

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	Introduced and referred to Committee on Local Government.
March 4, 1981	Committee recommend bill be concurred in. Report adopted.
March 6, 1981	Second reading, concurred in.
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. Reported correctly enrolled.
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1 person who submitted the sample petition within 21 days  
2 after submission of the sample. This notice must include the  
3 ballot statement and the statements of implication prepared  
4 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-



LC 0657/01

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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  
 8 OF PETITIONS AND PREPARATION OF BALLOT STATEMENTS."  
 9

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  
 23 statement must be an accurate and impartial explanation of  
 24 the purpose of the proposed ballot issue in plain, easily  
 25 understood language. The statement may not be an argument

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

6 (3) At the time the statement of purpose is prepared,  
 7 the attorney shall prepare a statement of the implication of  
 8 a vote for and a statement of the implication of a vote  
 9 against the ballot issue. Each statement of implication may  
 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  
 12 a vote against the issue. Each statement of implication  
 13 prepared pursuant to this section, unless altered by a court  
 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



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2 after submission of the sample. This notice must include the  
3 ballot statement and the statements of implication prepared  
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