

CONSTITUTIONAL AMENDMENT

SB BILL NO. 170

INTRODUCED BY

AKLESTAD Semipalus HARP Foster
Hestel John "Blum" Blatter Mike Beckin Trevor Cassano
Tommy Bennett Rick Beckin
Suppach Nelson CONDE Walter Star Clark

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE III, SECTIONS 4 AND 5, OF THE MONTANA CONSTITUTION TO REQUIRE THE SIGNATURE OF 10 PERCENT OF THE QUALIFIED ELECTORS IN TWO-FIFTHS OF THE LEGISLATIVE REPRESENTATIVE DISTRICTS AND 10 PERCENT OF THE QUALIFIED ELECTORS OF THE STATE IN ORDER TO QUALIFY A STATUTORY INITIATIVE OR REFERENDUM FOR THE BALLOT."

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

Section 1. Article III, section 4, of The Constitution of the State of Montana is amended to read:

"Section 4. Initiative. (1) The people may enact laws by initiative on all matters except appropriations of money and local or special laws.

(2) Initiative petitions must contain the full text of the proposed measure, shall be signed by at least ~~five~~ ten percent of the qualified electors in each of at least ~~one-third~~ two-fifths of the legislative representative districts and the total number of signers must be at least ~~five~~ ten percent of the total qualified electors of the state. Petitions shall be filed with the secretary of state at least three months prior to the election at which the measure will be voted upon.

(3) The sufficiency of the initiative petition shall not be questioned after the election is held."

Section 2. Article III, section 5, of The Constitution of the State of Montana is amended to read:

"Section 5. Referendum. (1) The people may approve or reject by referendum any act of the legislature except an appropriation of money. A referendum shall be held either upon order by the legislature or upon petition signed by at least ~~five~~ ten percent of the qualified electors in each of at least ~~one-third~~ two-fifths of the legislative representative districts. The total number of signers must be at least ~~five~~ ten percent of the qualified electors of the state. A referendum petition shall be filed with the secretary of state no later than six months after adjournment of the legislature which passed the act.

(2) An act referred to the people is in effect until suspended by petitions signed by at least 15 percent of the qualified electors in a majority of the legislative representative districts. If so suspended the

1 act shall become operative only after it is approved at an election, the result of which has been determined
2 and declared as provided by law."
3

4 **NEW SECTION. Section 3. Submission to electorate.** This amendment shall be submitted to the
5 qualified electors of Montana at the general election to be held in November 1998 by printing on the ballot
6 the full title of this act and the following:

7 FOR increasing the signature requirements for qualifying a statutory initiative or referendum
8 for the ballot.

9 AGAINST increasing the signature requirements for qualifying a statutory initiative or
10 referendum for the ballot.

11

-END-

CONSTITUTIONAL AMENDMENT

APPROVED BY COM ON
STATE ADMINISTRATION

SENATE BILL NO. 170

INTRODUCED BY AKLESTAD, SIMPKINS, HARP, FOSTER, CRIPPEN, HERTEL, JABS, GLASER,
MCNUTT, DEVLIN, MESAROS, CRISMORE, DEPRATU, MCCARTHY, BURNETT, PECK, BISHOP,
SWYSGOOD, NELSON, GRINDE, WATERMAN, STANG, CLARK

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN
AMENDMENT TO ARTICLE III, SECTIONS 4 AND 5, OF THE MONTANA CONSTITUTION TO ~~REQUIRE THE~~
~~SIGNATURE OF~~ CHANGE THE SIGNATURE REQUIREMENTS FROM 5 PERCENT TO 10 8 PERCENT OF THE
QUALIFIED ELECTORS IN TWO-FIFTHS OF THE LEGISLATIVE REPRESENTATIVE DISTRICTS RATHER
THAN ONE-THIRD OF THE LEGISLATIVE REPRESENTATIVE DISTRICTS AND TO CHANGE THE
REQUIREMENT FOR THE TOTAL NUMBER OF SIGNERS FROM 5 PERCENT TO 10 8 PERCENT OF THE
QUALIFIED ELECTORS OF THE STATE IN ORDER TO QUALIFY A STATUTORY INITIATIVE OR
REFERENDUM FOR THE BALLOT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Article III, section 4, of The Constitution of the State of Montana is amended to read:

"Section 4. Initiative. (1) The people may enact laws by initiative on all matters except appropriations of money and local or special laws.

(2) Initiative petitions must contain the full text of the proposed measure, shall be signed by at least ~~five ten~~ EIGHT percent of the qualified electors in each of at least ~~one-third~~ two-fifths of the legislative representative districts and the total number of signers must be at least ~~five ten~~ EIGHT percent of the total qualified electors of the state. Petitions shall be filed with the secretary of state at least three months prior to the election at which the measure will be voted upon.

(3) The sufficiency of the initiative petition shall not be questioned after the election is held."

Section 2. Article III, section 5, of The Constitution of the State of Montana is amended to read:

"Section 5. Referendum. (1) The people may approve or reject by referendum any act of the legislature except an appropriation of money. A referendum shall be held either upon order by the legislature or upon petition signed by at least ~~five ten~~ EIGHT percent of the qualified electors in each of at least

1 ~~one-third~~ two-fifths of the legislative representative districts. The total number of signers must be at least
 2 ~~five~~ ~~ten~~ EIGHT percent of the qualified electors of the state. A referendum petition shall be filed with the
 3 secretary of state no later than six months after adjournment of the legislature which passed the act.

4 (2) An act referred to the people is in effect until suspended by petitions signed by at least 15
 5 percent of the qualified electors in a majority of the legislative representative districts. If so suspended the
 6 act shall become operative only after it is approved at an election, the result of which has been determined
 7 and declared as provided by law."

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 9 **NEW SECTION. SECTION 3. EFFECTIVE DATE. THIS AMENDMENT IS EFFECTIVE ON APPROVAL**
 10 **BY THE ELECTORATE.**

11
 12 **NEW SECTION. Section 4. Submission to electorate.** This amendment shall be submitted to the
 13 qualified electors of Montana at the general election to be held in November 1998 by printing on the ballot
 14 the full title of this act and the following:

15 [] FOR increasing the signature requirements FROM 5% TO 8% for qualifying a statutory
 16 initiative or referendum for the ballot.

17 [] AGAINST increasing the signature requirements FROM 5% TO 8% for qualifying a statutory
 18 initiative or referendum for the ballot.

19 -END-

CONSTITUTIONAL AMENDMENT

SENATE BILL NO. 170

INTRODUCED BY AKLESTAD, SIMPKINS, HARP, FOSTER, CRIPPEN, HERTEL, JABS, GLASER,
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THAN ONE-THIRD OF THE LEGISLATIVE REPRESENTATIVE DISTRICTS AND TO CHANGE THE
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3 secretary of state no later than six months after adjournment of the legislature which passed the act.

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