

1 *Senate* BILL NO. *179*
 2 INTRODUCED BY *McCallum Ernest Mendenhall*
 3 *Tinsand*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
 5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V,
 6 SECTION 9, OF THE MONTANA CONSTITUTION TO PROVIDE THAT A
 7 MEMBER OF THE LEGISLATURE MAY, UPON RESIGNATION OF HIS SEAT,
 8 RUN FOR ANOTHER OFFICE."
 9

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

11 Section 1. Article V, section 9 of the Montana
 12 Constitution is amended to read as follows:

13 Section 9. Disqualification. No member of the
 14 legislature shall, during the term for which he shall have
 15 been elected, be appointed to any civil office under the
 16 state unless he first resigns from the legislature; and no
 17 member of congress, or other person holding an office
 18 (except notary public, or the militia) under the United
 19 States or this state, shall be a member of the legislature
 20 during his continuance in office.

21 Section 2. Submission to electors. This amendment
 22 shall be submitted to the electors of the state of Montana
 23 at the general election to be held November 7, 1978, by
 24 printing on the ballot the full title, section 1 of this
 25 act, and the following:

- 1 FOR the above amendment to allow a legislator to
- 2 resign his seat and run for another office.
- 3 AGAINST the above amendment, to continue the
- 4 prohibition on legislators holding other civil
- 5 offices during their elected terms.

-End-

SB179

Approved by Committee
on State Administration

SENATE BILL NO. 179

INTRODUCED BY McCALLUM, ETCHART, MATHERS, LENSINK

A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V,
SECTION 9, OF THE MONTANA CONSTITUTION TO PROVIDE THAT A
MEMBER OF THE LEGISLATURE MAY, ~~UPON RESIGNATION OF HIS SEAT,~~
RUN FOR ANOTHER OFFICE DURING HIS TERM."

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

Section 1. Article V, section 9 of the Montana
Constitution is amended to read as follows:

Section 9. Disqualification. 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 ~~unless he first resigns from the legislature and no,~~
A LEGISLATOR MAY BE A CANDIDATE FOR PUBLIC OFFICE BEFORE THE
END OF HIS TERM. HE SHALL RESIGN BEFORE ASSUMING ANOTHER
OFFICE. NO member of congress, or other person holding an
office (except notary public, of the militia) under the
United States or this state, shall be a member of the
legislature during his continuance in office.

Section 2. Submission to electors. This amendment
shall be submitted to the electors of the state of Montana
at the general election to be held November 7, 1978, by

printing on the ballot the full title, section 1 of this
act, and the following:

- FOR the above amendment to allow a legislator to
~~resign his seat and run~~ BE A CANDIDATE for another
PUBLIC office DURING HIS TERM.
- AGAINST the above amendment, to continue the
prohibition on ~~legislators holding other civil~~
~~offices during their elected terms~~ A LEGISLATOR
BEING A CANDIDATE FOR PUBLIC OFFICE DURING HIS TERM.

-End-

SECOND READING

1 SENATE BILL NO. 179

2 INTRODUCED BY McCALLUM, ETCHART, MATHERS, LENSINK

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V,
6 SECTION 9, OF THE MONTANA CONSTITUTION TO PROVIDE THAT A
7 MEMBER OF THE LEGISLATURE MAY, ~~UPON RESIGNATION OF HIS SEAT,~~
8 RUN FOR ANOTHER PUBLIC OFFICE DURING HIS TERM."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:11 Section 1. Article V, section 9 of the Montana
12 Constitution is amended to read as follows:

13 Section 9. Disqualification. No member of the
14 legislature shall, during the term for which he shall have
15 been elected, be appointed to any civil office under the
16 state ~~unless he first resigns from the legislature, and no,~~
17 A LEGISLATOR MAY BE A CANDIDATE FOR PUBLIC OFFICE BEFORE THE
18 END OF HIS TERM. HE SHALL RESIGN BEFORE ASSUMING ANOTHER
19 OFFICE. NO member of congress, or other person holding an
20 office (except notary public, of the militia) under the
21 United States or this state, shall be a member of the
22 legislature during his continuance in office.

23 Section 2. Submission to electors. This amendment
24 shall be submitted to the electors of the state of Montana
25 at the general election to be held November 7, 1978, by

1 printing on the ballot the full title, section 1 of this
2 act, and the following:

3 FOR the above amendment to allow a legislator to
4 ~~resign--his--seat--and--run~~ BE A CANDIDATE for another
5 PUBLIC office DURING HIS TERM.

6 AGAINST the above amendment, to continue the
7 prohibition on ~~legislators--holding--other--civil~~
8 ~~offices--during--their--elected--terms,~~ A LEGISLATOR
9 BEING A CANDIDATE FOR PUBLIC OFFICE DURING HIS TERM.

10
-End-

1. Amend page 2, section 2, line 1.

Following: "title"

Strike: ", section 1 of this act,"

2. Amend page 2, section 2, line 3.

Following: "FOR"

Strike: "the above amendment to allow"

Insert: "allowing"

3. Amend page 2, section 2, line 6.

Following: "AGAINST"

Strike: "the above amendment, to continue the prohibition on"

Insert: "allowing"

4. Amend page 2, section 2, line 9.

Strike: "BEING A"

Insert: "to be"

SENATE BILL NO. 179

INTRODUCED BY McCALLUM, ETCHART, MATHERS, LENSINK

A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V, SECTION 9, OF THE MONTANA CONSTITUTION TO PROVIDE THAT A MEMBER OF THE LEGISLATURE MAY, UPON RESIGNATION OF HIS SEAT, RUN FOR ANOTHER PUBLIC OFFICE DURING HIS TERM."

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

Section 1. Article V, section 9 of the Montana Constitution is amended to read as follows:

Section 9. Disqualification. 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 unless he first resigns from the legislature, and no A LEGISLATOR MAY BE A CANDIDATE FOR PUBLIC OFFICE BEFORE THE END OF HIS TERM. HE SHALL RESIGN BEFORE ASSUMING ANOTHER OFFICE. NO member of congress, or other person holding an office (except notary public, of the militia) under the United States or this state, shall be a member of the legislature during his continuance in office.

Section 2. Submission to electors. This amendment shall be submitted to the electors of the state of Montana at the general election to be held November 7, 1978, by

REFERENCE BILL

printing on the ballot the full title-section 1 of this act and the following:

[] FOR the above amendment to allow ALLOWING a legislator to resign his seat and run BE A CANDIDATE for another PUBLIC office DURING HIS TERM.

[] AGAINST the above amendment to continue the prohibition on legislators holding other civil offices during their elected terms. ALLOWING A LEGISLATOR BEING TO BE A CANDIDATE FOR PUBLIC OFFICE DURING HIS TERM.

-End-