

HOUSE BILL NO. 2  
INTRODUCED BY RAMIREZ, MAZUREK  
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 concurrent in. Report adopted.
January 17, 1983	Second reading, concurrent in.
January 19, 1983	Third reading, concurrent in. Ayes, 47; Noes, 0.

IN THE HOUSE

January 19, 1983	Returned to House.
January 20, 1983	Sent to enrolling.  Reported correctly enrolled.

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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."  
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 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. ~~Approval~~ Recommendations -- approval of  
 14    form required. ~~(1) Before submission of a sample sheet to~~  
 15    ~~the secretary of state pursuant to subsection (3), the~~  
 16    ~~following requirements must be fulfilled:~~  
 17        ~~(a) The text of the proposed measure must be submitted~~  
 18    ~~to the legislative council for review.~~  
 19        ~~(b) The council staff shall review the text for~~  
 20    ~~clarity, consistency, and any other factors the council~~  
 21    ~~staff considers when drafting proposed legislation.~~  
 22        ~~(c) Within 14 days after submission of the text, the~~  
 23    ~~council staff shall make to the person submitting the text~~  
 24    ~~written recommendations for changes in the text or a~~  
 25    ~~statement that no changes are recommended.~~

1            ~~(d) The person submitting the text shall consider any~~  
 2    ~~such recommendations and respond in writing to the council,~~  
 3    ~~accepting, rejecting, or modifying each of the recommended~~  
 4    ~~changes. If no changes are recommended, no response is~~  
 5    ~~required.~~  
 6            ~~(2) The legislative council shall furnish a copy of~~  
 7    ~~the correspondence provided for in subsection (1) to the~~  
 8    ~~secretary of state, who shall make a copy thereof available~~  
 9    ~~to any person upon request.~~  
 10        ~~(1)(3)~~ 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        ~~to~~ 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 council. The legislative council~~  
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1 ~~drafting legislation. The legislative council must make its~~  
2 ~~recommendations within 14 days after the petition is~~  
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4 ~~the petition may accept, reject, or modify the changes~~  
5 ~~recommended by the legislative council. A copy of the~~  
6 ~~recommended changes shall be made available to any person by~~  
7 ~~the secretary of state upon request.~~

8       (2)(4) The secretary of state shall review the  
9 comments and statements of the attorney general received  
10 pursuant to 13-27-312 and make a final decision as to the  
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  
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-End-

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THIRD READING

~~drafting-legislation-The-legislative-council-must-make-its  
recommendations-within-14-days-after-the-petition-is  
submitted-to-the-secretary-of-state-The-person-submitting  
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