

1 SENATE BILL NO. 396

2 INTRODUCED BY L. GROSFIELD, MANGAN, BERRY, GRIMES, HEDGES, MASOLO, MCCANN,  
3 MCNUTT, D. MOOD, OLSON, ROUSH, SHEA, TESTER, F. THOMAS, SLITER, MCGEE, BECK,  
4 HARGROVE

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6 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA  
7 AN AMENDMENT TO ARTICLE III, SECTION 7, AND ARTICLE XIV, SECTION 9, OF THE MONTANA  
8 CONSTITUTION TO CHANGE THE DISTRIBUTION OF ELECTORS WHO MUST PETITION TO HAVE A  
9 CONSTITUTIONAL AMENDMENT PLACED ON THE BALLOT FROM AT LEAST 10 PERCENT IN  
10 TWO-FIFTHS OF THE LEGISLATIVE DISTRICTS TO AT LEAST 10 PERCENT IN ONE-HALF OF THE  
11 COUNTIES AND TO CHANGE THE BASIS FOR DETERMINING THE NUMBER OF QUALIFIED ELECTORS  
12 FROM THOSE ELECTORS IN A LEGISLATIVE REPRESENTATIVE DISTRICT LAST VOTING FOR GOVERNOR  
13 TO THOSE ELECTORS IN A COUNTY LAST VOTING FOR GOVERNOR."

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

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17 **Section 1.** Article III, section 7, of The Constitution of the State of Montana is amended to read:

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

21 (2) For the purposes of a constitutional amendment, the number of qualified electors in each  
22 county and in the state shall be determined by the number of votes cast for the office of governor in the  
23 preceding general election."

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

26 **"Section 9. Amendment by initiative.** (1) The people may also propose constitutional amendments  
27 by initiative. Petitions including the full text of the proposed amendment shall be signed by at least ten  
28 percent of the qualified electors of the state. That number shall include at least ten percent of the qualified  
29 electors in ~~each of two-fifths~~ EACH OF AT LEAST one-half of the ~~legislative districts~~ counties.

30 (2) The petitions shall be filed with the secretary of state. If the petitions are found to have been

1 signed by the required number of electors, the secretary of state shall cause the amendment to be  
2 published as provided by law twice each month for two months previous to the next regular state-wide  
3 election.

4 (3) At that election, the proposed amendment shall be submitted to the qualified electors for  
5 approval or rejection. If approved by a majority voting thereon, it shall become a part of the constitution  
6 effective the first day of July following its approval, unless the amendment provides otherwise."

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

11 [] FOR requiring that signatures be gathered in one-half of the counties rather than two-fifths  
12 of legislative districts for constitutional initiatives.

13 [] AGAINST requiring that signatures be gathered in one-half of the counties rather than  
14 two-fifths of legislative districts for constitutional initiatives.

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