

HOUSE BILL NO. 683

INTRODUCED BY FABREGA, B. BROWN, BERGENE,  
CONN, BENGTSON, ANDERSON, DONALDSON

IN THE HOUSE

February 7, 1981	Introduced and referred to Committee on State Administration.
February 10, 1981	Fiscal note requested.
February 16, 1981	Fiscal note returned.
	Committee recommend bill do pass as amended. Report adopted.
February 17, 1981	Bill printed and placed on members' desks.
February 20, 1981	Second reading, do pass.
February 21, 1981	Correctly engrossed.
February 24, 1981	Third reading, passed. Ayes, 99; Noses, 0. Transmitted to Senate.

IN THE SENATE

March 2, 1981	Introduced and referred to Committee on State Administration.
March 26, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 28, 1981	Motion pass consideration.
March 30, 1981	Motion pass consideration.
March 31, 1981	Second reading, concurred in.

March 31, 1981

On motion rules suspended.  
Bill placed on calendar  
for third reading this day  
and allowed to be transmitted  
on 71st legislative day.  
Motion adopted.

Third reading, concurred in  
as amended. Ayes, 46; Noes, 0.

IN THE HOUSE

April 1, 1981

Returned from Senate with  
amendments.

April 9, 1981

Second reading, amendments  
concurred in.

On motion rules suspended and  
bill placed on third reading  
this day.

Third reading, amendments  
concurred in. Ayes, 91;  
Noes, 0. Sent to enrolling.

Reported correctly enrolled.

*House* BILL NO. 683

INTRODUCED BY

*Senate Rep Brown & Bergne, Com  
Bengtan, Anderson, Shadis*

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CLARIFY THE LAWS RELATING TO BALLOT ISSUES; REQUIRING THE LEGISLATIVE COUNCIL TO REVIEW ALL BALLOT ISSUES; TO SIMPLIFY THE LANGUAGE IN BALLOT ISSUE PETITIONS; TO REQUIRE THAT EACH PETITION CONTAIN THE ADDRESS OF THE PERSON CIRCULATING IT; AND REQUIRING THE ATTORNEY GENERAL TO APPOINT A COMMITTEE TO WRITE THE PURPOSE OF THE BALLOT ISSUE AND THE STATEMENTS OF IMPLICATION; AMENDING SECTIONS 13-27-202, 13-27-204 THROUGH 13-27-207, 13-27-302, AND 13-27-312, MCA."

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

Section 1. Section 13-27-202, MCA, is amended to read: "13-27-202. Approval of form required. (1) Before a petition may be circulated for signatures, a sample sheet containing the text of the proposed measure must be submitted to the secretary of state in the form in which it will be circulated. The sample petition may not be submitted to the secretary of state more than 1 year prior to the final date for filing the signed petition with the secretary of state. The secretary of state shall refer a copy of the petition sheet to

the attorney general for his approval. The

secretary of state and attorney general must each review the petition for sufficiency as to form and approve or reject the form of the petition, stating the reasons for rejection, if any.

(b) the legislative council. The legislative council shall review the text of the proposed measure for clarity, consistency, or any other factors the council considers when drafting legislation. The legislative council must make its recommendations within 14 days after the petition is submitted to the secretary of state. The person submitting the petition may accept, reject, or modify the changes recommended by the legislative council. A copy of the recommended changes shall be made available to any person by the secretary of state upon request.

(2) The secretary of state shall review the comments and statements of the attorney general received pursuant to 13-27-312 and make a final decision as to the approval or rejection of the form of the petition. The secretary of state shall send written notice to the person who submitted the petition sheet of the approval within 28 days after submission of the petition sheet. The secretary of state shall send written notice if the petition has been rejected together with reasons for rejection within 14 days after submission of the petition sheet."

Section 2. Section 13-27-204, MCA, is amended to read:

1        "13-27-204. Petition for the initiative. (1) The  
 2 following is substantially the form for a petition calling  
 3 for a vote to enact a law by the initiative:

4                    PETITION TO PLACE

5                    INITIATIVE NO.        ON

6                    THE ELECTION BALLOT

7        (a) If 5% of the voters in each of 34 legislative  
 8 representative districts sign this petition and the total  
 9 number of voters signing this petition is ..... this  
 10 measure will appear on the next general election ballot. If  
 11 a majority of voters vote for this measure at that election  
 12 it will become law.

13       (b) We, the undersigned Montana voters, propose that  
 14 the secretary of state place the following measure on the  
 15 ..... 19... general election ballot:

16       (Title of measure written pursuant to 13-27-3121)

17       (Statement of implication written pursuant to 13-27-3121)

18       (c) Voters are urged to read the complete text of the  
 19 measure, which appears (on the reverse side of, attached to,  
 20 etc., as applicable) on this sheet. A signature on this  
 21 petition is only to put the measure on the ballot and does  
 22 not necessarily mean the signer agrees with the measure.

23       (d)                            WARNING

24       A person who purposefully signs a name other than  
 25 his/her own to this petition or who signs his name more than

1        once upon-a-petition for the same issue at one election or  
 2 who-is-not-at-the-time-he signs this-petition-a-qualified  
 3 elector--of--the--state--of when not a legally registered  
 4 Montana voter is punishable--by subject--to a fine--not  
 5 exceeding \$500 fine or-imprisonment-in-the-county 6 months  
 6 in jail for-a-term-not-to-exceed--6--months, or both--or  
 7 imprisonment-in-the-state-prison-for-a-term-not-to-exceed-10  
 8 years.

9        (e) Each person must sign with his/her name and  
 10 address exactly as he/she is registered to vote, or the  
 11 signature will not be counted.

12                    PETITION-FOR-INITIATIVE

13       To--the--Honorable--\*\*\*\*\*--Secretary--of--State--of--the  
 14 state--of--Montana

15       We, the undersigned-qualified-electors-of-the-state--of  
 16 Montana--respectfully--propose--that--the--measure--printed  
 17 within--this-petition, entitled--(title--of--proposed--law)--be  
 18 submitted--to--the--qualified-electors--of--the--state--of--Montana  
 19 for--their--approval--or--rejection--at--the--general--election--to  
 20 be--held--on--the--day--of--19--By--his--signature,  
 21 each--signer--certifies--I--have--personally--signed--this  
 22 petition--I--am--a--qualified--elector--of--the--state--of--Montana  
 23 I--have--not--signed--another--petition--for--the--same--issue--for  
 24 the--same--election--and--my--post--office--address--and  
 25 legislative--representative--district--number--are--correctly

1 written--after--my--name--to--the--best--of--my--knowledge--and  
 2 beliefs.

3 (2) Numbered lines shall follow the above heading.  
 4 Each numbered line shall contain spaces for the signature,  
 5 post-office address, legislative representative district  
 6 number, and printed last name of the signer."

7 Section 3. Section 13-27-205, MCA, is amended to read:  
 8 "13-27-205. Petition for the referendum. (1) The  
 9 following is substantially the form for a petition calling  
 10 for approval or rejection of an act of the legislature by  
 11 the referendum:

12 PETITION TO PLACE REFERENDUM NO. \_\_\_\_\_

13 ON THE ELECTION BALLOT

14 (a) If 5% of the voters in each of 34 legislative  
 15 representative districts sign this petition and the total  
 16 number of voters signing the petition is \_\_\_\_\_ Senate  
 17 (House) Bill number \_\_\_\_\_ will appear on the next general  
 18 election ballot. If a majority of voters vote for this  
 19 measure at that election it will become law.

20 (b) We, the undersigned Montana voters, propose that  
 21 the secretary of state place the following Senate (House)  
 22 Bill Number \_\_\_\_\_ passed by the legislature on \_\_\_\_\_ on the  
 23 next general election ballot:

24 (Title of referendum written pursuant to 13-27-312)

25 (Statement of implication written pursuant to 13-27-312)

1 (a) Voters are urged to read the complete text of the  
 2 measure, which appears on the reverse side of, attached to,  
 3 etc., as applicable, on this sheet. A signature on this  
 4 petition is only to put the measure on the ballot and does  
 5 not necessarily mean the signer agrees with the measure.

6 (b) WARNING

7 A person who purposefully signs a name other than  
 8 his/her own to this petition or who signs his-name more than  
 9 once upon--a petition for the same issue at one election or  
 10 who-is-not--at-the-time--he signs this petition--a--qualified  
 11 elector--of--the--state--of when not a legally registered  
 12 Montana voter is punishable--by--a--fine--of--not--exceeding  
 13 subject to a \$500 fine or imprisonment in the county jail  
 14 for a term not to exceed 6 months in jail, or both--or  
 15 imprisonment in the state prison for a term not to exceed 10  
 16 years.

17 (c) Each person must sign his/her name and address  
 18 exactly as he/she is registered to vote, or the signature  
 19 will not be counted.

20 PETITION-FOR-REFERENDUM

21 To--the--Honorable-----Secretary--of--State--of--the  
 22 state--of--Montana:

23 We--the--undersigned--qualified--electors--of--the--state--of  
 24 Montana--respectfully--petition--that--Senate--(House)--Bill  
 25 Number-----entitled--(title--of--act)--passed--by--the-----

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1 legislature-of-the-state-of-Montana-at-the-regular-tspectalt  
 2 session--of--the-legistature-that-commenced-----19----be  
 3 referred-to-the-people-of-the-state-for--their--approvet--or  
 4 rejection-at-the-general-election-to-be-held-on-the-----day  
 5 of-----19----By-his-signature,--each-signer-certifiest--I  
 6 have-personally-signed--this--petition--I--am--a--qualified  
 7 elector--of--the-state-of-Montana--I--have-not-signed-another  
 8 petition-for-the-same-issue-for-the-same--election--and--my  
 9 post-office--address-and-legistative-representative-district  
 10 number-are-correctly-written-after-my-name-to-the-best-of-my  
 11 knowledge-and-beliefs

12 (2) Numbered lines shall follow the above heading.  
 13 Each numbered line shall contain spaces for the signature,  
 14 post-office address, legislative representative district  
 15 number, and printed last name of the signer."

16 Section 4. Section 13-27-206, MCA, is amended to read:  
 17  
 18 "13-27-206. Petition for initiative for constitutional  
 19 convention. (1) The following is substantially the form for  
 20 a petition to direct the secretary of state to submit to the  
 21 qualified voters the question of whether there shall be a  
 22 constitutional convention:

23  
 24  
 25

PEIIION TO PLACE  
 INITIAIVE NO. , CALLING FOR  
 A CONSTITUTIONAL CONVENTION, ON  
 THE ELECTION BALLOT

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1a) If 10% of the voters in each of 40 legislative  
 districts sign this petition and the total number of voters  
 signing this petition is ----- the question of whether to  
 have a constitutional convention will appear on the next  
 general election ballot. If a majority of voters vote for  
 the constitutional convention the legislature will call for  
 a constitutional convention at its next session.

1b) We, the undersigned Montana voters, propose that  
 the secretary of state place the question of whether to hold  
 a constitutional convention on the ----- 19---- general  
 election ballot;

1c) Title of the initiative written pursuant to 13-27-3121  
 1d) Statement of implication written pursuant to 13-27-3121  
 1e) A signature on this petition is only to put the  
 call for a constitutional convention on the ballot and does  
 not necessarily mean the signer is in favor of calling a  
 constitutional convention.

1f) WARNING  
 A person who purposefully signs a name other than  
 his/her own to this petition or who signs his-name more than  
 once upon--a--petition for the same issue at one election or  
 who-is-not--at-the-time-he signs this petition--a--qualified  
 elector--of--the-state-is-punishable-by-a-fine-not-exceeding  
 when not a legally registered Montana voter is subject to a  
 \$500 fine or imprisonment-in-the-county-jail-for-a-term-not

1 to-exceed 6 months in jail, or both--or--imprisonment-in--the  
 2 state-prison-for-a-term-not-to-exceed-10-years.

3 (e) Each person must sign his/her name and address  
 4 exactly as he/she is registered to vote, or the signature  
 5 will not be counted.

6 INITIATIVE-PETITION-ON-THE-QUESTION-OF-CALLING

7 A-CONSTITUTIONAL-CONVENTION

8 To--the--Honorable-----Secretary--of-State-of-the  
 9 state-of-Montana+

10 Hey--the--undersigned-qualified-electors--of--the--state--of  
 11 Montana--respectfully-petition--that--the--question--of--whether  
 12 there--shall--be--an--unlimited--convention--to--revise--alter--or  
 13 amend--The--Constitution--of--the--State--of--Montana--be--submitted  
 14 to--the--qualified--electors--of--the--state--of--Montana--for--their  
 15 approval--or--rejection--at--the--general--election--to--be--held--on  
 16 the-----day--of-----19----By--his--signature--each--signer  
 17 certifies--I--have--personally--signed--this--petition--I--am--a  
 18 qualified--elector--of--the--state--of--Montana--I--have--not--signed  
 19 another--petition--for--the--same--issue--for--the--same--election--  
 20 and--my--post--office--address--and--legislative--representative  
 21 district--number--are--correctly--written--after--my--name--to--the  
 22 best--of--my--knowledge--and--belief.

23 (2) Numbered lines shall follow the above heading.  
 24 Each numbered line shall also contain spaces for the  
 25 signature, post-office address, legislative representative

1 district number, and printed last name of the signer."

2 Section 5. Section 13-27-207, MCA, is amended to read:  
 3 "13-27-207. Petition for initiative for constitutional  
 4 amendment. (1) The following is substantially the form for a  
 5 petition for the initiative to amend the constitution:

6 PETITION TO PLACE CONSTITUTIONAL

7 AMENDMENT NO. \_\_\_\_ ON

8 THE ELECTION BALLOT

9 (a) If 10% of the voters in each of 40 legislative  
 10 districts sign this petition and the total number of voters  
 11 signing the petition is \_\_\_\_\_ this constitutional amendment  
 12 will appear on the next general election ballot. If a  
 13 majority of voters vote for this amendment at that election  
 14 it will become part of the constitution.

15 (b) We, the undersigned Montana voters, propose that  
 16 the secretary of state place the following constitutional  
 17 amendment on the \_\_\_\_\_ 19\_\_\_\_ general election  
 18 ballot.

19 (Title of the proposed constitutional amendment  
 20 written pursuant to 13-27-312)

21 (Statement of implication written pursuant to 13-27-312)

22 (c) Voters are urged to read the complete text of the  
 23 measure, which appears on the reverse side of, attached to,  
 24 etc., as applicable, on this sheet. A signature on this  
 25 petition is only to put the constitutional amendment on the

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1 ballot and does not necessarily mean the signer agrees with  
 2 the amendment.

3 (d) **WARNING**

4 A person who purposefully signs a name other than  
 5 his/her own to this petition or who signs his-name more than  
 6 once upon-a-petition for the same issue at one election or  
 7 who-is-not-at-the-time-he signs this-petition-a-qualified  
 8 elector-of-the-state-of when not a legally registered  
 9 Montana voter is-punishable--by--a--fine-not-exceeding is  
 10 subject to a \$500 fine, or-imprisonment-in-the--county--jail  
 11 for--a--term--not--to--exceed 6 months in jail, or both--or  
 12 imprisonment-in-the-state-prison-for-a-term-not-to-exceed-to  
 13 years.

14 1el Each person must sign his/her name and address as  
 15 he/she is registered to vote, or the signature will not be  
 16 counted.

17 **PETITION-PROPOSING-A-CONSTITUTIONAL-AMENDMENT**

18 **BY-THE-INITIATIVE**

19 To-the-Honorable-----Secretary--of--State--of--the  
 20 state-of-Montana

21 W<sup>e</sup>r--the-undersigned-qualified-electors-of-the-state-of  
 22 Montana--respectfully--petition--that--the--constitutional  
 23 amendment--printed--within-this-petition-be-submitted-to-the  
 24 qualified--electors--of--the--state--of--Montana--for--their  
 25 approv<sup>a</sup>t--or--rejection-at-the-statewide-election-to-be-held

1 on-the-----day-of-----19----By--his--signature--each  
 2 signer--certifies--I--have--personally--signed--this--petition--I  
 3 am-a-qualified-elector-of-the-state-of-Montana--I--have--not  
 4 signed--another--petition--for--the--same--issue--for--the--same  
 5 election--and--my--post-office--address--and--legislative  
 6 representative--district--number--are--correctly--written--after  
 7 my--name--to--the--best--of--my--knowledge--and--beliefs.

8 (2) Numbered lines shall follow the above heading.  
 9 Each numbered line shall contain spaces for the signature,  
 10 post-office address, legislative representative district  
 11 number, and printed last name of the signer."

12 Section 6. Section 13-27-302, MCA, is amended to read:  
 13 "13-27-302. Certification of signatures. An affidavit,  
 14 in substantially the following form, shall be attached to  
 15 each sheet or section submitted to the county official:

16 I (Name of person circulating who circulated this  
 17 petition), affirms, or being first sworn, deposes and says:  
 18 that I circulated or assisted in circulating the petition to  
 19 which this affidavit is attached and I believe the  
 20 signatures thereon are genuine, are the signatures of the  
 21 persons whose names they purport to be, are the signatures  
 22 of Montana electors who are registered at the address  
 23 following their signature, and that the signers knew the  
 24 contents of the petition before signing the same.

25 .....(Signature of petition circulator)

1 appointment, meet and recommend by a vote of a majority of  
2 the committee:  
3 (a) a statement, not to exceed 100 words, explaining  
4 the purpose of the measure; and  
5 (b) statements, not to exceed 25 words each,  
6 explaining the implications of a vote for and a vote against  
7 the measure.  
8 (2) The attorney general may accept, reject, or modify  
9 the statements recommended by the committee. If the  
10 committee is unable to recommend one or both statements, the  
11 attorney general shall prepare the statements.  
12 (3) The statement of purpose and the statements of  
13 implication must express the true and impartial explanation  
14 of the proposed ballot issue in plain, easily understood  
15 language and may not be arguments or written so as to create  
16 prejudice for or against the measure.  
17 (4) The statement of purpose prepared pursuant to this  
18 subsection subsection (1) or (2), unless altered by a court  
19 under 13-27-316, is the petition title for the measure  
20 circulated by the petition and the ballot title if the  
21 measure is placed on the ballot.  
22 (5)--At--the--same--time--the--statement--of--purpose--is  
23 prepared--the--attorney--general--shall--prepare--statements--of  
24 the--implication--of--a--vote--for--or--against--a--ballot--issue--the  
25 statements--of--implication--may--be--no--more--than--25--words--each

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1 and--shall--be--in--simple--impartial--language--clearly  
2 explaining--the--meaning--of--a--vote--for--and--a--vote--against--the  
3 issue--The--statements--of--implication--prepared--pursuant--to  
4 this--section--unless--altered--by--a--court--under--13--27--316--are  
5 the--statements--to--be--used--on--the--petition--and--the--ballot--if  
6 the--measure--is--placed--on--the--ballot.

7 151 The statements of implication shall be placed  
8 beside the diagram provided for marking of the ballot in a  
9 manner similar to the following example:

10  FOR extending the right to vote to persons 18 years  
11 of age

12  AGAINST extending the right to vote to persons 18  
13 years of age

14 151 If the petition is rejected as to form, the  
15 attorney general shall forward his comments to the secretary  
16 of state within 10 days after receipt of the petition by the  
17 attorney general. If the petition is approved as to form,  
18 the attorney general shall forward the statement of purpose  
19 and the statements of implication to the secretary of state  
20 within 21 days after receipt of the petition by the attorney  
21 general."

-End-

STATE OF MONTANA

REQUEST NO. 350-81

FISCAL NOTE

Form BD-15

In compliance with a written request received February 10, 19 81, there is hereby submitted a Fiscal Note for House Bill 683 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

House Bill 683 is an act to revise and clarify the laws relating to ballot issues; requires the Legislative Council to review all ballot issues; simplifies language; requires Attorney General to appoint a committee.

Assumptions

1. No provision is made for payment of expenses for committee members.
2. An average of three measures would be reviewed each biennium by the Legislative Council.
3. Review time would cost \$12 an hour.
4. This cost would be absorbed at the expense of other Council activities.

Fiscal Impact

FY 1982-83 Biennium - \$1,080

*David M. Lewis*  
BUDGET DIRECTOR  
Office of Budget and Program Planning  
Date: 2-16-81

Approved by Committee  
on State Administration

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CLARIFY  
6 THE LAWS RELATING TO BALLOT ISSUES; REQUIRING THE  
7 LEGISLATIVE COUNCIL TO REVIEW ALL BALLOT ISSUES; TO SIMPLIFY  
8 THE LANGUAGE IN BALLOT ISSUE PETITIONS; TO REQUIRE THAT EACH  
9 PETITION CONTAIN THE ADDRESS OF THE PERSON CIRCULATING IT;  
10 AND REQUIRING THE ATTORNEY GENERAL TO APPOINT A COMMITTEE TO  
11 WRITE THE PURPOSE OF THE BALLOT ISSUE AND THE STATEMENTS OF  
12 IMPLICATION; AMENDING SECTIONS 13-27-202, 13-27-204 THROUGH  
13 13-27-207, 13-27-302, AND 13-27-312, MCA."

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

16       Section 1. Section 13-27-202, MCA, is amended to read:

17       "13-27-202. Approval of form required. (1) before a

18 petition may be circulated for signatures, a sample sheet

19 containing the text of the proposed measure must be

20 submitted to the secretary of state in the form in which it

21 will be circulated. The sample petition may not be submitted

22 to the secretary of state more than 1 year prior to the

23 final date for filing the signed petition with the secretary

24 of state. The secretary of state shall refer a copy of the

25 petition sheet to:

1        (a) the attorney general for his approval. The  
2        secretary of state and attorney general must each review the  
3        petition for sufficiency as to form and approve or reject  
4        the form of the petition, stating the reasons for rejection,  
5        if any.

16 (2) The secretary of state shall review the comments  
17 and statements of the attorney general received pursuant to  
18 13-27-312 and make a final decision as to the approval or  
19 rejection of the form of the petition. The secretary of  
20 state shall send written notice to the person who submitted  
21 the petition sheet of the approval within 28 days after  
22 submission of the petition sheet. The secretary of state  
23 shall send written notice if the petition has been rejected  
24 together with reasons for rejection within 14 days after  
25 submission of the petition sheet."

1       Section 2. Section 13-27-204, MCA, is amended to read:  
 2       "13-27-204. Petition for the initiative. (1) The  
 3       following is substantially the form for a petition calling  
 4       for a vote to enact a law by the initiative:

5                   PETITION TO PLACE

6                   INITIATIVE NO.    ON

7                   THE ELECTION BALLOT

8        (a) If 5% of the voters in each of 34 legislative  
 9        representative districts sign this petition and the total  
 10       number of voters signing this petition is \*\*\*\*, this  
 11       measure will appear on the next general election ballot. If  
 12       a majority of voters vote for this measure at that election  
 13       it will become law.

14       (b) We, the undersigned Montana voters, propose that  
 15       the secretary of state place the following measure on the  
 16       \*\*\*\* 19\*\* general election ballot:

17        (Title of measure written pursuant to 13-27-312)

18        (Statement of implication written pursuant to 13-27-312)

19        (c) Voters are urged to read the complete text of the  
 20        measure, which appears (on the reverse side of, attached to,  
 21        etc., as applicable) on this sheet. A signature on this  
 22        petition is only to put the measure on the ballot and does  
 23        not necessarily mean the signer agrees with the measure.

24        (d)                    WARNING

25        A person who purposefully signs a name other than

1        his/her own to this petition or who signs his-name more than  
 2        once upon-a-petition for the same issue at one election or  
 3        who-is-not-at-the-time-he signs this-petition-a-qualified  
 4        elector--of--the--state--of when not a legally registered  
 5        Montana voter is punishable by subject to a fine--not  
 6        exceeding \$500 fine, or-imprisonment-in-the-county 6 months  
 7        in jail for-a-term-not-to-exceed--6--months, or both--or  
 8        imprisonment-in-the-state-prison-for-a-term-not-to-exceed-10  
 9        years.

10        (e) Each person must sign with his/her name and  
 11        address exactly IN SUBSTANTIALLY THE SAME MANNER as he/she  
 12        is-registered-to-vote ON HIS/HER VOTER REGISTRY CARD, or the  
 13        signature will not be counted.

14                   PETITION-FOR-INITIATIVE

15        To--the--Honorable-----Secretary--of--State--of--the  
 16        state--of--Montana

17        We--the--undersigned--qualified--electors--of--the--state--of  
 18        Montana--respectfully--propose--that--the--measure--printed  
 19        within--this--petition--entitled--(title--of--proposed--law)--be  
 20        submitted--to--the--qualified--electors--of--the--state--of--Montana  
 21        for--their--approval--or--rejection--at--the--general--election--to  
 22        be--held--on--the-----day--of-----19\*\*--By--his--signatures  
 23        each--signer--certifies--I--have--personally--signed--this  
 24        petition--I--am--a--qualified--elector--of--the--state--of--Montana--  
 25        I--have--not--signed--another--petition--for--the--same--issue--for

1 the---same---election---and---my--post-office--address--and  
 2 legislative-representative--district--number--are--correctly  
 3 written--after--my--name--to--the--best--of--my--knowledge--and  
 4 better--

5 (2) Numbered lines shall follow the above heading.  
 6 Each numbered line shall contain spaces for the signature,  
 7 post-office address, legislative representative district  
 8 number, and printed last name of the signer."

9 Section 3. Section 13-27-205, MCA, is amended to read:  
 10 "13-27-205. Petition for the referendum. (1) The  
 11 following is substantially the form for a petition calling  
 12 for approval or rejection of an act of the legislature by  
 13 the referendum:

14 PETITION TO PLACE REFERENDUM NO.

15 ON THE ELECTION BALLOT

16 (a) If 5% of the voters in each of 34 legislative  
 17 representative districts sign this petition and the total  
 18 number of voters signing the petition is ...., Senate  
 19 (House) Bill number .... will appear on the next general  
 20 election ballot. If a majority of voters vote for this  
 21 measure at that election it will become law.

22 (b) We, the undersigned Montana voters, propose that  
 23 the secretary of state place the following Senate (House)  
 24 Bill Number .... passed by the legislature on ..... on the  
 25 next general election ballot:

1 (Title of referendum written pursuant to 13-27-312)  
 2 (Statement of implication written pursuant to 13-27-312)  
 3 (c) Voters are urged to read the complete text of the  
 4 measure, which appears on the reverse side of, attached to,  
 5 etc., as applicable) on this sheet. A signature on this  
 6 petition is only to put the measure on the ballot and does  
 7 not necessarily mean the signer agrees with the measure.

8 (d) WARNING

9 A person who purposefully signs a name other than  
 10 his/her own to this petition or who signs his-name more than  
 11 once upon-a-petition for the same issue at one election or  
 12 who-is-not--at-the-time-he signs this-petition--a--qualified  
 13 elector--of--the--state--of when not a legally registered  
 14 Montana voter is punishable--by--a--fine--of--not--exceeding  
 15 subject to a \$500 fine, or--imprisonment-in-the-county-jail  
 16 for-a-term-not-to-exceed 6 months in jail, or both--or  
 17 imprisonment-in-the-state-prison-for-a-term-not-to-exceed-10  
 18 years.

19 (e) Each person must sign his/her name and address  
 20 exactly IN SUBSTANTIALLY THE SAME MANNER as he/she-is  
 21 registered--to--vote ON HIS/HER VOTER REGISTRY CARD, or the  
 22 signature will not be counted.

23 PETITION-FOR-REFERENDUM

24 To-the-Honorable-----Secretary--of--state--of--the  
 25 state-of-Montana

1 Hey--the-undersigned-qualified-electors-of-the-state-of  
2 Montana--respectfully--petition--that--Senate--{House)--Bill  
3 Number--\*\*\*\*--entitled-(title-of-act)--passed-by-the-\*\*\*\*\*  
4 Legislature-of-the-state-of-Montana-at-the-regular-(spectat)  
5 session-of-the-legislature-that-commenced-----19\*\*\*--be  
6 referred--to--the--people-of-the-state-for-their-approval-or  
7 rejection-at-the-general-election-to-be-held-on-the-----day  
8 of-----19\*\*\*-by-his-signature--each-signer--certifies--I  
9 have--personally--signed--this--petition--I--am-a-qualified  
10 elector-of-the-state-of-Montana--I--have-not--signed--another  
11 petition--for--the--same-issue--for--the--same-elections--and--my  
12 post-office-address-and-legislative-representative--district  
13 number--are-correctly-written--after--my--name--to--the--best--of--my  
14 knowledge-and-betterx

15 (2) Numbered lines shall follow the above heading.  
16 Each numbered line shall contain spaces for the signature,  
17 post-office address, legislative representative district  
18 number, and printed last name of the signer."

19           Section 4. Section 13-27-206, MCA, is amended to read:

20           "13-27-206. Petition for initiative for constitutional

21 convention. (1) The following is substantially the form for

22 a petition to direct the secretary of state to submit to the

23 qualified voters the question of whether there shall be a

24 constitutional convention:

PETITION TO PLACE

INITIATIVE NO. 1 CALLING FOR  
A CONSTITUTIONAL CONVENTION, ON  
THE ELECTION BALLOT

(a) If 10% of the voters in each of 40 legislative districts sign this petition and the total number of voters signing this petition is ...., the question of whether to have a constitutional convention will appear on the next general election ballot. If a majority of voters vote for the constitutional convention the legislature will call for a constitutional convention at its next session.

(b) We, the undersigned Montana voters, propose that the secretary of state place the question of whether to hold a constitutional convention on the ...., 19..., general election ballot:

(Title of the initiative written pursuant to 13-27-312)  
(Statement of implication written pursuant to 13-27-312)

(c) A signature on this petition is only to put the call for a constitutional convention on the ballot and does not necessarily mean the signer is in favor of calling a constitutional convention.

(d) WARNING  
A person who purposefully signs a name other than his/her own to this petition or who signs his-name more than once upon-a-petition for the same issue at one election or who-is-not-at-the-time-he signs this-petition-a-qualified

1    elector--of--the-state-is-punishable-by-a-fine-not-exceeding  
 2    when not a legally registered Montana voter is subject to a  
 3    \$500 fine or imprisonment-in-the-county-jail-for-a-term-not  
 4    to-exceed 6 months in jail, or both--or--imprisonment-in--the  
 5    state-prison-for-a-term-not-to-exceed-10-years.

6    (e) Each person must sign his/her name and address  
 7    exactly IN SUBSTANTIALLY THE SAME MANNER as he/she is  
 8    registered--to--vote ON HIS/HER VOTER REGISTRY CARD, or the  
 9    signature will not be counted.

10    INTELLIGENT-PETITION-ON-THE-QUESTION-OF-CALLING

11    A-CONSTITUTIONAL-CONVENTION

12    To-the-Honorable-----Secretary--of--State--of--the  
 13 state-of-Montana

14    We--the-undersigned-qualified-electors-of-the-state-of  
 15 Montana--respectfully-petition-that-the-question-of--whether  
 16 there--shall-be-an-unlimited-convention-to-revise--alter--or  
 17 amend--the-constitution-of-the-state-of-Montana-be--submitted  
 18 to--the-qualified-electors-of-the-state-of-Montana-for-their  
 19 approval--or--rejection--at-the-general-election-to-be-held--on  
 20 the-----day-of-----19--by-his-signature--each-signer  
 21 certifies--I--have--personally--signed--this--petition--I--am--a  
 22 qualified--elector--of--the--state--of--Montana--I--have--not--signed  
 23 another--petition--for--the--same--issue--for--the--same--election  
 24 and--my--post--office--address--and--legislative--representative  
 25 district--number--are--correctly--written--after--my--name--to--the

1    best--of--my--knowledge--and--beliefs

2    (2) Numbered lines shall follow the above heading.  
 3    Each numbered line shall also contain spaces for the  
 4    signature, post-office address, legislative representative  
 5    district number, and printed last name of the signer."

6    Section 5. Section 13-27-207, MCA, is amended to read:  
 7    "13-27-207. Petition for initiative for constitutional  
 8    amendment. (1) The following is substantially the form for a  
 9    petition for the initiative to amend the constitution:

10    PETITION TO PLACE CONSTITUTIONAL

11    AMENDMENT NO.     ON

12    THE ELECTION BALLOT

13    (a) If 10% of the voters in each of 40 legislative  
 14 districts sign this petition and the total number of voters  
 15 signing the petition is ----, this constitutional amendment  
 16 will appear on the next general election ballot. If a  
 17 majority of voters vote for this amendment at that election  
 18 it will become part of the constitution.

19    (b) We, the undersigned Montana voters, propose that  
 20 the secretary of state place the following constitutional  
 21 amendment on the ---- 19---- general election ballot.

22    (Title of the proposed constitutional amendment

23    written pursuant to 13-27-312)

24    (Statement of implication written pursuant to 13-27-312)

25    (c) Voters are urged to read the complete text of the

1 measure, which appears (on the reverse side of, attached to,  
 2 etc., as applicable) on this sheet. A signature on this  
 3 petition is only to put the constitutional amendment on the  
 4 ballot and does not necessarily mean the signer agrees with  
 5 the amendment.

## (1)

## WARNING

7 A person who purposefully signs a name other than  
 8 his/her own to this petition or who signs his-name more than  
 9 once upon-a-petition for the same issue at one election or  
 10 who-is-not-at-the-time-he signs this-petition, a-qualified  
 11 elector--of--the--state--of when not a legally registered  
 12 Montana voter is-punishable--by--a--fine--not--exceeding is  
 13 subject to a \$500 fine, or-imprisonment-in-the-county-jail  
 14 for-a-term-not-to-exceed 6 months in jail, or both--or  
 15 imprisonment-in-the-state-prison-for-a-term-not-to-exceed-10  
 16 years.

17 (e) Each person must sign his/her name and address IN  
 18 SUBSTANTIALLY THE SAME MANNER as he/she--is--registered--to  
 19 vote ON HIS/HER VOTER REGISTRY CARD, or the signature will  
 20 not be counted.

## 21 PETITION-PROPOSING-A-CONSTITUTIONAL-AMENDMENT

22 BY-THE-INITIATIVE

23 To-the-Honorable-----Secretary--of--State--of--the  
 24 state-of-Montana

25 Hey--the-undersigned-qualified-electors-of-the-state-of

1 Montana--respectfully--petition--that--the--constitutional  
 2 amendment--printed--within-this-petition-be-submitted-to-the  
 3 qualified--electors--of--the--state--of--Montana--for--their  
 4 approval--or--rejection-at-the-statewide-election-to-be-held  
 5 on-the-----day-of-----19----by--his--signature--each  
 6 signer--certifies--I--have--personally--signed--this--petition--I  
 7 am-a-qualified-elector-of-the-state-of-Montana--I--have--not  
 8 signed--another--petition--for--the--same--issue--for--the--same  
 9 election--and--my--post-office--address---and--legislative  
 10 representative--district--number--are--correctly--written--after  
 11 my-name--to--the--best--of--my--knowledge--and--believe--

12 (2) Numbered lines shall follow the above heading.  
 13 Each numbered line shall contain spaces for the signature,  
 14 post-office address, legislative representative district  
 15 number, and printed last name of the signer."

16 Section 6. Section 13-27-302, MCA, is amended to read:  
 17 "13-27-302. Certification of signatures. An affidavit,  
 18 in substantially the following form, shall be attached to  
 19 each sheet or section submitted to the county official:

20 I (Name of person circulating who circulated this  
 21 petition), affirms AFFIRM, or being first sworn, deposes  
 22 DEPOSE and says SAY: that I circulated or assisted in  
 23 circulating the petition to which this affidavit is attached  
 24 and I believe the signatures thereon are genuine, are the  
 25 signatures of the persons whose names they purport to be,

1 are the signatures of Montana electors who are registered at  
 2 the address following their signature, and that the signers  
 3 knew the contents of the petition before signing the same.

4 ..... (Signature of petition circulator)

5 ..... (Address of petition circulator)

6 ..... (Date circulator signs this affidavit)

7 Subscribed and sworn to before me this .... day of ....  
 8 19...

9 ..... (Person authorized to take oaths)

10 Seal ..... (Title or notarial information)"

11 Section 7. Section 13-27-312, MCA, is amended to read:

12 "13-27-312. Review of petition by attorney general --  
 13 preparation of statement statements. (1) Upon receipt of a  
 14 petition from the office of the secretary of state pursuant  
 15 to 13-27-202, the attorney general shall examine the  
 16 petition as to form. If the petition form is approved, the  
 17 attorney general shall prepare-and-transmit-to-the-secretary  
 18 of--state--a-concise-statement-not-exceeding-100-words--This  
 19 statement-shall-express-a-true-and-impartial-explanation--of  
 20 the--purpose--of--the-proposed-ballot-issue-in-plain--easily  
 21 understood-language--The-statement-may-not--be--an--argument  
 22 and--may--not--be--written--so-as-to-create--prejudice--for--or  
 23 against--the--measure appoint\_a\_five-member\_committee\_to  
 24 recommend\_the\_statement\_of\_purpose\_and\_the\_statement\_of\_the  
 25 implications\_of\_the\_measure. The committee shall consist of

1 two persons recommended by the person filing the petition,  
 2 two persons known to oppose the measure, and one  
 3 representative of the attorney general's office who is the  
 4 chairman. The committee shall, within 14 days of  
 5 appointment, meet and recommend by a vote of a majority of  
 6 the committee:

7 (a) a statement, not to exceed 100 words, explaining  
 8 the purpose of the measure; and

9 (b) statements, not to exceed 25 words each,  
 10 explaining the implications of a vote for and a vote against  
 11 the measure.

12 (2) The attorney general may accept, reject, or modify  
 13 the statements recommended by the committee. If the  
 14 committee is unable to recommend one or both statements, the  
 15 attorney general shall prepare the statements.

16 (3) The statement of purpose and the statements of  
 17 implication must express the true and impartial explanation  
 18 of the proposed ballot issue in plain, easily understood  
 19 language and may not be arguments or written so as to create  
 20 prejudice for or against the measure.

21 (4) The statement of purpose prepared pursuant to this  
 22 subsection subsection (1) or (2), unless altered by a court  
 23 under 13-27-316, is the petition title for the measure  
 24 circulated by the petition and the ballot title if the  
 25 measure is placed on the ballot.

1        f27--At--the--same--time--the--statement--of--purpose--is  
2        prepared, the attorney general shall prepare--statements--of  
3        the implication of a vote for or against a ballot issue--the  
4        statements--of--implication--may--be--no--more--than--25--words--each  
5        and--shall--be--in--simple,---impartial---language---clearly  
6        explaining--the--meaning--of--a--vote--for--and--a--vote--against--the  
7        issue--The--statements--of--implication--prepared--pursuant--to  
8        this--section, unless altered by a court under 13-27-316v--are  
9        the--statements--to--be--used--on--the--petition--and--the--ballot--if  
10       the--measure--is--placed--on--the--ballot.

11       151 The statements of implication shall be placed  
12       beside the diagram provided for marking of the ballot in a  
13       manner similar to the following example:

14            FOR extending the right to vote to persons 18 years  
15            of age

16            AGAINST extending the right to vote to persons 18  
17            years of age

18        f37(6) If the petition is rejected as to form, the  
19        attorney general shall forward his comments to the secretary  
20        of state within 10 days after receipt of the petition by the  
21        attorney general. If the petition is approved as to form,  
22        the attorney general shall forward the statement of purpose  
23        and the statements of implication to the secretary of state  
24        within 21 days after receipt of the petition by the attorney  
25        general."

-End-

HOUSE BILL NO. 683

INTRODUCED BY FABREGA, B. BROWN, BERGENE,  
CONN, BENGTSON, ANDERSON, DONALDSON

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CLARIFY  
6 THE LAWS RELATING TO BALLOT ISSUES; REQUIRING THE  
7 LEGISLATIVE COUNCIL TO REVIEW ALL BALLOT ISSUES; TO SIMPLIFY  
8 THE LANGUAGE IN BALLOT ISSUE PETITIONS; TO REQUIRE THAT EACH  
9 PETITION CONTAIN THE ADDRESS OF THE PERSON CIRCULATING IT;  
10 AND REQUIRING THE ATTORNEY GENERAL TO APPOINT A COMMITTEE TO  
11 WRITE THE PURPOSE OF THE BALLOT ISSUE AND THE STATEMENTS OF  
12 IMPLICATION; AMENDING SECTIONS 13-27-202, 13-27-204 THROUGH  
13 13-27-207, 13-27-302, AND 13-27-312, VCA."

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

16       Section 1. Section 13-27-202, MCA, is amended to read:

17       "13-27-202. Approval of form required. (1) Before a

18 petition may be circulated for signatures, a sample sheet

19 containing the text of the proposed measure must be

20 submitted to the secretary of state in the form in which it

21 will be circulated. The sample petition may not be submitted

22 to the secretary of state more than 1 year prior to the

23 final date for filing the signed petition with the secretary

24 of state. The secretary of state shall refer a copy of the

25 petition sheet to:

1 [a] the attorney general for his approval. The  
2 secretary of state and attorney general must each review the  
3 petition for sufficiency as to form and approve or reject  
4 the form of the petition, stating the reasons for rejection,  
5 if any.

1       Section 2. Section 13-27-204, MCA, is amended to read:

2       "13-27-204. Petition for the initiative. (1) The

3       following is substantially the form for a petition calling

4       for a vote to enact a law by the initiative:

5                   PETITION TO PLACE

6                   INITIATIVE NO.     ON

7                   THE ELECTION BALLOT

8        (a) If 5% of the voters in each of 34 legislative  

9        representative districts sign this petition and the total  

10       number of voters signing this petition is \*\*\*\*\* this  

11       measure will appear on the next general election ballot. If  

12       a majority of voters vote for this measure at that election  

13       it will become law.

14       (b) We, the undersigned Montana voters, propose that  

15       the secretary of state place the following measure on the  

16       \*\*\*\*\* 19\*\* general election ballot:

17                   (Title of measure written pursuant to 13-27-312)

18                   (Statement of implication written pursuant to 13-27-312)

19        (c) Voters are urged to read the complete text of the  

20       measure, which appears on the reverse side of, attached to,  

21       etc., as applicable) on this sheet. A signature on this  

22       petition is only to put the measure on the ballot and does  

23       not necessarily mean the signer agrees with the measure.

24                   (d)                   WARNING

25        A person who purposefully signs a name other than

1        his/her own to this petition or who signs his-name more than

2        once upon-a-petition for the same issue at one election or

3        who-is-not-at-the-time-he signs this-petition-a-qualified

4        elector--of--the--state--of when not a legally registered

5        Montana voter is punishable--by subject--to a fine--not

6        exceeding \$500 fine, or-imprisonment-in-the-county a months

7        in jail for-a-term-not-to--exceed--6--months, or both--or

8        imprisonment-in-the-state-prison-for-a-term-not-to-exceed-10

9        years.

10        (e) Each person must sign with his/her name and  

11       address exactly in substantially the same manner as he/she  

12       is-registered-to-vote ON HIS/HER VOTER REGISTRY CARD, or the  

13       signature will not be counted.

14                   PETITION-FOR-INITIATIVE

15        For the Honorable -----, Secretary of State of the

16        state of Montana

17        We, the undersigned-qualified-electors-of-the-state--of

18        Montana,--respectfully--propose--that--the--measure--printed

19        within this petition, entitled-(title-of-proposed--law),--be

20        submitted--to-the-qualified-electors-of-the-state-of-Montana

21        for-their-approval-or-rejection-at-the-general--election--to

22        be--held--on--the-----day-of-----19----by-his-signature,

23        each--signer--certifies--I--have--personally--signed--this

24        petition--I-am-a-qualified-elector-of-the-state-of-Montana;

25        I--have-not-signed-another-petition-for-the--same--issue--for

1 the---same---election---and---my--post-office--address--and  
 2 legislative-representative--district--number--are--correctly  
 3 written--after--my--name--to--the--best--of--my--knowledge--and  
 4 better\*

5 (2) Numbered lines shall follow the above heading.  
 6 Each numbered line shall contain spaces for the signature,  
 7 post-office address, legislative representative district  
 8 number, and printed last name of the signer."

9 Section 3. Section 13-27-205, MCA, is amended to read:  
 10 "13-27-205. Petition for the referendum. (1) The  
 11 following is substantially the form for a petition calling  
 12 for approval or rejection of an act of the legislature by  
 13 the referendum:

14 PETITION TO PLACE REFERENDUM NO.

15 ON THE ELECTION BALLOT

16 (a) If 5% of the voters in each of 34 legislative  
 17 representative districts sign this petition and the total  
 18 number of voters signing the petition is \*\*\*\* Senate  
 19 (House) Bill number \*\*\*\* will appear on the next general  
 20 election ballot. If a majority of voters vote for this  
 21 measure at that election it will become law.

22 (b) We, the undersigned Montana voters, propose that  
 23 the secretary of state place the following Senate (House)  
 24 Bill Number \*\*\*\* passed by the legislature on \*\*\*\* on the  
 25 next general election ballot:

1 (Title of referendum written pursuant to 13-27-312)  
 2 (Statement of implication written pursuant to 13-27-312)  
 3 (c) Voters are urged to read the complete text of the  
 4 measure, which appears (on the reverse side of, attached to,  
 5 etc., as applicable) on this sheet. A signature on this  
 6 petition is only to put the measure on the ballot and does  
 7 not necessarily mean the signer agrees with the measure.

8 (d) WARNING

9 A person who purposefully signs a name other than  
 10 his/her own to this petition or who signs his-name more than  
 11 once upon-a-petition for the same issue at one election or  
 12 who-is-noty-at-the-time-he signs this-petition-a--qualified  
 13 elector--of--the--state--of when not a legally registered  
 14 Montana voter is punishable--by--a--fine--of--not--exceeding  
 15 subject to a \$500 fine, or-imprisonment-in-the-county-jail  
 16 for-a-term-not-to-exceed 6 months in jail, or both--or  
 17 imprisonment-in-the-state-prison-for-a-term-not-to-exceed-10  
 18 years.

19 (e) Each person must sign his/her name and address  
 20 exactly IN SUBSTANTIALLY THE SAME MANNER as he/she-is  
 21 registered--to--vote ON HIS/HER VOTER REGISTRY CARD, or the  
 22 signature will not be counted.

23 PETITION-FOR-REFERENDUM

24 To-the-Honorable-----Secretary--of--state--of--the  
 25 state-of-Montana

1 Hey--the--undersigned--qualified--electors--of--the--state--of--  
2 Montana--respectfully--petition--that--Senate--(House)--Bill  
3 Number--\*\*\*\*\*--entitled--(title--of--act)--passed--by--the--\*\*\*\*\*  
4 Legislature--of--the--state--of--Montana--at--the--regular--session--  
5 session--of--the--legislature--that--commenced--\*\*\*\*\*--in--19--be  
6 referred--to--the--people--of--the--state--for--their--approval--or  
7 rejection--at--the--general--election--to--be--held--on--the--\*\*\*\*\*--day  
8 of--\*\*\*\*\*--in--19--by--his--signature--each--signer--certifies--I  
9 have--personally--signed--this--petition--I--am--a--qualified  
10 elector--of--the--state--of--Montana--I--have--not--signed--another  
11 petition--for--the--same--issue--for--the--same--election--and--my  
12 post--office--address--and--legislative--representative--district  
13 number--are--correctly--written--after--my--name--to--the--best--of--my  
14 knowledge--and--believe

15 (2) Numbered lines shall follow the above heading.  
16 Each numbered line shall contain spaces for the signature,  
17 post-office address, legislative representative district  
18 number, and printed last name of the signer."

19                   Section 4. Section 13-27-206, MCA, is amended to read:

20                   "13-27-206. Petition for initiative for constitutional

21 convention. (1) The following is substantially the form for

22 a petition to direct the secretary of state to submit to the

23 qualified voters the question of whether there shall be a

24 constitutional convention;

**PETITION TO PLACE**

INITIATIVE NO. 1 CALLING FOR  
A CONSTITUTIONAL CONVENTION, ON  
THE ELECTION BALLOT

(a) IF 10% of the voters in each of 45 legislative districts sign this petition and the total number of voters signing this petition is ...., the question of whether to have a constitutional convention will appear on the next general election ballot. If a majority of voters vote for the constitutional convention the legislature will call for a constitutional convention at its next session.

(b) We, the undersigned Montana voters, propose that the secretary of state place the question of whether to hold a constitutional convention on the .... ~~year~~ 19.... general election ballot:

(Title of the initiative written pursuant to 13-27-312)  
(Statement of implication written pursuant to 13-27-312)

(c) A signature on this petition is only to put the call for a constitutional convention on the ballot and does not necessarily mean the signer is in favor of calling a constitutional convention.

(d) WARNING  
A person who purposefully signs a name other than his/her own to this petition or who signs his-name more than once upon--a-petition for the same issue at one election or who is not at the time he signs this petition, a qualified

1    elector--of--the-state-is-punishable-by-a-fine-not-exceeding  
 2    when not a legally registered Montana voter is subject to a  
 3    \$500 fine or imprisonment-in-the-county-jail-for-a-term-not  
 4    to-exceed 6 months in jail, or both--or--imprisonment-in--the  
 5    state-prison-for-a-term-not-to-exceed-10-years.

6    (e) Each person must sign his/her name and address  
 7    exactly IN SUBSTANTIALLY THE SAME MANNER as he/she is  
 8    registered--to--vote ON HIS/HER VOTER REGISTRY CARD, or the  
 9    signature will not be counted.

10    INITIATIVE-PETITION-ON-THE-QUESTION-OF-CALLING

11    A-CONSTITUTIONAL-CONVENTION

12    To the Honorable-----Secretary--of--State--of--the  
 13    state-of-Montana

14    We--the--undersigned-qualified-electors--of--the-state-of  
 15    Montana--respectfully-petition--that--the--question--of--whether  
 16    there--shall--be--an--unlimited--convention--to--revise--alter--or  
 17    amend--the--Constitution--of--the--state--of--Montana--be--submitted  
 18    to--the--qualified--electors--of--the--state--of--Montana--for--their  
 19    approval--or--rejection--at--the--general--election--to--be--held--on  
 20    the-----day--of-----19----By--his--signature--each--signer  
 21    certifies--I--have--personally--signed--this--petition--I--am--a  
 22    qualified--elector--of--the--state--of--Montana--I--have--not--signed  
 23    another--petition--for--the--same--issue--for--the--same--electront  
 24    and--my--post--office--address--and--legislative--representative  
 25    district--number--are--correctly--written--after--my--name--to--the

1    best-of-my-knowledge-and-beliefs

2    (2) Numbered lines shall follow the above heading.  
 3    Each numbered line shall also contain spaces for the  
 4    signature, post-office address, legislative representative  
 5    district number, and printed last name of the signer."

6    Section 5. Section 13-27-207, MCA, is amended to read:  
 7    "13-27-207. Petition for initiative for constitutional  
 8    amendment. (1) The following is substantially the form for a  
 9    petition for the initiative to amend the constitution:

10    PETITION TO PLACE CONSTITUTIONAL

11    AMENDMENT NO. ON

12    THE ELECTION BALLOT

13    (a) If 10% of the voters in each of 40 legislative  
 14    districts sign this petition and the total number of voters  
 15    signing the petition is ..... this constitutional amendment  
 16    will appear on the next general election ballot. If a  
 17    majority of voters vote for this amendment at that election  
 18    it will become part of the constitution.

19    (b) We, the undersigned Montana voters, propose that  
 20    the secretary of state place the following constitutional  
 21    amendment on the ..... 19... general election ballot.

22    (Title of the proposed constitutional amendment

23    written pursuant to 13-27-312)

24    (Statement of implication written pursuant to 13-27-312)

25    (c) Voters are urged to read the complete text of the

1 measure, which appears on the reverse side of, attached to,  
 2 etc., as applicable on this sheet. A signature on this  
 3 petition is only to put the constitutional amendment on the  
 4 ballot and does not necessarily mean the signer agrees with  
 5 the amendment.

6 (d) **WARNING**

7 A person who purposefully signs a name other than  
 8 his/her own to this petition or who signs his-name more than  
 9 once upon-a-petition for the same issue at one election or  
 10 who-is-not-at-the-time-he signs this-petition-a-qualified  
 11 elector--of--the--state--of when not a legally registered  
 12 Montana voter is-punishable--by--a--fine--not--exceeding 15  
 13 subject to a \$500 fine, or-imprisonment-in-the-county-jail  
 14 for-a-term-not-to-exceed 6 months in jail, or both--or  
 15 imprisonment-in-the-state-prison-for-a-term-not-to-exceed-10  
 16 years.

17 (e) Each person must sign his/her name and address IN  
 18 SUBSTANTIALLY THE SAME MANNER as he/she-is-registered-to  
 19 vote ON HIS/HER VOTER REGISTRY CARD, or the signature will  
 20 not be counted.

21 **PETITION-PREPARED-A-CONSTITUTIONAL-AMENDMENT**

22 **BY-THE-INITIATIVE**

23 To-the-Honorable-----Secretary--of--state--of--the  
 24 state-of-Montana

25 We--the-undersigned-qualified-electors-of-the-state-of

1 Montana--respectfully--petition--that--the--constitutional  
 2 amendment--printed--within-this-petition-be-submitted-to-the  
 3 qualified--electors--of--the--state--of--Montana--for--their  
 4 approval--or--rejection-at-the-statewide-election-to-be-held  
 5 on-the-----day-of-----19----By--his--signature--each  
 6 signer--certifies-i-have-personally-signed-this-petition-i  
 7 am-a-qualified-elector-of-the-state-of-Montana-i--have--not  
 8 signed--another--petition--for--the--same-issue-for-the-same  
 9 election--and--my--post-office--address--and--legislative  
 10 representative--district--number-are-correctly-written-after  
 11 my-name-to-the-best-of-my-knowledge-and-belief.

12 (2) Numbered lines shall follow the above heading.  
 13 Each numbered line shall contain spaces for the signature,  
 14 post-office address, legislative representative district  
 15 number, and printed last name of the signer."

16 Section 6. Section 13-27-302, MCA, is amended to read:

17 "13-27-302. Certification of signatures. An affidavit,  
 18 in substantially the following form, shall be attached to  
 19 each sheet or section submitted to the county official:

20 I, (Name of person circulatting who circulated this  
 21 petition), affirms AFFIRM, or being first sworn, deposes

22 DEPOSE and says SAY: that I circulated or assisted in

23 circulating the petition to which this affidavit is attached  
 24 and I believe the signatures thereon are genuine, are the  
 25 signatures of the persons whose names they purport to be,

1 are the signatures of Montana electors who are registered at  
 2 the address following their signature, and that the signers  
 3 knew the contents of the petition before signing the same.

4 ..... (Signature of petition circulator)

5 ..... (Address of petition circulator)

6 ..... (Date circulator signs this affidavit)

7 Subscribed and sworn to before me this .... day of ....,  
 8 19...  
 9 ..... (Person authorized to take oaths)

10 Seal ..... (Title or notarial information)"

11 Section 7. Section 13-27-312, MCA, is amended to read:

12 "13-27-312. Review of petition by attorney general --  
 13 preparation of statement statements. (1) Upon receipt of a  
 14 petition from the office of the secretary of state pursuant  
 15 to 13-27-202, the attorney general shall examine the  
 16 petition as to form. If the petition form is approved, the  
 17 attorney general shall prepare-and-transmit-to-the-secretary  
 18 of--state--a-concise-statement-not-exceeding-100-words--This  
 19 statement-shall-express-a-true-and-impartial-explanation--of  
 20 the--purpose--of--the-proposed-ballot-issue-in-plain--easily  
 21 understood-language--The-statement-may-not--be--an--argument  
 22 and--may--not--be--written--so-as-to-create-prejudice-for-or  
 23 against-the--measure appoint a five-member committee to  
 24 recommend the statement of purpose and the statement of the  
 25 implications of the measure. The committee shall consist of

1 two persons recommended by the person filing the petition,  
 2 two persons known to oppose the measure, and one  
 3 representative of the attorney general's office who is the  
 4 chairman. The committee shall, within 14 days of  
 5 appointment, meet and recommend by a vote of a majority of  
 6 the committee:

7 (a) a statement, not to exceed 100 words, explaining  
 8 the purpose of the measure; and

9 (b) statements, not to exceed 25 words each,  
 10 explaining the implications of a vote for and a vote against  
 11 the measure.

12 (2) The attorney general may accept, reject, or modify  
 13 the statements recommended by the committee. If the  
 14 committee is unable to recommend one or both statements, the  
 15 attorney general shall prepare the statements.

16 (3) The statement of purpose and the statements of  
 17 implication must express the true and impartial explanation  
 18 of the proposed ballot issue in plain, easily understood  
 19 language and may not be arguments or written so as to create  
 20 prejudice for or against the measure.

21 (4) The statement of purpose prepared pursuant to this  
 22 subsection subsection (1) or (2), unless altered by a court  
 23 under 13-27-316, is the petition title for the measure  
 24 circulated by the petition and the ballot title if the  
 25 measure is placed on the ballot.

1        ~~t27~~--At--the--same--time--the--statement--of--purpose--is  
2        prepared, the attorney general shall prepare--statements--of  
3        the implication of a vote for or against a ballot issue. The  
4        statements--of--implication--may--be--no--more--than--25--words--each  
5        and--shall--be--in--simple--important--language--clearly  
6        explaining--the--meaning--of--a--vote--for--and--a--vote--against--the  
7        issues. The statements--of--implication--prepared--pursuant--to  
8        this--section,--unless--altered--by--a--court--under--13-27-346--, are  
9        the--statements--to--be--used--on--the--petition--and--the--ballot--if  
10       the--measure--is--placed--on--the--ballot.

11       ~~151~~ The statements of implication shall be placed  
12       beside the diagram provided for marking of the ballot in a  
13       manner similar to the following example:

14       FOR extending the right to vote to persons 18 years  
15       of age

16       AGAINST extending the right to vote to persons 18  
17       years of age

18       ~~t37~~~~16~~ If the petition is rejected as to form, the  
19       attorney general shall forward his comments to the secretary  
20       of state within 10 days after receipt of the petition by the  
21       attorney general. If the petition is approved as to form,  
22       the attorney general shall forward the statement of purpose  
23       and the statements of implication to the secretary of state  
24       within 21 days after receipt of the petition by the attorney  
25       general."

-End-

HOUSE BILL NO. 683  
INTRODUCED BY FABREGA, B. BROWN, BERGENE,  
CONN., BENGTSON, ANDERSON, DONALDSON

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CLARIFY  
6 THE LAWS RELATING TO BALLOT ISSUES; REQUIRING THE  
7 LEGISLATIVE COUNCIL TO REVIEW ALL BALLOT ISSUES; TO SIMPLIFY  
8 THE LANGUAGE IN BALLOT ISSUE PETITIONS; TO REQUIRE THAT EACH  
9 PETITION CONTAIN THE ADDRESS OF THE PERSON CIRCULATING IT;  
10 AND REQUIRING ENCOURAGING THE ATTORNEY GENERAL TO APPOINT A  
11 COMMITTEE TO WRITE THE PURPOSE OF THE BALLOT ISSUE AND THE  
12 STATEMENTS OF IMPLICATION; AMENDING SECTIONS 13-27-202,  
13 13-27-204 THROUGH 13-27-207, 13-27-302, AND 13-27-312, MCA."

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

16                   Section 1. Section 13-27-202, MCA, is amended to read:

17                   "13-27-202. Approval of form required. (1) Before a

18 petition may be circulated for signatures, a sample sheet

19 containing the text of the proposed measure must be

20 submitted to the secretary of state in the form in which it

21 will be circulated. The sample petition may not be submitted

22 to the secretary of state more than 1 year prior to the

23 final date for filing the signed petition with the secretary

24 of state. The secretary of state shall refer a copy of the

25 petition sheet to:

1 1a the attorney general for his approval. The  
2 secretary of state and attorney general must each review the  
3 petition for sufficiency as to form and approve or reject  
4 the form of the petition, stating the reasons for rejection,  
5 if any.

6 (b) the legislative council. The legislative council  
7 shall review the text of the proposed measure for clarity,  
8 consistency, or any other factors the council considers when  
9 drafting legislation. The legislative council must make its  
10 recommendations within 14 days after the petition is  
11 submitted to the secretary of state. The person submitting  
12 the petition may accept, reject, or modify the changes  
13 recommended by the legislative council. A copy of the  
14 recommended changes shall be made available to any person by  
15 the secretary of state upon request.

1 Section 2. Section 13-27-204, MCA, is amended to read:  
 2       "13-27-204. Petition for the initiative. (1) The  
 3 following is substantially the form for a petition calling  
 4 for a vote to enact a law by the initiative:

5                   PETITION TO PLACE

6                   INITIATIVE NO.     ON

7                   THE ELECTION BALLOT

8        (a) If 5% of the voters in each of 34 legislative  
 9        representative districts sign this petition and the total  
 10       number of voters signing this petition is ..... this  
 11       measure will appear on the next general election ballot. If  
 12       a majority of voters vote for this measure at that election  
 13       it will become law.

14       (b) We, the undersigned Montana voters, propose that  
 15       the secretary of state place the following measure on the  
 16       ..... 19.., general election ballot:

17       (Title of measure written pursuant to 13-27-312)

18       (Statement of implication written pursuant to 13-27-312)

19       (c) Voters are urged to read the complete text of the  
 20       measure, which appears (on the reverse side of, attached to,  
 21       etc., as applicable) on this sheet. A signature on this  
 22       petition is only to put the measure on the ballot and does  
 23       not necessarily mean the signer agrees with the measure.

24       (d)                   WARNING

25       A person who purposefully signs a name other than

1       his/her own to this petition or who signs his-name more than  
 2       once upon-a-petition for the same issue at one election or  
 3       who-is-not-at-the-time-he signs this-petition-a-qualified  
 4       elector--of--the--state--of when not a legally registered  
 5       Montana voter is punishable--by subject to a fine--not  
 6       exceeding \$500 fine, or-imprisonment-in-the-county 6 months  
 7       in jail for-a-term-not-to-exceed-6--months, or both--or  
 8       imprisonment-in-the-state-prison-for-a-term-not-to-exceed-10  
 9       years.

10       (e) Each person must sign with his/her name and  
 11       address exactly IN SUBSTANTIALLY THE SAME MANNER as he/she  
 12       is-registered-to-vote ON HIS/HER VOTER REGISTRY CARD, or the  
 13       signature will not be counted.

14                   PETITION-FOR-INITIATIVE

15       To--the--Honorable--\*\*\*\*\*--Secretary--of--State--of--the  
 16       state--of--Montana+

17       We--the--undersigned--qualified--electors--of--the--state--of  
 18       Montana--respectfully--propose--that--the--measure--printed  
 19       within--this--petition--entitled--(title--of--proposed--law)--be  
 20       submitted--to--the--qualified--electors--of--the--state--of--Montana  
 21       for--their--approval--or--rejection--at--the--general--election--to  
 22       be--held--on--the--day--of--\*\*\*\*\*-19\*\*-By--his--signatures.  
 23       each--signer--certifies--I--have--personally--signed--this  
 24       petition--I--am--a--qualified--elector--of--the--state--of--Montana  
 25       I--have--not--signed--another--petition--for--the--same--issue--for

1 the---same---election---and---my---post-office---address---and  
 2 legislative representative district number are correctly  
 3 written---after---my---name---to---the---best---of---my---knowledge---and  
 4 believ.

5 (2) Numbered lines shall follow the above heading.  
 6 Each numbered line shall contain spaces for the signature,  
 7 post-office address, legislative representative district  
 8 number, and printed last name of the signer."

9 Section 3. Section 13-27-205, MCA, is amended to read:  
 10 "13-27-205. Petition for the referendum. (1) The  
 11 following is substantially the form for a petition calling  
 12 for approval or rejection of an act of the legislature by  
 13 the referendum:

14 PETITION TO PLACE REFERENDUM NO.

15 ON THE ELECTION BALLOT

16 (a) If 5% of the voters in each of 34 legislative  
 17 representative districts sign this petition and the total  
 18 number of voters signing the petition is ...., Senate  
 19 (House) Bill number .... will appear on the next general  
 20 election ballot. If a majority of voters vote for this  
 21 measure at that election it will become law.

22 (b) We, the undersigned Montana voters, propose that  
 23 the secretary of state place the following Senate (House)  
 24 Bill Number ...., passed by the legislature on ..... on the  
 25 next general election ballot:

1 (Title of referendum written pursuant to 13-27-312)  
 2 (Statement of implication written pursuant to 13-27-312)  
 3 (c) Voters are urged to read the complete text of the  
 4 measure, which appears (on the reverse side of, attached to,  
 5 etc., as applicable) on this sheet. A signature on this  
 6 petition is only to put the measure on the ballot and does  
 7 not necessarily mean the signer agrees with the measure.

8 (d) WARNING

9 A person who purposefully signs a name other than  
 10 his/her own to this petition or who signs his-name more than  
 11 once upon--a-petition for the same issue at one election or  
 12 who-is-not--at-the-time-he signs this-petition--a--qualified  
 13 elector--of--the--state--of when not a legally registered  
 14 Montana voter is punishable--by--a--fine--of--not--exceeding  
 15 subject to a \$500 fine, or--imprisonment-in-the-county-jail  
 16 for-a-term-not-to-exceed 6 months in jail, or both--or  
 17 imprisonment-in-the-state-prison-for-a-term-not-to-exceed-18  
 18 years.

19 (e) Each person must sign his/her name and address  
 20 exactly in substantially the same manner as he/she--is  
 21 registered--to--vote ON HIS/HER VOTER REGISTRY CARD, or the  
 22 signature will not be counted.

23 PETITION-FOR-REFERENDUM

24 To-the-Honorable-----Secretary--of--State--of--the  
 25 state-of-Montana+

1 Hey--the-undersigned-qualified-electors-of-the-state-of  
 2 Montana--respectfully--petition--that--Senate--(House)--Bill  
 3 Number-----entitled-title-of--act-->--passed--by--the-----  
 4 legislature-of-the-state-of-Montana-at-the-regular-(special)  
 5 session-of-the-legislature-that-commenced-----19----be  
 6 referred--to--the--people-of-the-state-for-their-approval-or  
 7 rejection-at-the-general-election-to-be-held-on-the-----day  
 8 of-----19----By-his-signature--each-signer--certifies--I  
 9 have--personally--signed--this--petition--I--am-a-qualified  
 10 elector-of-the-state-of-Montana--I--have-not--signed--another  
 11 petition--for--the--same-issue-for-the-same-election--and-my  
 12 post-office-address-and-legislative-representative-district  
 13 number-are-correctly-written-after-my-name-to-the-best-of-my  
 14 knowledge-and-belief.

15 (2) Numbered lines shall follow the above heading.  
 16 Each numbered line shall contain spaces for the signature,  
 17 post-office address, legislative representative district  
 18 number, and printed last name of the signer."

19 Section 4. Section 13-27-206, MCA, is amended to read:  
 20 "13-27-206. Petition for initiative for constitutional  
 21 convention. (1) The following is substantially the form for  
 22 a petition to direct the secretary of state to submit to the  
 23 qualified voters the question of whether there shall be a  
 24 constitutional convention:

25 PETITION TO PLACE

1 INITIATIVE NO. , CALLING FOR  
 2 A CONSTITUTIONAL CONVENTION, ON  
 3 THE ELECTION BALLOT  
 4 (a) If 10% of the voters in each of 40 legislative  
districts sign this petition and the total number of voters  
signing this petition is , the question of whether to  
have a constitutional convention will appear on the next  
general election ballot. If a majority of voters vote for  
the constitutional convention the legislature will call for  
a constitutional convention at its next session.  
 11 (b) We, the undersigned Montana voters, propose that  
the secretary of state place the question of whether to hold  
a constitutional convention on the , 19-- general  
election ballot:  
 15 (Title of the initiative written pursuant to 13-27-312)  
 16 (Statement of implication written pursuant to 13-27-312)  
 17 (c) A signature on this petition is only to put the  
 18 call for a constitutional convention on the ballot and does  
 19 not necessarily mean the signer is in favor of calling a  
 20 constitutional convention.  
 21 (d) WARNING  
 22 A person who purposefully signs a name other than  
 23 his/her own to this petition or who signs his-name more than  
 24 once upon--a-petition for the same issue at one election or  
 25 who-is-not--at-the-time-he signs this petition--a--qualified

1    elector--of--the-state-is-punishable-by-a-fine-not-exceeding  
 2    when not a legally registered Montana voter is subject to a  
 3    \$500 fine or imprisonment-in-the-county-jail-for-a-term-not  
 4    to-exceed 6 months in jail, or both--or--imprisonment-in--the  
 5    state-prison-for-a-term-not-to-exceed-10-years.

6    (e) Each person must sign his/her name and address  
 7    exactly IN SUBSTANTIALLY THE SAME MANNER as he/she-is  
 8    registered--to--vote ON HIS/HER VOTER REGISTRY CARD, or the  
 9    signature will not be counted.

10    INITIATIVE-PETITION-ON-THE-QUESTION-OF-CALLING

11    A-CONSTITUTIONAL-CONVENTION

12    To-the-Honorable-----Secretary--of--State--of--the  
 13    state-of-Montana:

14    We--the-undersigned-qualified-electors-of-the-state-of  
 15    Montana--respectfully-petition--that--the-question-of--whether  
 16    there--shall-be-an-untimited-convention-to-reviser--alter--or  
 17    amend--The-Constitution-of-the-State-of-Montana--be--submitted  
 18    to--the-qualified-electors-of-the-state-of-Montana--for--their  
 19    approval--or--rejection--at--the--general--election--to--be--held--on  
 20    the-----day--of-----19--. By--his--signature--each--signer  
 21    certifiest--I--have--personally--signed--this--petition--I--am--a  
 22    qualified--elector--of--the--state--of--Montana--I--have--not--signed  
 23    another--petition--for--the--same--issue--for--the--same--election  
 24    and--my--post--office--address--and--legistative--representative  
 25    district--number--are--correctly--written--after--my--name--to--the

1    best-of-my-knowledge-and-better\*

2    (2) Numbered lines shall follow the above heading.  
 3    Each numbered line shall also contain spaces for the  
 4    signature, post-office address, legislative representative  
 5    district number, and printed last name of the signer."

6    Section 5. Section 13-27-207, MCA, is amended to read:  
 7    "13-27-207. Petition for initiative for constitutional  
 8    amendment. (1) The following is substantially the form for a  
 9    petition for the initiative to amend the constitution:

10    PETITION TO PLACE CONSTITUTIONAL

11    AMENDMENT NO.      ON

12    THE ELECTION BALLOT

13    (a) If 10% of the voters in each of 40 legislative  
 14    districts sign this petition and the total number of voters  
 15    signing the petition is ....., this constitutional amendment  
 16    will appear on the next general election ballot. If a  
 17    majority of voters vote for this amendment at that election  
 18    it will become part of the constitution.

19    (b) We, the undersigned Montana voters, propose that  
 20    the secretary of state place the following constitutional  
 21    amendment on the ...., 19... general election ballot.

22    title of the proposed constitutional amendment

23    written pursuant to 13-27-312)

24    (Statement of implication written pursuant to 13-27-312)

25    (c) Voters are urged to read the complete text of the

1 measure, which appears (on the reverse side of, attached to,  
 2 etc., as applicable) on this sheet. A signature on this  
 3 petition is only to put the constitutional amendment on the  
 4 ballot and does not necessarily mean the signer agrees with  
 5 the amendment.

6 (d) WARNING

7 A person who purposefully signs a name other than  
 8 his/her own to this petition or who signs his-name more than  
 9 once upon--a-petition for the same issue at one election or  
 10 who-is-not--at-the-time-he signs this-petition--a--qualified  
 11 elector--of--the--state--of when not a legally registered  
 12 Montana voter is-punishable--by--a--fine--not--exceeding is  
 13 subject to a \$500 fine, or-imprisonment-in-the-county-jail  
 14 for-a-term-not-to-exceed 6 months in jail, or both--or  
 15 imprisonment-in-the-state-prison-for-a-term-not-to-exceed-10  
 16 years.

17 (e) Each person must sign his/her name and address IN  
 18 SUBSTANTIALLY THE SAME MANNER as he/she--is--registered--to  
 19 vote ON HIS/HER VOTER REGISTRY CARD, or the signature will  
 20 not be counted.

21 4. A PETITION-PROPOSING-A-CONSTITUTIONAL-AMENDMENT  
 22 BY-THE-INITIATIVE  
 23 To-the-Honorable-----Secretary--of--State--of--the  
 24 state-of-Montana  
 25 We--the-undersigned-qualified-electors-of-the-state-of

1 Montana--respectfully--petition--that--the--constitutional  
 2 amendment--printed--within--this--petition--be--submitted--to--the  
 3 qualified--electors--of--the--state--of--Montana--for--their  
 4 approval--or--rejection--at--the--statewide--election--to--be--held  
 5 on--the----day--of----19----By--his--signature--each  
 6 signer--certifies--I--have--personally--signed--this--petition--I  
 7 am--a--qualified--elector--of--the--state--of--Montana--I--have--not  
 8 signed--another--petition--for--the--same--issue--for--the--same  
 9 election--and--my--post--office--address---and--legislative  
 10 representative--district--number--are--correctly--written--after  
 11 my--name--to--the--best--of--my--knowledge--and--belief.

12 (2) Numbered lines shall follow the above heading.  
 13 Each numbered line shall contain spaces for the signature,  
 14 post-office address, legislative representative district  
 15 number, and printed last name of the signer."

16 Section 6. Section 13-27-302, MCA, is amended to read:  
 17 "13-27-302. Certification of signatures. An affidavit,  
 18 in substantially the following form, shall be attached to  
 19 each sheet or section submitted to the county official:  
 20 I, (Name of person circulatting who circulated this  
 21 petition), affirms AFFIRM, or being first sworn, deposes  
 22 DEPOSE and says SAY: that I circulated or assisted in  
 23 circulating the petition to which this affidavit is attached  
 24 and I believe the signatures thereon are genuine, are the  
 25 signatures of the persons whose names they purport to be,

1 are the signatures of Montana electors who are registered at  
 2 the address following their signature, and that the signers  
 3 knew the contents of the petition before signing the same.

4 ..... (Signature of petition circulator)

5 ..... (Address of petition circulator)

6 ~~..... (Date circulator signs this affidavit)~~  
 7 Subscribed and sworn to before me this .... day of ....  
 8 19...  
 9

10 Seal ..... (Person authorized to take oaths)

11 ..... (Title or notarial information)"

12 Section 7. Section 13-27-312, MCA, is amended to read:  
 13 "13-27-312. Review of petition by attorney general --  
 14 preparation of statement statements. (1) Upon receipt of a  
 15 petition from the office of the secretary of state pursuant  
 16 to 13-27-202, the attorney general shall examine the  
 17 petition as to form. If the petition form is approved, the  
 18 attorney general shall endeavor to seek out parties on both  
sides of the issue and obtain their advice. The attorney  
general may, if he deems it necessary, prepare and transmit  
to the secretary of state a concise statement not -- exceeding  
100 words -- this statement shall express a true 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 measure appoint a five member committee

1 to recommend the statement of purpose and the statement of  
 2 the implications of the measure. The committee shall consist  
 3 of two persons recommended by the person filing the  
 4 petition, two persons known to oppose the measure, and one  
 5 representative of the attorney general's office who is the  
 6 chairman. The committee shall, within 14 days of  
 7 appointment, meet and recommend by a vote of a majority of  
 8 the committee:

9 (a) a statement, not to exceed 100 words, explaining  
 10 the purpose of the measure; and

11 (b) statements, not to exceed 25 words each,  
 12 explaining the implications of a vote for and a vote against  
 13 the measure.

14 (2) The attorney general may accept, reject, or modify  
 15 the statements recommended by the committee. If the  
 16 committee is unable to recommend one or both statements, the  
 17 attorney general shall prepare the statements.

18 (3) The statement of purpose and the statements of  
 19 implication must express the true and impartial explanation  
 20 of the proposed ballot issue in plain, easily understood  
 21 language and may not be arguments or written so as to create  
 22 prejudice for or against the measure.

23 (4) The statement of purpose prepared pursuant to this  
 24 subsection subsection (1) or (2), unless altered by a court  
 25 under 13-27-316, is the petition title for the measure

1 circulated by the petition and the ballot title if the  
2 measure is placed on the ballot.

3 (2) At the same time the statement of purpose is  
4 prepared, the attorney general shall prepare statements of  
5 the implication of a vote for or against a ballot issue. The  
6 statements of implication may be no more than 25 words each  
7 and shall be in simple, impartial language, clearly  
8 explaining the meaning of a vote for and a vote against the  
9 issue. The statements of implication prepared pursuant to  
10 this section, unless altered by a court under 13-27-316, are  
11 the statements to be used on the petition and the ballot if  
12 the measure is placed on the ballot.

13 (5) The statements of implication shall be placed  
14 beside the diagram provided for marking of the ballot in a  
15 manner similar to the following example:

16  FOR extending the right to vote to persons 18 years  
17 of age

18  AGAINST extending the right to vote to persons 18  
19 years of age

20 (3)(6) If the petition is rejected as to form, the  
21 attorney general shall forward his comments to the secretary  
22 of state within 10 days after receipt of the petition by the  
23 attorney general. If the petition is approved as to form,  
24 the attorney general shall forward the statement of purpose  
25 and the statements of implication to the secretary of state

1 within 21 days after receipt of the petition by the attorney  
2 general.\*

-End-

March 26, 1981

SENATE STANDING COMMITTEE REPORT  
(State Administration)

That House Bill No. 683 be amended as follows: .

1. Title, line 10.

Following: "AND"

Strike: "REQUIRING"

Insert: "ENCOURAGING"

2. Page 13, line 6.

Following: line 5.

Strike: line 6 in its entirety

3. Page 13, line 17.

Following: "shall"

Insert: "endeavor to seek out parties on both sides of the issue and obtain their advice. The attorney general may, if he deems it necessary,"

4. Page 15, line 14

Insert: "

5. Page 15, line 16

Insert: "