

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

437N0035

SENATE JOINT RESOLUTION NO. 11

Introduced by: Senators Olson (Ed), Gray, Hunhoff, Koetzle, and Peterson (Jim) and Representatives Dennert, Heineman, Pederson (Gordon), and Putnam at the request of the Constitutional Revision Commission

1 A JOINT RESOLUTION, To propose a constitutional amendment to revise certain provisions
2 regarding initiatives and referendums.

3 BE IT RESOLVED BY THE SENATE OF THE STATE OF SOUTH DAKOTA, THE HOUSE
4 OF REPRESENTATIVES CONCURRING THEREIN:

5 Section 1. That at the next general election held in the state, the following amendment to
6 Article III, section 1 of the Constitution of the State of South Dakota, as set forth in section 2
7 of this Joint Resolution, which is hereby agreed to, shall be submitted to the electors of the state
8 for approval.

9 Section 2. That Article III, section 1 of the Constitution of the State of South Dakota, be
10 amended to read as follows:

11 § 1. The legislative power of the state shall be vested in a Legislature which shall consist of
12 a senate and house of representatives. However, the people expressly reserve to themselves the
13 right to propose measures, which shall be submitted to a vote of the electors of the state, and
14 also the right to require that any laws which the Legislature may have enacted shall be submitted
15 to a vote of the electors of the state before going into effect, except such laws as may be



1 necessary for the immediate preservation of the public peace, health or safety, support of the
2 state government and its existing public institutions. ~~Not more than five percent of the qualified~~
3 ~~electors of the state shall be required to invoke either the initiative or the referendum~~ An
4 initiative or a referendum shall require a petition signed by qualified voters equal in number to
5 at least five percent of the total votes cast for Governor in the last gubernatorial election.

6 This section shall not be construed so as to deprive the Legislature or any member thereof
7 of the right to propose any measure. The veto power of the Executive shall not be exercised as
8 to measures referred to a vote of the people. This section shall apply to municipalities. The
9 enacting clause of all laws approved by vote of the electors of the state shall be: "Be it enacted
10 by the people of South Dakota." The Legislature shall make suitable provisions for carrying into
11 effect the provisions of this section.