

HB 51 INTRODUCED BY MERCER, ET AL.
EXTENDING INITIATIVE DEADLINES

6/26	INTRODUCED	
6/26	REFERRED TO STATE ADMINISTRATION	
6/26	HEARING	
6/27	COMMITTEE REPORT-BILL PASS AS AMENDED	
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TRANSMITTED TO SENATE
DIED IN PROCESS

1 *House* BILL NO. *51*
2 INTRODUCED BY *Marcus Manuel Bob Brown Doyle*

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE DEADLINES
5 FOR SUBMISSION AND CERTIFICATION OF SIGNATURES FOR THE
6 INITIATIVE PROCESS; AMENDING SECTIONS 13-27-104, 13-27-301,
7 13-27-403, 13-27-406, AND 13-27-407, MCA; AND PROVIDING
8 EFFECTIVE DATES, RETROACTIVE APPLICABILITY, AND A
9 TERMINATION DATE."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 13-27-104, MCA, is amended to read:

13 "13-27-104. Time for filing. Unless a specific time
14 for filing is provided in the constitution, all petitions
15 filed with the secretary of state, certified as provided by
16 law, must be received ~~before 5 p.m. of the second Friday of~~
17 ~~the fourth month prior to the election at which they are to~~
18 ~~be voted upon by the people~~ within 10 days of receipt by the
19 responsible county official pursuant to 13-27-301."

20 Section 2. Section 13-27-301, MCA, is amended to read:

21 "13-27-301. Submission of petition sheets. Signed
22 sheets or sections of petitions shall be submitted to the
23 official responsible for registration of electors in the
24 county in which the signatures were obtained no sooner than
25 9 months and no later than ~~2 weeks before the final date for~~

1 ~~filing--the--petition--with--the--secretary--of--state~~ 5 p.m. of
2 ~~the second Friday of the fourth month prior to the election~~
3 ~~at which they are to be voted upon by the people."~~

4 Section 3. Section 13-27-403, MCA, is amended to read:

5 "13-27-403. Appointment to committee. (1) Appointments
6 to committees advocating approval or rejection of an act
7 referred to the people or a constitutional amendment
8 proposed by the legislature shall be made no later than 4
9 months before the election at which the ballot issue will be
10 voted on by the people. All persons responsible for
11 appointing members to such committees shall submit to the
12 secretary of state the names and addresses of three
13 prospective appointees for each position, set forth in the
14 order of preference of appointment, no later than 3 weeks
15 before the deadline for making such appointments.

16 (2) Appointments to committees advocating approval or
17 rejection of a ballot measure referred to the people by
18 referendum petition or proposed by any type of initiative
19 petition shall be made no later than ~~10~~ 7 days after the
20 measure is certified to the governor. All persons
21 responsible for appointing members to the committee shall
22 submit to the secretary of state the names and addresses of
23 two prospective appointees for each position, set forth in
24 the order of preference of appointment, no later than 2
25 ~~weeks~~ 10 days after the final date for filing the petition

1 in accordance with 13-27-301.

2 (3) All prospective appointees to a committee pursuant
3 to subsection (1) must be notified by the secretary of state
4 by certified mail, with return receipt requested, at least
5 15 days before the appointment deadline specified in
6 subsection (1). A prospective appointee may assent or
7 decline to serve on the committee by so informing the
8 secretary of state. Lack of response to the secretary of
9 state for any reason 10 days after mailing of notice is
10 considered to be refusal of appointment.

11 (4) All prospective appointees to a committee pursuant
12 to subsection (2) must be notified by the secretary of state
13 by certified mail, with return receipt requested, at least 8
14 7 days before the appointment deadline specified in
15 subsection (2). A prospective appointee may assent or
16 decline to serve on the committee by so informing the
17 secretary of state. Lack of response to the secretary of
18 state for any reason 5 4 days after mailing of notice is
19 considered to be refusal of appointment.

20 (5) The secretary of state shall determine which of
21 the prospective appointees assenting to serve on the
22 committee shall be appointed, according to the order of
23 preference specified by the appointing authority, and shall
24 so notify all prospective appointees by the appointment
25 deadline specified in subsection (1) or (2), respectively."

1 Section 4. Section 13-27-406, MCA, is amended to read:

2 "13-27-406. Limitation on length of argument -- time
3 of filing. An argument advocating approval or rejection of a
4 ballot issue is limited to 500 words and shall be filed, in
5 typewritten form, with the secretary of state no later than
6 85 80 days before the election at which the issue will be
7 voted on by the people. A majority of the committee
8 responsible for preparation must approve and sign each
9 argument filed. Separate signed letters of approval of an
10 argument may be filed with the secretary of state by members
11 of a committee if necessary to meet the filing deadline."

12 Section 5. Section 13-27-407, MCA, is amended to read:

13 "13-27-407. Rebuttal arguments. The secretary of state
14 shall provide copies of the arguments advocating approval or
15 rejection of a ballot issue to the members of the adversary
16 committee no later than 1 day following the filing of both
17 the approval and rejection arguments for the issue in his
18 office. The committees may prepare rebuttal arguments no
19 longer than 250 words that shall be filed, in typewritten
20 form, with the secretary of state no later than 10 7 days
21 after the deadline for filing the original arguments.
22 Discussion in the rebuttal argument must be confined to the
23 subject matter raised in the argument being rebutted. The
24 rebuttal argument shall be approved and signed by a majority
25 of the committee responsible for its preparation. Separate

1 signed letters of approval may be submitted in the same
2 manner as for the original arguments."

3 NEW SECTION. Section 6. Extension of authority. Any
4 existing authority of the secretary of state to make rules
5 on the subject of the provisions of this act is extended to
6 the provisions of this act.

7 NEW SECTION. Section 7. Effective dates --
8 retroactive application -- termination. (1) This act is
9 effective on passage and approval and applies retroactively,
10 within the meaning of 1-2-109, to all occurrences after June
11 1, 1986.

12 (2) This act terminates January 1, 1987.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

HOUSE BILL NO. 51

INTRODUCED BY MERCER, MANUEL, B. BROWN, BOYLAN

A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE DEADLINES FOR SUBMISSION AND CERTIFICATION OF SIGNATURES FOR THE INITIATIVE PROCESS; AMENDING SECTIONS 13-27-104, 13-27-301, 13-27-403, 13-27-406, AND 13-27-407, MCA; AND PROVIDING AN EFFECTIVE DATES DATE, RETROACTIVE APPLICABILITY, AND A TERMINATION DATE."

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Section 1. Section 13-27-104, MCA, is amended to read:

"13-27-104. Time for filing. Unless a specific time for filing is provided in the constitution, all petitions filed with the secretary of state, certified as provided by law, must be received before ~~5 p.m. of the second Friday of the fourth month prior to the election at which they are to be voted upon by the people within 10~~ NO LATER THAN 12 days ~~of receipt by the responsible county official pursuant to~~ AFTER THE DEADLINE PROVIDED IN 13-27-301."

Section 2. Section 13-27-301, MCA, is amended to read:

"13-27-301. Submission of petition sheets. Signed sheets or sections of petitions shall be submitted to the official responsible for registration of electors in the county in which the signatures were obtained no sooner than

9 months and no later than ~~2 weeks before the final date for filing the petition with the secretary of state 5 p.m. of the second Friday of the fourth month prior to the election at which they are to be voted upon by the people.~~"

Section 3. Section 13-27-403, MCA, is amended to read:

"13-27-403. Appointment to committee. (1) Appointments to committees advocating approval or rejection of an act referred to the people or a constitutional amendment proposed by the legislature shall be made no later than 4 months before the election at which the ballot issue will be voted on by the people. All persons responsible for appointing members to such committees shall submit to the secretary of state the names and addresses of three prospective appointees for each position, set forth in the order of preference of appointment, no later than 3 weeks before the deadline for making such appointments.

(2) Appointments to committees advocating approval or rejection of a ballot measure referred to the people by referendum petition or proposed by any type of initiative petition shall be made no later than ~~10~~ 7 days after the measure is certified to the governor. All persons responsible for appointing members to the committee shall submit to the secretary of state the names and addresses of two prospective appointees for each position, set forth in the order of preference of appointment, no later than 2

SECOND READING

1 weeks 10 days after the final date for filing the petition
2 in accordance with 13-27-301.

3 (3) All prospective appointees to a committee pursuant
4 to subsection (1) must be notified by the secretary of state
5 by certified mail, with return receipt requested, at least
6 15 days before the appointment deadline specified in
7 subsection (1). A prospective appointee may assent or
8 decline to serve on the committee by so informing the
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6 typewritten form, with the secretary of state no later than
7 ~~85~~ 80 ~~78~~ days before the election at which the issue will be
8 voted on by the people. A majority of the committee
9 responsible for preparation must approve and sign each
10 argument filed. Separate signed letters of approval of an
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12 of a committee if necessary to meet the filing deadline."

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