

1 House BILL NO. 420
 2 INTRODUCED BY Richard Budano Rasmussen
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH PROCEDURES
 5 FOR THE COMPOSITION, SUBMISSION, AND PRINTING OF ARGUMENTS
 6 ADVOCATING APPROVAL OR REJECTION OF INITIATIVE AND
 7 REFERENDUM MEASURES, AND AMENDING SECTION 37-107, R.C.M.
 8 1947."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 11 Section 1. Committee advocating approval of a measure
 12 referred by the legislature -- submission of argument. An
 13 argument advocating approval of a proposed constitutional
 14 amendment of an act referred to the people by the
 15 legislature or by a petition for referendum shall be
 16 composed and submitted for printing by a committee created
 17 as follows: The president of the senate shall appoint one
 18 (1) senator known to favor the measure and the speaker of
 19 the house of representatives shall appoint one (1)
 20 representative known to favor the measure. The two (2)
 21 members shall appoint a third member who need not be a
 22 member of the legislature.

23 Section 2. Committee advocating rejection of a measure
 24 referred by the legislature -- submission of argument. An
 25 argument advocating rejection of a proposed constitutional

1 amendment or of an act referred to the people by the
 2 legislature shall be composed and submitted for printing by
 3 a committee created as follows: The president of the senate
 4 shall appoint one (1) senator and the speaker of the house
 5 shall appoint one (1) representative. Whenever possible,
 6 the members appointed shall be known to have opposed the
 7 measure. The two (2) members shall appoint a third member
 8 who need not be a member of the legislature.

9 Section 3. Submission of arguments advocating
 10 rejection of an act of the legislature referred by petition.
 11 An argument advocating rejection of an act of the
 12 legislature referred to the people by a petition for
 13 referendum shall be composed and submitted for printing by
 14 the proponents of the petition.

15 Section 4. Submission of arguments advocating approval
 16 of a measure proposed by a petition for initiative. An
 17 argument advocating approval of an act, constitutional
 18 amendment, or call of a constitutional convention by a
 19 petition for initiative shall be composed and submitted for
 20 printing by the proponents of the petition.

21 Section 5. Submission of argument advocating rejection
 22 of a measure proposed by an initiative petition. An
 23 argument advocating rejection of an act, constitutional
 24 amendment, or call of a constitutional convention proposed
 25 by a petition for initiative shall be composed and submitted

INTRODUCED BILL

-2- HB420

1 for printing by a committee created as follows: The
 2 governor, attorney general, president of the senate, and
 3 speaker of the house shall each appoint a person known to
 4 favor rejection of the measure. The four (4) persons
 5 appointed shall appoint a fifth member known to favor
 6 rejection of the measure.

7 Section 6. Arguments limited to five hundred (500)
 8 words -- must be signed. Arguments submitted under this act
 9 are limited to five hundred (500) words. An argument must
 10 be signed by a majority of the committee responsible for its
 11 composition.

12 Section 7. Time for submitting arguments. Arguments
 13 submitted under this act shall be filed in typewritten form
 14 with the secretary of state not less than seven (7) weeks
 15 before the election at which the measure is to be submitted
 16 to the people.

17 Section 8. Rebuttal arguments. The secretary of state
 18 shall provide copies of the arguments advocating approval or
 19 rejection of a measure to the adversary in argument on the
 20 day following the deadline for filing arguments under this
 21 act. The committees may prepare rebuttal arguments not
 22 longer than two hundred fifty (250) words in length that
 23 shall be filed in typewritten form with the secretary of
 24 state not less than six (6) weeks before the election at
 25 which the measure is to be submitted to the people.

1 Discussion in the rebuttal argument must be confined to the
 2 subject matter raised in the argument being rebutted. The
 3 rebuttal argument shall be signed by a majority of the
 4 committee responsible for its preparation.

5 Section 9. Type of arguments to be excluded from
 6 pamphlet -- liability for libel. (1) The secretary of state
 7 shall reject an argument or other matter held by the
 8 attorney general to contain obscene, vulgar, profane,
 9 scandalous, libelous, or defamatory matter; or any language
 10 that in any way incites, counsels, promotes, or advocates
 11 hatred, abuse, violence, or hostility toward, or that tends
 12 to cast ridicule or shame upon, a group of persons by reason
 13 of race, color, religion, or sex, or any matter not allowed
 14 to be sent through the mail. Such arguments may not be
 15 filed or printed in the voters' pamphlet.

16 (2) Nothing in this act relieves either an argument
 17 nor an author of an argument from civil or criminal
 18 responsibility for statements contained in an argument
 19 printed in the voters' pamphlet.

20 Section 10. Section 37-107, R.C.M. 1947, is amended to
 21 read as follows:

22 "37-107. Printing and distribution of measures. (1)
 23 The secretary of state shall furnish a copy of each of the
 24 proposed measures to be submitted to the people, and make
 25 requisition on the department of administration, for the

1 printing and delivery to him of all proposed constitutional
2 amendments, initiative, and referendum measures to be
3 submitted to a vote of the people.

4 (2) The department of administration, shall, no later
5 than five (5) weeks before any general or special election,
6 at which any proposed law is to be submitted to the people,
7 have printed a true copy of the title and text of each
8 measure to be submitted, with the number and form in which
9 the question will be printed on the official ballot. The
10 department of administration shall call for bids and
11 contract with the lowest responsible bidder for the printing
12 of the proposed law to be submitted to the people.

13 (3) The proposed law to be submitted shall be printed
14 in news type, each page to be six inches wide by nine inches
15 long, and when the proposed measure constitutes less than
16 six pages, it shall be printed flat and forwarded to the
17 county clerk and recorder of each county in that form.

18 (4) When the proposed measure constitutes more than six
19 pages, the measure shall be printed in pamphlet form,
20 securely stapled, without cover. No proposed measure shall
21 be bound. The quality of the paper to be used for the
22 proposed measure shall be left to the discretion of the
23 department of administration. The number of proposed
24 measures to be printed shall be at least five per cent (5%)
25 more than the number of qualified electors, as shown by the

1 registration lists of the several counties of the state at
2 the last preceding general election.

3 (5) The information to be printed shall be printed in
4 the following order as applicable:

- 5 (a) the statement of the secretary of state;
6 (b) the statement of the attorney general;
7 (c) the title and body of the proposed measure;
8 (d) the argument advocating approval of the measure;
9 (e) the argument advocating rejection of the measure;
10 (f) the argument rebutting the argument advocating
11 approval; and
12 (g) the argument rebutting the argument advocating
13 rejection.

14 ~~†5~~ (6) The secretary of state shall distribute to each
15 county clerk, no later than four (4) weeks before the
16 election at which the proposed measure(s) will be voted
17 upon, a sufficient number of pamphlets to furnish one copy
18 to every voter in his county. Each county clerk shall mail
19 to each registered voter in the county at least one copy
20 of the pamphlet within two (2) weeks from the date of his
21 receipt of the pamphlets from the secretary of state."

-End-

Approved by Committee
on Judiciary.

HOUSE BILL NO. 420

INTRODUCED BY RICHARDS, BARDANOUE, RASMUSSEN

A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH PROCEDURES FOR THE COMPOSITION, SUBMISSION, AND PRINTING OF ARGUMENTS ADVOCATING APPROVAL OR REJECTION OF INITIATIVE AND REFERENDUM MEASURES, AND AMENDING SECTION 37-107, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Committee advocating approval of a measure referred by the legislature -- submission of argument. An argument advocating approval of a proposed constitutional amendment OR of an act referred to the people by the legislature or by a petition for referendum shall be composed and submitted for printing by a committee created as follows: The president of the senate shall appoint one (1) senator known to favor the measure and the speaker of the house of representatives shall appoint one (1) representative known to favor the measure. The two (2) members shall appoint a third member who need not be a member of the legislature.

Section 2. Committee advocating rejection of a measure referred by the legislature -- submission of argument. An argument advocating rejection of a proposed constitutional

amendment or of an act referred to the people by the legislature shall be composed and submitted for printing by a committee created as follows: The president of the senate shall appoint one (1) senator KNOWN TO OPPOSE THE MEASURE and the speaker of the house OF REPRESENTATIVES shall appoint one (1) representative KNOWN TO OPPOSE THE MEASURE. ~~Whenever--possible--the-members-appointed-shall-be-known-to have-opposed-the-measure.~~ The two (2) members shall appoint a third member who need not be a member of the legislature.

Section 3. Submission of arguments advocating rejection of an act of the legislature referred by petition. An argument advocating rejection of an act of the legislature referred to the people by a petition for referendum shall be composed and submitted for printing by the proponents of the petition.

Section 4. Submission of arguments advocating approval of a measure proposed by a petition for initiative. An argument advocating approval of an act, constitutional amendment, or call of a constitutional convention by a petition for initiative shall be composed and submitted for printing by the proponents of the petition.

Section 5. Submission of argument advocating rejection of a measure proposed by an initiative petition. An argument advocating rejection of an act, constitutional amendment, or call of a constitutional convention proposed

1 by a petition for initiative shall be composed and submitted
 2 for printing by a committee created as follows: The
 3 governor, attorney general, president of the senate, and
 4 speaker of the house shall each appoint a person known to
 5 favor rejection of the measure. The four (4) persons
 6 appointed shall appoint a fifth member known to favor
 7 rejection of the measure.

8 Section 6. Arguments limited to five hundred (500)
 9 words -- must be signed. Arguments submitted under this act
 10 are limited to five hundred (500) words. An argument must
 11 be signed by a majority of the committee responsible for its
 12 composition.

13 Section 7. Time for submitting arguments. Arguments
 14 submitted under this act shall be filed in typewritten form
 15 with the secretary of state not less than ~~seven--(7)~~ EIGHT
 16 (8) weeks before the election at which the measure is to be
 17 submitted to the people.

18 Section 8. Rebuttal arguments. The secretary of state
 19 shall provide copies of the arguments advocating approval or
 20 rejection of a measure to the adversary in argument on the
 21 day following the deadline for filing arguments under this
 22 act. The committees may prepare rebuttal arguments not
 23 longer than two hundred fifty (250) words in length that
 24 shall be filed in typewritten form with the secretary of
 25 state not less than ~~six--(6)~~ SEVEN (7) weeks before the

1 election at which the measure is to be submitted to the
 2 people. Discussion in the rebuttal argument must be
 3 confined to the subject matter raised in the argument being
 4 rebutted. The rebuttal argument shall be signed by a
 5 majority of the committee responsible for its preparation.

6 Section 9. Type of arguments to be excluded from
 7 pamphlet -- liability for libel. (1) The secretary of state
 8 shall reject an argument or other matter held by the
 9 attorney general to contain obscene, vulgar, profane,
 10 scandalous, libelous, or defamatory matter; or any language
 11 that in any way incites, counsels, promotes, or advocates
 12 hatred, abuse, violence, or hostility toward, or that tends
 13 to cast ridicule or shame upon, a group of persons by reason
 14 of race, color, religion, or sex, or any matter not allowed
 15 to be sent through the mail. Such arguments may not be
 16 filed or printed in the voters' pamphlet.

17 (2) Nothing in this act relieves either an argument
 18 nor an author of an argument from civil or criminal
 19 responsibility for statements contained in an argument
 20 printed in the voters' pamphlet.

21 Section 10. Section 37-107, R.C.M. 1947, is amended to
 22 read as follows:

23 "37-107. Printing and distribution of measures. (1)
 24 The secretary of state shall furnish a copy of each of the
 25 proposed measures to be submitted to the people, and make

1 requisition on the department of administration, for the
 2 printing and delivery to him of all proposed constitutional
 3 amendments, initiative, and referendum measures to be
 4 submitted to a vote of the people.

5 (2) The department of administration, shall, no later
 6 than five (5) weeks before any general or special election,
 7 at which any proposed law is to be submitted to the people,
 8 have printed a true copy of the title and text of each
 9 measure to be submitted, with the number and form in which
 10 the question will be printed on the official ballot. The
 11 department of administration shall call for bids and
 12 contract with the lowest responsible bidder for the printing
 13 of the proposed law to be submitted to the people.

14 (3) The proposed law to be submitted shall be printed
 15 in news type, each page to be six inches wide by nine inches
 16 long, and when the proposed measure constitutes less than
 17 six pages, it shall be printed flat and forwarded to the
 18 county clerk and recorder of each county in that form.

19 (4) When the proposed measure constitutes more than six
 20 pages, the measure shall be printed in pamphlet form,
 21 securely stapled, without cover. No proposed measure shall
 22 be bound. The quality of the paper to be used for the
 23 proposed measure shall be left to the discretion of the
 24 department of administration. The number of proposed
 25 measures to be printed shall be at least five per cent (5%)

1 more than the number of qualified electors, as shown by the
 2 registration lists of the several counties of the state at
 3 the last preceding general election.

4 (5) The information to be printed shall be printed in
 5 the following order as applicable:

6 (a) the statement of the secretary of state;

7 (b) the statement of the attorney general;

8 (c) the title and body of the proposed measure;

9 (D) THE MANNER IN WHICH THE MEASURE WILL APPEAR ON THE
 10 BALLOT;

11 ~~(d)~~ (E) the argument advocating approval of the
 12 measure;

13 ~~(e)~~ (F) the argument advocating rejection of the
 14 measure;

15 ~~(f)~~ (G) the argument rebutting the argument advocating
 16 approval; and

17 ~~(g)~~ (H) the argument rebutting the argument advocating
 18 rejection.

19 ~~(5)~~ (6) The secretary of state shall distribute to each
 20 county clerk, no later than four (4) weeks before the
 21 election at which the proposed measure(s) will be voted
 22 upon, a sufficient number of pamphlets to furnish one copy
 23 to every voter in his county. Each county clerk shall mail
 24 to each registered voter in the county at least one copy
 25 of the pamphlet within two (2) weeks from the date of his

1 receipt of the pamphlets from the secretary of state."

-End-

1 HOUSE BILL NO. 420

2 INTRODUCED BY RICHARDS, BARDANOUVE, RASMUSSEN

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH PROCEDURES
5 FOR THE COMPOSITION, SUBMISSION, AND PRINTING OF ARGUMENTS
6 ADVOCATING APPROVAL OR REJECTION OF INITIATIVE AND
7 REFERENDUM MEASURES, AND AMENDING SECTION 37-107, R.C.M.
8 1947."9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:11 Section 1. Committee advocating approval of a measure
12 referred by the legislature -- submission of argument. An
13 argument advocating approval of a proposed constitutional
14 amendment OR of an act referred to the people by the
15 legislature or by a petition for referendum shall be
16 composed and submitted for printing by a committee created
17 as follows: The president of the senate shall appoint one
18 (1) senator known to favor the measure and the speaker of
19 the house of representatives shall appoint one (1)
20 representative known to favor the measure. The two (2)
21 members shall appoint a third member who need not be a
22 member of the legislature.23 Section 2. Committee advocating rejection of a measure
24 referred by the legislature -- submission of argument. An
25 argument advocating rejection of a proposed constitutional1 amendment or of an act referred to the people by the
2 legislature shall be composed and submitted for printing by
3 a committee created as follows: The president of the senate
4 shall appoint one (1) senator KNOWN TO OPPOSE THE MEASURE
5 and the speaker of the house OF REPRESENTATIVES shall
6 appoint one (1) representative KNOWN TO OPPOSE THE MEASURE.
7 ~~Whenever--possible--the-members-appointed-shall-be-known-to~~
8 ~~have-opposed-the-measure.~~ The two (2) members shall appoint
9 a third member who need not be a member of the legislature.10 Section 3. Submission of arguments advocating
11 rejection of an act of the legislature referred by petition.
12 An argument advocating rejection of an act of the
13 legislature referred to the people by a petition for
14 referendum shall be composed and submitted for printing by
15 the proponents of the petition.16 Section 4. Submission of arguments advocating approval
17 of a measure proposed by a petition for initiative. An
18 argument advocating approval of an act, constitutional
19 amendment, or call of a constitutional convention by a
20 petition for initiative shall be composed and submitted for
21 printing by the proponents of the petition.22 Section 5. Submission of argument advocating rejection
23 of a measure proposed by an initiative petition. An
24 argument advocating rejection of an act, constitutional
25 amendment, or call of a constitutional convention proposed

1 by a petition for initiative shall be composed and submitted
 2 for printing by a committee created as follows: The
 3 governor, attorney general, president of the senate, and
 4 speaker of the house shall each appoint a person known to
 5 favor rejection of the measure. The four (4) persons
 6 appointed shall appoint a fifth member known to favor
 7 rejection of the measure.

8 Section 6. Arguments limited to five hundred (500)
 9 words -- must be signed. Arguments submitted under this act
 10 are limited to five hundred (500) words. An argument must
 11 be signed by a majority of the committee responsible for its
 12 composition.

13 Section 7. Time for submitting arguments. Arguments
 14 submitted under this act shall be filed in typewritten form
 15 with the secretary of state not less than ~~seven--(7)~~ EIGHT
 16 (8) weeks before the election at which the measure is to be
 17 submitted to the people.

18 Section 8. Rebuttal arguments. The secretary of state
 19 shall provide copies of the arguments advocating approval or
 20 rejection of a measure to the adversary in argument on the
 21 day following the deadline for filing arguments under this
 22 act. The committees may prepare rebuttal arguments not
 23 longer than two hundred fifty (250) words in length that
 24 shall be filed in typewritten form with the secretary of
 25 state not less than ~~six--(6)~~ SEVEN (7) weeks before the

1 election at which the measure is to be submitted to the
 2 people. Discussion in the rebuttal argument must be
 3 confined to the subject matter raised in the argument being
 4 rebutted. The rebuttal argument shall be signed by a
 5 majority of the committee responsible for its preparation.

6 Section 9. Type of arguments to be excluded from
 7 pamphlet -- liability for libel. (1) The secretary of state
 8 shall reject an argument or other matter held by the
 9 attorney general to contain obscene, vulgar, profane,
 10 scandalous, libelous, or defamatory matter; or any language
 11 that in any way incites, counsels, promotes, or advocates
 12 hatred, abuse, violence, or hostility toward, or that tends
 13 to cast ridicule or shame upon, a group of persons by reason
 14 of race, color, religion, or sex, or any matter not allowed
 15 to be sent through the mail. Such arguments may not be
 16 filed or printed in the voters' pamphlet.

17 (2) Nothing in this act relieves either an argument
 18 nor an author of an argument from civil or criminal
 19 responsibility for statements contained in an argument
 20 printed in the voters' pamphlet.

21 Section 10. Section 37-107, R.C.M. 1947, is amended to
 22 read as follows:

23 "37-107. Printing and distribution of measures. (1)
 24 The secretary of state shall furnish a copy of each of the
 25 proposed measures to be submitted to the people, and make

1 requisition on the department of administration, for the
 2 printing and delivery to him of all proposed constitutional
 3 amendments, initiative, and referendum measures to be
 4 submitted to a vote of the people.

5 (2) The department of administration, shall, no later
 6 than five (5) weeks before any general or special election,
 7 at which any proposed law is to be submitted to the people,
 8 have printed a true copy of the title and text of each
 9 measure to be submitted, with the number and form in which
 10 the question will be printed on the official ballot. The
 11 department of administration shall call for bids and
 12 contract with the lowest responsible bidder for the printing
 13 of the proposed law to be submitted to the people.

14 (3) The proposed law to be submitted shall be printed
 15 in news type, each page to be six inches wide by nine inches
 16 long, and when the proposed measure constitutes less than
 17 six pages, it shall be printed flat and forwarded to the
 18 county clerk and recorder of each county in that form.

19 (4) When the proposed measure constitutes more than six
 20 pages, the measure shall be printed in pamphlet form,
 21 securely stapled, without cover. No proposed measure shall
 22 be bound. The quality of the paper to be used for the
 23 proposed measure shall be left to the discretion of the
 24 department of administration. The number of proposed
 25 measures to be printed shall be at least five per cent (5%)

1 more than the number of qualified electors, as shown by the
 2 registration lists of the several counties of the state at
 3 the last preceding general election.

4 (5) The information to be printed shall be printed in
 5 the following order as applicable:

6 (a) the statement of the secretary of state;

7 (b) the statement of the attorney general;

8 (c) the title and body of the proposed measure;

9 (D) THE MANNER IN WHICH THE MEASURE WILL APPEAR ON THE
 10 BALLOT;

11 ~~(d)~~ (E) the argument advocating approval of the
 12 measure;

13 ~~(e)~~ (F) the argument advocating rejection of the
 14 measure;

15 ~~(f)~~ (G) the argument rebutting the argument advocating
 16 approval; and

17 ~~(g)~~ (H) the argument rebutting the argument advocating
 18 rejection.

19 ~~(5)~~ (6) The secretary of state shall distribute to each
 20 county clerk, no later than four (4) weeks before the
 21 election at which the proposed measure(s) will be voted
 22 upon, a sufficient number of pamphlets to furnish one copy
 23 to every voter in his county. Each county clerk shall mail
 24 to each registered voter in the county at least one copy
 25 of the pamphlet within two (2) weeks from the date of his

1 receipt of the pamphlets from the secretary of state."

-End-

March 20, 1975

SENATE COMMITTEE ON JUDICIARY

AMENDMENTS TO HOUSE BILL NO. 420

That House Bill No. 420, third reading, be amended as follows:

1. Amend page 2, section 2, line 4.
Following: "senator"
Strike: "KNOWN TO OPPOSE THE MEASURE"
2. Amend page 2, section 2, line 6.
Following: "representative"
Strike: "KNOWN TO OPPOSE THE MEASURE"
3. Amend page 2, section 2, line 6.
Following: line 6
Insert: "Whenever possible, the members appointed shall
be known to have opposed the measure."
4. Amend page 5, section 10, lines 15 through 16 and line 17.
Following: line 14
Strike: "in news type, each page to be six inches wide
by nine inches long, and when the proposed measure
constitutes less than six pages, it shall be printed
flat"
5. Amend page 5, section 10, line 18.
Following: "each county"
Strike: "in that form"
6. Amend page 5, section 10, lines 19 through 23 and line 24.
Following: "(4)"
Strike: "When the proposed measure constitutes more than
six pages, the measure shall be printed in
pamphlet form, securely stapled, without
cover. No proposed measure shall be bound. The
quality of the paper to be used for the proposed
measure shall be left to the discretion of the
department of administration."

HOUSE BILL NO. 420

INTRODUCED BY RICHARDS, BARDANOUVE, RASMUSSEN

A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH PROCEDURES FOR THE COMPOSITION, SUBMISSION, AND PRINTING OF ARGUMENTS ADVOCATING APPROVAL OR REJECTION OF INITIATIVE AND REFERENDUM MEASURES, AND AMENDING SECTION 37-107, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Committee advocating approval of a measure referred by the legislature -- submission of argument. An argument advocating approval of a proposed constitutional amendment OR of an act referred to the people by the legislature or by a petition for referendum shall be composed and submitted for printing by a committee created as follows: The president of the senate shall appoint one (1) senator known to favor the measure and the speaker of the house of representatives shall appoint one (1) representative known to favor the measure. The two (2) members shall appoint a third member who need not be a member of the legislature.

Section 2. Committee advocating rejection of a measure referred by the legislature -- submission of argument. An argument advocating rejection of a proposed constitutional

amendment or of an act referred to the people by the legislature shall be composed and submitted for printing by a committee created as follows: The president of the senate shall appoint one (1) senator ~~KNOWN-TO-OPPOSE-THE-MEASURE~~ and the speaker of the house OF REPRESENTATIVES shall appoint one (1) representative ~~KNOWN-TO-OPPOSE-THE-MEASURE~~. WHENEVER POSSIBLE, THE MEMBERS APPOINTED SHALL BE KNOWN TO HAVE OPPOSED THE MEASURE. ~~Whenever--possible--the--members appointed--shall--be--known--to--have--opposed--the--measure.~~ The two (2) members shall appoint a third member who need not be a member of the legislature.

Section 3. Submission of arguments advocating rejection of an act of the legislature referred by petition. An argument advocating rejection of an act of the legislature referred to the people by a petition for referendum shall be composed and submitted for printing by the proponents of the petition.

Section 4. Submission of arguments advocating approval of a measure proposed by a petition for initiative. An argument advocating approval of an act, constitutional amendment, or call of a constitutional convention by a petition for initiative shall be composed and submitted for printing by the proponents of the petition.

Section 5. Submission of argument advocating rejection of a measure proposed by an initiative petition. An

1 argument advocating rejection of an act, constitutional
 2 amendment, or call of a constitutional convention proposed
 3 by a petition for initiative shall be composed and submitted
 4 for printing by a committee created as follows: The
 5 governor, attorney general, president of the senate, and
 6 speaker of the house shall each appoint a person known to
 7 favor rejection of the measure. The four (4) persons
 8 appointed shall appoint a fifth member known to favor
 9 rejection of the measure.

10 Section 6. Arguments limited to five hundred (500)
 11 words -- must be signed. Arguments submitted under this act
 12 are limited to five hundred (500) words. An argument must
 13 be signed by a majority of the committee responsible for its
 14 composition.

15 Section 7. Time for submitting arguments. Arguments
 16 submitted under this act shall be filed in typewritten form
 17 with the secretary of state not less than ~~seven-(7)~~ EIGHT
 18 (8) weeks before the election at which the measure is to be
 19 submitted to the people.

20 Section 8. Rebuttal arguments. The secretary of state
 21 shall provide copies of the arguments advocating approval or
 22 rejection of a measure to the adversary in argument on the
 23 day following the deadline for filing arguments under this
 24 act. The committees may prepare rebuttal arguments not
 25 longer than two hundred fifty (250) words in length that

1 shall be filed in typewritten form with the secretary of
 2 state not less than ~~six--(6)~~ SEVEN (7) weeks before the
 3 election at which the measure is to be submitted to the
 4 people. Discussion in the rebuttal argument must be
 5 confined to the subject matter raised in the argument being
 6 rebutted. The rebuttal argument shall be signed by a
 7 majority of the committee responsible for its preparation.

8 Section 9. Type of arguments to be excluded from
 9 pamphlet -- liability for libel. (1) The secretary of state
 10 shall reject an argument or other matter held by the
 11 attorney general to contain obscene, vulgar, profane,
 12 scandalous, libelous, or defamatory matter; or any language
 13 that in any way incites, counsels, promotes, or advocates
 14 hatred, abuse, violence, or hostility toward, or that tends
 15 to cast ridicule or shame upon, a group of persons by reason
 16 of race, color, religion, or sex, or any matter not allowed
 17 to be sent through the mail. Such arguments may not be
 18 filed or printed in the voters' pamphlet.

19 (2) Nothing in this act relieves either an argument
 20 nor an author of an argument from civil or criminal
 21 responsibility for statements contained in an argument
 22 printed in the voters' pamphlet.

23 Section 10. Section 37-107, R.C.M. 1947, is amended to
 24 read as follows:

25 "37-107. Printing and distribution of measures. (1)

1 The secretary of state shall furnish a copy of each of the
 2 proposed measures to be submitted to the people, and make
 3 requisition on the department of administration, for the
 4 printing and delivery to him of all proposed constitutional
 5 amendments, initiative, and referendum measures to be
 6 submitted to a vote of the people.

7 (2) The department of administration, shall, no later
 8 than five (5) weeks before any general or special election,
 9 at which any proposed law is to be submitted to the people,
 10 have printed a true copy of the title and text of each
 11 measure to be submitted, with the number and form in which
 12 the question will be printed on the official ballot. The
 13 department of administration shall call for bids and
 14 contract with the lowest responsible bidder for the printing
 15 of the proposed law to be submitted to the people.

16 (3) The proposed law to be submitted shall be printed
 17 ~~in-news-type, each page to be six inches wide by nine inches~~
 18 ~~long, and when the proposed measure constitutes less than~~
 19 ~~six pages, it shall be printed flat~~ and forwarded to the
 20 county clerk and recorder of each county ~~in that form.~~

21 ~~(4) When the proposed measure constitutes more than six~~
 22 ~~pages, the measure shall be printed in pamphlet form,~~
 23 ~~securely stapled, without cover. No proposed measure shall~~
 24 ~~be bound. The quality of the paper to be used for the~~
 25 ~~proposed measure shall be left to the discretion of the~~

1 ~~department of administration.~~ The number of proposed
 2 measures to be printed shall be at least five per cent (5%)
 3 more than the number of qualified electors, as shown by the
 4 registration lists of the several counties of the state at
 5 the last preceding general election.

6 (5) The information to be printed shall be printed in
 7 the following order as applicable:

- 8 (a) the statement of the secretary of state;
- 9 (b) the statement of the attorney general;
- 10 (c) the title and body of the proposed measure;
- 11 (D) THE MANNER IN WHICH THE MEASURE WILL APPEAR ON THE
 12 BALLOT;
- 13 ~~(d)~~ (E) the argument advocating approval of the
 14 measure;
- 15 ~~(e)~~ (F) the argument advocating rejection of the
 16 measure;
- 17 ~~(f)~~ (G) the argument rebutting the argument advocating
 18 approval; and
- 19 ~~(g)~~ (H) the argument rebutting the argument advocating
 20 rejection.

21 ~~(5)~~ (6) The secretary of state shall distribute to each
 22 county clerk, no later than four (4) weeks before the
 23 election at which the proposed measure(s) will be voted
 24 upon, a sufficient number of pamphlets to furnish one copy
 25 to every voter in his county. Each county clerk shall mail

1 to each registered voter in the county at least one copy
2 of the pamphlet within two (2) weeks from the date of his
3 receipt of the pamphlets from the secretary of state."

-End-