

COMPARISON OF CONSTITUTIONS

CONSTITUTION OF 1867

PROPOSED CONSTITUTION OF 1968

ARTICLE XVI. THE REFERENDUM.

Section 1. (a) The people reserve to themselves power known as The Referendum, by petition to have submitted to the registered voters of the State, to approve or reject at the polls, any Act, or part of any Act of the General Assembly, if approved by the Governor, or, if passed by the General Assembly over the veto of the Governor;

(b) The provisions of this Article shall be self-executing; provided that additional legislation in furtherance thereof and not in conflict therewith may be enacted.

Sec. 2. No law enacted by the General Assembly shall take effect until the first day of June next after the session at which it may be passed, unless it contain a Section declaring such law an emergency law and necessary for the immediate preservation of the public health or safety, and passed upon a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly; provided, however, that said period of suspension may be extended as

Section 9.06. Natural Resources.

The General Assembly shall provide by law for the conservation, enhancement, improvement, and protection of the natural environment, natural resources, and natural beauty of the State.

Section 9.07. Consumer Protection.

The General Assembly shall provide by law for the protection and education of the citizens of the State against harmful and unfair business practices.

Section 9.08. Sovereign Immunity.

Sovereign immunity may not be pleaded as a defense in a suit against the State or any unit of local government, or any of their departments or agencies, except to the extent and in the manner prescribed by law.

Section 9.09. Intergovernmental Cooperation.

The State or any unit of local government, except as limited by any law, may cooperate or agree with one or more other governmental unit or units, whether within or without the boundaries of the State, including the federal and state governments, for the exercise of any of its powers and functions.

Section 2.10. Referendum.

The people reserve to themselves the power of referendum. Any law enacted by the General Assembly may be petitioned to referendum except laws for legislative apportionment and districting, or congressional districting, or imposing a tax, or making an appropriation for the state government or any public institution.

Section 2.11. Manner of Referral.

A law, other than a law applicable in only one county, shall be referred to a vote of the people after a petition has been signed by a number of qualified voters equal to at least five per cent of the total votes cast for governor in the most recent gubernatorial election. Not more than one-half of the required number of signatures shall be those of qualified voters residing in any one county. If the total number of required signatures is filed with the governor within sixty days after the bill becomes law, it shall be submitted to a vote of the people at the next general election held not less than four months after the bill becomes law.