

# AMENDMENT NO. 9

## AMENDMENT OF ARTICLE 9: INITIATIVE, REFERENDUM AND RECALL

DESCRIPTION OF CHANGES  
PROPOSED BY THE  
CONSTITUTIONAL CONVENTION

AMENDED CONSTITUTION AS PROPOSED  
BY THE CONSTITUTIONAL CONVENTION

### ARTICLE IX: INITIATIVE, REFERENDUM AND RECALL

#### Section 1: Initiative.

The people may enact laws by initiative.

Section 1(a): None

a) An initiative petition shall contain the full text of the proposed law. If the petition proposes a general law for the Commonwealth, the petition shall be signed by at least twenty percent of the persons qualified to vote in the Commonwealth. If the petition proposes a local law that affects only one senatorial district, the petition shall be signed by at least twenty percent of the persons from the senatorial district who are qualified to vote.

Section 1(b): None

b) An initiative petition shall be filed with the attorney general for certification that the requirements of section 1(a) have been met.

Section 1(c): None

c) An initiative petition certified by the attorney general shall be submitted to the voters at the next regular general election that is held at least ninety days from the date the petition has been certified.

Section 1(d): Update this section from the 1976 Constitution by deleting the phrase "by persons qualified to vote in the Commonwealth". The legislature has acted to provide a registration process.

d) An initiative petition that proposes a general law for the Commonwealth shall become law if approved by two-thirds of the votes cast. An initiative petition that proposes a local law shall become law if approved by two-thirds of the votes cast in the senatorial district. An initiative petition that has been approved by the voters shall take effect thirty days after the date of the election unless the petition provides otherwise.

#### Section 2: Referendum.

The people may reject laws by referendum.

Section 2(a): None

a) A referendum petition shall contain the full text of the law sought to be rejected. If the law is a general law for the Commonwealth, the petition shall be signed by at least twenty percent of the persons qualified to vote in the Commonwealth. If the law is a local law that affects only one senatorial district, the petition shall be signed by at least twenty percent of the persons from the senatorial district who are qualified to vote.

Section 2(b): None

b) A referendum petition shall be filed with the attorney general for certification that the requirements of section 2(a) have been met.

Section 2(c): None

c) A referendum petition certified by the attorney general shall be submitted to the voters at the next regular general election that is held at least thirty days from the date the petition has been certified.

Section 2(d): Update this section from the 1976 Constitution by deleting the phrase "by persons qualified to vote in the Commonwealth". The legislature has acted to provide a registration process.

d) A referendum petition concerning a general law for the Commonwealth shall take effect if approved by a majority of the votes cast. A referendum petition concerning a local law shall take effect if approved by a majority of the votes cast in the senatorial district. A law that is the subject of an approved petition shall become void and be repealed thirty days after the date of the election unless the petition provides otherwise.

**Section 3: Recall.**

Elected public officials are subject to recall by the voters of the Commonwealth or of the island, islands or district from which elected.

Section 3(a): Decrease the number of signatures required on a recall petition from 40% to 20% of the qualified voters.

a) A recall petition shall identify the public official sought to be recalled by name and office, state the grounds for recall, and be signed by at least twenty percent of the persons qualified to vote for the office occupied by the public official.

Section 3(b): None

b) A recall petition shall be filed with the attorney general for certification that the requirements of section 3(a) have been met.

Section 3(c): Require recall petitions to be submitted to the voters within 90 days of certification by the attorney general.

c) A recall petition certified by the attorney general shall be submitted to the voters within ninety days of certification.

Section 3(d): Decrease the number of votes required to approve a recall petition from 2/3 of the qualified voters to a majority of the votes cast.

d) A recall petition with respect to a Commonwealth official shall take effect thirty days after the date of the election if approved by a majority of the votes cast. A recall petition with respect to an official elected from or within a senatorial district shall take effect thirty days after the date of the election if approved by a majority of the votes cast in the senatorial district.

Section 3(e): None

e) A recall petition may not be filed against a public official more than once in any year or during the first six months of a term in office.