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House BILL NO. 404

INTRODUCED BY

*Spide McCullch*

BY REQUEST OF THE SECRETARY OF STATE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE ALLOCATION OF PETITION SIGNATURES TO LEGISLATIVE DISTRICTS; AND AMENDING SECTION 13-27-303, MCA."

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

**Section 1.** Section 13-27-303, MCA, is amended to read:

**"13-27-303. Verification of signatures by county official -- allocating voters following reapportionment -- duplicate signatures.** (1) Except as required by 13-27-104, within 4 weeks after receiving the sheets or sections of a petition, the county official shall check the names of all signers to verify they are registered electors of the county. In addition, the official shall randomly select signatures on each sheet or section and compare them with the signatures of the electors as they appear in the registration records of the office. If all the randomly selected signatures appear to be genuine, the number of signatures of registered electors on the sheet or section may be certified to the secretary of state without further comparison of signatures. If any of the randomly selected signatures do not appear to be genuine, all signatures on that sheet or section must be compared with the signatures in the registration records of the office.

(2) For the purpose of allocating the signatures of voters among the several legislative representative districts of the state as required to certify a petition for a ballot issue under the provisions of this chapter following the filing of a districting and apportionment plan under 5-1-111 and before ~~members of the house of representatives have been elected and qualified under the first gubernatorial election following the filing of the plan, the legislative representative~~ new districts among which the signatures must be allocated must be those in existence when the plan was filed must be used with the number of signatures needed for each legislative representative district being the total votes cast for governor in the last gubernatorial election divided by the number of legislative representative districts.

(3) Upon discovery of fraudulent signatures or duplicate signatures of an elector on any one issue, the election administrator may submit the name of the elector or the petition circulator, or both, to the

1 county attorney to be investigated under the provisions of 13-27-106 and 13-35-207."

2 -END-

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INTRODUCED BY

*Spinder McCullough*

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(2) For the purpose of allocating the signatures of voters among the several legislative representative districts of the state as required to certify a petition for a ballot issue under the provisions of this chapter following the filing of a districting and apportionment plan under 5-1-111 and before ~~members of the house of representatives have been elected and qualified under the first gubernatorial election following the filing of the plan, the legislative representative new districts among which the signatures must be allocated must be those in existence when the plan was filed~~ must be used with the number of signatures needed for each legislative representative district being the total votes cast for governor in the last gubernatorial election divided by the number of legislative representative districts.

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-END-

SENATE COMMITTEE OF THE WHOLE AMENDMENT

March 10, 1995 3:20 pm

Mr. Chairman: I move to amend HB 404 (third reading copy -- blue).

ADOPT

REJECT

Signed: *J. Weldon*  
Senator Weldon

That such amendments read:

1. Title, line 6.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2, line 2.

Following: line 1

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

-END-

HB 404

SENATE

561520CW.SRF

 Amd. Coord.

1 HOUSE BILL NO. 404  
 2 INTRODUCED BY MCCULLOCH  
 3 BY REQUEST OF THE SECRETARY OF STATE  
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE ALLOCATION OF PETITION SIGNATURES TO  
 6 LEGISLATIVE DISTRICTS; ~~AND~~ AMENDING SECTION 13-27-303, MCA; AND PROVIDING AN IMMEDIATE  
 7 EFFECTIVE DATE."  
 8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
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 21 the office.

22 (2) For the purpose of allocating the signatures of voters among the several legislative  
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 24 of this chapter following the filing of a districting and apportionment plan under 5-1-111 and before  
 25 ~~members of the house of representatives have been elected and qualified under the first gubernatorial~~  
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 27 signatures must be allocated must be those in existence when the plan was filed must be used with the  
 28 number of signatures needed for each legislative representative district being the total votes cast for  
 29 governor in the last gubernatorial election divided by the number of legislative representative districts.

30 (3) Upon discovery of fraudulent signatures or duplicate signatures of an elector on any one issue,



1 the election administrator may submit the name of the elector or the petition circulator, or both, to the  
2 county attorney to be investigated under the provisions of 13-27-106 and 13-35-207."

3

4 NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND  
5 APPROVAL.

6

-END-