

HOUSE JOINT RESOLUTION NO. HJ0008

Ballot initiative process.

Sponsored by: Representative(s) Provenza, Berger, Chestek,
Niemiec and Zwonitzer, Dn and Senator(s)
Barlow and Gierau

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION proposing to amend the Wyoming
2 Constitution to modify requirements for laws to be enacted by
3 initiative and for acts of the legislature to be approved or
4 rejected by referendum, amending the signature requirements
5 for initiative and referendum petitions; repealing the
6 requirement that a petition be signed by fifteen percent (15%)
7 of those resident in at least two-thirds (2/3) of the counties
8 in the state; amending the voting requirements for the passage
9 of initiatives and referendums; repealing the prohibition on
10 initiatives that dedicate revenues and make appropriations.

11

12 *BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING,*
13 *two-thirds of all the members of the two houses, voting*
14 *separately, concurring therein:*

15

1 **Section 1.** The following proposal to amend Wyoming
2 Constitution, Article 3, Section 52(c)(i), (f) and (g) and to
3 repeal (c)(ii) is proposed for submission to the electors of
4 the State of Wyoming at the next general election for approval
5 or rejection to become valid as a part of the Constitution if
6 ratified by a majority of the electors at the election:

7

8 (a) Article 3, Section 52(c)(ii) is repealed.

9

10 (b) Article 3, Section 52(c)(i), (f) and (g) is amended
11 as follows:

12

13 **Article 3, Section 52. Initiative and referendum.**

14

15 (c) After certification of the application, a petition
16 containing a summary of the subject matter shall be prepared
17 by the secretary of state for circulation by the sponsors.
18 The petition may be filed with the secretary of state if it
19 meets both of the following requirements:

20

21 (i) It is signed by qualified voters, equal in
22 number to ~~fifteen percent (15%)~~ five percent (5%) of those

1 who voted for the office of governor in the preceding general
2 election. ~~;~~ ~~and~~

3
4 (f) If votes in an amount in excess of fifty percent
5 (50%) of those voting ~~in the general election~~ on the measure
6 are cast in favor of adoption of an initiated measure, the
7 measure is enacted. If votes in an amount in excess of fifty
8 percent (50%) of those ~~voted in the general election~~ voting
9 on the measure are cast in favor of rejection of an act
10 referred, it is rejected. The secretary of state shall
11 certify the election returns. An initiated law becomes
12 effective ninety (90) days after certification, is not
13 subject to veto, and may not be repealed by the legislature
14 within two (2) years of its effective date. It may be amended
15 at any time. An act rejected by referendum is void thirty
16 (30) days after certification. Additional procedures for the
17 initiative and referendum may be prescribed by law.

18
19 (g) The initiative shall not be used to ~~dedicate~~
20 ~~revenues, make or~~ repeal appropriations, create courts,
21 define the jurisdiction of courts or prescribe their rules,
22 enact local or special legislation, or enact that prohibited
23 by the constitution for enactment by the legislature. The

1 referendum shall not be applied to dedications of revenue, to
2 appropriations, to local or special legislation, or to laws
3 necessary for the immediate preservation of the public peace,
4 health, or safety.

5

6 **Section 2.** That the Secretary of State shall endorse
7 the following statement on the proposed amendment:

8

9 The Wyoming Constitution allows the people of the state to
10 propose and enact laws by initiative and to approve or reject
11 acts of the legislature by referendum. This amendment would
12 change the requirement for petition signatures for an
13 initiative or referendum. Currently, a petition must be
14 signed by fifteen percent (15%) of the qualified voters in at
15 least two-thirds (2/3) of the counties as determined by those
16 who voted in the preceding general election. This amendment
17 would change the requirement for petition signatures to
18 require at least five percent (5%) of the qualified voters as
19 determined by those who voted for the office of governor in
20 the preceding general election and would remove the
21 requirement that the petition be signed by qualified voters
22 in at least two-thirds (2/3) of the counties. Additionally,
23 the Wyoming Constitution requires that an initiative and a

1 referendum receive votes in favor of the measure in an amount
2 greater than fifty percent (50%) of the total number of
3 electors voting in the election to pass. This amendment would
4 change the requirement for an initiative or referendum to
5 pass to be more than fifty percent (50%) of votes in favor of
6 the measure from those electors voting on the measure.
7 Finally, the Wyoming Constitution currently prohibits an
8 initiative from dedicating revenues and making
9 appropriations. This amendment would allow initiatives to
10 dedicate revenues and make appropriations.

11

12

(END)