

## 1 SENATE BILL NO. 395

2 INTRODUCED BY L. GROSFIELD

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4 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA  
5 AN AMENDMENT TO ARTICLE III, SECTIONS 5 AND 7, OF THE MONTANA CONSTITUTION TO CHANGE  
6 THE DISTRIBUTION OF ELECTORS WHO MUST PETITION TO PLACE A STATUTORY MEASURE ON THE  
7 BALLOT AS A REFERENDUM FROM 5 PERCENT IN AT LEAST ONE-THIRD OF THE LEGISLATIVE  
8 REPRESENTATIVE DISTRICTS TO 5 PERCENT IN AT LEAST ONE-HALF OF THE COUNTIES AND TO  
9 CHANGE THE DETERMINATION OF THE NUMBER OF QUALIFIED ELECTORS FROM THOSE IN A  
10 LEGISLATIVE REPRESENTATIVE DISTRICT LAST VOTING FOR GOVERNOR TO THOSE IN A COUNTY  
11 LAST VOTING FOR GOVERNOR."

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

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15 **Section 1.** Article III, section 5, of The Constitution of the State of Montana is amended to read:

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

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

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27 **Section 2.** Article III, section 7, of The Constitution of the State of Montana is amended to read:

28 **"Section 7. Number of electors.** (1) The number of qualified electors required in each legislative  
29 representative district and in the state shall be determined by the number of votes cast for the office of  
30 governor in the preceding general election.

1           (2) For the purposes of a referendum, the number of qualified electors in each county and in the  
2 state shall be determined by the number of votes cast for the office of governor in the preceding general  
3 election."

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5           **NEW SECTION. Section 3. Submission to electorate.** This amendment shall be submitted to the  
6 qualified electors of Montana at the general election to be held in November 2002 by printing on the ballot  
7 the full title of this act and the following:

8           []       FOR requiring that signatures be gathered in one-half of the counties rather than one-third  
9                   of legislative districts for statutory referendums.

10          []       AGAINST requiring that signatures be gathered in one-half of the counties rather than  
11                   one-third of legislative districts for statutory referendums.

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