

HOUSE BILL 358

Introduced by Thomas, et al.

1/22	Introduced
1/22	Referred to State Administration
1/23	First Reading
2/01	Hearing
2/20	Tabled in Committee

CONSTITUTIONAL AMENDMENT

*House* BILL NO. 358 *Tom Wilson*  
 INTRODUCED BY *Thomas B. Dietrich* *Paul Robinson* *Jerry*  
*W. R. Thompson* *Mrs. S. W. Hoffmann* *John A. Austin* *Stephen* *Elde*

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

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

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

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

**Section 2.** Article V, section 9, of The Constitution of

the State of Montana is amended to read:

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

(2) A legislator may not serve more than two consecutive terms in either the senate or the house of representatives. A person may not serve another term in a house in which he has served two consecutive terms."

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

- (1) divide the districts into three groups with as near as possible to one-third of the districts in each group;
- (2) state which group of new districts must have senators with a first term of office that expires in January 1997, which group must have senators with a first term of office that expires in January 1999, and which group must



1 have senators with a first term of office that expires in  
2 January 2001;

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

6 (4) provide that if a senator is assigned under  
7 subsection (3) to a district designated as a 4-year or  
8 6-year district under subsection (2), the first election  
9 after that senator's term ends must be for a term of 2 years  
10 if the election is in a 4-year district and 4 years if the  
11 election is in a 6-year district.

12 NEW SECTION. Section 4. Applicability. [Sections 1  
13 through 3] apply to legislative terms that begin during or  
14 after January 1995.

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

17 NEW SECTION. Section 6. Submission to electorate.

18 These amendments shall be submitted to the qualified  
19 electors of Montana at the general election to be held in  
20 November 1992 by printing on the ballot the full title of  
21 this act and the following:

22  FOR prohibiting a legislator from serving more than  
23 two consecutive terms in either house, lengthening  
24 legislators' terms, and changing the time of  
25 election of senators.

1  AGAINST prohibiting a legislator from serving more  
2 than two consecutive terms in either house,  
3 lengthening legislators' terms, and changing the  
4 time of election of senators.

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