

RECALL PETITION

To the Honorable Linda McCulloch, Secretary of State of the State of Montana:

We, the undersigned qualified electors of the State of Montana, per the provisions of MCA 2-16-603, respectfully petition that an election be held as provided by law on the question of whether Brian Schweitzer, holding the office of Governor, should be recalled for official misconduct for the following reasons: 1) Conspiracy per MCA 45-4-102 with the Department of Revenue, executive agency under the authority of the Governor, with the intent to defraud property owners of property taxes; 2) Increasing property taxes without legislative authority, exceeding the authority of the executive branch of the State of Montana per Article III, Section 1 of the Constitution of the State of Montana following legislative enactment of HB 658 on April 30, 2009 and prior to issuance of property assessment notices in August, 2009 resulting in increase in General Fund Revenue of \$9,642,724 for the 2010-2015 year (approximately 20% of total property tax revenue) 3) Increase in property values by the Department of Revenue after certification of values per MCA 15-7-111 (3) *The revaluation of class three, four, and ten property is complete on December 31, 2008*, class three, four, and ten property values were altered in all but one class after enactment, Granite County residential, of a total of 212 classifications in class three, four and ten property statewide, resulting in unequal taxation of property owners in violation of Article II Section 4 of the Constitution of the State of Montana, the Equal Protection requirements of the Constitution. All changes in valuations and resulting General Fund revenue increases are based on reports provided by the Department of Revenue at the request of the Revenue and Transportation Interim Committee of the Montana Legislature.

Each signer certifies: I have personally signed this petition; I am a qualified elector of the state of Montana and County of _____ and my residence and post-office address are correctly written after my name to the best of my knowledge and belief.

WARNING

A person who knowingly signs a name other than the person's own to this petition, who signs the person's name more than once upon a petition to recall the same officer at one election, or who is not, at the time of signing this petition, a qualified elector of the state of Montana entitled to vote for the successor of the elected officer to be recalled or the successor or successors of the officer or officers who have the authority to appoint a person to the position held by the appointed officer to be recalled is punishable by a fine of no more than \$500 or imprisonment in the county jail for a term not to exceed 6 months, or both, or a fine of \$500 or imprisonment in the state prison for a term not to exceed 10 years, or both.

Complete Signature	Date	Residence Address or Post-Office Address	Printed Last Name and First and Middle Initials	County	Legislative Rep. Dist Number
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					

CIRCULATION SHEET AFFIDAVIT

_____ being first sworn, deposes and says: I circulated or assisted in circulating the petition to which this affidavit is attached, and I believe that the signatures on the petition are genuine and are the signatures of the persons whose names they purport to be and that the signers knew the contents of the petition before signing the petition.

Signature of Petition Circulator

STATE OF MONTANA)
 :ss
County of _____)

SIGNED AND SWORN (OR AFFIRMED) to before me this _____ day of _____, 20____.

(SEAL)

Notary Public for the State of Montana
Residing at: _____
My Commission Expires: _____

INSTRUCTIONS

Petition signatures must be turned in to the county elections office for verification no later than 90 days from date of circulation, approximately June 30, 2010. Each county must have a separate petition for verification of voter registration. Only registered voters may sign the petition. The petition circulator must have the circulation sheet notarized. Per MCA 13-27-102, the petitioner gatherer must be a Montana resident and may not be paid anything of value based upon the number of signatures gathered.

Please make a copy of all petition signatures and submit a copy so that an accurate and independent tally of signatures may be calculated. A tally by County will be posted on the web site noted below.

Submit copies of petition signatures by mail or fax to:

Recall Petition
228 East Spruce Street
Missoula, MT 59802
Fax (406) 721-6161

Blank petitions, circulation affidavits and instructions may be obtained by downloading the forms at www.mtpropertyappraisal.com

DECEPTIVE - NOT INFORMATIVE

Table 1
Percent Change in Property Values Due to Reappraisal
Comparison between Estimates During 2009 Legislative Session and Post Assessment Values (HB 658 Data Set)

County	Class 4 Residential		Class 4 Commercial		Class 3 Agricultural Land		Class 10 Forest Land	
	2009 Legislative Session Estimate	2009 Post Assessment Notice - HB 658 Data Set	2009 Legislative Session Estimate	2009 Post Assessment Notice - HB 658 Data Set	2009 Legislative Session Estimate	2009 Post Assessment Notice - HB 658 Data Set	2009 Legislative Session Estimate	2009 Post Assessment Notice - HB 658 Data Set
Beaverhead	57.07%	53.70%	42.58%	43.16%	-2.49%	10.72%	8.19%	164.31%
Big Horn	40.92%	45.20%	45.27%	85.83%	3.42%	10.65%	-68.06%	-38.81%
Blaine	38.03%	23.58%	31.73%	77.51%	53.15%	50.82%	236.73%	309.99%
Broadwater	61.11%	55.01%	56.33%	39.55%	51.99%	58.47%	12.21%	24.66%
Carbon	52.48%	63.39%	29.04%	45.81%	11.49%	15.96%	-80.73%	-15.55%
Carter	37.38%	17.24%	41.39%	63.57%	30.24%	37.85%	-54.59%	-35.95%
Cascade	39.86%	38.45%	19.33%	38.91%	19.08%	20.60%	8.26%	7.73%
Chouteau	41.82%	28.28%	35.90%	31.24%	3.66%	4.02%	129.45%	133.71%
Custer	54.94%	42.70%	24.79%	43.10%	56.23%	55.14%	-33.33%	-7.05%
Danals	24.68%	12.87%	31.88%	10.21%	43.01%	42.77%	0.00%	0.00%
Dawson	79.36%	58.21%	59.83%	37.71%	41.06%	44.07%	0.00%	0.00%
Deer Lodge	48.85%	46.95%	40.57%	48.48%	24.03%	34.04%	-12.96%	-9.17%
Fallon	54.24%	30.95%	59.28%	49.72%	66.84%	75.25%	-82.77%	51.77%
Fergus	51.56%	48.17%	42.57%	48.07%	20.84%	32.79%	76.60%	93.97%
Flathead	72.81%	65.55%	46.92%	40.74%	-20.07%	36.43%	9.53%	12.10%
Gallatin	51.09%	66.96%	42.79%	45.64%	30.90%	54.47%	-51.86%	-47.90%
Garfield	76.92%	19.95%	18.84%	17.32%	40.35%	50.85%	-100.00%	-100.00%
Glacier	32.52%	23.68%	49.85%	39.72%	32.70%	34.90%	9.10%	31.22%
Golden Valley	37.67%	28.32%	8.80%	39.03%	25.68%	31.37%	47.30%	148.22%
Granite	53.70%	53.70%	20.39%	48.74%	2.95%	24.72%	-24.76%	-20.96%
Hill	41.39%	37.79%	37.19%	40.42%	31.62%	31.85%	134.95%	135.72%
Jefferson	49.56%	47.76%	57.09%	30.94%	29.57%	32.30%	73.33%	82.88%
Judith Basin	44.03%	27.97%	53.13%	50.38%	15.40%	28.22%	36.41%	49.23%
Lake	74.01%	66.67%	49.13%	44.87%	18.06%	30.65%	24.49%	27.51%
Lewis And Clark	61.70%	52.53%	45.79%	55.40%	29.07%	28.00%	54.40%	57.96%
Liberty	21.66%	28.70%	39.84%	61.41%	17.07%	47.50%	0.00%	0.00%
Lincoln	35.52%	74.66%	23.52%	53.71%	-30.62%	28.24%	47.03%	49.25%
Madison	37.28%	65.28%	35.29%	42.10%	22.65%	32.85%	-3.29%	3.60%
McCone	54.28%	15.18%	7.90%	27.77%	51.26%	53.34%	0.00%	0.00%
Meagher	48.02%	30.45%	29.46%	52.33%	22.91%	22.56%	0.36%	2.12%
Mineral	58.79%	58.70%	37.07%	42.72%	-44.24%	-3.58%	44.85%	48.47%
Missoula	60.40%	55.85%	25.19%	35.02%	-28.18%	-8.43%	26.23%	27.00%
Musselshell	35.95%	23.10%	29.43%	47.48%	6.46%	6.09%	29.97%	34.57%
Park	64.78%	80.56%	49.89%	55.72%	40.70%	52.81%	-43.67%	-41.06%
Petroleum	69.66%	21.21%	14.84%	25.65%	16.28%	24.34%	-50.85%	292.65%
Philips	39.19%	37.71%	39.53%	65.47%	50.71%	54.68%	57.68%	199.72%
Pondera	25.26%	19.39%	34.80%	34.54%	25.66%	27.50%	-33.57%	752.39%
Powder River	42.35%	21.60%	40.40%	43.59%	25.82%	33.11%	103.66%	146.25%
Powell	46.39%	50.36%	67.27%	58.16%	7.88%	22.25%	8.02%	7.52%
Prairie	34.97%	20.83%	11.99%	33.44%	23.06%	35.55%	100.00%	100.00%
Ravalli	69.86%	54.71%	28.88%	71.54%	12.23%	13.32%	40.99%	51.13%
Richland	79.83%	68.30%	29.12%	25.82%	51.15%	33.51%	0.00%	0.00%
Roosevelt	26.13%	14.44%	24.91%	14.66%	42.58%	45.75%	0.00%	0.00%
Rosbud	60.48%	51.71%	57.77%	35.88%	35.30%	36.42%	-8.42%	56.46%
Sanders	61.68%	54.75%	51.39%	50.43%	16.40%	53.51%	43.27%	43.58%
Sheridan	30.96%	24.47%	50.45%	21.42%	46.46%	46.62%	0.00%	0.00%
Silver Bow	61.94%	48.99%	47.48%	32.87%	-54.10%	-33.98%	54.41%	60.93%
Stillwater	41.45%	27.60%	16.77%	21.62%	-0.61%	9.04%	-13.17%	4.35%
Sweet Grass	33.57%	22.27%	30.92%	37.59%	81.23%	67.04%	28.52%	31.17%
Teton	51.05%	33.22%	26.78%	40.55%	27.83%	29.95%	-53.93%	-28.44%
Toole	30.00%	22.59%	40.82%	25.60%	24.99%	25.39%	0.00%	0.00%
Treasure	28.88%	12.70%	14.39%	34.08%	51.19%	46.11%	-90.50%	-54.27%
Valley	44.87%	38.98%	46.42%	28.99%	45.00%	41.94%	0.00%	0.00%
Wheatland	43.12%	27.69%	22.57%	53.25%	44.54%	50.51%	67.47%	98.40%
Wibaux	70.75%	24.98%	53.77%	74.06%	29.64%	41.98%	0.00%	0.00%
Yellowstone	49.43%	43.07%	22.48%	51.57%	41.02%	15.27%	0.73%	35.21%
Statewide	55.50%	54.14%	34.08%	43.38%	29.29%	32.48%	19.06%	23.67%

REVISED 2008

LARGEST

ALL INCREASE

ALL INCREASE ALL INCREASE

ALL DECREASE

ALL DECREASE

*Estimates published during the session showed a 52% increase in productivity value of forest land. The figure above of 19.06% is the estimate actually used as the bench mark for mitigating the increase in forest land productivity values based upon legislative decisions to use a weighted mean productivity and an 8% capitalization rate.

2008 35 BILLION MARKET VALUE INCREASES

LEAST DOLLARS <1.36%>

MOST DOLLARS 9.32%

3.19%

4.61%

VALUE DECREASED IN 54 COUNTIES SHOULD BE NO INCREASES IN OTHER COUNTIES



DECEPTIVE - NOT INFORMATIVE

Difference Between Now & Then

Table Z - Summary of Change in General Fund Property Tax Revenue (95 + 1.5 Mills): Post Assessment Notice Estimates minus HB 658 on Passage

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Class 3 - Agricultural Land	\$0	\$174,817	\$336,509	\$488,389	\$634,530	\$770,905	\$904,706
Class 4 - Residential	\$0	(\$148,481)	(\$278,392)	(\$392,921)	(\$494,728)	(\$590,221)	(\$680,298)
Class 4 - Commercial: Multifamily Property	\$0	\$69,401	\$130,121	\$183,652	\$231,237	\$275,871	\$317,973
Class 4 - Commercial: All Other Property	\$0	\$411,514	\$790,023	\$1,137,047	\$1,460,850	\$1,762,054	\$2,057,004
Subtotal Class 4 - Commercial:	\$0	\$480,915	\$920,144	\$1,320,699	\$1,692,087	\$2,037,925	\$2,374,976
Class 4 Total	\$0	\$332,433	\$641,752	\$927,778	\$1,197,360	\$1,447,703	\$1,694,679
Class - 10 Forest Land	\$0	\$4,884	\$9,481	\$13,681	\$17,567	\$21,141	\$24,408
Total	\$0	\$512,135	\$987,741	\$1,429,849	\$1,849,457	\$2,239,749	\$2,623,793

\$9,481,741 2010
 \$2.6 MILLION \$5 MILLION \$4.2 MILLION \$9.3 MILLION \$11.2 MILLION \$13.1 MILLION
 TOTAL \$48.4 MILLION



Montana Department of Revenue

EXHIBIT