

2012 Unofficial General Election Results
State of Montana

INITIATIVE NO. 166 - CORPORATIONS ARE NOT ENTITLED TO CONSTITUTIONAL RIGHTS

Precincts Fully Reported: 794/794 (Precincts Partially Reported: 0/794)

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County	Precincts Reporting	Precincts Partially Reporting	FOR	AGAINST
Beaverhead	16/16	0/16	3303	1266
Big Horn	20/20	0/20	3045	1281
Blaine	8/8	0/8	1913	807
Broadwater	5/5	0/5	2015	783
Carbon	16/16	0/16	4168	1433
Carter	4/4	0/4	447	279
Cascade	38/38	0/38	24279	7605
Chouteau	12/12	0/12	1912	733
Custer	14/14	0/14	3631	1446
Daniels	4/4	0/4	578	290
Dawson	12/12	0/12	2866	1287
Deer Lodge	19/19	0/19	3324	944
Fallon	6/6	0/6	884	366
Fergus	16/16	0/16	4013	1612
Flathead	42/42	0/42	30169	11180
Gallatin	38/38	0/38	34861	10641
Garfield	7/7	0/7	443	188
Glacier	16/16	0/16	2898	1277
Golden Valley	2/2	0/2	286	172
Granite	4/4	0/4	1159	423
Hill	18/18	0/18	4875	1553
Jefferson	14/14	0/14	4535	1670
Judith Basin	4/4	0/4	739	399
Lake	22/22	0/22	9566	3093
Lewis & Clark	56/56	0/56	24497	7494
Liberty	4/4	0/4	621	304
Lincoln	14/14	0/14	6268	2182
Madison	8/8	0/8	3144	1178
McCone	3/3	0/3	612	320
Meagher	1/1	0/1	676	235
Mineral	6/6	0/6	1405	511
Missoula	51/51	0/51	44104	10980
Musselshell	6/6	0/6	1547	729
Park	16/16	0/16	6261	2165
Petroleum	1/1	0/1	209	80
Phillips	13/13	0/13	1446	663
Pondera	8/8	0/8	1813	765
Powder River	8/8	0/8	480	471
Powell	16/16	0/16	1916	710
Prairie	4/4	0/4	444	220
Ravalli	22/22	0/22	15135	6073
Richland	15/15	0/15	2967	1378
Roosevelt	13/13	0/13	2483	928
Rosebud	12/12	0/12	2483	914
Sanders	11/11	0/11	4254	1394
Sheridan	6/6	0/6	1253	477
Silver Bow	44/44	0/44	12648	3503
Stillwater	8/8	0/8	3167	1344

Sweet Grass	5/5	0/5	1352	625
Teton	5/5	0/5	2212	861
Toole	10/10	0/10	1412	590
Treasure	3/3	0/3	288	134
Valley	11/11	0/11	2674	915
Wheatland	5/5	0/5	659	269
Wibaux	1/1	0/1	337	144
Yellowstone	51/51	0/51	48873	17270
TOTAL	794/794	0/794	343549	116554

Results provided by the Office of Montana Secretary of State Linda McCulloch

Montana Code Annotated 2011

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Constitution of Montana -- Article III -- GENERAL GOVERNMENT

Section 4. Initiative. (1) The people may enact laws by initiative on all matters except appropriations of money and local or special laws.

(2) Initiative petitions must contain the full text of the proposed measure, shall be signed by at least five percent of the qualified electors in each of at least one-half of the counties and the total number of signers must be at least five percent of the total qualified electors of the state. Petitions shall be filed with the secretary of state at least three months prior to the election at which the measure will be voted upon.

(3) The sufficiency of the initiative petition shall not be questioned after the election is held.

History: Amd. Const. Amend. No. 38, approved Nov. 5, 2002.

Provided by Montana Legislative Services

13-27-202. Recommendations -- approval of form required. (1) A proponent of a ballot issue shall submit the text of the proposed ballot issue to the secretary of state together with draft ballot issue statements intended to comply with 13-27-312. Petitions may not be circulated for the purpose of signature gathering more than 1 year prior to the final date for filing the signed petition with the county election administrator. The secretary of state shall forward a copy of the text of the proposed issue and statements to the legislative services division for review.

(2) (a) The legislative services division staff shall review the text and statements for clarity, consistency, and conformity with the most recent edition of the bill drafting manual furnished by the legislative services division, the requirements of 13-27-312, and any other factors that the staff considers when drafting proposed legislation.

(b) Within 14 days after submission of the text and statements, the legislative services division staff shall recommend in writing to the proponent revisions to the text and revisions to the statements to make them consistent with any recommendations for change to the text and the requirements of 13-27-312 or state that no revisions are recommended.

(c) The proponent shall consider the recommendations and respond in writing to the legislative services division, accepting, rejecting, or modifying each of the recommended revisions. If revisions are not recommended, a response is not required.

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

(4) Before a petition may be circulated for signatures, the final text of the proposed issue and ballot statements must be submitted to the secretary of state. The secretary of state shall reject the proposed issue if the text or a ballot statement contains material not submitted to the legislative services division that is a substantive change not recommended by the legislative services division. If accepted, the secretary of state shall refer a copy of the proposed issue and statements to the attorney general for a determination as to the legal sufficiency of the issue and for approval of the petitioner's ballot statements and for a determination pursuant to 13-27-312 as to whether a fiscal note is necessary.

(5) (a) The secretary of state shall review the legal sufficiency opinion and ballot statements of the petitioner, as approved by the attorney general and received pursuant to 13-27-312.

(b) If the attorney general approves the proposed issue, the secretary of state shall immediately send to the person submitting the proposed issue a sample petition form, including the text of the proposed issue, the statement of purpose and implication, and the yes and no statements, as prepared by the petitioner, reviewed by the legislative services division, and approved by the attorney general and in the form provided by this part. A signature gatherer may circulate the petition only in the form of the sample prepared by the secretary of state. The secretary of state shall immediately provide a copy of the sample petition form to any interested parties who have made a request to be informed of an approved petition.

(c) If the attorney general rejects the proposed issue, the secretary of state shall send written notice to the person who submitted the proposed issue of the rejection, including the attorney general's legal sufficiency opinion.

(d) If an action is filed challenging the validity of the petition, the secretary of state shall immediately notify the person who submitted the proposed issue.

13-27-312. Review of proposed ballot issue and statements by attorney general -- preparation of fiscal note. (1) Upon receipt of a proposed ballot issue and statements from the office of the secretary of state pursuant to 13-27-202, the attorney general shall examine the proposed ballot issue for legal sufficiency as provided in this section and shall determine whether the ballot statements comply with the requirements of this section.

(2) The attorney general shall, in reviewing the ballot statements, endeavor to seek out parties on both sides of the issue and obtain their advice. The attorney general shall review the ballot statements to determine if they contain the following matters:

(a) a statement of purpose and implication, not to exceed 135 words, explaining the purpose and implication of the issue; and

(b) yes and no statements in the form prescribed in subsection (6).

(3) If the proposed ballot issue has an effect on the revenue, expenditures, or fiscal liability of the state, the attorney general shall order a fiscal note incorporating an estimate of the effect, the substance of which must substantially comply with the provisions of 5-4-205. The budget director, in cooperation with the agency or agencies affected by the ballot issue, is responsible for preparing the fiscal note and shall return it to the attorney general within 10 days. If the fiscal note indicates a fiscal impact, the attorney general shall prepare a fiscal statement of no more than 50 words, and the statement must be used on the petition and ballot if the issue is placed on the ballot.

(4) The ballot statements must express the true and impartial explanation of the proposed ballot issue in plain, easily understood language and may not be arguments or written so as to create prejudice for or against the issue.

(5) Unless altered by the court under 13-27-316, the statement of purpose and implication is the petition title for the issue circulated by the petition and the ballot title if the issue is placed on the ballot.

(6) The yes and no statements must be written so that a positive vote indicates support for the issue and a negative vote indicates opposition to the issue and must be placed beside the diagram provided for marking of the ballot in a manner similar to the following:

YES (insert the type of ballot issue and its number)

NO (insert the type of ballot issue and its number)

(7) The attorney general shall review the proposed ballot issue for legal sufficiency. As used in this part, "legal sufficiency" means that the petition complies with statutory and constitutional requirements governing submission of the proposed issue to the electors. Review of the petition for legal sufficiency does not include consideration of the substantive legality of the issue if approved by the voters. The attorney general shall also determine if the proposed issue conflicts with one or more issues that may appear on the ballot at the same election.

(8) (a) Within 30 days after receipt of the proposed issue from the secretary of state, the attorney general shall forward to the secretary of state an opinion as to the issue's legal sufficiency.

(b) If the attorney general determines that the proposed ballot issue is legally sufficient, the attorney general shall also forward to the secretary of state the petitioner's ballot statements that comply with the requirements of this section. If the attorney general determines in writing that a ballot statement clearly does not comply with the requirements of this section, the attorney general shall prepare a statement that complies with the requirements of this section, forward that statement to the secretary of state as the approved statement, and provide a copy to the petitioner. The attorney general shall give the secretary of state notice of whether the proposed issue conflicts with one or more issues that may appear on the ballot at the same election.

(c) If the attorney general determines that the proposed ballot issue is not legally sufficient, the secretary of state may not deliver a sample petition form unless the attorney general's opinion is overruled pursuant to 13-27-316 and the attorney general has approved or prepared ballot statements under this section.