



**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 mandating the purchase of health insurance or imposing penalties for decisions related to purchasing health insurance.

**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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