HOUSE BILL NO. 140

INTRODUCED BY EUDAILY

BY REQUEST OF THE SECRETARY OF STATE AND THE ATTORNEY GENERAL

IN THE HOUSE

January	9, .	1981	Introduced and referred to Committee on Local Government.
January	21,	1981	Committee recommend bill do pass. Report adopted.
January	22,	1981	Bill printed and placed on members' desks.
January	23,	1981	Second reading, do pass.
January	24,	1981	Considered correctly engrossed.
			Third reading, passed.

IN THE SENATE

January 26, 1981

March 4, 1981

March 6, 1981

March 9, 1981

Third reading, concurred in.

Ayes, 45; Noes, 0.

IN THE HOUSE

March 10, 1981

Returned from Senate. Concurred in. Sent to enrolling.

be concurred in. Report adopted.

Second reading, concurred in.

Reported correctly enrolled.

Introduced and referred to Committee on Local Government.

Committee recommend bill

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LC 0657/01

1 BILL NO. __140___ INTRODUCED BY _ Cudaily 2 BA REQUEST OF 3 4 THE SECRETARY OF STATE AND THE ATTORNEY GENERAL 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ADOPT PROCEDURES FOR 6 7 LOCAL GOVERNMENT INITIATIVES: TO REQUIRE APPROVAL AS TO FORM OF PETITIONS AND PREPARATION OF BALLOT STATEMENTS." 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 11 Section 1. Petition -- submission for approval -statement of purpose and implication. (1) Before a petition 12 13 may be circulated for signatures, a sample petition must be submitted in the form in which it will be circulated to the 14 15 county election administrator for approval as to form. The election administrator shall review the sample petition to 16 17 ensure compliance with 7-5-131 and 7-5-132. 18 (2) The county election administrator shall refer a 19 copy of the sample petition sheet to the attorney for the 20 local government unit for preparation of the ballot 21 statement. The local government attorney shall prepare a 22 concise ballot statement not exceeding 100 words. This 23 statement must be an accurate and impartial explanation of

the purpose of the proposed ballot issue in plain, easily

understood language. The statement may not be an argument

and may not be written so as to create prejudice for or
 against the issue. The statement prepared pursuant to this
 subsection, unless altered by court order, must be used as
 the petition title and the ballot statement if the issue is
 placed on the ballot.

(3) At the time the statement of purpose is prepared. 6 the attorney shall prepare a statement of the implication of 7 a vote for and a statement of the implication of a vote 8 against the ballot issue. Each statement of implication may 9 10 be no more than 25 words and must be in simple. impartial 11 language that clearly explains the meaning of a vote for or a vote against the issue. Each statement of implication 12 prepared pursuant to this section, unless altered by a court 13 14 order, is to be used on the petition and the ballot if the 15 issue is placed on the ballot. The statements of implication 16 must be placed beside the diagram provided for marking of 17 the ballot in a manner similar to the following example:

18 FOR weekly commission meetings

19 AGAINST weekly commission meetings

20 (4) If the petition is rejected as to form, the
21 election administrator must send written notice to the
22 person who submitted the sample petition within 10 days
23 after submission of the sample.

24 (5) If the petition is approved as to form, the
25 election administrator shall send written notice to the

-2- INTRODUCED BILL HB140

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person who submitted the sample petition within 21 days
 after submission of the sample. This notice must include the
 ballot statement and the statements of implication prepared
 by the local government attorney.

5 Section 2. Petition — time limit. All petition 6 signatures must be collected and filed within 90 days of the 7 date of the notice that the petition has been approved as to 8 form.

9 Section 3. Codification instruction. Sections 1 and 2
10 are intended to be codified as an integral part of Title 7,
11 chapter 5, part 1; and the provisions of 7-5-131 through
12 7-5-137 apply to sections 1 and 2.

-End-

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Approved by Comm. on Local Government

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 -2+ SECOND READING

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THIRD READING

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-End-

47th Legislature

HB 0140/02

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3	BY REQUEST OF
4	THE SECRETARY OF STATE AND THE ATTORNEY GENERAL
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6	A BILL FOR AN ACT ENTITLED: "AN ACT TO ADOPT PROCEDURES FOR
7	LOCAL GOVERNMENT INITIATIVES; TO REQUIRE APPROVAL AS TO FORM
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10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Petition submission for approval
12	statement of purpose and implication. (1) Before a petition
13	may be circulated for signatures, a sample petition must be
14	submitted in the form in which it will be circulated to the
15	county election administrator for approval as to form. The
16	election administrator shall review the sample petition to
17	ensure compliance with 7-5-131 and 7-5-132.
18	(2) The county election administrator shall refer a
19	copy of the sample petition sheet to the attorney for the
20	local government unit for preparation of the ballot
21	statement. The local government attorney shall prepare a
22	concise ballot statement not exceeding 100 words. This
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HB 0140/02

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 -2 HB 140

REFERENCE BILL

HB 0140/02

H8 140

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