
DIGEST

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DeWitt

HB No. 2271

Present constitution provides that the legislative power of the state is vested in the legislature, consisting of a Senate and a House of Representatives.

Proposed constitutional amendment retains present constitutional provisions except that it allows the legislature to submit any law to the electors of the state as a public referendum for approval or rejection until December 31, 2003, and provide that the enactment of such law is contingent upon its approval by a majority of the electors of the state voting in such public referendum. Additionally provides that such a referendum instrument may only provide for the enactment of a new law proposed as such by a favorable record vote of two-thirds of the elected members of each house after the effective date of the proposed constitutional amendment.

Proposed constitutional amendment requires any referendum instrument to be prefiled no later than five o'clock in the evening on the fifteenth calendar day prior to a regular session or prefiled no later than five o'clock in the evening on the fourth calendar day prior to an extraordinary session. Requires a referendum instrument to be prefiled as such and prohibits a legislative instrument from being amended to make it or any other instrument a referendum proposal.

Proposed constitutional amendment provides that if a referendum instrument provides for a new source of state revenue it must provide for the specific dedication of such revenue; if a referendum instrument provides for a reduction in state revenue it must provide for the specific services or programs which will be reduced or eliminated and the specific amount of funds associated with each reduction or elimination; if a referendum instrument provides for a new or expanded program or service it must provide for the specific source of revenue to provide the funds for such new or expanded program or service and if the source of revenue is a current source of revenue it must provide for the specific services or programs which shall be reduced or eliminated and the specific amount of funds associated with each reduction or elimination in order to provide the funds for the new or expanded program or service. Proposed constitutional amendment prohibits a referendum instrument from providing for a general reduction in the budget in order to provide for a reduction in revenue or to provide for a current source of revenue for a new or expanded program or service. Provides that a referendum instrument which affects revenue shall not become effective until the beginning of the fiscal year following its approval by the electorate, unless the referendum specifies otherwise. Requires the legislature to implement such proposals as contained in the referendum instrument if approved by the electors.

Proposed constitutional amendment requires any referendum instrument and the provisions of and actions taken pursuant to a law enacted by referendum to be consistent with the provisions of the present constitution.

Proposed constitutional amendment provides that no more than two referendum instruments shall be adopted by the legislature during a calendar year in which there is a regularly scheduled statewide election and specifies that those instruments must provide for the submission of the referendum proposal at such an election in the same calendar year in which the instruments

are adopted. Specifies that after the legislature has adopted two referendum instruments for submission at a regularly scheduled statewide election in a calendar year, no other referendum instrument shall be adopted by the legislature during such calendar year. Restricts submission of referendum proposals to regularly scheduled statewide elections.

Proposed constitutional amendment provides that the legislature shall provide by joint rule for the procedure, form, manner, and any additional requirements by which a referendum instrument may be proposed.

Provides for submission of the proposed amendment to the voters at the gubernatorial primary election in 1999.

(Amends Const. Art. III, Section 1(A))