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INTRODUCED BY Griffith ^{Sandy} ~~James~~ BENEDICT ~~Walt~~ BILL NO. 340

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS GOVERNING BALLOT ISSUES; INCREASING THE TIME FOR ELECTION OFFICIALS TO PROCESS BALLOT MEASURES; PROHIBITING PETITIONS FROM CONTAINING EXTRANEOUS MATERIAL; REQUIRING THE SIGNATURES OF 50 QUALIFIED ELECTORS IN ORDER TO SUBMIT A PETITION FOR REVIEW; PROVIDING FOR AN EXTENDED PERIOD OF REVIEW DURING CERTAIN TIMES; PROHIBITING FACSIMILE SIGNATURES ON PETITIONS; REQUIRING THE TITLE OF BALLOT MEASURES TO CONFORM TO STANDARDS FOR BILLS; INCREASING THE PERMISSIBLE LENGTH OF STATEMENTS OF PURPOSE; AMENDING SECTIONS 5-4-102, 13-27-201, 13-27-202, 13-27-301, 13-27-303, 13-27-312, AND 13-27-315, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 5-4-102, MCA, is amended to read:

"5-4-102. Limitation on title of referred legislation. All bills referred by the legislature to a vote of the people ~~shall~~ must have a title of no more than ~~400~~ 150 words."

Section 2. Section 13-27-201, MCA, is amended to read:

"13-27-201. Form of petition generally. (1) A petition for the initiative, the referendum, or to call a constitutional convention must be substantially in the form provided by this chapter. Clerical or technical errors that do not interfere with the ability to judge the sufficiency of signatures on the petition do not render a petition void.

(2) Petition sheets may not exceed 8 1/2 x 14 inches in size. Separate sheets of a petition may be fastened in sections of not more than 25 sheets. Near the top of each sheet containing signature lines must be printed the title of the statute or constitutional amendment proposed or the measure to be referred or a statement that the petition is for the purpose of calling a constitutional convention. If signature lines are printed on both the front and back of a petition sheet, the information required ~~above~~ in this subsection must appear on both the front and back of the sheet. ~~The~~ Only a number assigned pursuant to 13-27-203,

1 the title, and the complete text of the measure proposed or referred ~~must~~ may be attached to or contained
2 within each signature sheet if sheets are circulated separately. The petition or signature sheets may not
3 contain material other than the material required in this section. The title and the text of the measure must
4 be in the bill form provided in the most recent issue of the bill drafting manual furnished by the legislative
5 services division. If sheets are circulated in sections, the complete text of the measure must be attached
6 to each section."

7
8 **Section 3.** Section 13-27-202, MCA, is amended to read:

9 **"13-27-202. Recommendations -- approval of form required.** (1) Before submission of a sample
10 sheet to the secretary of state pursuant to subsection (3), the following requirements must be fulfilled:

11 (a) The text of the proposed measure, along with the signatures of 50 different registered voters,
12 must be submitted to the ~~legislative services division for review~~ secretary of state. The signatures may be
13 randomly checked by the secretary of state. The secretary of state shall submit a petition complying with
14 this subsection (1)(a) to the legislative services division for review. If at any time the secretary of state
15 determines that the signatures submitted with a proposed measure are invalid, the proposed measure is
16 considered withdrawn.

17 (b) The legislative services division staff shall review the text for clarity, consistency, and any other
18 factors the council staff considers when drafting proposed legislation.

19 (c) ~~(i) Within~~ Except as provided in subsection (1)(c)(ii), within 14 days after submission of the
20 text, the legislative services division staff shall make to the person submitting the text written
21 recommendations for changes in the text or a statement that no changes are recommended.

22 (ii) If the legislature is in session or if the legislature is to be convened within 30 days of the date
23 of the submission of the text, the legislative services division shall complete the review required in
24 subsection (1)(c)(i) within 30 days after submission of the text.

25 (d) The person submitting the text shall consider the recommendations and respond in writing to
26 the legislative services division, accepting, rejecting, or modifying each of the recommended changes. If
27 no changes are recommended, no response is required.

28 (2) The legislative services division shall furnish a copy of the correspondence provided for in
29 subsection (1) to the secretary of state, who shall make a copy of the correspondence available to any
30 person upon request.

1 (3) Before a petition may be circulated for signatures, a sample sheet containing the text of the
 2 proposed measure must be submitted to the secretary of state in the form in which it will be circulated. The
 3 sample petition may not be submitted to the secretary of state more than 1 year prior to the final date for
 4 filing the signed petition with the secretary of state. The secretary of state shall refer a copy of the petition
 5 sheet to the attorney general for approval. The secretary of state and attorney general shall each review
 6 the petition for sufficiency as to form and approve or reject the form of the petition, stating the reasons
 7 for rejection, if any. The secretary of state or the attorney general may not reject the petition solely because
 8 the text contains material not submitted to the legislative services division unless the material not submitted
 9 to the legislative services division is a substantive change not suggested by the legislative services division.

10 (4) The secretary of state shall review the comments and statements of the attorney general
 11 received pursuant to 13-27-312 and make a final decision as to the approval or rejection of the form of the
 12 petition. The secretary of state shall send written notice to the person who submitted the petition sheet
 13 of the approval or rejection within 28 days after submission of the petition sheet. If the petition is rejected,
 14 the notice must include reasons for rejection.

15 (5) A petition with technical defects in form may be approved with the condition that those defects
 16 will be corrected before the petition is circulated for signatures.

17 (6) The secretary of state shall upon request provide the person submitting the petition with a
 18 sample petition form, including the text of the proposed measure, the statement of purpose, and the
 19 statements of implications, all as approved by the secretary of state and the attorney general. The petition
 20 may be circulated in the form of the sample prepared by the secretary of state."
 21

22 **Section 4.** Section 13-27-301, MCA, is amended to read:

23 "**13-27-301. Submission of petition sheets -- withdrawal of signatures.** (1) Signed sheets or
 24 sections of petitions shall must be submitted to the official responsible for registration of electors in the
 25 county in which the signatures were obtained no sooner than 9 months and no later than 4 7 weeks before
 26 the final date for filing the petition with the secretary of state. Only original signatures may be submitted.
 27 Facsimile copies or electronic transmissions are not acceptable.

28 (2) Signatures may be withdrawn from a petition for constitutional amendment, constitutional
 29 convention, initiative, or referendum up to the time of final submission of petition sheets as provided in
 30 subsection (1). The secretary of state shall prescribe the form to be used by an elector desiring to ~~have his~~

1 withdraw the elector's signature ~~withdrawn~~ from a petition."

2

3 **Section 5.** Section 13-27-303, MCA, is amended to read:

4 **"13-27-303. Verification of signatures by county official -- allocating voters following**
 5 **reapportionment -- duplicate signatures.** (1) Except as required by 13-27-104, within 4 7 weeks after
 6 receiving the sheets or sections of a petition, the county official shall check the names of all signers to
 7 verify they are registered electors of the county. In addition, the official shall randomly select signatures
 8 on each sheet or section and compare them with the signatures of the electors as they appear in the
 9 registration records of the office. If all the randomly selected signatures appear to be genuine, the number
 10 of signatures of registered electors on the sheet or section may be certified to the secretary of state without
 11 further comparison of signatures. If any of the randomly selected signatures do not appear to be genuine,
 12 all signatures on that sheet or section must be compared with the signatures in the registration records of
 13 the office.

14 (2) For the purpose of allocating the signatures of voters among the several legislative
 15 representative districts of the state as required to certify a petition for a ballot issue under the provisions
 16 of this chapter following the filing of a districting and apportionment plan under 5-1-111 and before the first
 17 gubernatorial election following the filing of the plan, the new districts must be used with the number of
 18 signatures needed for each legislative representative district being the total votes cast for governor in the
 19 last gubernatorial election divided by the number of legislative representative districts.

20 (3) Upon discovery of fraudulent signatures or duplicate signatures of an elector on any one issue,
 21 the election administrator may submit the name of the elector or the petition circulator, or both, to the
 22 county attorney to be investigated under the provisions of 13-27-106 and 13-35-207."

23

24 **Section 6.** Section 13-27-312, MCA, is amended to read:

25 **"13-27-312. Review of petition by attorney general -- preparation of statements -- fiscal note.** (1)
 26 Upon receipt of a petition from the office of the secretary of state pursuant to 13-27-202, the attorney
 27 general shall examine the petition as to form and, if the proposed ballot issue has an effect on the ~~revenues~~
 28 revenue, expenditures, or ~~the~~ fiscal liability of the state, shall order a fiscal note incorporating an estimate
 29 of ~~such~~ the effect, the substance of which must substantially comply with the provisions of 5-4-205. The
 30 budget director, in cooperation with the agency or agencies affected by the petition, is responsible for

1 preparing the fiscal note and shall return it within 6 days unless the attorney general, for good cause
2 shown, extends the time for completing the fiscal note.

3 (2) If the petition form is approved, the attorney general shall endeavor to seek out parties on both
4 sides of the issue and obtain their advice. The attorney general shall prepare:

5 (a) a statement, not to exceed ~~400~~ 150 words, explaining the purpose of the measure; and

6 (b) statements, not to exceed 25 words each, explaining the implications of a vote for and a vote
7 against the measure.

8 (3) The attorney general shall prepare a fiscal statement of no more than 50 words if a fiscal note
9 was prepared for the proposed ballot issue, ~~such and the statement to~~ must be used on the petition and
10 ballot if the measure is placed on the ballot.

11 (4) The statement of purpose and the statements of implication must express the true and impartial
12 explanation of the proposed ballot issue in plain, easily understood language and may not be arguments
13 or written so as to create prejudice for or against the measure. The statement of purpose must be in the
14 format for bill titles provided in the most recent issue of the bill drafting manual furnished by the legislative
15 services division.

16 (5) The statement of purpose, unless altered by a court under 13-27-316, is the petition title for
17 the measure circulated by the petition and the ballot title if the measure is placed on the ballot.

18 (6) The statements of implication ~~shall~~ must be placed beside the diagram provided for marking of
19 the ballot in a manner similar to but not limited to the following example:

20 [] FOR extending the right to vote to persons 18 years of age

21 [] AGAINST extending the right to vote to persons 18 years of age

22 (7) If the petition is rejected as to form, the attorney general shall forward ~~his~~ the rejection
23 comments to the secretary of state within 21 days after receipt of the petition by the attorney general. If
24 the petition is approved as to form, the attorney general shall forward the statement of purpose, the
25 statements of implication, and the fiscal statement, if applicable, to the secretary of state within 21 days
26 after receipt of the petition by the attorney general."
27

28 **Section 7.** Section 13-27-315, MCA, is amended to read:

29 **"13-27-315. Statements by attorney general on issues referred by legislature.** (1) Upon receipt
30 of a copy of a ballot form under 13-27-310(2) for an issue proposed by the legislature, the attorney general

1 shall order a fiscal note as provided in 13-27-312(1) if the issue has an effect on the ~~revenues~~ revenue,
2 expenditures, or ~~the~~ fiscal liability of the state. At the same time the explanatory statement is prepared
3 under subsection (2), the attorney general shall prepare a fiscal statement of no more than 50 words to be
4 forwarded to the secretary of state at the same time as the explanatory statement.

5 (2) At the same time the attorney general, pursuant to 13-27-313, informs the secretary of state
6 of the approval or rejection of a ballot form for an issue proposed by the legislature, the attorney general
7 shall forward to the secretary of state a statement, not exceeding ~~400~~ 150 words, expressing a true and
8 impartial explanation of the purpose of the measure in plain, easily understood language. The statement
9 may not be an argument and may not be written to create a prejudice for or against the issue. The
10 statement prepared under this section is known as the attorney general's explanatory statement.

11 (3) If statements of the implication of a vote for or against a ballot issue have not been provided
12 by the legislature, the attorney general shall prepare the statements. Requirements for statements of
13 implication for ballot issues referred by the legislature are the same as those provided in 13-27-312 for
14 other ballot issues. Statements of implication prepared by the attorney general must be returned to the
15 secretary of state no later than the time specified for approval of the ballot form."
16

17 **NEW SECTION. Section 8. Effective date.** [This act] is effective on passage and approval.
18

-END-

1 SENATE BILL NO. 340

2 INTRODUCED BY GROSFIELD, GRIMES, BENEDICT, FOSTER, GRADY

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS GOVERNING BALLOT
5 ISSUES; ~~INCREASING THE TIME FOR ELECTION OFFICIALS TO PROCESS BALLOT MEASURES;~~
6 PROHIBITING PETITIONS FROM CONTAINING EXTRANEOUS MATERIAL; REQUIRING THE SIGNATURES
7 OF 50 QUALIFIED ELECTORS IN ORDER TO SUBMIT A PETITION FOR REVIEW; PROVIDING FOR AN
8 EXTENDED PERIOD OF REVIEW DURING CERTAIN TIMES; PROHIBITING FACSIMILE SIGNATURES ON
9 PETITIONS; ~~REQUIRING THE TITLE OF BALLOT MEASURES TO CONFORM TO STANDARDS FOR BILLS;~~
10 INCREASING THE PERMISSIBLE LENGTH OF STATEMENTS OF PURPOSE; AMENDING SECTIONS 5-4-102,
11 13-27-201, 13-27-202, 13-27-301, ~~13-27-303~~, 13-27-312, AND 13-27-315, MCA; AND PROVIDING AN
12 IMMEDIATE EFFECTIVE DATE."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:15
16 **Section 1.** Section 5-4-102, MCA, is amended to read:

17 **"5-4-102. Limitation on title of referred legislation.** All bills referred by the legislature to a vote of
18 the people ~~shall~~ must have a title of no more than ~~400~~ 150 words."

19
20 **Section 2.** Section 13-27-201, MCA, is amended to read:

21 **"13-27-201. Form of petition generally.** (1) A petition for the initiative, the referendum, or to call
22 a constitutional convention must be substantially in the form provided by this chapter. Clerical or technical
23 errors that do not interfere with the ability to judge the sufficiency of signatures on the petition do not
24 render a petition void.

25 (2) Petition sheets may not exceed 8 1/2 x 14 inches in size. Separate sheets of a petition may
26 be fastened in sections of not more than 25 sheets. Near the top of each sheet containing signature lines
27 must be printed the title of the statute or constitutional amendment proposed or the measure to be referred
28 or a statement that the petition is for the purpose of calling a constitutional convention. If signature lines
29 are printed on both the front and back of a petition sheet, the information required ~~above~~ in this subsection
30 must appear on both the front and back of the sheet. ~~The~~ Only a number assigned pursuant to 13-27-203,

1 the title, and the complete text of the measure proposed or referred ~~must~~ may be attached to or contained
 2 within each signature sheet if sheets are circulated separately. ~~The petition or signature sheets may not~~
 3 contain material other than the material required in this ~~section~~ CHAPTER. The ~~title and the~~ text of the
 4 measure must be in the bill form provided in the most recent issue of the bill drafting manual furnished by
 5 the legislative services division. If sheets are circulated in sections, the complete text of the measure must
 6 be attached to each section."

7
 8 **Section 3.** Section 13-27-202, MCA, is amended to read:

9 **"13-27-202. Recommendations -- approval of form required.** (1) Before submission of a sample
 10 sheet to the secretary of state pursuant to subsection (3), the following requirements must be fulfilled:

11 (a) The text of the proposed measure, along with the signatures of AT LEAST 50 different
 12 registered voters, must be submitted to the ~~legislative services division for review~~ secretary of state. ~~The~~
 13 signatures may be randomly checked by the secretary of state. The secretary of state shall submit a
 14 petition complying with this subsection (1)(a) to the legislative services division for review. ~~If at any time~~
 15 the secretary of state determines that FEWER THAN 50 OF the signatures submitted with a proposed
 16 measure ~~are invalid~~ WERE VALID AT THE TIME THEY WERE MADE, the proposed measure is considered
 17 withdrawn. THE VALIDITY OF SIGNATURES SUBMITTED PURSUANT TO THIS SUBSECTION (1)(A) MAY
 18 NOT BE INVALIDATED BY THE SECRETARY OF STATE OR CHALLENGED AS TO THEIR VALIDITY BY
 19 ANOTHER PERSON AFTER THE SECRETARY OF STATE HAS SENT NOTICE OF THE APPROVAL OR
 20 REJECTION OF THE PETITION IN ACCORDANCE WITH SUBSECTION (4).

21 (b) The legislative services division staff shall review the text for clarity, consistency, and any other
 22 factors the council staff considers when drafting proposed legislation.

23 (c) (i) ~~Within~~ Except as provided in subsection (1)(c)(ii), within 14 days after submission of the
 24 text, the legislative services division staff shall make to the person submitting the text written
 25 recommendations for changes in the text or a statement that no changes are recommended.

26 (ii) If the legislature is in session or if the legislature is to be convened within 30 days of the date
 27 of the submission of the text, the legislative services division shall complete the review required in
 28 subsection (1)(c)(i) within 30 days after submission of the text.

29 (d) The person submitting the text shall consider the recommendations and respond in writing to
 30 the legislative services division, accepting, rejecting, or modifying each of the recommended changes. If

1 no changes are recommended, no response is required.

2 (2) The legislative services division shall furnish a copy of the correspondence provided for in
3 subsection (1) to the secretary of state, who shall make a copy of the correspondence available to any
4 person upon request.

5 (3) Before a petition may be circulated for signatures, a sample sheet containing the text of the
6 proposed measure must be submitted to the secretary of state in the form in which it will be circulated. The
7 sample petition may not be submitted to the secretary of state more than 1 year prior to the final date for
8 filing the signed petition with the secretary of state. The secretary of state shall refer a copy of the petition
9 sheet to the attorney general for approval. The secretary of state and attorney general shall each review
10 the petition for sufficiency as to form and approve or reject the form of the petition, stating the reasons
11 for rejection, if any. The secretary of state or the attorney general may not reject the petition solely because
12 the text contains material not submitted to the legislative services division unless the material not submitted
13 to the legislative services division is a substantive change not suggested by the legislative services division.

14 (4) The secretary of state shall review the comments and statements of the attorney general
15 received pursuant to 13-27-312 and make a final decision as to the approval or rejection of the form of the
16 petition. The secretary of state shall send written notice to the person who submitted the petition sheet
17 of the approval or rejection within 28 days after submission of the petition sheet. If the petition is rejected,
18 the notice must include reasons for rejection.

19 (5) A petition with technical defects in form may be approved with the condition that those defects
20 will be corrected before the petition is circulated for signatures.

21 (6) The secretary of state shall upon request provide the person submitting the petition with a
22 sample petition form, including the text of the proposed measure, the statement of purpose, and the
23 statements of implications, all as approved by the secretary of state and the attorney general. The petition
24 may be circulated in the form of the sample prepared by the secretary of state."

25

26 **Section 4.** Section 13-27-301, MCA, is amended to read:

27 **"13-27-301. Submission of petition sheets -- withdrawal of signatures.** (1) Signed sheets or
28 sections of petitions ~~shall~~ must be submitted to the official responsible for registration of electors in the
29 county in which the signatures were obtained no sooner than 9 months and no later than ~~4-7~~ 4 weeks
30 before the final date for filing the petition with the secretary of state. Only original signatures may be

1 submitted. Facsimile copies or electronic transmissions are not acceptable.

2 (2) Signatures may be withdrawn from a petition for constitutional amendment, constitutional
3 convention, initiative, or referendum up to the time of final submission of petition sheets as provided in
4 subsection (1). The secretary of state shall prescribe the form to be used by an elector desiring to ~~have his~~
5 withdraw the elector's signature ~~withdrawn~~ from a petition."
6

7 **Section 5.** Section 13-27-303, MCA, is amended to read:

8 ~~"13-27-303. Verification of signatures by county official -- allocating voters following~~
9 ~~reapportionment -- duplicate signatures. (1) Except as required by 13-27-104, within 4 7 weeks after~~
10 ~~receiving the sheets or sections of a petition, the county official shall check the names of all signers to~~
11 ~~verify they are registered electors of the county. In addition, the official shall randomly select signatures~~
12 ~~on each sheet or section and compare them with the signatures of the electors as they appear in the~~
13 ~~registration records of the office. If all the randomly selected signatures appear to be genuine, the number~~
14 ~~of signatures of registered electors on the sheet or section may be certified to the secretary of state without~~
15 ~~further comparison of signatures. If any of the randomly selected signatures do not appear to be genuine,~~
16 ~~all signatures on that sheet or section must be compared with the signatures in the registration records of~~
17 ~~the office.~~

18 (2) ~~For the purpose of allocating the signatures of voters among the several legislative~~
19 ~~representative districts of the state as required to certify a petition for a ballot issue under the provisions~~
20 ~~of this chapter following the filing of a districting and apportionment plan under 5-1-111 and before the first~~
21 ~~gubernatorial election following the filing of the plan, the new districts must be used with the number of~~
22 ~~signatures needed for each legislative representative district being the total votes cast for governor in the~~
23 ~~last gubernatorial election divided by the number of legislative representative districts.~~

24 (3) ~~Upon discovery of fraudulent signatures or duplicate signatures of an elector on any one issue,~~
25 ~~the election administrator may submit the name of the elector or the petition circulator, or both, to the~~
26 ~~county attorney to be investigated under the provisions of 13-27-106 and 13-35-207."~~

27
28 **Section 5.** Section 13-27-312, MCA, is amended to read:

29 "13-27-312. **Review of petition by attorney general -- preparation of statements -- fiscal note.** (1)
30 Upon receipt of a petition from the office of the secretary of state pursuant to 13-27-202, the attorney

1 general shall examine the petition as to form and, if the proposed ballot issue has an effect on the revenues
 2 revenue, expenditures, or ~~the~~ fiscal liability of the state, shall order a fiscal note incorporating an estimate
 3 of ~~such~~ the effect, the substance of which must substantially comply with the provisions of 5-4-205. The
 4 budget director, in cooperation with the agency or agencies affected by the petition, is responsible for
 5 preparing the fiscal note and shall return it within 6 days unless the attorney general, for good cause
 6 shown, extends the time for completing the fiscal note.

7 (2) If the petition form is approved, the attorney general shall endeavor to seek out parties on both
 8 sides of the issue and obtain their advice. The attorney general shall prepare:

- 9 (a) a statement, not to exceed ~~400~~ 150 words, explaining the purpose of the measure; and
 10 (b) statements, not to exceed 25 words each, explaining the implications of a vote for and a vote
 11 against the measure.

12 (3) The attorney general shall prepare a fiscal statement of no more than 50 words if a fiscal note
 13 was prepared for the proposed ballot issue, ~~such and the~~ statement ~~to~~ must be used on the petition and
 14 ballot if the measure is placed on the ballot.

15 (4) The statement of purpose and the statements of implication must express the true and impartial
 16 explanation of the proposed ballot issue in plain, easily understood language and may not be arguments
 17 or written so as to create prejudice for or against the measure. ~~The statement of purpose must be in the~~
 18 ~~format for bill titles provided in the most recent issue of the bill drafting manual furnished by the legislative~~
 19 ~~services division.~~

20 (5) The statement of purpose, unless altered by a court under 13-27-316, is the petition title for
 21 the measure circulated by the petition and the ballot title if the measure is placed on the ballot.

22 (6) The statements of implication ~~shall~~ must be placed beside the diagram provided for marking of
 23 the ballot in a manner similar to but not limited to the following example:

- 24 [] FOR extending the right to vote to persons 18 years of age
 25 [] AGAINST extending the right to vote to persons 18 years of age

26 (7) If the petition is rejected as to form, the attorney general shall forward ~~his~~ the rejection
 27 comments to the secretary of state within 21 days after receipt of the petition by the attorney general. If
 28 the petition is approved as to form, the attorney general shall forward the statement of purpose, the
 29 statements of implication, and the fiscal statement, if applicable, to the secretary of state within 21 days
 30 after receipt of the petition by the attorney general."

1 SENATE BILL NO. 340

2 INTRODUCED BY GROSFIELD, GRIMES, BENEDICT, FOSTER, GRADY

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS GOVERNING BALLOT
5 ISSUES; ~~INCREASING THE TIME FOR ELECTION OFFICIALS TO PROCESS BALLOT MEASURES;~~
6 PROHIBITING PETITIONS FROM CONTAINING EXTRANEOUS MATERIAL; REQUIRING THE SIGNATURES
7 OF 50 QUALIFIED ELECTORS IN ORDER TO SUBMIT A PETITION FOR REVIEW; PROVIDING FOR AN
8 EXTENDED PERIOD OF REVIEW DURING CERTAIN TIMES; PROHIBITING FACSIMILE SIGNATURES ON
9 PETITIONS; ~~REQUIRING THE TITLE OF BALLOT MEASURES TO CONFORM TO STANDARDS FOR BILLS;~~
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11 13-27-201, 13-27-202, 13-27-301, ~~13-27-303~~, 13-27-312, AND 13-27-315, MCA; AND PROVIDING AN
12 IMMEDIATE EFFECTIVE DATE."

13

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

**THERE ARE NO CHANGES IN THIS BILL AND IT WILL NOT BE
REPRINTED. PLEASE REFER TO SECOND READING COPY
(YELLOW) FOR COMPLETE TEXT.**

1 SENATE BILL NO. 340

2 INTRODUCED BY GROSFIELD, GRIMES, BENEDICT, FOSTER, GRADY

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS GOVERNING BALLOT
5 ISSUES; ~~INCREASING THE TIME FOR ELECTION OFFICIALS TO PROCESS BALLOT MEASURES;~~
6 PROHIBITING PETITIONS FROM CONTAINING EXTRANEOUS MATERIAL; REQUIRING THE SIGNATURES
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8 EXTENDED PERIOD OF REVIEW DURING CERTAIN TIMES; PROHIBITING FACSIMILE SIGNATURES ON
9 PETITIONS; ~~REQUIRING THE TITLE OF BALLOT MEASURES TO CONFORM TO STANDARDS FOR BILLS;~~
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11 13-27-201, 13-27-202, 13-27-301, ~~13-27-303~~, 13-27-312, AND 13-27-315, MCA; AND PROVIDING AN
12 IMMEDIATE EFFECTIVE DATE."

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

15
16 **Section 1.** Section 5-4-102, MCA, is amended to read:

17 **"5-4-102. Limitation on title of referred legislation.** All bills referred by the legislature to a vote of
18 the people ~~shall~~ must have a title of no more than ~~400~~ 150 words."

19
20 **Section 2.** Section 13-27-201, MCA, is amended to read:

21 **"13-27-201. Form of petition generally.** (1) A petition for the initiative, the referendum, or to call
22 a constitutional convention must be substantially in the form provided by this chapter. Clerical or technical
23 errors that do not interfere with the ability to judge the sufficiency of signatures on the petition do not
24 render a petition void.

25 (2) Petition sheets may not exceed 8 1/2 x 14 inches in size. Separate sheets of a petition may
26 be fastened in sections of not more than 25 sheets. Near the top of each sheet containing signature lines
27 must be printed the title of the statute or constitutional amendment proposed or the measure to be referred
28 or a statement that the petition is for the purpose of calling a constitutional convention. If signature lines
29 are printed on both the front and back of a petition sheet, the information required ~~above~~ in this subsection
30 must appear on both the front and back of the sheet. ~~The~~ Only a number assigned pursuant to 13-27-203.

1 the title, ADMINISTRATIVE INSTRUCTIONS AT THE BOTTOM OF THE PAGE, and the complete text of the
 2 measure proposed or referred ~~must~~ may be attached to or contained within each signature sheet if sheets
 3 are circulated separately. ~~The petition or signature sheets may not contain material other than the material~~
 4 required in this ~~section~~ CHAPTER. ~~The title and the~~ text of the measure must be in the bill form provided
 5 in the most recent issue of the bill drafting manual furnished by the legislative services division. If sheets
 6 are circulated in sections, the complete text of the measure must be attached to each section."

7

8 **Section 3.** Section 13-27-202, MCA, is amended to read:

9 **"13-27-202. Recommendations -- approval of form required.** (1) Before submission of a sample
 10 sheet to the secretary of state pursuant to subsection (3), the following requirements must be fulfilled:

11 (a) The text of the proposed measure, along with the signatures of AT LEAST 50 different
 12 registered voters, must be submitted to the ~~legislative services division for review~~ secretary of state. ~~The~~
 13 signatures may be randomly checked by the secretary of state. ~~The secretary of state shall submit a~~
 14 petition complying with this subsection (1)(a) to the legislative services division for review. ~~If at any time~~
 15 the secretary of state determines that FEWER THAN 50 OF the signatures submitted with a proposed
 16 measure ~~are invalid~~ WERE VALID AT THE TIME THEY WERE MADE, the proposed measure is considered
 17 withdrawn. THE VALIDITY OF SIGNATURES SUBMITTED PURSUANT TO THIS SUBSECTION (1)(A) MAY
 18 NOT BE INVALIDATED BY THE SECRETARY OF STATE OR CHALLENGED AS TO THEIR VALIDITY BY
 19 ANOTHER PERSON AFTER THE SECRETARY OF STATE HAS SENT NOTICE OF THE APPROVAL OR
 20 REJECTION OF THE PETITION IN ACCORDANCE WITH SUBSECTION (4).

21 (b) The legislative services division staff shall review the text for clarity, consistency, and any other
 22 factors the council staff considers when drafting proposed legislation.

23 (c) (i) ~~Within~~ ~~Except as provided in subsection (1)(c)(ii), within~~ 14 days after submission of the
 24 text, the legislative services division staff shall make to the person submitting the text written
 25 recommendations for changes in the text or a statement that no changes are recommended.

26 (ii) If the legislature is in session or if the legislature is to be convened within 30 days of the date
 27 of the submission of the text, the legislative services division shall complete the review required in
 28 subsection (1)(c)(i) within 30 days after submission of the text.

29 (d) The person submitting the text shall consider the recommendations and respond in writing to
 30 the legislative services division, accepting, rejecting, or modifying each of the recommended changes. If

1 no changes are recommended, no response is required.

2 (2) The legislative services division shall furnish a copy of the correspondence provided for in
3 subsection (1) to the secretary of state, who shall make a copy of the correspondence available to any
4 person upon request.

5 (3) Before a petition may be circulated for signatures, a sample sheet containing the text of the
6 proposed measure must be submitted to the secretary of state in the form in which it will be circulated. The
7 sample petition may not be submitted to the secretary of state more than 1 year prior to the final date for
8 filing the signed petition with the secretary of state. The secretary of state shall refer a copy of the petition
9 sheet to the attorney general for approval. The secretary of state and attorney general shall each review
10 the petition for sufficiency as to form and approve or reject the form of the petition, stating the reasons
11 for rejection, if any. The secretary of state or the attorney general may not reject the petition solely because
12 the text contains material not submitted to the legislative services division unless the material not submitted
13 to the legislative services division is a substantive change not suggested by the legislative services division.

14 (4) The secretary of state shall review the comments and statements of the attorney general
15 received pursuant to 13-27-312 and make a final decision as to the approval or rejection of the form of the
16 petition. The secretary of state shall send written notice to the person who submitted the petition sheet
17 of the approval or rejection within 28 days after submission of the petition sheet. If the petition is rejected,
18 the notice must include reasons for rejection.

19 (5) A petition with technical defects in form may be approved with the condition that those defects
20 will be corrected before the petition is circulated for signatures.

21 (6) The secretary of state shall upon request provide the person submitting the petition with a
22 sample petition form, including the text of the proposed measure, the statement of purpose, and the
23 statements of implications, all as approved by the secretary of state and the attorney general. The petition
24 may be circulated in the form of the sample prepared by the secretary of state."
25

26 **Section 4.** Section 13-27-301, MCA, is amended to read:

27 **"13-27-301. Submission of petition sheets -- withdrawal of signatures.** (1) Signed sheets or
28 sections of petitions ~~shall~~ must be submitted to the official responsible for registration of electors in the
29 county in which the signatures were obtained no sooner than 9 months and no later than ~~4-7~~ 4 weeks
30 before the final date for filing the petition with the secretary of state. Only original signatures may be

1 submitted. Facsimile copies or electronic transmissions are not acceptable.

2 (2) Signatures may be withdrawn from a petition for constitutional amendment, constitutional
3 convention, initiative, or referendum up to the time of final submission of petition sheets as provided in
4 subsection (1). The secretary of state shall prescribe the form to be used by an elector desiring to ~~have his~~
5 withdraw the elector's signature withdrawn from a petition."

6
7 **Section 5. Section 13-27-303, MCA, is amended to read:**

8 ~~"13-27-303. Verification of signatures by county official allocating voters following~~
9 ~~reapportionment duplicate signatures. (1) Except as required by 13-27-104, within 4-7 weeks after~~
10 ~~receiving the sheets or sections of a petition, the county official shall check the names of all signers to~~
11 ~~verify they are registered electors of the county. In addition, the official shall randomly select signatures~~
12 ~~on each sheet or section and compare them with the signatures of the electors as they appear in the~~
13 ~~registration records of the office. If all the randomly selected signatures appear to be genuine, the number~~
14 ~~of signatures of registered electors on the sheet or section may be certified to the secretary of state without~~
15 ~~further comparison of signatures. If any of the randomly selected signatures do not appear to be genuine,~~
16 ~~all signatures on that sheet or section must be compared with the signatures in the registration records of~~
17 ~~the office.~~

18 ~~(2) For the purpose of allocating the signatures of voters among the several legislative~~
19 ~~representative districts of the state as required to certify a petition for a ballot issue under the provisions~~
20 ~~of this chapter following the filing of a districting and apportionment plan under 5-1-111 and before the first~~
21 ~~gubernatorial election following the filing of the plan, the new districts must be used with the number of~~
22 ~~signatures needed for each legislative representative district being the total votes cast for governor in the~~
23 ~~last gubernatorial election divided by the number of legislative representative districts.~~

24 ~~(3) Upon discovery of fraudulent signatures or duplicate signatures of an elector on any one issue,~~
25 ~~the election administrator may submit the name of the elector or the petition circulator, or both, to the~~
26 ~~county attorney to be investigated under the provisions of 13-27-106 and 13-35-207."~~

27

28 **Section 5. Section 13-27-312, MCA, is amended to read:**

29 **"13-27-312. Review of petition by attorney general -- preparation of statements -- fiscal note. (1)**
30 **Upon receipt of a petition from the office of the secretary of state pursuant to 13-27-202, the attorney**

1 general shall examine the petition as to form and, if the proposed ballot issue has an effect on the ~~revenues~~
 2 revenue, expenditures, or ~~the~~ fiscal liability of the state, shall order a fiscal note incorporating an estimate
 3 of ~~such~~ the effect, the substance of which must substantially comply with the provisions of 5-4-205. The
 4 budget director, in cooperation with the agency or agencies affected by the petition, is responsible for
 5 preparing the fiscal note and shall return it within 6 days unless the attorney general, for good cause
 6 shown, extends the time for completing the fiscal note.

7 (2) If the petition form is approved, the attorney general shall endeavor to seek out parties on both
 8 sides of the issue and obtain their advice. The attorney general shall prepare:

9 (a) a statement, not to exceed ~~400~~ 150 words, explaining the purpose of the measure; and

10 (b) statements, not to exceed 25 words each, explaining the implications of a vote for and a vote
 11 against the measure.

12 (3) The attorney general shall prepare a fiscal statement of no more than 50 words if a fiscal note
 13 was prepared for the proposed ballot issue, ~~each~~ and the statement ~~to~~ must be used on the petition and
 14 ballot if the measure is placed on the ballot.

15 (4) The statement of purpose and the statements of implication must express the true and impartial
 16 explanation of the proposed ballot issue in plain, easily understood language and may not be arguments
 17 or written so as to create prejudice for or against the measure. ~~The statement of purpose must be in the~~
 18 ~~format for bill titles provided in the most recent issue of the bill drafting manual furnished by the legislative~~
 19 ~~services division.~~

20 (5) The statement of purpose, unless altered by a court under 13-27-316, is the petition title for
 21 the measure circulated by the petition and the ballot title if the measure is placed on the ballot.

22 (6) The statements of implication ~~shall~~ must be placed beside the diagram provided for marking of
 23 the ballot in a manner similar to but not limited to the following example:

24 [] FOR extending the right to vote to persons 18 years of age

25 [] AGAINST extending the right to vote to persons 18 years of age

26 (7) If the petition is rejected as to form, the attorney general shall forward ~~his~~ the rejection
 27 comments to the secretary of state within 21 days after receipt of the petition by the attorney general. If
 28 the petition is approved as to form, the attorney general shall forward the statement of purpose, the
 29 statements of implication, and the fiscal statement, if applicable, to the secretary of state within 21 days
 30 after receipt of the petition by the attorney general."

1 **Section 6.** Section 13-27-315, MCA, is amended to read:

2 **"13-27-315. Statements by attorney general on issues referred by legislature.** (1) Upon receipt
3 of a copy of a ballot form under 13-27-310(2) for an issue proposed by the legislature, the attorney general
4 shall order a fiscal note as provided in 13-27-312(1) if the issue has an effect on the ~~revenues~~ revenue,
5 expenditures, or ~~the~~ fiscal liability of the state. At the same time the explanatory statement is prepared
6 under subsection (2), the attorney general shall prepare a fiscal statement of no more than 50 words to be
7 forwarded to the secretary of state at the same time as the explanatory statement.

8 (2) At the same time the attorney general, pursuant to 13-27-313, informs the secretary of state
9 of the approval or rejection of a ballot form for an issue proposed by the legislature, the attorney general
10 shall forward to the secretary of state a statement, not exceeding ~~400~~ 150 words, expressing a true and
11 impartial explanation of the purpose of the measure in plain, easily understood language. The statement
12 may not be an argument and may not be written to create a prejudice for or against the issue. The
13 statement prepared under this section is known as the attorney general's explanatory statement.

14 (3) If statements of the implication of a vote for or against a ballot issue have not been provided
15 by the legislature, the attorney general shall prepare the statements. Requirements for statements of
16 implication for ballot issues referred by the legislature are the same as those provided in 13-27-312 for
17 other ballot issues. Statements of implication prepared by the attorney general must be returned to the
18 secretary of state no later than the time specified for approval of the ballot form."

19

20 NEW SECTION. **Section 7. Effective date.** [This act] is effective on passage and approval.

21

-END-

SENATE BILL NO. 340

INTRODUCED BY GROSFIELD, GRIMES, BENEDICT, FOSTER, GRADY

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS GOVERNING BALLOT ISSUES; ~~INCREASING THE TIME FOR ELECTION OFFICIALS TO PROCESS BALLOT MEASURES;~~ PROHIBITING PETITIONS FROM CONTAINING EXTRANEOUS MATERIAL; REQUIRING THE SIGNATURES OF 50 QUALIFIED ELECTORS IN ORDER TO SUBMIT A PETITION FOR REVIEW; PROVIDING FOR AN EXTENDED PERIOD OF REVIEW DURING CERTAIN TIMES; PROHIBITING FACSIMILE SIGNATURES ON PETITIONS; ~~REQUIRING THE TITLE OF BALLOT MEASURES TO CONFORM TO STANDARDS FOR BILLS;~~ INCREASING THE PERMISSIBLE LENGTH OF STATEMENTS OF PURPOSE; AMENDING SECTIONS 5-4-102, 13-27-201, 13-27-202, 13-27-301, ~~13-27-303~~, 13-27-312, AND 13-27-315, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 5-4-102, MCA, is amended to read:

"5-4-102. Limitation on title of referred legislation. All bills referred by the legislature to a vote of the people ~~shall~~ must have a title of no more than ~~400~~ 150 words."

Section 2. Section 13-27-201, MCA, is amended to read:

"13-27-201. Form of petition generally. (1) A petition for the initiative, the referendum, or to call a constitutional convention must be substantially in the form provided by this chapter. Clerical or technical errors that do not interfere with the ability to judge the sufficiency of signatures on the petition do not render a petition void.

(2) Petition sheets may not exceed 8 1/2 x 14 inches in size. Separate sheets of a petition may be fastened in sections of not more than 25 sheets. Near the top of each sheet containing signature lines must be printed the title of the statute or constitutional amendment proposed or the measure to be referred or a statement that the petition is for the purpose of calling a constitutional convention. If signature lines are printed on both the front and back of a petition sheet, the information required ~~above~~ in this subsection must appear on both the front and back of the sheet. ~~The~~ Only a number assigned pursuant to 13-27-203,

1 the title, ADMINISTRATIVE INSTRUCTIONS AT THE BOTTOM OF THE PAGE, and the complete text of the
 2 measure proposed or referred ~~must~~ may be attached to or contained within each signature sheet if sheets
 3 are circulated separately. ~~The petition or signature sheets may not contain material other than the material~~
 4 required in this ~~section~~ CHAPTER. ~~The title and the~~ text of the measure must be in the bill form provided
 5 in the most recent issue of the bill drafting manual furnished by the legislative services division. If sheets
 6 are circulated in sections, the complete text of the measure must be attached to each section."

7

8 **Section 3.** Section 13-27-202, MCA, is amended to read:

9 **"13-27-202. Recommendations -- approval of form required.** (1) Before submission of a sample
 10 sheet to the secretary of state pursuant to subsection (3), the following requirements must be fulfilled:

11 (a) The text of the proposed measure, along with the signatures of AT LEAST 50 different
 12 registered voters, must be submitted to the ~~legislative services division for review~~ secretary of state. ~~The~~
 13 signatures may be randomly checked by the secretary of state. The secretary of state shall submit a
 14 petition complying with this subsection (1)(a) to the legislative services division for review. ~~If at any time~~
 15 the secretary of state determines that FEWER THAN 50 OF the signatures submitted with a proposed
 16 measure ~~are invalid~~ WERE VALID AT THE TIME THEY WERE MADE, the proposed measure is considered
 17 withdrawn. THE VALIDITY OF SIGNATURES SUBMITTED PURSUANT TO THIS SUBSECTION (1)(A) MAY
 18 NOT BE INVALIDATED BY THE SECRETARY OF STATE OR CHALLENGED AS TO THEIR VALIDITY BY
 19 ANOTHER PERSON AFTER THE SECRETARY OF STATE HAS SENT NOTICE OF THE APPROVAL OR
 20 REJECTION OF THE PETITION IN ACCORDANCE WITH SUBSECTION (4).

21 (b) The legislative services division staff shall review the text for clarity, consistency, and any other
 22 factors the council staff considers when drafting proposed legislation.

23 (c) (i) ~~Within~~ Except as provided in subsection (1)(c)(ii), within 14 days after submission of the
 24 text, the legislative services division staff shall make to the person submitting the text written
 25 recommendations for changes in the text or a statement that no changes are recommended.

26 (ii) If the legislature is in session or if the legislature is to be convened within 30 days of the date
 27 of the submission of the text, the legislative services division shall complete the review required in
 28 subsection (1)(c)(i) within 30 days after submission of the text.

29 (d) The person submitting the text shall consider the recommendations and respond in writing to
 30 the legislative services division, accepting, rejecting, or modifying each of the recommended changes. If

1 no changes are recommended, no response is required.

2 (2) The legislative services division shall furnish a copy of the correspondence provided for in
3 subsection (1) to the secretary of state, who shall make a copy of the correspondence available to any
4 person upon request.

5 (3) Before a petition may be circulated for signatures, a sample sheet containing the text of the
6 proposed measure must be submitted to the secretary of state in the form in which it will be circulated. The
7 sample petition may not be submitted to the secretary of state more than 1 year prior to the final date for
8 filing the signed petition with the secretary of state. The secretary of state shall refer a copy of the petition
9 sheet to the attorney general for approval. The secretary of state and attorney general shall each review
10 the petition for sufficiency as to form and approve or reject the form of the petition, stating the reasons
11 for rejection, if any. The secretary of state or the attorney general may not reject the petition solely because
12 the text contains material not submitted to the legislative services division unless the material not submitted
13 to the legislative services division is a substantive change not suggested by the legislative services division.

14 (4) The secretary of state shall review the comments and statements of the attorney general
15 received pursuant to 13-27-312 and make a final decision as to the approval or rejection of the form of the
16 petition. The secretary of state shall send written notice to the person who submitted the petition sheet
17 of the approval or rejection within 28 days after submission of the petition sheet. If the petition is rejected,
18 the notice must include reasons for rejection.

19 (5) A petition with technical defects in form may be approved with the condition that those defects
20 will be corrected before the petition is circulated for signatures.

21 (6) The secretary of state shall upon request provide the person submitting the petition with a
22 sample petition form, including the text of the proposed measure, the statement of purpose, and the
23 statements of implications, all as approved by the secretary of state and the attorney general. The petition
24 may be circulated in the form of the sample prepared by the secretary of state."
25

26 **Section 4.** Section 13-27-301, MCA, is amended to read:

27 **"13-27-301. Submission of petition sheets -- withdrawal of signatures.** (1) Signed sheets or
28 sections of petitions ~~shall~~ must be submitted to the official responsible for registration of electors in the
29 county in which the signatures were obtained no sooner than 9 months and no later than ~~4-7~~ 4 weeks
30 before the final date for filing the petition with the secretary of state. Only original signatures may be

1 submitted. Facsimile copies or electronic transmissions are not acceptable.

2 (2) Signatures may be withdrawn from a petition for constitutional amendment, constitutional
3 convention, initiative, or referendum up to the time of final submission of petition sheets as provided in
4 subsection (1). The secretary of state shall prescribe the form to be used by an elector desiring to ~~have his~~
5 withdraw the elector's signature ~~withdrawn~~ from a petition."

6

7 ~~Section 5. Section 13-27-303, MCA, is amended to read:~~

8 ~~"13-27-303. Verification of signatures by county official allocating voters following~~
9 ~~reapportionment duplicate signatures. (1) Except as required by 13-27-104, within 4 7 weeks after~~
10 ~~receiving the sheets or sections of a petition, the county official shall check the names of all signers to~~
11 ~~verify they are registered electors of the county. In addition, the official shall randomly select signatures~~
12 ~~on each sheet or section and compare them with the signatures of the electors as they appear in the~~
13 ~~registration records of the office. If all the randomly selected signatures appear to be genuine, the number~~
14 ~~of signatures of registered electors on the sheet or section may be certified to the secretary of state without~~
15 ~~further comparison of signatures. If any of the randomly selected signatures do not appear to be genuine,~~
16 ~~all signatures on that sheet or section must be compared with the signatures in the registration records of~~
17 ~~the office.~~

18 ~~(2) For the purpose of allocating the signatures of voters among the several legislative~~
19 ~~representative districts of the state as required to certify a petition for a ballot issue under the provisions~~
20 ~~of this chapter following the filing of a districting and apportionment plan under 5-1-111 and before the first~~
21 ~~gubernatorial election following the filing of the plan, the new districts must be used with the number of~~
22 ~~signatures needed for each legislative representative district being the total votes cast for governor in the~~
23 ~~last gubernatorial election divided by the number of legislative representative districts.~~

24 ~~(3) Upon discovery of fraudulent signatures or duplicate signatures of an elector on any one issue,~~
25 ~~the election administrator may submit the name of the elector or the petition circulator, or both, to the~~
26 ~~county attorney to be investigated under the provisions of 13-27-106 and 13-35-207."~~

27

28 **Section 5. Section 13-27-312, MCA, is amended to read:**

29 **"13-27-312. Review of petition by attorney general -- preparation of statements -- fiscal note. (1)**

30 Upon receipt of a petition from the office of the secretary of state pursuant to 13-27-202, the attorney

1 general shall examine the petition as to form and, if the proposed ballot issue has an effect on the ~~revenues~~
2 revenue, expenditures, or ~~the~~ fiscal liability of the state, shall order a fiscal note incorporating an estimate
3 of ~~such~~ the effect, the substance of which must substantially comply with the provisions of 5-4-205. The
4 budget director, in cooperation with the agency or agencies affected by the petition, is responsible for
5 preparing the fiscal note and shall return it within 6 days unless the attorney general, for good cause
6 shown, extends the time for completing the fiscal note.

7 (2) If the petition form is approved, the attorney general shall endeavor to seek out parties on both
8 sides of the issue and obtain their advice. The attorney general shall prepare:

9 (a) a statement, not to exceed ~~400~~ 150 words, explaining the purpose of the measure; and

10 (b) statements, not to exceed 25 words each, explaining the implications of a vote for and a vote
11 against the measure.

12 (3) The attorney general shall prepare a fiscal statement of no more than 50 words if a fiscal note
13 was prepared for the proposed ballot issue, ~~such~~ and the statement ~~to~~ must be used on the petition and
14 ballot if the measure is placed on the ballot.

15 (4) The statement of purpose and the statements of implication must express the true and impartial
16 explanation of the proposed ballot issue in plain, easily understood language and may not be arguments
17 or written so as to create prejudice for or against the measure. ~~The statement of purpose must be in the~~
18 ~~format for bill titles provided in the most recent issue of the bill drafting manual furnished by the legislative~~
19 ~~services division.~~

20 (5) The statement of purpose, unless altered by a court under 13-27-316, is the petition title for
21 the measure circulated by the petition and the ballot title if the measure is placed on the ballot.

22 (6) The statements of implication ~~shall~~ must be placed beside the diagram provided for marking of
23 the ballot in a manner similar to but not limited to the following example:

24 [] FOR extending the right to vote to persons 18 years of age

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27 comments to the secretary of state within 21 days after receipt of the petition by the attorney general. If
28 the petition is approved as to form, the attorney general shall forward the statement of purpose, the
29 statements of implication, and the fiscal statement, if applicable, to the secretary of state within 21 days
30 after receipt of the petition by the attorney general."

1 **Section 6.** Section 13-27-315, MCA, is amended to read:

2 "**13-27-315. Statements by attorney general on issues referred by legislature.** (1) Upon receipt
3 of a copy of a ballot form under 13-27-310(2) for an issue proposed by the legislature, the attorney general
4 shall order a fiscal note as provided in 13-27-312(1) if the issue has an effect on the ~~revenues~~ revenue,
5 expenditures, or ~~the~~ fiscal liability of the state. At the same time the explanatory statement is prepared
6 under subsection (2), the attorney general shall prepare a fiscal statement of no more than 50 words to be
7 forwarded to the secretary of state at the same time as the explanatory statement.

8 (2) At the same time the attorney general, pursuant to 13-27-313, informs the secretary of state
9 of the approval or rejection of a ballot form for an issue proposed by the legislature, the attorney general
10 shall forward to the secretary of state a statement, not exceeding ~~400~~ 150 words, expressing a true and
11 impartial explanation of the purpose of the measure in plain, easily understood language. The statement
12 may not be an argument and may not be written to create a prejudice for or against the issue. The
13 statement prepared under this section is known as the attorney general's explanatory statement.

14 (3) If statements of the implication of a vote for or against a ballot issue have not been provided
15 by the legislature, the attorney general shall prepare the statements. Requirements for statements of
16 implication for ballot issues referred by the legislature are the same as those provided in 13-27-312 for
17 other ballot issues. Statements of implication prepared by the attorney general must be returned to the
18 secretary of state no later than the time specified for approval of the ballot form."

19

20 NEW SECTION. **Section 7. Effective date.** [This act] is effective on passage and approval.

21

-END-