRESENTATIVE WHITMAN: -- the same day they

22 register --

23 CHAIRPERSON MCKAMEY: Excuse me.

24 REPRESENTATIVE WHITMAN: -- correct?

25 CHAIRPERSON MCKAMEY: The proper way is to

Page 83

1 request --

2 REPRESENTATIVE WHITMAN: Oh. I'm sorry.

3 CHAIRPERSON MCKAMEY: -- a follow-up. Thank

4 you.

5 REPRESENTATIVE WHITMAN: I'm sorry. Yes.

6 Follow-up, Madam Chair.

7 CHAIRPERSON MCKAMEY: Follow-up,

8 Representative.

9 REPRESENTATIVE WHITMAN: So they don't

10 register the same day -- if they forget to register,

11 they don't register and attend class the same day. Is

12 that correct?

13 MS. STUTZER: Madam Chair, Representative

14 Whitman, the universities have different policies.

15 When I was an instructor at the university, students

16 can attend classes even if they forget to register.

17 The university tries to, you know, not punish students

18 for missing a deadline, from my experience.

19 REPRESENTATIVE WHITMAN: Okay. Thank you.

20 CHAIRPERSON MCKAMEY: Thank you.

21 MS. STUTZER: Thank you.

22 CHAIRPERSON MCKAMEY: Representative Putnam,

23 questions?

24 REPRESENTATIVE PUTNAM: Madam Chair, this is

25 for Director Corson.

Page 84

1 CHAIRPERSON MCKAMEY: Director Corson.

2 MR. CORSON: Madam Chair, Representative

3 Putnam.

4 REPRESENTATIVE PUTNAM: Madam Chair, Director

5 Corson, my question is if you do move from one precinct

6 or one district to another, is it okay to -- is it

7 legal to vote in your former district and not your

8 current district?

9 MR. CORSON: Representative -- Madam Chair

10 and Representative Putnam, my understanding is yes on

11 those precinct-to-precinct, the voter's got a choice to

12 make in that they can vote in their prior or register

13 new to -- or change their designation to the next

14 precinct within the county.

15 REPRESENTATIVE PUTNAM: Thank you.

16 CHAIRPERSON MCKAMEY: Thank you, Director.

17 Representative Custer.

18 REPRESENTATIVE CUSTER: Madam Chair, for

19 Mr. Corson while he's up there if he would.

20 CHAIRPERSON MCKAMEY: Mr. Corson, please.

21 MR. CORSON: Madam Chair and Representative

22 Custer.

23 REPRESENTATIVE CUSTER: Madam Chair and

24 Mr. Corson, when you go to your directors' meetings

25 with all the Secretary of States, how many states

Page 85

1 currently have late voter registration of all the 50?
 2 MR. CORSON: Madam Chair and Representative
 3 Custer, I've got that on the computer. I think it was
 4 17 states. I can check my list again that did do the
 5 same-day registration. The others are some variety of
 6 prior to the day of election.
 7 REPRESENTATIVE CUSTER: Thank you.
 8 CHAIRPERSON MCKAMEY: Thank you, Mr. Corson.
 9 Further questions?
 10 Representative Hill.
 11 REPRESENTATIVE HILL: Madam Chair, a question
 12 for Ms. Plettenberg.
 13 CHAIRPERSON MCKAMEY: Ms. Plettenberg,
 14 please.
 15 MS. PLETTENBERG: All right. Madam Chair,
 16 Representative.
 17 REPRESENTATIVE HILL: Ms. Plettenberg,
 18 previously you'd talked about in the normal -- excuse
 19 me, the regular 30-day registration you talked about
 20 the ways to register. And the three ways you had
 21 mentioned were mail-in, fax, and email. Is that
 22 correct?
 23 MS. PLETTENBERG: Correct. That's up until
 24 the regular registration deadline.
 25 I'm sorry, Madam Chair and Representative,

Page 86

1 yes. Up until that 30-day, you have those other
 2 options. Once that 30-day has passed, it's just in
 3 person.
 4 REPRESENTATIVE HILL: Madam Chair --
 5 MS. PLETTENBERG: We don't have online in
 6 Montana.
 7 REPRESENTATIVE HILL: Madam Chair, follow-up.
 8 CHAIRPERSON MCKAMEY: Follow-up for
 9 Representative Hill.
 10 REPRESENTATIVE HILL: So Ms. Plettenberg, the
 11 advantage of the registration, 30-day that I see, and
 12 correct me if I'm wrong, would this help to eliminate
 13 errors and mistakes?
 14 MS. PLETTENBERG: I -- as has been talked
 15 about, there is a lot going on in our offices on that
 16 Monday and Tuesday before the election and the Tuesday
 17 of the election. However, I do think that -- I don't
 18 think we've had errors, but, you know, I do understand
 19 what, you know, my colleague is saying, you know, that
 20 there is -- there's a lot that we're juggling on that
 21 day.
 22 And I think that is the concern, but I also
 23 understand the other concern, which is there's a lot of
 24 people that do show up on those days. And I worked
 25 elections before late registration went into effect,

Page 87

1 and, you know, you also have to tell people they can't
 2 vote. So you know, there is two sides to this, and
 3 those are just the things to be aware of.
 4 Because we are going to then have to deal --
 5 you know, have to address those folks that, and like I
 6 was saying, in my county, that would be about 200
 7 people that I would have to tell they couldn't vote on
 8 Election Day, so just for the committee to be aware.
 9 REPRESENTATIVE HILL: Madam Chair,
 10 Ms. Plettenberg, thank you.
 11 CHAIRPERSON MCKAMEY: Thank you,
 12 Ms. Plettenberg.
 13 Further questions from the committee?
 14 Representative Custer.
 15 REPRESENTATIVE CUSTER: Madam Chair, for
 16 Ms. Plettenberg.
 17 CHAIRPERSON MCKAMEY: Ms. Plettenberg,
 18 please.
 19 REPRESENTATIVE CUSTER: Madam Chair,
 20 Ms. Plettenberg, in response to his question, I'm
 21 thinking, maybe to clarify, could you tell him how the
 22 cards are vetted, whether the 30 days before or on --
 23 between 30 days and the Election Day or on Election Day
 24 that all cards as are entered are vetted? And how
 25 they're verified, and maybe that would alleviate his

Page 88

1 question, maybe.
 2 MS. PLETTENBERG: Madam Chair, Representative
 3 Custer, of course. Yes. So just like any cards that
 4 we get up to the close of registration, any that come
 5 in person, we're also doing that. All the same checks
 6 and balances are going to be done for any registrants
 7 that we do.
 8 And, of course, you know, as was -- as
 9 someone said before ballots go out, you know, in that
 10 late registration period, 25 days before the election.
 11 And so we're also verifying that you know, we're not
 12 letting, you know, an accepted ballot -- once it's been
 13 accepted whether it's in our county or a prior county
 14 that, you know, we're not letting someone vote twice.
 15 So all of those same checks are in place.
 16 Is that what you were wondering,
 17 Representative Custer?
 18 REPRESENTATIVE CUSTER: Follow-up.
 19 CHAIRPERSON MCKAMEY: Follow-up for
 20 Representative Custer.
 21 REPRESENTATIVE CUSTER: Madam Chair,
 22 Ms. Plettenberg, what I was really getting at is when
 23 we get a registered voter in the -- either the Montana
 24 driver's license or Social Security number, I was going
 25 to have you tell him how that's run against something

Page 89

1 to make sure they're a citizen.
 2 MS. PLETTENBERG: Absolutely. Madam Chair,
 3 Representative Custer, what the system -- the Montana
 4 Votes System, our current system is doing -- it's
 5 running, if we enter a driver's license or a state ID
 6 it's running against the DOJ system to make sure that
 7 we verify that with the voter's name and the date of
 8 birth.
 9 If it's the last four of the Social Security,
 10 we're running that against the Social Security system,
 11 again, to make sure that that information is verified.
 12 And if it is, they are registered, and we give them a
 13 ballot. If it is not, then they are what we consider
 14 provisionally registered.
 15 And I know that kind of gets people confused
 16 with the provisional ballot. But it just means we
 17 didn't get the ID. So when we send the ballot, we will
 18 also send a card to get that information. And if we do
 19 get it back, we can verify it and count the voter's
 20 ballot. If we do not get it back, then we cannot count
 21 that ballot. We must verify that information first.
 22 REPRESENTATIVE CUSTER: Thank you. Could I
 23 have one more follow-up?
 24 CHAIRPERSON MCKAMEY: Follow-up for
 25 Representative Custer.

Page 90

1 REPRESENTATIVE CUSTER: Sorry. Madam Chair
 2 and Ms. Plettenberg, do you have the bill in front of
 3 you?
 4 MS. PLETTENBERG: I do not.
 5 REPRESENTATIVE CUSTER: Okay. Then I will
 6 ask someone else this question. Thank you.
 7 CHAIRPERSON MCKAMEY: Representative Custer,
 8 did you have a question for someone else?
 9 REPRESENTATIVE CUSTER: Maybe for Director
 10 Corson, then.
 11 CHAIRPERSON MCKAMEY: Director Corson,
 12 please.
 13 REPRESENTATIVE CUSTER: Do you -- does he
 14 have the ballot? Or the -- not the ballot, the bill?
 15 CHAIRPERSON MCKAMEY: Yes.
 16 Director Corson, do you have the bill in
 17 front of you?
 18 MR. CORSON: Madam Chair and Representative
 19 Custer, let me pull it up on the computer. I just need
 20 a few seconds here.
 21 CHAIRPERSON MCKAMEY: Representative
 22 Bertoglio can certainly hand it to you.
 23 MR. CORSON: Oh, thank you.
 24 CHAIRPERSON MCKAMEY: Thank you,
 25 Representative Bertoglio.

Page 91

1 REPRESENTATIVE CUSTER: Madam Chair, Director
 2 Corson, on Page 4, Lines 22 to 23, read that.
 3 MR. CORSON: So Madam Chair and
 4 Representative Custer, Page 4, Line 22, for an elector
 5 who registers pursuant to 13-2-304 must receive the
 6 ballot and vote it at the election administrator's
 7 office.
 8 REPRESENTATIVE CUSTER: Madam Chair and
 9 Director Corson, I thought they could take the ballot
 10 home during the early period and then just as long as
 11 they get it back.
 12 MR. CORSON: And Madam Chair and
 13 Representative Custer, so the strikeout language on
 14 that -- let me read what at present day it would be.
 15 An elector who registers pursuant to 13-2-304 on
 16 Election Day or on the day before Election Day must
 17 receive the ballot and vote it at the election
 18 administrator's office.
 19 So this one here would be -- by having them
 20 vote it in hand because of the complications of the
 21 mail, which can sometimes take up to seven days. This
 22 would help assure voters -- make sure that ballot gets
 23 counted and did not arrive late or too late at the
 24 election's office.
 25 REPRESENTATIVE CUSTER: Follow-up.

Page 92

1 CHAIRPERSON MCKAMEY: Follow-up for
 2 Representative Custer.
 3 REPRESENTATIVE CUSTER: Madam Chair and
 4 Director Corson, currently, when it's late registration
 5 from the 30 days until say -- no matter what day the
 6 close of registration is, they can take the ballot home
 7 as long as they can get it back before Election Day.
 8 That's current practice.
 9 So that's what I'm thinking this -- the way
 10 the language is struck out here that's making this very
 11 confusing, right? Am I right? I mean, I don't know.
 12 It's just to me -- I don't think this is worded right.
 13 So we need to look at it.
 14 MR. CORSON: Certainly, yeah, so it is a
 15 change there, and it does have some meaning.
 16 REPRESENTATIVE CUSTER: Because to me it
 17 means that anyone that registers within that -- in what
 18 was considered the late period, would have to vote
 19 right there, which, you know, with mail it makes sense.
 20 But that's not been the past practice because that's
 21 almost three weeks, if you see what I'm saying.
 22 MR. CORSON: Madam Chair and Representative
 23 Custer, yeah, it just is dependent when that person
 24 arrives at the office, whatever that set of
 25 circumstances would be.

Page 93

1 REPRESENTATIVE CUSTER: Okay. Thank you.
 2 CHAIRPERSON MCKAMEY: Any further questions
 3 from the committee?
 4 Representative Hill.
 5 REPRESENTATIVE HILL: Madam Chair, I have a
 6 question for the sponsor.
 7 CHAIRPERSON MCKAMEY: A question for the
 8 sponsor. Representative Greef, please.
 9 REPRESENTATIVE GREEF: I'm sitting back there
 10 sleeping. Forgive me.
 11 Representative Hill.
 12 REPRESENTATIVE HILL: Madam Chair and
 13 Representative Greef, my question is in reference to
 14 your opening statement. You had mentioned that Montana
 15 is 1 of 11 states that still allow same-day
 16 registration as voting. Is that correct?
 17 REPRESENTATIVE GREEF: Yes. It is.
 18 REPRESENTATIVE HILL: What I am leading to,
 19 it seems to me that we have got our state, a very large
 20 state, seven reservations. Is there any correlation to
 21 the other states and reservations?
 22 REPRESENTATIVE GREEF: I have not looked into
 23 that. No.
 24 Madam Chair.
 25 CHAIRPERSON MCKAMEY: Yes.

Page 94

1 REPRESENTATIVE HILL: And Madam Chair,
 2 Representative Greef, thank you.
 3 CHAIRPERSON MCKAMEY: Okay. Thank you,
 4 Representative.
 5 And are there further questions from the
 6 committee?
 7 Representative Custer.
 8 REPRESENTATIVE CUSTER: Thank you, Madam
 9 Chair, for indulging me in so many questions. This is
 10 for Senator Cuffe.
 11 CHAIRPERSON MCKAMEY: Senator Cuffe, please.
 12 SENATOR CUFFE: Representative and Madam
 13 Chair.
 14 REPRESENTATIVE CUSTER: Madam Chair, Senator
 15 Cuffe, you mentioned in your testimony errors and a
 16 train wreck. And I know you to be a journalist, so I
 17 was wanting specifics because I read the papers, and I
 18 didn't read of any errors in Montana and haven't for
 19 years. So I was wondering if you could give us a
 20 specific on that and then which was -- where was the
 21 train wreck?
 22 SENATOR CUFFE: I didn't say that it was a
 23 train wreck.
 24 REPRESENTATIVE CUSTER: It was what?
 25 SENATOR CUFFE: I -- excuse me.

Page 95

1 REPRESENTATIVE CUSTER: That's all right.
 2 SENATOR CUFFE: I did not say there was a
 3 train wreck. I said that I have been in conversations
 4 previously with several clerk and recorders, and that
 5 was a term that they used. That we are headed for a
 6 train wreck if we continue to load all this work onto
 7 these same people the same day.
 8 And as he said, they're down there late.
 9 They're trying to get it done. Here comes
 10 registrations at eight o'clock. And certainly, there
 11 are places that are -- I've been told that there have
 12 been populated areas where they're still recording
 13 people to vote much later than eight o'clock, and
 14 returns are not -- you know, they're still trying to
 15 verify signatures and things, like, midnight and later.
 16 So that was the -- this was -- and this came
 17 to me -- back a couple of years ago I considered
 18 carrying a bill like this. And that's when those
 19 conversations came to me. And there were at least
 20 three. And I -- and when I decided not to carry the
 21 bill, I received some harsh questions as to why not if
 22 there were these people that felt it was needed. Thank
 23 you, Representative Custer, Madam Chair.
 24 REPRESENTATIVE CUSTER: Thank you for
 25 clarifying that.

Page 96

1 CHAIRPERSON MCKAMEY: Thank you, Senator.
 2 I see a hand from a Ms. Street, but it may be
 3 for Mister -- for Representative Running Wolf.
 4 Representative Running Wolf, you have the
 5 floor.
 6 REPRESENTATIVE RUNNING WOLF: Thank you,
 7 Madam Chair. This question is for Mrs. Plettenberg.
 8 CHAIRPERSON MCKAMEY: Ms. Plettenberg,
 9 please.
 10 REPRESENTATIVE RUNNING WOLF: Okay. Kind of
 11 following over the last couple that Custer asked, but,
 12 you know, during this past election, was the election
 13 successfully sued or challenged on the process in your
 14 county due to the process for errors from in-person
 15 registration?
 16 MS. PLETTENBERG: Madam Chair, Representative
 17 Running Wolf, no. We didn't have any challenges in my
 18 county or in any county that I'm aware of around the
 19 state.
 20 REPRESENTATIVE RUNNING WOLF: Thank you,
 21 Madam Chair.
 22 CHAIRPERSON MCKAMEY: Thank you.
 23 Are there further questions from the
 24 committee?
 25 If not, I do have a couple of questions for

Page 97

1 Director Corson, please.
 2 MR. CORSON: Madam Chair.
 3 CHAIRPERSON MCKAMEY: Thank you. Director
 4 Corson, referring, again, to the bill, if you could.
 5 Thank you, Representative.
 6 And, again, on Page 4, Line 22, it says an
 7 elector who registers pursuant to 13-2-304 must receive
 8 the ballot and vote it at the election administrator's
 9 office, correct?
 10 MR. CORSON: Madam Chair, correct.
 11 CHAIRPERSON MCKAMEY: Okay. My question then
 12 is, regarding 13-2-304, which reads, "Late registration
 13 and late changes, except as provided in Subsection 2,
 14 the following provisions apply." So I'm going to go to
 15 Subsection 2 and ask you a question regarding that if
 16 you don't mind?
 17 MR. CORSON: Please.
 18 CHAIRPERSON MCKAMEY: Thank you. Subsection
 19 2 reads,
 20 "If an elector has already been issued a
 21 ballot for the election, the elector may
 22 change the elector's voter registration
 23 information only if the original ballot,
 24 voted ballot, has not been received at the
 25 county election office or received by the

Page 98

1 school district if the district is
 2 administering the election.
 3 "And if the original ballot that was issued
 4 is marked by the issuing county as void in
 5 the statewide voter registration system or
 6 the school district, if the district is
 7 administering the election, prior to the
 8 change."
 9 So this is, I don't know; it seems like it's
 10 a little bit of a conflict. Is it -- is -- do you see
 11 the conflict with that, Director Corson?
 12 MR. CORSON: Madam Chair, yeah. I'd like to
 13 study that piece of law on it, but it does point out
 14 one of the additional struggles with the clerks when
 15 the ballot's in play someplace. The competition of
 16 time for the other county, sometimes, they see the
 17 ballot out in the wild.
 18 They can't verify that it's been received or
 19 canceled. You know, getting a hold of that other
 20 election administrator does take some time, too,
 21 costing two time components from two different offices.
 22 But if you wouldn't mind, I would like to read up on
 23 that and maybe refer to legal to get a best definition
 24 of that for what the conflict is.
 25 CHAIRPERSON MCKAMEY: Thank you. And I would

Page 99

1 appreciate that Director Corson. I have another
 2 question about 13-2-304. And that is on Sub b, little
 3 B, it states, "Late registration is closed from noon to
 4 5 p.m. on the day before the election." And if you
 5 could have -- I would request, respectfully, Director
 6 Corson, that we make sure that we are not violating
 7 statute at this point or in a conflict in some way with
 8 13-2-304.
 9 MR. CORSON: Madam Chair, yeah, so that's
 10 been around for a long time. So that's when the --
 11 we've stopped those activities. The clerks all around
 12 the state start preparing their precinct reports and
 13 rolls for the next day's activities.
 14 So it causes a stopping point and a pause so
 15 that when people print, they've got the most accurate
 16 list for our polling places. And that was mentioned
 17 earlier in testimony, I believe. It may be possibly
 18 Regina who said that.
 19 CHAIRPERSON MCKAMEY: Right. But I think
 20 that it would be good to -- it seems to me that if it
 21 is in statute listed as late registration is closed the
 22 day -- closed on the day before the election, and we're
 23 trying to close on Friday, is there -- I -- are we
 24 trying to -- we're obviously trying to change the
 25 statute. But isn't there a way that we're supposed to

Page 100

1 be listing it in the bill?
 2 MR. CORSON: Possibly, we'll have to consult
 3 with the drafter on that too, and sponsor, legal. And
 4 we can get you the best answer for that.
 5 CHAIRPERSON MCKAMEY: Okay.
 6 MR. CORSON: I'll just add it to my list here
 7 of things we'll submit to the committee.
 8 CHAIRPERSON MCKAMEY: Okay. Yes. I had
 9 heard it a couple of times, and I do appreciate you
 10 addressing that directly, Director Corson.
 11 Are there any further questions from the
 12 committee?
 13 REPRESENTATIVE CUSTER: Yes, Madam Chair.
 14 CHAIRPERSON MCKAMEY: Representative Custer.
 15 REPRESENTATIVE CUSTER: So, Madam Chair and
 16 Director Corson, is it the intent of this law then to
 17 change that they cannot take the ballot with them the
 18 whole 30 days before so -- is it if I come in and
 19 register to vote, say, day 31 and I'm late. I've got
 20 to register, and I've got to vote my ballot right
 21 there.
 22 I cannot take it home, even though I could
 23 possibly walk it back or mail it back. So I'm thinking
 24 of an election, say when we have all the ballot issues,
 25 and if I -- at that point, I may not even have, if I

Page 101

1 was on day 31, I probably wouldn't have my voter
 2 information pamphlet at that point because they don't
 3 -- they're not mailed out that far.
 4 I'd have to vote my ballot right there and
 5 not be able to take it home and wait for my voter
 6 information pamphlet. Is that the intent of this?
 7 Because the way I'm reading Line 22, that's what I'm
 8 trying to bring to your attention is I think there's
 9 some funky language there.
 10 If that's not what you intended, we need to
 11 clean that up. Just because we struck something, then
 12 it doesn't make that -- it's not making it flow like it
 13 should; if this is your intent, then great. But if
 14 it's not, then we should maybe change that.
 15 MR. CORSON: Madam Chair and Representative
 16 Custer, good points and all that, so let's do the
 17 background work on that for you. And get the read on
 18 that with what the drafter had come up with. We'll
 19 work with the sponsor and check cross-statute for you
 20 to get you a clear read on that.
 21 REPRESENTATIVE CUSTER: Thanks.
 22 CHAIRPERSON MCKAMEY: Thank you, Director
 23 Corson.
 24 Are there any further questions from the
 25 committee?

Page 102

1 All right. Representative Dooling.
 2 REPRESENTATIVE DOOLING: Madam Chair, this is
 3 just a quick comment or appreciation for Mr. Ellis. He
 4 is the elections administrator of Broadwater County,
 5 which is one of the districts I represent. And I
 6 appreciate him coming in today. Thank you.
 7 CHAIRPERSON MCKAMEY: And thank you for even
 8 reminding me that I thank everyone. The committee
 9 thanks everyone for participation of both proponents
 10 and opponents, informational witnesses. It was a long
 11 hearing, I realize, but it was very thorough, and I
 12 appreciate folks understanding that we needed to allow
 13 this kind of testimony to occur to have a thorough
 14 understanding of this issue and have a thorough
 15 vetting.
 16 I also thank our staff, Ms. Coleen Street
 17 (phonetic). Our substitute staff, Mr. Joel Coleman
 18 (phonetic), and our able committee clerk and secretary,
 19 John Bergoffen. And at this time, I also need to tell
 20 you that Ms. Scurr is, unfortunately, out with -- due
 21 to an illness right now or -- and I think that will
 22 suffice right now.
 23 But we are being well taken care of with our
 24 substitute staff. And we certainly miss Ms. Scurr, and
 25 we wish her all the best and a quick recovery. It is

Page 103

1 not COVID. I will say that. But I will say, also,
 2 that in that regard, if there is anyone who is ill at
 3 all, I want you to take the precautions of taking care
 4 of yourself because safety is as important as anything.
 5 And I have forgotten to let the -- you're
 6 hiding behind there. I'm sorry, I didn't -- it's kind
 7 of like the invisible vice-chairs today. I -- it just
 8 is. Representative, would you like to close on your
 9 bill?
 10 REPRESENTATIVE GREEF: You owe me one. Yes,
 11 Madam Chair, I would.
 12 CHAIRPERSON MCKAMEY: Oh. I apologize.
 13 REPRESENTATIVE GREEF: No.
 14 CHAIRPERSON MCKAMEY: Let me apologize.
 15 REPRESENTATIVE GREEF: That is just fine.
 16 Senator Cuffe, I thank you for being the co-
 17 sponsor of this bill, walking alongside me with this.
 18 And I'm echoing what many of you feel. A
 19 huge thank you to Director Corson for sharing his
 20 election expertise.
 21 I could not, I would not in good conscience,
 22 stand here before you today and ask for support on this
 23 bill if I believed that it would prevent one person
 24 from voting. I couldn't do that. So we are here today
 25 to do what we can do to assure fair elections. And if

Page 104

1 those of us who believe in fair elections and believe
 2 we have a responsibility to keep them fair showed up to
 3 testify today, we'd be here a whole lot longer.
 4 I'd like to address just a few things that
 5 came up in the testimony. And I, again, thank Doug
 6 Ellis for sharing his experiences, all of his job
 7 titles, treasurer, clerk and recorder, superintendent
 8 of schools. My goodness.
 9 But he shared the stress and the headaches,
 10 and I think as our state grows and the population
 11 increases, the passage of this bill is even more
 12 important. I was thinking of one thing as I sat here.
 13 And this seems like a hard thing for people to wrap
 14 their head around to accept this change.
 15 But what if I moved to England? How long
 16 would it take me to accept the change that I'd better
 17 pay attention and drive on the other side of the road?
 18 This is a pretty simple thing. And I don't think it
 19 will take long for people to get used to it.
 20 I would not ever want to limit the ability to
 21 vote for those in nursing homes or other facilities.
 22 But I think it would, perhaps, relieve the stress to
 23 register these people ahead of time. And so the day of
 24 the election they could be handed -- or the day that
 25 they are going to vote, handed a ballot. The

Page 105

1 registration would have been done ahead of time.
 2 Mr. Forstag of the ACLU mentioned that he
 3 thought that all elections should be free and open. I
 4 absolutely agree. Voting for this bill will keep them
 5 free and open. Lauren Caldwell gave statistics of late
 6 registrations, but does that mean that those wouldn't
 7 have voted if they couldn't wait until the last minute?
 8 And that sort of goes along with what my
 9 friend from Ravalli County, and the excellent clerk and
 10 recorder Regina said, that 200 people would not have
 11 been able to vote. But that is just this time because
 12 we didn't have the -- what --
 13 SENATOR CUFFE: The earlier deadline.
 14 REPRESENTATIVE GREEF: -- the earlier
 15 deadline.
 16 Thank you, Mike.
 17 And so, if these people knew that they had to
 18 be registered the Friday before, we wouldn't have had
 19 200 people that whose vote wouldn't have been counted.
 20 That just would not have been acceptable. So I think
 21 it's really a change of our mindset and it will produce
 22 wonderful results.
 23 So why are we registering to vote in the
 24 first place? There's been so much talk about that. It
 25 is to assure, like I said before, that legitimate

Page 106

1 voters cast legitimate votes. Let's make our election
 2 system the safest, most fraud-free in the country. We
 3 can do it.
 4 Madam Chair, members of the committee, I ask
 5 for a do pass on House Bill 176. And I thank you.
 6 CHAIRPERSON MCKAMEY: Thank you,
 7 Representative Greef.
 8 This closes the hearing on House Bill 176.
 9 Okay. Is there any further business that
 10 needs to come before the committee other than what was
 11 already spoken today? Any at all?
 12 With that then, I will adjourn the committee
 13 of House State Administration, January -- what are we?
 14 UNIDENTIFIED: 21st.
 15 CHAIRPERSON MCKAMEY: -- 21st, 2021.
 16 (End of Recording)
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Page 107

1 CERTIFICATION
 2
 3 I, Alicia Jarrett, court-approved
 4 transcriber, hereby certify that the foregoing is a
 5 correct transcript from the electronic sound recording
 6 provided for transcription and prepared to the best of
 7 my ability.
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 ALICIA JARRETT, AAERT NO. 428 DATE: January 5, 2022
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27 (Pages 105 to 107)