



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

September 12, 2011

OPINION LETTER NO. 126-2011

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated September 2, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition submitted by Dan Viets (version 2).

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.
2. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine if additional deficiencies exist. Pursuant to § 116.332.3, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in black ink that reads "Chris Koster".

CHRIS KOSTER
Attorney General

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