

HOUSE BILL 218

Introduced by Spring

1/16	Introduced
1/16	Referred to State Administration
1/17	First Reading
2/01	Hearing
2/20	Tabled in Committee

CONSTITUTIONAL AMENDMENT

1 House BILL NO. 218
2 INTRODUCED BY Spring

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
5 QUALIFIED ELECTORS OF MONTANA AMENDMENTS TO ARTICLE V,
6 SECTIONS 3 AND 9, OF THE MONTANA CONSTITUTION TO LENGTHEN
7 THE TERM OF OFFICE OF LEGISLATORS; TO PROVIDE THAT ONE-HALF
8 OF THE REPRESENTATIVES AND AS NEAR AS POSSIBLE TO ONE-THIRD
9 OF THE SENATORS MUST BE ELECTED EVERY 2 YEARS; TO LIMIT THE
10 NUMBER OF YEARS THAT A LEGISLATOR MAY SERVE; TO REQUIRE THE
11 REAPPORTIONMENT COMMISSION TO IMPLEMENT THE AMENDMENT
12 REQUIRING ONE-HALF OF THE REPRESENTATIVES AND AS NEAR AS
13 POSSIBLE TO ONE-THIRD OF THE SENATORS TO BE ELECTED EVERY 2
14 YEARS; AND PROVIDING AN APPLICABILITY PROVISION AND AN
15 IMMEDIATE EFFECTIVE DATE."

16
17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

18 **Section 1.** Article V, section 3, of The Constitution of
19 the State of Montana is amended to read:

20 "Section 3. Election and terms. A member of the house
21 of representatives shall be elected for a term of two four
22 years and a member of the senate for a term of four six
23 years each to begin on a date provided by law. One-half of
24 the representatives and as near as possible to one-third of
25 the senators shall be elected every two years."

1 **Section 2.** Article V, section 9, of The Constitution of
2 the State of Montana is amended to read:

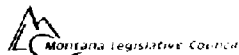
3 "Section 9. Disqualification. (1) No member of the
4 legislature shall, during the term for which he shall have
5 been elected, be appointed to any civil office under the
6 state; and no member of congress, or other person holding an
7 office (except notary public, or the militia) under the
8 United States or this state, shall be a member of the
9 legislature during his continuance in office.

10 (2) A legislator may not serve more than 12 consecutive
11 years in either the senate or house of representatives."

12 NEW SECTION. **Section 3.** Transition. (1) The commission
13 provided for in Article V, section 14, of the Montana
14 constitution shall, using criteria developed by the
15 commission, include in the plan it submits to the 1993
16 regular session of the legislature provisions with respect
17 to the new senate districts that will take effect for all
18 purposes in January 1995 that:

19 (a) divide the districts into three groups with as near
20 as possible to one-third of the districts in each group;

21 (b) state which group of new districts must have
22 senators with a first term of office that expires in January
23 1997, which group must have senators with a first term of
24 office that expires in January 1999, and which group must
25 have senators with a first term of office that expires in



1 January 2001;

2 (c) assign those senators who in January 1995 have 2
3 years remaining in their terms to districts in which the
4 remaining 2 years will be served; and

5 (d) provide that if a senator is assigned under
6 subsection (1)(c) to a district designated as a 4-year or
7 6-year district under subsection (1)(b), the first election
8 after that senator's term ends must be for a term of 2 years
9 if the election is in a 4-year district and 4 years if the
10 election is in a 6-year district.

11 (2) The commission referred to in subsection (1) shall
12 include in the plan referred to in subsection (1) provisions
13 that establish a method by which, at the general election to
14 be held in November 1994, one-half of the house districts
15 will elect representatives to a 2-year term and the other
16 half will elect representatives to a 4-year term. In
17 subsequent elections, the term of office is 4 years in all
18 districts.

19 NEW SECTION. Section 4. Applicability. [Sections 1
20 through 3] apply to legislative terms that begin during or
21 after January 1995.

22 NEW SECTION. Section 5. Effective date. This act is
23 effective on approval by the electorate.

24 NEW SECTION. Section 6. Submission to electorate.
25 These amendments shall be submitted to the qualified

1 electors of Montana at the general election to be held in
2 November 1992 by printing on the ballot the full title of
3 this act and the following:

4 FOR lengthening legislators' terms, electing
5 one-half of the representatives and one-third of the
6 senators every 2 years, and limiting legislators'
7 consecutive years in office.

8 AGAINST lengthening legislators' terms, electing
9 one-half of the representatives and one-third of the
10 senators every 2 years, and limiting legislators'
11 consecutive years in office.

-End-