

AMENDMENTS PROPOSED TO THE CONSTITUTION OF NORTH CAROLINA

As Framed by the Constitutional Commission of 1913 and Referred to His Excellency, the Governor, Together With Statutory Machinery for Submitting the Same to the Qualified Voters of the Whole State.

A Bill to Be Entitled an Act to Amend the Constitution of the State of North Carolina.

The General Assembly of North Carolina do enact:

Section 1. That the Constitution of the State of North Carolina be and the same is hereby amended in manner and form as follows:

I. By striking out article one, section six, the words "insurrection or rebellion against the United States," and inserting in lieu thereof the following words: the War between the States.

II. By adding after article one, section twenty-six, the following:

Section 26a. The use of the Holy Bible shall not be prohibited in schools supported wholly or in part from public taxes.

III. By adding at the end of section one of article two the following:

a. But the people take and keep to themselves power to propose laws to the General Assembly, and to enact or reject the same at the polls on the referendum vote, as hereinafter provided. They also take and keep power at their own option to approve or reject at the polls any law, section, item, or part of any law, passed by the General Assembly, except as hereinafter provided. The limitations expressed in the Constitution upon the power of the General Assembly to enact laws (except as to the method and procedure prescribed for the General Assembly) shall be deemed limitations on the power of the people to enact laws.

b. The aforesaid power taken by the people to initiate laws is designated at the initiative

c. When at any time, not less than ten day prior to the commencement of any session of the General Assembly, there shall have been filed with the Secretary of State a petition signed by five per centum of the electors of the State, including these of the whole State, and verified as required by law, proposing a law, the full text of which shall have been set forth in such petition, the secretary of State shall transmit the same to the General Assembly, and either as petitioned for or as it may have been amended in the General Assembly. If it shall be passed by the General Assembly in an amended form, or if it shall not be passed within sixty days from the date it is received by the General Assembly, it shall be submitted by the Secretary of State, or by such other officer as may be charged by law with such duty, to the electors for the approval or rejection at the next regular or general State election which shall occur more than five months after such original petition was transmitted by the Secretary of State to the General Assembly, if such submission shall be demanded by supplemental petition, signed and verified as the law provides, by not less than ten per centum

of the electors of not less than fifty counties of the State, and, including these, of the whole State, and filed with the Secretary of State within ninety days after adjournment of General Assembly to which said original petition was presented.

d. The proposed law, if submitted to the people, shall be in form demanded by such supplemental petition, which form shall be either as first petitioned for or as it may have been amended by either branch of the General Assembly.

e. If a proposed law submitted to the people as herein provided is approved by a majority of the electors voting thereon, it shall be the law, and shall go into effect as herein provided, and shall be in lieu of any amended form of law which may have been passed by the General Assembly, and such amended law, passed by the General Assembly, shall not go into effect until and unless the law proposed by supplementary petition shall have been rejected by the electors. All such initiative petitions last above prescribed shall have printed across the top thereof, "Law proposed by initiative petition first to the General Assembly." Ballots shall be so printed as to permit an affirmative or negative vote upon each measure submitted to the electors.

f. Any proposed laws submitted to the electors as provided above if approved by a majority of the electors voting thereon, shall be published by the Secretary of State and shall take effect within thirty days after such election at which it was approved.

g. If conflicting proposed laws shall be approved at the same election by a majority of votes cast for and against the same, the one receiving the highest number of affirmative votes shall prevail.

h. The second aforesaid power taken by the people is designated the referendum, and the signatures of ten per centum of the electors of not less than fifty counties of the State, and, including these, of the whole State, shall be required upon a petition to order the submission to the electors of the State, for their approval or rejection of any law, section of any law, or any item in any law passed by the General Assembly. No law passed by the General Assembly shall go into effect until ninety days after its ratification except as herein provided. When a petition signed by ten per centum of the electors of at least fifty counties of the State, and, including these, of the whole State, verified as herein provided, shall have been filed with the Secretary of State within ninety days after its ratification, petitioning that such law, or item thereof be submitted to the electors of the State for their approval or rejection of such law, section, or item, in the manner as is by law provided, at the next succeeding regular or general State

election occurring more than ninety days after the filing of such petition, and if such petition is so filed, then no such law, sections, or items shall go into effect and until and unless approved by a majority of those voting upon the question. If, however, a referendum petition is filed against any item or section of such law, the remainder thereof shall not thereby be prevented or delayed from going into effect: Provided, however, that laws making provisions for tax levies, appropriations for current expenses for the State Government and state institutions, and emergency laws necessary for the immediate preservation of the public peace, health or safety, shall go into effect immediately, and such laws shall not be subject to the referendum.

1. The powers of the initiative and referendum are hereby conferred on the people of each municipality on all questions, in the manner in which is now or which may hereafter be prescribed by the act of the General Assembly, subject to such constitutional limitations upon the power of the general municipalities as are or may be imposed upon the power of the General Assembly to legislate, and not including, however, the requirements as to form and procedure: Provided, that laws prohibiting the sale and manufacture of spirituous, vinuous, malt or intoxicating liquors shall not be repealed or amended by the General Assembly by vote of the people, so as to allow such liquors to be manufactured or sold in a manner now prohibited by law, unless such change be approved by a majority of the electors of the State who may vote thereon at a State election. Supplementary or referendum petitions may be presented in separate parts, but each part shall contain a full and correct copy of the title, text of the law, section, or item sought to be referred. Each signer of any initiative or supplementary or referendum petition must be an elector of the State.

j. No law submitted to electors by the initiative and supplementary petition, which shall have received an affirmative majority of the votes cast thereon, shall be held to be invalid or void on account of the insufficiency or failure to comply with the law, of the petition by which such submission of the same was procured; nor shall the rejection of any law submitted to the people by referendum petitions be held invalid for such reasons.

k. The style of every law submitted to the people by initiative and supplementary petition shall be, "Be it enacted by the people of the State of North Carolina."

1. The basis upon which the required number of petitions in cases under the initiative and referendum shall be determined shall be the total number of votes cast for candidates for Governor at the last preceding election. The provisions of this amendment shall be self-executing except as herein otherwise provided.

m. It is the duty of the General Assembly at its next regular

(Continued on page 3.)

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