

**Agenda Action Report**  
*Prepared for the*  
**Cascade County Commission**

**ITEM:** Resolution 20-47  
Authorizing Election  
Administrator Rina Fontana Moore to  
Conducting the November 3, 2020 Federal  
General Election as a Mail Ballot Election

**INITIATED AND PRESENTED BY:** Rina Fontana Moore, Cascade County Clerk &  
Recorder/Election Administrator

**ACTION REQUESTED:** Approval of Resolution 20-47

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**BACKGROUND:**

Pursuant to MCA § 13-19-203(1), the election administrator may conduct any election authorized by § 13-19-104 under Title 13, Chapter 19 if the election administrator has determined that the mail ballot election is the most economically and administratively feasible way of conducting the election. I have researched the feasibility of conducting a mail ballot election for the November 3, 2020 General Federal election, which is an election authorized by MCA § 13-19-104 and have determined that a mail ballot election is the most economically and administratively feasible way of conducting the election. In support of my determination in this regard, please note that on August 6, 2020 the Governor issued his Directive Implementing Executive Orders 2-2020 and 3-2020 and providing for measures to implement the 2020 November federal election safely, which speaks to conducting a mail ballot election. Additionally, conducting the November 3, 2020 Federal General Election as a mail ballot election also has the support of the Secretary of State's Office and Election Administrators throughout the State of Montana.

Pursuant to MCA § 13-19-203(2), as Cascade County's Elections Administrator, having decided to conduct the November 3, 2020 Federal General election as a mail ballot election, I make a formal presentment to you of my written statement memorializing that decision. In addition, as provided for at MCA § 13-19-205, I have prepared a written plan and submit that to you at this time. The plan includes, but is not limited to the following:

- a timetable for the election,
- sample written instructions that will be sent to the electors,
- information on the estimated amount of postage required to return the ballot,
- the location of the places of deposit and the days and times when ballots may be returned to the places of deposit,
- other applicable instructions specified under MCA § 13-13-214(4) such as
  - Instructions for voting
  - Information concerning the type or types of writing instruments that may be used
  - Information regarding use of the secrecy envelope and
  - Use of the signature envelope.

The plan will be forwarded to the Secretary of State's office for its approval. Once it is approved by the Secretary of State's Office the elections office can proceed with conducting the election.

Finally, as further provided by MCA § 13-19-203(2), I am notifying you of your authority under MCA § 13-19-204 to object to my decision to hold a mail ballot election for the November 3, 2020 Federal General election.

Should the Board of County Commissioners object to my decision to conduct the November 3, 2020 Federal General election by mail ballot, the Board of County Commissioners may, by Resolution which includes a statement of the reasons for the objection, oppose and object to conducting the November 3, 2020 General Federal Election by mail ballot. Should the Board object to conducting the November 3, 2020 General Federal Election by mail ballot, such Resolution would need to be filed with me by Wednesday, September 9, 2020.

While not specified in MCA § 13-19-203, I am requesting the Board of County Commissioners formally support my decision to conduct the November 3, 2020 Federal General Election as a mail ballot election so that my office and the public can be assured at this time that a mail ballot election will be taking place as discussed and that the Board will not be issuing a Resolution Objecting to the Mail Ballot Election.

**RECOMMENDATION:** Approval of Resolution 20-47.

**TWO MOTIONS PROVIDED FOR CONSIDERATION:**

**MOTION TO APPROVE:**

Mr. Chairman, I move that the Commission **APPROVE** Resolution 20-47 Authorizing Election Administrator Rina Fontana Moore to conduct the November 3, 2020, General Federal Election as a Mail Ballot Election.

**MOTION TO DISAPPROVE:**

Mr. Chairman, I move that the Commission **DISAPPROVE** Resolution 20-47.