

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 Adminis- tration.
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; Noes, 0. Transmitted to Senate.

IN THE SENATE

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

1 House BILL NO. 683  
 2 INTRODUCED BY George R. Brown T. Bergene Conn  
 3 Bangston, Anderson Donalds

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

13  
 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 15 Section 1. Section 13-27-202, MCA, is amended to read:  
 16 "13-27-202. Approval of form required. (1) Before a  
 17 petition may be circulated for signatures, a sample sheet  
 18 containing the text of the proposed measure must be  
 19 submitted to the secretary of state in the form in which it  
 20 will be circulated. The sample petition may not be submitted  
 21 to the secretary of state more than 1 year prior to the  
 22 final date for filing the signed petition with the secretary  
 23 of state. The secretary of state shall refer a copy of the  
 24 petition sheet to:

25 (a) the attorney general for his approval. The

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

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

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

25 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 13-27-312)

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

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 punished 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 ~~belief.~~

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 (c) 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 (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 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 (e) 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-(special)  
 2 session--of--the-legislature-that-commenced-~~xxxxxx-19xx~~-be  
 3 referred-to-the-people-of-the-state-for--their--approval--or  
 4 rejection-at-the-general-election-to-be-held-on-the-~~xxxx~~-day  
 5 of--~~xxxxxx-19xx~~-By-his-signature,each-signer-certifies-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-legislative-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 "13-27-206. Petition for initiative for constitutional  
 18 convention. (1) The following is substantially the form for  
 19 a petition to direct the secretary of state to submit to the  
 20 qualified voters the question of whether there shall be a  
 21 constitutional convention:

22 PETITION TO PLACE  
 23 INITIATIVE NO. \_\_\_\_\_, CALLING FOR  
 24 A CONSTITUTIONAL CONVENTION, ON  
 25 THE ELECTION BALLOT

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

8 (b) We, the undersigned Montana voters, propose that  
 9 the secretary of state place the question of whether to hold  
 10 a constitutional convention on the ~~xxxxxx-xxxx-19xx~~  
 11 general election ballot:

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

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

18 (d) WARNING  
 19 A person who purposefully signs a name other than  
 20 his/her own to this petition or who signs his name more than  
 21 once upon a petition for the same issue at one election or  
 22 who is not, at the time he signs this petition, a qualified  
 23 elector of the state is punishable by a fine not exceeding  
 24 when not a legally registered Montana voter is subject to a  
 25 \$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 We, 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 \$500  
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 10  
13 years.

14 (e) 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 We, 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 approval 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                   .....(Address of petition circulator)  
2                   .....(Date circulator signs this affidavit)  
3       Subscribed and sworn to before me this .... day of .....,  
4       19...  
5                   .....(Person authorized to take oaths)  
6       Seal                   .....(Title or notarial information)"  
7       Section 7. Section 13-27-312, MCA, is amended to read:  
8       \*13-27-312. Review of petition by attorney general --  
9       preparation of ~~statement~~ statements. (1) Upon receipt of a  
10       petition from the office of the secretary of state pursuant  
11       to 13-27-202, the attorney general shall examine the  
12       petition as to form. If the petition form is approved, the  
13       attorney general shall ~~prepare and transmit to the secretary~~  
14       ~~of state a concise statement not exceeding 100 words. This~~  
15       ~~statement shall express a true and impartial explanation of~~  
16       ~~the purpose of the proposed ballot issue in plain, easily~~  
17       ~~understood language. The statement may not be an argument~~  
18       ~~and may not be written so as to create prejudice for or~~  
19       ~~against the measure~~ appoint a five-member committee to  
20       recommend the statement of purpose and the statement of the  
21       implications of the measure. The committee shall consist of  
22       two persons recommended by the person filing the petition,  
23       two persons known to oppose the measure, and one  
24       representative of the attorney general's office who is the  
25       chairman. The committee shall, within 14 days of

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--simpley---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 ~~15~~ 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 ~~13~~~~16~~ 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

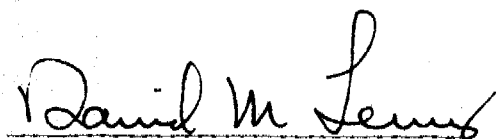
House Bill 683 is an act to revise and clarify the laws relating to ballot issues; requires the Legislative Council to review all ballot issues; simplifies language; requires Attorney General to appoint a committee.

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



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-16-81

Approved by Committee  
on State Administration

1 HOUSE BILL NO. 683

2 INTRODUCED BY FABREGA, B. BROWN, BERGENE,

3 CONN, BENGTON, ANDERSON, DONALDSON

4  
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."

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

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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.

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.

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."

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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.

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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 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 belief.

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 We, the undersigned qualified electors of the state of  
 2 Montana respectfully petition that Senate (House) Bill  
 3 Number ~~xxxxx~~ 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 ~~xxxxxx~~ 19~~xxx~~ be  
 6 referred to the people of the state for their approval or  
 7 rejection at the general election to be held on the ~~xxxx~~ day  
 8 of ~~xxxxxx~~ 19~~xxx~~ by his signature, each signer certifies that  
 9 he has 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 beliefs.

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  
 5 districts sign this petition and the total number of voters  
 6 signing this petition is \_\_\_\_\_, the question of whether to  
 7 have a constitutional convention will appear on the next  
 8 general election ballot. If a majority of voters vote for  
 9 the constitutional convention the legislature will call for  
 10 a constitutional convention at its next session.

11 (b) We, the undersigned Montana voters, propose that  
 12 the secretary of state place the question of whether to hold  
 13 a constitutional convention on the \_\_\_\_\_, 19\_\_\_\_, general  
 14 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-18-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~~ 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~~ day-of-~~19~~ 19~~99~~ 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~~99~~ 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 \$500  
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 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 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           ~~(2) 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 13-27-316, are~~  
9 ~~the statements to be used on the petition and the ballot if~~  
10 ~~the measure is placed on the ballot.~~

11           (5) 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 14 years  
15           of age  
16           AGAINST extending the right to vote to persons 18  
17           years of age

18           ~~(3)~~(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-

## 1 HOUSE BILL NO. 683

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

4  
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."

14  
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.

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.

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 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 belief.

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       ~~Hev--the-undersigned-qualified-electors-of-the-state-of~~  
2       ~~Montanav-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-signaturev-each-signer--certifiest--I~~  
9       ~~have--personally--signed--this--petitionv--I--am-a-qualified~~  
10       ~~elector-of-the-state-of-Montanav-I-have-not--signed--another~~  
11       ~~petition--for--the--same-issue-for-the-same-electionv-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-beliefv~~

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  
5                   districts sign this petition and the total number of voters  
6                   signing this petition is \_\_\_\_\_, the question of whether to  
7                   have a constitutional convention will appear on the next  
8                   general election ballot. If a majority of voters vote for  
9                   the constitutional convention the legislature will call for  
10                   a constitutional convention at its next session.

11                   (b) We, the undersigned Montana voters, propose that  
12                   the secretary of state place the question of whether to hold  
13                   a constitutional convention on the \_\_\_\_\_, 19##, general  
14                   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-notv-at-the-time-he signs this-petitionv-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 For-the-Honorable-~~Secretary~~--Secretary--of--State--of--the  
13 state-of-Montana:

14 We--the-undersigned-qualified-electors-of-the-state-of  
15 Montanay-respectfully-petition-that-the-question-of--whether  
16 there--shall-be-an-unlimited-convention-to-revisey-atery-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~~--day-of--~~19~~19--By-his-signaturey-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--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 applicaole) 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 PETITION-PROPOSING-A-CONSTITUTIONAL-AMENDMENT

22 BY-THE-INITIATIVE

23 For-the-Honorable-~~xxxxxx~~ 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--~~xxxx~~ day--of--~~xxxxxx~~--19~~xxxx~~--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 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       ~~{2}~~ 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 13-27-316, are  
9 the statements to be used on the petition and the ballot if  
10 the measure is placed on the ballot.

11       {5} 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       ~~{3}~~ {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-

## 1 HOUSE BILL NO. 683

2 INTRODUCED BY FABREGA, B. BROWN, BERGENE,

3 CONN, BENGTON, ANDERSON, DONALDSON

4  
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."

14  
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.

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.

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 belief.

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 ~~We, 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  
 5 districts sign this petition and the total number of voters  
 6 signing this petition is \_\_\_\_\_, the question of whether to  
 7 have a constitutional convention will appear on the next  
 8 general election ballot. If a majority of voters vote for  
 9 the constitutional convention the legislature will call for  
 10 a constitutional convention at its next session.

11 (b) We, the undersigned Montana voters, propose that  
 12 the secretary of state place the question of whether to hold  
 13 a constitutional convention on the \_\_\_\_\_, 19\_\_\_\_, general  
 14 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 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 belief:~~

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 PETITION PROPOSING A CONSTITUTIONAL AMENDMENT

22 BY THE INITIATIVE

23 To the Honorable ~~Secretary~~ 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 ~~xxx~~ day of ~~xxxxx~~ 19~~xxx~~ 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 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 ENDEAVOR TO SEEK OUT PARTIES ON BOTH

18 SIDES OF THE ISSUE AND OBTAIN THEIR ADVICE. THE ATTORNEY

19 GENERAL MAY, IF HE DEEMS IT NECESSARY, prepare-and-transmit

20 to-the-secretary-of-state-a-concise-statement-not--exceeding

21 100-words--This-statement-shall-express-a-true-and-impartial

22 explanation--of--the-purpose-of-the-proposed-ballot-issue-in

23 plainly-easily-understood-language-The-statement-may-not--be

24 an-argument-and-may-not-be-written-so-as-to-create-prejudice

25 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: "□"