Montana Legislative Services Division
Legal Services Office

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June 24, 2011

TO: Legislative Council

FR: Todd Everts

RE: Ballot Issues for the November 6, 2012, General Election

Senator Williams, requested that I provide the Legislative Council with a brief status and summary of the ballot issues for the November 6, 2012, general election. Set out below is a summary ballot issues referred by the Legislature and ballot issues submitted by individuals.

Ballot Issues Referred By the Legislature

Ballot Issue: HB 627 (Status current as of 6/24/11)
Subject: Require parental notification prior to abortion for a minor, providing for judicial waiver of notification, repealing prior statutes, and providing penalties.
Sponsor: Representative Bennett
Type: Legislatively requested ballot issue.
Received by SOS: 5/02/11
Status: Pending Attorney General review.

Ballot Issue: HB 638 (Status current as of 6/24/11)
Subject: Deny certain state services to illegal aliens.
Sponsor: Representative Howard
Type: Legislatively requested ballot issue.
Received by SOS: 5/02/11
Status: Pending Attorney General review.

Ballot Issue: SB 268 (Status current as of 6/24/11)
Subject: Require Supreme Court Justices to be elected or appointed from districts with approximately equal populations.
Sponsor: Senator Balyeat
Type: Legislatively requested ballot issue.
Received by SOS: 4/18/11
Status: Pending Attorney General review.

Ballot Issue: SB 418 (Status current as of 6/24/11)
Subject: Prohibit the state or federal government from manda
insurance or imposing penalties for decisions related to purch

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Exhibit 8

Sponsor: Senator Wittich
Type: Legislatively requested ballot issue.
Received by SOS: 5/04/11
Status: Pending Attorney General review.

Ballot Issue: SB 426 (Status current as of 6/24/11)
Subject: Contingently provide taxpayers with refunds of surplus state government general fund balance through an income tax credit based upon property and individual income taxes paid.
Sponsor: Senator Balyeat
Type: Legislatively requested ballot issue.
Received by SOS: 5/04/11
Status: Pending Attorney General review.

Ballot Issues Submitted by Individuals

The following proposals for ballot issues for the November 6, 2012, general election were submitted to the Secretary of State:

Ballot Issue #1 CI-107 (Status current as of **6/21/2011**)
Subject: Amend the Montana Constitution to allow a person accused of a crime to argue to the jury the merits of the law.
Sponsor: Roger Roots
Type: Constitutional amendment by initiative
Received by SOS: March 25, 2011
Status: Petition has been approved for signature gathering beginning not earlier than June 22, 2011.
Next Step: As of October 20, 2011, sponsor may submit signatures to county election offices.

Ballot Issue #2 (Status current as of **6/21/2011**)
Subject: Define "person" to include all members of the species Homo sapiens at any stage of development
Sponsor: Dr. Annie Bukacek
Type: Constitutional amendment by initiative
Received by SOS: May 2, 2011
Status: Sponsor responded to Legislative Service Division's recommendations and submitted ballot issue for legal sufficiency review by Attorney General.
Next Step: Attorney General will review ballot issue text and issue a legal sufficiency opinion.
Earliest Date for Constitutional Initiative Signature Gathering (13-27-202, MCA): June 22, 2011.

Ballot Issue #3 (Status current as of **6/21/2011**)
Subject: Refer SB 423 to the voters of Montana
Sponsor: John Masterson, Montana Cannabis Industry Association

Type: Initiative Referendum
Received by SOS: May 12, 2011
Status: Sponsor responded to Legislative Service Division's recommendations and submitted ballot issue for legal sufficiency review by Attorney General.
Next Step: Attorney General will review ballot issue text and issue a legal sufficiency opinion.
Earliest date for Initiative Referendum Signature Gathering (13-27-202, MCA): After review pursuant to law and upon approval of petition form.

Ballot Issue #4 (Status current as of **6/21/2011**)
Subject: Refer HB 198 to the voters of Montana
Sponsor: Kate Ord, Concerned Citizens Montana
Type: Initiative Referendum
Received by SOS: May 18, 2011
Status: Sponsor responded to Legislative Service Division's recommendations and submitted ballot issue for legal sufficiency review by Attorney General.
Next Step: Attorney General will review ballot issue text and issue a legal sufficiency opinion.
Earliest date for Initiative Referendum Signature Gathering (13-27-202, MCA): After review pursuant to law and upon approval of petition form.

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