

HOUSE BILL NO. 502

INTRODUCED BY K. OHS, L. GRINDE

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A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE CONTENT OF ARGUMENTS PREPARED ON BALLOT MEASURES FOR INCLUSION IN THE VOTER INFORMATION PAMPHLET; REVISING THE APPOINTMENT OF COMMITTEES PREPARING ARGUMENTS; AND AMENDING SECTIONS 13-27-402, 13-27-406, AND 13-27-407, MCA."

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

Section 1. Section 13-27-402, MCA, is amended to read:

"13-27-402. Committees to prepare arguments for and against ballot issues. (1) The arguments advocating approval or rejection of the ballot issue and rebuttal arguments must be submitted to the secretary of state by committees appointed as provided in this section.

(2) ~~The For referendums, the committees~~ THE COMMITTEE ADVOCATING APPROVAL OF A LEGISLATIVE ACT REFERRED TO THE PEOPLE EITHER BY THE LEGISLATURE OR BY REFERENDUM PETITION OR ADVOCATING APPROVAL OF A CONSTITUTIONAL AMENDMENT REFERRED BY THE LEGISLATURE must be composed of:

(a) ~~one senator known to favor the measure who carried the measure in the senate~~ KNOWN TO FAVOR THE REFERRED MEASURE, appointed by the president of the senate;

(b) ~~one representative known to favor the measure who carried the measure in the house~~ KNOWN TO FAVOR THE REFERRED MEASURE, appointed by the speaker of the house of representatives; and

(c) one individual who need not be a member of the legislature, appointed by the first two members ~~from:~~
~~—— (i) the committee advocating approval of an act referred to the people or of a constitutional amendment proposed by the legislature; or~~
~~—— (ii) the committee advocating approval of an act referred to the people by referendum petition.~~

(3) (a) The committee advocating rejection of an act referred to the people or of a constitutional amendment proposed by the legislature must be composed of:

(i) one senator appointed by the president of the senate;

(ii) one representative appointed by the speaker of the house of representatives; and

(iii) one individual who need not be a member of the legislature, appointed by the first two members.

1 (b) Whenever possible, the members must be known to have opposed the issue.

2 (4) The following must be three-member committees and must be appointed by the person submitting
3 the petition to the secretary of state under the provisions of 13-27-202:

4 (a) the committee advocating approval of a ballot issue proposed by any type of initiative petition; and

5 (b) the committee advocating rejection of any ~~ballot issue that is a~~ legislative act referred to the people
6 by referendum petition.

7 (5) A committee advocating rejection of a ballot issue proposed by any type of initiative petition must be
8 composed of five members. The governor, attorney general, president of the senate, and speaker of the house
9 of representatives shall each appoint one member, and the fifth member must be appointed by the first four
10 members. ~~At~~ If possible, members must be known to favor rejection of the issue.

11 (6) A person may not be required to serve on any committee under this section, and except for legislative
12 appointments MADE BY THE PRESIDENT OF THE SENATE OR BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, the
13 person making an appointment must have written acceptance of appointment from the appointee. If an
14 appointment is not made by the required time, the committee members that have been appointed may fill the
15 vacancy by unanimous written consent up until the deadline for filing the arguments."

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17 **Section 2.** Section 13-27-406, MCA, is amended to read:

18 **"13-27-406. Limitation on length of argument -- time of filing.** An argument advocating approval or
19 rejection of a ballot issue is limited to a single SIDE OF A SINGLE 7 1/2-inch by 10-inch page and must be filed, in
20 a black-and-white, camera-ready format, with the secretary of state no later than 105 days before the election
21 at which the issue will be voted on by the people. The argument must consist solely of written material prepared
22 by the committee and may not consist of pictures, clippings, or other material. The written material must be
23 prepared in the font and type style required by the secretary of state. WITH THE GOAL OF ACHIEVING READABILITY
24 AND UNIFORMITY, THE SECRETARY OF STATE SHALL PRESCRIBE A COMMONLY USED FONT AND TYPE STYLE. A majority
25 of the committee responsible for preparation shall approve and sign each argument filed. Separate signed letters
26 of approval of an argument may be filed with the secretary of state by members of a committee if necessary to
27 meet the filing deadline."

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29 **Section 3.** Section 13-27-407, MCA, is amended to read:

30 **"13-27-407. Rebuttal arguments.** The secretary of state shall provide copies of the arguments

1 advocating approval or rejection of a ballot issue to the members of the adversary committee no later than 1 day
2 following the filing of both the approval and rejection arguments for the issue. The committees may prepare
3 rebuttal arguments no longer than one-half the size of the arguments under 13-27-406 that must be filed, in ~~in~~
4 a black-and-white, camera-ready format, with the secretary of state no later than 10 days after the deadline for
5 filing the original arguments. The argument must consist solely of written material prepared by the committee and
6 may not consist of pictures, clippings, or other material. THE WRITTEN MATERIAL MUST BE PREPARED IN THE FONT AND
7 TYPE STYLE REQUIRED BY THE SECRETARY OF STATE. WITH THE GOAL OF ACHIEVING READABILITY AND UNIFORMITY, THE
8 SECRETARY OF STATE SHALL PRESCRIBE A COMMONLY USED FONT AND TYPE STYLE. Discussion in the rebuttal
9 argument must be confined to the subject matter raised in the argument being rebutted. The rebuttal argument
10 must be approved and signed by a majority of the committee responsible for its preparation. Separate signed
11 letters of approval may be submitted in the same manner as for the original arguments."

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