## HOUSE BILL NO. 2

## INTRODUCED BY RAMIRES, MASUREK

## BY REQUEST OF THE LEGISLATIVE COUNCIL

## IN THE HOUSE

January 3, 1983	Introduced and referred to Committee on State Administration.
January 5, 1983	Committee recommend bill do pass. Report adopted.
	Bill printed and placed on members' desks.
January 6, 1983	Second reading, do pass.
January 7, 1983	Considered correctly engrossed.
January 8, 1983	Third reading, passed. Transmitted to Senate.
]	IN THE SENATE
January 10, 1983	Introduced and referred to Committee on State Administration.
January 14, 1983	Committee recommend bill be concurred in. Report adopted.
January 17, 1983	Second reading, concurred in.
January 19, 1983	Third reading, concurred in. Ayes, 47; Noes, 0.
3	IN THE HOUSE
January 19, 1983	Returned to House.
January 20, 1983	Sent to enrolling.

Reported correctly enrolled.

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1	HOUSE BILL NO2	
z	INTRODUCED BY	
3	BY REQUEST OF THE LEGISLATIVE COUNCIL	
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5	A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE LAW	
6	RELATING TO LEGISLATIVE COUNCIL REVIEW OF BALLOT ISSUES;	
7	PROVIDING THAT COUNCIL REVIEW MUST BE ACCOMPLISHED PRIOR TO	
8	SUBMISSION OF THE SAMPLE PETITION TO THE SECRETARY OF STATE;	
9	AMENDING SECTION 13-27-202, MCA."	
10		
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	
12	Section 1. Section 13-27-202, MCA, is amended to read:	
13	"13-27-202 <b>. *<del>pprovel</del> <u>Recommendations approval</u> of</b>	
14	form required. <u>(1) Before submission of a sample sheet to</u>	
15	the secretary of state pursuant to subsection (3), the	
16	following_requirements_must_be_fulfilled:	
17	<u>lalIbe_text_of_tbe_proposed_measure_must_be_submitted</u>	
18	to the legislative council for review.	
19	<u>(b)ThecouncilStaffShall_reviewthetextfor</u>	
20	clarityconsistencyand_any_other_factors_the_council	
21	staff_considers_when_drafting_proposed_legislation.	
22	<u>[c]Within_14_days_after_submission_of_thetextsthe</u>	
23	<u>councilstaffsball_make_to_the_person_submitting_the_text</u>	
24	written_recommendations_for_changes_in_the_text_or_a	
25	<u>statement_that_no_changes_are_recommended.</u>	

1	(d)Theperson_submitting_the_text_shall_consider_any
2	<u>such_recommendations_and_respond_in_writing_to_thecouncils</u>
3	acceptingsrejectingsor_modifying_each_of_the_recommended
4	changes. If no changes are recommended, no response is
5	required.
6	<u>121 The legislative council shall furnish a copy of</u>
7	the correspondence provided for in subsection [1] to the
8	Secretary of states who shall make a copy thereof available
9	to any person upon request.
10	(11) Before a petition may be circulated for
11	signatures, a sample sheet containing the text of the
12	proposed measure must be submitted to the secretary of state
13	in the form in which it will be circulated. The sample
14	petition may not be submitted to the secretary of state more
15	than 1 year prior to the final date for filing the signed
16	petition with the secretary of state. The secretary of state
17	shall refer a copy of the petition sheet to+
18	tet the attorney general for his approval. The
19	secretary of state and attorney general must each review the
20	petition for sufficiency as to form and approve or reject
21	the form of the petition, stating the reasons for rejection,
22	if any.
23	{b}the-legislative-councily-Thelegislativecouncil
24	shallreviewthe-text-of-the-proposed-measure-for-clarityy
25	consistency-or-any-other-factors-the-council-considers-when
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HBZ

1 drofting-legislationw-The-legislative-council-must-moke--its
2 recommendations--within--l4--days--after--the--petition--is
3 submitted-to-the-secretory-of-statew-The--person--submitting
4 the--petition--may--accepty--rejecty--ar--modify-the-changes
5 recommended-by--the--legislative--councils--A--copy--after-the
6 recommended-changes-shell-be-made-avoilable-to-any-person-by
7 the-secretary-of-state-upon-requesty

8 (2)(4) The secretary of state shall review the 9 comments and statements of the attorney general received pursuant to 13 - 27 - 312 and make a final decision as to the 10 approval or rejection of the form of the petition. The 11 secretary of state shall send written notice to the person 12 13 who submitted the petition sheet of the approval within 28 days after submission of the petition sheet. The secretary 14 15 of state shall send written notice if the petition has been rejected together with reasons for rejection within 14 days 16 17 after submission of the petition sheet."

~End-

HOUSE BILL NO2_
INTRODUCED BY RAMIREZ, MAZUREK
BY REQUEST OF THE LEGISLATIVE COUNCIL
A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE LAW
RELATING TO LEGISLATIVE COUNCIL REVIEW OF BALLOT ISSUES;
PROVIDING THAT COUNCIL REVIEW MUST BE ACCOMPLISHED PRIOR TO
SUBMISSION OF THE SAMPLE PETITION TO THE SECRETARY OF STATE;
AMENDING SECTION 13-27-202, HCA
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• <del>Approvel <u>Recommendations</u>approval</del> of
form required. <u>(1) Before submission of a sample speet to</u>
<u>the secretary of state pursuant to subsection (3). the</u>
<u>following requirements_must_be_fulfilled:</u>
(a) <u>The_text_of_the_proposed_measure_must_be_submitted</u>
to the legislative council for reviews
<u>(b) The council Staff shall review the text for</u>
<u>clarity: consistency: and any other factors the council</u>
<pre>staff_considers_wben_drafting_proposed_legislation.</pre>
(c)_Within_14_days_after_submission_of_thetextsthe
councilstaffshall_make_to_the_person_submitting_the_text
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1	<u>[d]Theperson_submitting_the_text_shall_consider_any</u>			
2	<pre>such_recommendations_and_respond_in_writing_to_thecouncils</pre>			
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T	the carrespondence provided for in subsection (1) to the			
8	secretary of states who shall make a copy thereof available			
9	to_any_person_upop_request.			
10	<pre>{11/[3] Before a petition may be circulated for</pre>			
11	signatures, a sample sheet containing the text of the			
12	proposed measure must be submitted to the secretary of state			
13	in the form in which it will be circulated. The sample			
14	petition may not be submitted to the secretary of state more			
15	than 1 year prior to the final date for filing the signed			
16	petition with the secretary of state. The secretary of state			
17	shall refer a copy of the petition sheet to+			
18	te attorney general for his approval. The			
19	secretary of state and attorney general must each review the			
20	petition for sufficiency as to form and approve or reject			
21	the form of the petition, stating the reasons for rejection,			
22	if any.			
23	{b}the-legislative-councilThelegislativecouncil			
24	shallreviewthe-text-of-the-pr <del>oposed-measure-for-clafity,</del>			
25	consistency-or-any-other-factors-the-council-considers-when			
	-2- SECOND READING HB-2-			

 1
 drafting-legislation-The-legislative-council-must-make--its

 2
 recommendations---within--14---days--after--the--petition--is

 3
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(2)(4) The secretary of state shall review the 8 comments and statements of the attorney general received 9 pursuant to 13-27-312 and make a final decision as to the 10 11 approval or rejection of the form of the petition. The 12 secretary of state shall send written notice to the person 13 who submitted the petition sheet of the approval within 28 14 days after submission of the petition sheet. The secretary 15 of state shall send written notice if the petition has been 16 rejected together with reasons for rejection within 14 days 17 after submission of the petition sheet."

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12	Section 1. Section 13-27-202, MCA, is amended to read:
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14	form required. <u>(1) Before submission of a sample sheet to</u>
15	the secretary of state pursuant to subsection (3). The
16	following requirements must be fulfilled:
17	<u>(a) The text of the proposed measure must be submitted</u>
18	to the legislative council for review.
19	(b) The council staff shall review the text for
20	<u>clarity. consistency. and any other factors the council</u>
21	staff considers when drafting proposed legislation.
22	(c)within_14_days_after_submission_of_thetextsthe
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2	INTRODUCED BY RAMIREZ, MAZUREK	Z	such recommendations and respond in writing to the councils
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8	SUBMISSION OF THE SAMPLE PETITION TO THE SECRETARY OF STATE;	8	secretary of state, who shall make a copy thereof available
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22	(c) Within 14 days after submission of the text. the	22	if any.
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REFERENCE BILL

HB

HB Z

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-End-