

## Senate Joint Resolution 2

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### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Proposes revision to Oregon Constitution to create office of State Controller. Provides that State Controller administers laws governing conduct of elections, including laws governing election campaign finance and state legislative and congressional redistricting. Directs State Controller to appoint commission to create legislative and congressional redistricting plans following each decennial census.

Directs State Controller to provide investigatory services to agency charged with administering government ethics laws.

Refers proposed revision to people for their approval or rejection at next primary election.

### JOINT RESOLUTION

1  
2 **Be It Resolved by the Legislative Assembly of the State of Oregon, two-thirds of all the**  
3 **members of each house concurring:**

4 **PARAGRAPH 1.** The Constitution of the State of Oregon is revised by creating new sections  
5 11 and 11a to be added to and made a part of Article VI, such sections to read:

6 **SECTION 11. (1) A State Controller shall be selected in the manner provided by law. If**  
7 **the State Controller is elected, the office shall be nonpartisan. The term of the State Con-**  
8 **troller shall be established by law and may not be less than six years.**

9 **(2) A person who is serving as State Controller may not be a candidate for nomination**  
10 **or election to any other public office while serving and may not be elected or appointed to**  
11 **a statewide public office sooner than two years after the person ceases service as State**  
12 **Controller.**

13 **(3) The State Controller shall designate a deputy to act as controller in case of absence**  
14 **or incapacity of the State Controller, or during a vacancy in the office. Other personnel to**  
15 **assist the State Controller in performance of the duties of the office may be provided for by**  
16 **law.**

17 **(4) The State Controller shall administer the laws governing the conduct of elections,**  
18 **including all laws governing election campaign finance and the redistricting of state legisla-**  
19 **tive and congressional districts, and shall perform such other duties as may be required by**  
20 **law.**

21 **(5) The State Controller shall provide investigatory services to the agency charged with**  
22 **administering government ethics laws.**

23 **(6) The State Controller may issue subpoenas and administer oaths for the purpose of**  
24 **performing the functions of the office described in this section.**

25 **(7) The State Controller shall administer the functions, personnel and budget of the office**  
26 **independently of all other statewide elected officers and other agencies of the executive de-**  
27 **partment of state government.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1       **SECTION 11a. (1) The revision proposed by this resolution becomes operative on the first**  
 2 **Monday in January, 2011, except that the revision becomes operative on the effective date**  
 3 **of the revision for the purposes of:**

4       **(a) Selecting a State Controller to take office on the first Monday in January, 2011; and**

5       **(b) Appointing the commission under section 6, Article IV of this Constitution, to provide**  
 6 **for the redistricting of state legislative and congressional districts.**

7       **(2) This section is repealed on the second Monday in January, 2011.**

8       **PARAGRAPH 2.** Section 1, Article IV of the Constitution of the State of Oregon, is revised to  
 9 read:

10       **Sec. 1.** (1) The legislative power of the state, except for the initiative and referendum powers  
 11 reserved to the people, is vested in a Legislative Assembly, consisting of a Senate and a House of  
 12 Representatives.

13       (2)(a) The people reserve to themselves the initiative power, which is to propose laws and  
 14 amendments to the Constitution and enact or reject them at an election independently of the Leg-  
 15 islative Assembly.

16       (b) An initiative law may be proposed only by a petition signed by a number of qualified voters  
 17 equal to six percent of the total number of votes cast for all candidates for Governor at the election  
 18 at which a Governor was elected for a term of four years next preceding the filing of the petition.

19       (c) An initiative amendment to the Constitution may be proposed only by a petition signed by  
 20 a number of qualified voters equal to eight percent of the total number of votes cast for all candi-  
 21 dates for Governor at the election at which a Governor was elected for a term of four years next  
 22 preceding the filing of the petition.

23       (d) An initiative petition shall include the full text of the proposed law or amendment to the  
 24 Constitution. A proposed law or amendment to the Constitution shall embrace one subject only and  
 25 matters properly connected therewith.

26       (e) An initiative petition shall be filed not less than four months before the election at which  
 27 the proposed law or amendment to the Constitution is to be voted upon.

28       (3)(a) The people reserve to themselves the referendum power, which is to approve or reject at  
 29 an election any Act, or part thereof, of the Legislative Assembly that does not become effective  
 30 earlier than 90 days after the end of the session at which the Act is passed.

31       (b) A referendum on an Act or part thereof may be ordered by a petition signed by a number  
 32 of qualified voters equal to four percent of the total number of votes cast for all candidates for  
 33 Governor at the election at which a Governor was elected for a term of four years next preceding  
 34 the filing of the petition. A referendum petition shall be filed not more than 90 days after the end  
 35 of the session at which the Act is passed.

36       (c) A referendum on an Act may be ordered by the Legislative Assembly by law.  
 37 Notwithstanding section 15b, Article V of this Constitution, bills ordering a referendum and bills  
 38 on which a referendum is ordered are not subject to veto by the Governor.

39       (4)(a) Petitions or orders for the initiative or referendum shall be filed with the [*Secretary of*]  
 40 State **Controller**. The Legislative Assembly shall provide by law for the manner in which the [*Sec-*  
 41 *retary of*] State **Controller** shall determine whether a petition contains the required number of sig-  
 42 natures of qualified voters. The [*Secretary of*] State **Controller** shall complete the verification  
 43 process within the 30-day period after the last day on which the petition may be filed as provided  
 44 in paragraph (e) of subsection (2) or paragraph (b) of subsection (3) of this section.

45       (b) Initiative and referendum measures shall be submitted to the people as provided in this sec-

1 tion and by law not inconsistent therewith.

2 (c) All elections on initiative and referendum measures shall be held at the regular general  
3 elections, unless otherwise ordered by the Legislative Assembly.

4 (d) Notwithstanding section 1, Article XVII of this Constitution, an initiative or referendum  
5 measure becomes effective 30 days after the day on which it is enacted or approved by a majority  
6 of the votes cast thereon. A referendum ordered by petition on a part of an Act does not delay the  
7 remainder of the Act from becoming effective.

8 (5) The initiative and referendum powers reserved to the people by subsections (2) and (3) of this  
9 section are further reserved to the qualified voters of each municipality and district as to all local,  
10 special and municipal legislation of every character in or for their municipality or district. The  
11 manner of exercising those powers shall be provided by general laws, but cities may provide the  
12 manner of exercising those powers as to their municipal legislation. In a city, not more than 15  
13 percent of the qualified voters may be required to propose legislation by the initiative, and not more  
14 than 10 percent of the qualified voters may be required to order a referendum on legislation.

15 **PARAGRAPH 3.** Section 6, Article IV of the Constitution of the State of Oregon, is revised to  
16 read:

17 **Sec. 6.** (1) [*At the regular session of the Legislative Assembly next following an enumeration of*  
18 *the inhabitants by the United States Government, the number of Senators and Representatives shall be*  
19 *fixed by law*] **In each year ending in the number one:**

20 (a) **Senators and Representatives shall be** [*and*] **apportioned among legislative districts ac-**  
21 **ording to population and a redistricting plan adopted in the manner provided in this section.**  
22 A senatorial district shall consist of two representative districts. Any Senator whose term continues  
23 through the next regular legislative session after the [*effective*] **operative** date of the [*reapportion-*  
24 *ment*] **redistricting plan** shall be specifically assigned to a senatorial district. The ratio of Senators  
25 and Representatives, respectively, to population shall be determined by dividing the total population  
26 of the state by the number of Senators and by the number of Representatives. [*A reapportionment*  
27 *by the Legislative Assembly shall become operative no sooner than September 1 of the year of reap-*  
28 *portionment.*]

29 (b) **Representatives to Congress shall be apportioned among congressional districts ac-**  
30 **ording to population and a redistricting plan adopted in the manner provided in this section.**

31 (2) **Not later than December 1 of each year ending in the number zero, the State Con-**  
32 **troller shall appoint a commission to provide for the redistricting of state legislative and**  
33 **congressional districts.**

34 (3) **The commission shall be composed of five members. In making appointments to the**  
35 **commission, the State Controller shall consult with representatives of political parties and**  
36 **with individuals who are not affiliated with a political party. The State Controller shall ap-**  
37 **point a chairperson of the commission. The State Controller shall provide staff to the com-**  
38 **mission.**

39 (4) **A person holding elected public office or political party office, or a person elected or**  
40 **appointed to public office or political party office, may not be a member of the commission.**  
41 **A commission member may not have held an elected public office or a political party office**  
42 **within two years of the date of the member's appointment to the commission.**

43 (5) **The commission shall complete a state legislative redistricting plan and a congress-**  
44 **ional redistricting plan as soon as possible following an enumeration of the inhabitants by**  
45 **the United States Government, but not later than June 1 of each year ending in the number**

1 **one. At least three members of the commission must vote to adopt a redistricting plan. The**  
 2 **state legislative redistricting plan adopted by the commission may not provide for a number**  
 3 **of legislative districts different from the number established by the Legislative Assembly.**  
 4 **On the next business day after completing a redistricting plan, the commission shall submit**  
 5 **the plan to the Legislative Assembly.**

6 (6) After submission of a redistricting plan by the commission, the Legislative Assembly  
 7 shall have 30 calendar days to amend the plan submitted by the commission. If the Legisla-  
 8 tive Assembly amends the plan, the amendment must be adopted by an affirmative vote of  
 9 three-fifths of the members of each house.

10 (7) A redistricting plan adopted by the commission, with any amendment adopted by the  
 11 Legislative Assembly, shall be final upon adoption of the amendment or after expiration of  
 12 the time provided for legislative amendment under subsection (6) of this section, whichever  
 13 occurs first. A final plan constitutes the districting law applicable to this state for legislative  
 14 or congressional elections and becomes operative January 1 of the next calendar year.

15 (8) If the commission fails to adopt and submit a state legislative redistricting plan or a  
 16 congressional redistricting plan within the time limits provided in subsection (5) of this sec-  
 17 tion, the Supreme Court shall adopt a plan by July 1. The plan adopted by the court is final  
 18 and constitutes the districting law applicable to this state for legislative or congressional  
 19 elections, and becomes operative January 1 of the next calendar year.

20 (9) The Legislative Assembly may enact laws providing for the reconvening of a com-  
 21 mission for the purpose of modifying a districting law adopted under this section. A law  
 22 providing for the reconvening of the commission must be approved by an affirmative vote  
 23 of three-fifths of the members of each house. At least three members of the commission  
 24 must vote to adopt any modification of the districting law. Any modification adopted by the  
 25 commission may be amended by an affirmative vote of three-fifths of the members of each  
 26 house. The modified districting law shall include the modifications, with any amendment  
 27 adopted by the Legislative Assembly, and becomes operative on the date specified by the  
 28 commission or the Legislative Assembly.

29 (10) The Legislative Assembly shall enact laws implementing subsections (2) to (9) of this  
 30 section. The laws may set additional qualifications for members of the commission, additional  
 31 standards to govern the commission and the terms of office of members of the commission.  
 32 The Legislative Assembly shall appropriate moneys to enable the commission to carry out  
 33 its duties.

34 (11) Legislative and congressional districts may not be changed or established except  
 35 pursuant to this section. A redistricting plan adopted in the manner provided in this section  
 36 and any amendments to the plan by the Legislative Assembly are not subject to veto by the  
 37 Governor.

38 [(2)] (12) This subsection governs judicial review and correction of a [*reapportionment enacted*  
 39 *by the Legislative Assembly*] **state legislative redistricting plan adopted under this section.**

40 (a) Original jurisdiction is vested in the Supreme Court, upon the petition of any elector of the  
 41 state filed with the Supreme Court on or before August 1 of the year in which the [*Legislative As-*  
 42 *sembly enacts a reapportionment*] **redistricting plan is adopted**, to review any [*reapportionment so*  
 43 *enacted*] **redistricting plan so adopted.**

44 (b) If the Supreme Court determines that the [*reapportionment thus reviewed*] **redistricting plan**  
 45 complies with [*subsection (1)*] **subsections (1) to (11)** of this section and all law applicable thereto,

1 it shall dismiss the petition by written opinion on or before September 1 of the same year and the  
2 *[reapportionment shall become]* **redistricting plan becomes** operative on *[September 1]* **January 1**  
3 **of the next calendar year.**

4 (c) If the Supreme Court determines that the *[reapportionment]* **redistricting plan** does not  
5 comply with *[subsection (1)]* **subsections (1) to (11)** of this section and all law applicable thereto,  
6 the *[reapportionment]* **redistricting plan** shall be void. **Not later than November 15, the Supreme**  
7 **Court shall correct the redistricting plan as the court determines is necessary. The corrected**  
8 **redistricting plan becomes operative January 1 of the next calendar year.** *[In its written opin-*  
9 *ion, the Supreme Court shall specify with particularity wherein the reapportionment fails to comply.*  
10 *The opinion shall further direct the Secretary of State to draft a reapportionment of the Senators and*  
11 *Representatives in accordance with the provisions of subsection (1) of this section and all law applica-*  
12 *ble thereto. The Supreme Court shall file its order with the Secretary of State on or before September*  
13 *15. The Secretary of State shall conduct a hearing on the reapportionment at which the public may*  
14 *submit evidence, views and argument. The Secretary of State shall cause a transcription of the hearing*  
15 *to be prepared which, with the evidence, shall become part of the record. The Secretary of State shall*  
16 *file the corrected reapportionment with the Supreme Court on or before November 1 of the same*  
17 *year.]*

18 *[(d) On or before November 15, the Supreme Court shall review the corrected reapportionment to*  
19 *assure its compliance with subsection (1) of this section and all law applicable thereto and may further*  
20 *correct the reapportionment if the court considers correction to be necessary.]*

21 *[(e) The corrected reapportionment shall become operative upon November 15.]*

22 *[(3) This subsection governs enactment, judicial review and correction of a reapportionment if the*  
23 *Legislative Assembly fails to enact any reapportionment by July 1 of the year of the regular session*  
24 *of the Legislative Assembly next following an enumeration of the inhabitants by the United States*  
25 *Government.]*

26 *[(a) The Secretary of State shall make a reapportionment of the Senators and Representatives in*  
27 *accordance with the provisions of subsection (1) of this section and all law applicable thereto. The*  
28 *Secretary of State shall conduct a hearing on the reapportionment at which the public may submit ev-*  
29 *idence, views and argument. The Secretary of State shall cause a transcription of the hearing to be*  
30 *prepared which, with the evidence, shall become part of the record. The reapportionment so made shall*  
31 *be filed with the Supreme Court by August 15 of the same year. It shall become operative on September*  
32 *15.]*

33 *[(b) Original jurisdiction is vested in the Supreme Court upon the petition of any elector of the state*  
34 *filed with the Supreme Court on or before September 15 of the same year to review any reapportionment*  
35 *and the record made by the Secretary of State.]*

36 *[(c) If the Supreme Court determines that the reapportionment thus reviewed complies with sub-*  
37 *section (1) of this section and all law applicable thereto, it shall dismiss the petition by written opinion*  
38 *on or before October 15 of the same year and the reapportionment shall become operative on October*  
39 *15.]*

40 *[(d) If the Supreme Court determines that the reapportionment does not comply with subsection (1)*  
41 *of this section and all law applicable thereto, the reapportionment shall be void. The Supreme Court*  
42 *shall return the reapportionment by November 1 to the Secretary of State accompanied by a written*  
43 *opinion specifying with particularity wherein the reapportionment fails to comply. The opinion shall*  
44 *further direct the Secretary of State to correct the reapportionment in those particulars, and in no*  
45 *others, and file the corrected reapportionment with the Supreme Court on or before December 1 of the*

1 *same year.*]

2 [(e) *On or before December 15, the Supreme Court shall review the corrected reapportionment to*  
3 *assure its compliance with subsection (1) of this section and all law applicable thereto and may further*  
4 *correct the reapportionment if the court considers correction to be necessary.*]

5 [(f) *The reapportionment shall become operative on December 15.*]

6 [(4)] (13) Any [*reapportionment*] **redistricting plan** that becomes operative as provided in this  
7 section is a law of the state except for purposes of initiative and referendum. A [*reapportionment*  
8 *shall*] **redistricting plan may** not be operative before the date on which an appeal may be taken  
9 therefrom or before the date specified in this section, whichever is later.

10 [(5)] (14) Notwithstanding section 18, Article II of this Constitution, after the convening of the  
11 next regular legislative session following the [*reapportionment*] **operative date of a redistricting**  
12 **plan**, a Senator whose term continues through that legislative session is subject to recall by the  
13 electors of the district to which the Senator is assigned and not by the electors of the district ex-  
14 isting before the latest [*reapportionment*] **redistricting plan**. The number of signatures required on  
15 the recall petition is 15 percent of the total votes cast for all candidates for Governor at the most  
16 recent election at which a candidate for Governor was elected to a full term in the two represen-  
17 tative districts comprising the senatorial district to which the Senator was assigned.

18 **PARAGRAPH 4.** Section 3, Article IV of the Constitution of the State of Oregon, is revised to  
19 read:

20 **Sec. 3.** (1) The senators and representatives shall be chosen by the electors of the respective  
21 counties or districts or subdistricts within a county or district into which the state may from time  
22 to time be divided by law.

23 (2) If a vacancy in the office of senator or representative from any county or district or sub-  
24 district shall occur, such vacancy shall be filled as may be provided by law. A person who is ap-  
25 pointed to fill a vacancy in the office of senator or representative shall have been an inhabitant of  
26 the district the person is appointed to represent for at least one year next preceding the date of the  
27 appointment. However, for purposes of an appointment occurring during the period beginning on  
28 January 1 of the year [*next following the operative date of an apportionment*] **a redistricting plan**  
29 **becomes operative** under section 6 of this Article, the person must have been an inhabitant of the  
30 district for one year next preceding the date of the appointment or from January 1 of the year  
31 [*following the reapportionment*] **the redistricting plan becomes operative** to the date of the ap-  
32 pointment, whichever is less.

33 **PARAGRAPH 5.** Section 8, Article IV of the Constitution of the State of Oregon, is revised to  
34 read:

35 **Sec. 8.** (1) No person shall be a Senator or Representative who at the time of election is not a  
36 citizen of the United States; nor anyone who has not been for one year next preceding the election  
37 an inhabitant of the district from which the Senator or Representative may be chosen. However, for  
38 purposes of the general election next following the operative date of [*an apportionment*] **a redis-**  
39 **tricting plan** under section 6 of this Article, the person must have been an inhabitant of the district  
40 from January 1 of the year [*following the reapportionment*] **the redistricting plan becomes opera-**  
41 **tive** to the date of the election.

42 (2) Senators and Representatives shall be at least twenty one years of age.

43 (3) No person shall be a Senator or Representative who has been convicted of a felony during:

44 (a) The term of office of the person as a Senator or Representative; or

45 (b) The period beginning on the date of the election at which the person was elected to the of-

1 fice of Senator or Representative and ending on the first day of the term of office to which the  
2 person was elected.

3 (4) No person is eligible to be elected as a Senator or Representative if that person has been  
4 convicted of a felony and has not completed the sentence received for the conviction prior to the  
5 date that person would take office if elected. As used in this subsection, “sentence received for the  
6 conviction” includes a term of imprisonment, any period of probation or post-prison supervision and  
7 payment of a monetary obligation imposed as all or part of a sentence.

8 (5) Notwithstanding sections 11 and 15, Article IV of this Constitution:

9 (a) The office of a Senator or Representative convicted of a felony during the term to which the  
10 Senator or Representative was elected or appointed shall become vacant on the date the Senator  
11 or Representative is convicted.

12 (b) A person elected to the office of Senator or Representative and convicted of a felony during  
13 the period beginning on the date of the election and ending on the first day of the term of office to  
14 which the person was elected shall be ineligible to take office and the office shall become vacant  
15 on the first day of the next term of office.

16 (6) Subject to subsection (4) of this section, a person who is ineligible to be a Senator or Rep-  
17 resentative under subsection (3) of this section may:

18 (a) Be a Senator or Representative after the expiration of the term of office during which the  
19 person is ineligible; and

20 (b) Be a candidate for the office of Senator or Representative prior to the expiration of the term  
21 of office during which the person is ineligible.

22 (7) No person shall be a Senator or Representative who at all times during the term of office  
23 of the person as a Senator or Representative is not an inhabitant of the district from which the  
24 Senator or Representative may be chosen or has been appointed to represent. A person shall not  
25 lose status as an inhabitant of a district if the person is absent from the district for purposes of  
26 business of the Legislative Assembly. Following the operative date of [*an apportionment*] a **redis-**  
27 **tricting plan** under section 6 of this Article, until the expiration of the term of office of the person,  
28 a person may be an inhabitant of any district.

29 **PARAGRAPH 6.** Section 4, Article V of the Constitution of the State of Oregon, is revised to  
30 read:

31 **Sec. 4.** The Governor shall be elected by the qualified Electors of the State at the times, and  
32 places of choosing members of the Legislative Assembly; and the returns of every Election for  
33 Governor, shall be sealed up, and transmitted to the [*Secretary of*] State **Controller**; directed to the  
34 Speaker of the House of Representatives, who shall open, and publish them in the presence of both  
35 houses of the Legislative Assembly.[-]

36 **PARAGRAPH 7.** Section 1, Article XVII of the Constitution of the State of Oregon, is revised  
37 to read:

38 **Sec. 1.** Any amendment or amendments to this Constitution may be proposed in either branch  
39 of the legislative assembly, and if the same shall be agreed to by a majority of all the members  
40 elected to each of the two houses, such proposed amendment or amendments shall, with the yeas  
41 and nays thereon, be entered in their journals and referred by the [*secretary of state*] **State Con-**  
42 **troller** to the people for their approval or rejection, at the next regular general election, except  
43 when the legislative assembly shall order a special election for that purpose. If a majority of the  
44 electors voting on any such amendment shall vote in favor thereof, it shall thereby become a part  
45 of this Constitution. The votes for and against such amendment, or amendments, severally, whether

1 proposed by the legislative assembly or by initiative petition, shall be canvassed by the [*secretary*  
 2 *of state*] **State Controller** in the presence of the governor, and if it shall appear to the governor that  
 3 the majority of the votes cast at said election on said amendment, or amendments, severally, are  
 4 cast in favor thereof, it shall be his duty forthwith after such canvass, by his proclamation, to de-  
 5 clare the said amendment, or amendments, severally, having received said majority of votes to have  
 6 been adopted by the people of Oregon as part of the Constitution thereof, and the same shall be in  
 7 effect as a part of the Constitution from the date of such proclamation. When two or more amend-  
 8 ments shall be submitted in the manner aforesaid to the voters of this state at the same election,  
 9 they shall be so submitted that each amendment shall be voted on separately. No convention shall  
 10 be called to amend or propose amendments to this Constitution, or to propose a new Constitution,  
 11 unless the law providing for such convention shall first be approved by the people on a referendum  
 12 vote at a regular general election. This article shall not be construed to impair the right of the  
 13 people to amend this Constitution by vote upon an initiative petition therefor.

14 **PARAGRAPH 8.** Section 2, Article XVII of the Constitution of the State of Oregon, is revised  
 15 to read:

16 **Sec. 2.** (1) In addition to the power to amend this Constitution granted by section 1, Article IV,  
 17 and section 1 of this Article, a revision of all or part of this Constitution may be proposed in either  
 18 house of the Legislative Assembly and, if the proposed revision is agreed to by at least two-thirds  
 19 of all the members of each house, the proposed revision shall, with the yeas and nays thereon, be  
 20 entered in their journals and referred by the [*Secretary of*] State **Controller** to the people for their  
 21 approval or rejection, notwithstanding section 1, Article IV of this Constitution, at the next regular  
 22 state-wide primary election, except when the Legislative Assembly orders a special election for that  
 23 purpose. A proposed revision may deal with more than one subject and shall be voted upon as one  
 24 question. The votes for and against the proposed revision shall be canvassed by the [*Secretary of*]  
 25 State **Controller** in the presence of the Governor and, if it appears to the Governor that the ma-  
 26 jority of the votes cast in the election on the proposed revision are in favor of the proposed revision,  
 27 he shall, promptly following the canvass, declare, by his proclamation, that the proposed revision  
 28 has received a majority of votes and has been adopted by the people as the Constitution of the State  
 29 of Oregon or as a part of the Constitution of the State of Oregon, as the case may be. The revision  
 30 shall be in effect as the Constitution or as a part of this Constitution from the date of such procla-  
 31 mation.

32 (2) Subject to subsection (3) of this section, an amendment proposed to the Constitution under  
 33 section 1, Article IV, or under section 1 of this Article may be submitted to the people in the form  
 34 of alternative provisions so that one provision will become a part of the Constitution if a proposed  
 35 revision is adopted by the people and the other provision will become a part of the Constitution if  
 36 a proposed revision is rejected by the people. A proposed amendment submitted in the form of al-  
 37 ternative provisions as authorized by this subsection shall be voted upon as one question.

38 (3) Subsection (2) of this section applies only when:

39 (a) The Legislative Assembly proposes and refers to the people a revision under subsection (1)  
 40 of this section; and

41 (b) An amendment is proposed under section 1, Article IV, or under section 1 of this Article;  
 42 and

43 (c) The proposed amendment will be submitted to the people at an election held during the pe-  
 44 riod between the adjournment of the legislative session at which the proposed revision is referred  
 45 to the people and the next regular legislative session.



1        **PARAGRAPH 9.** The revision proposed by this resolution shall be submitted to the people  
2 for their approval or rejection at the next primary election.  
3 \_\_\_\_\_