

APR 24 2023

20 April 2023

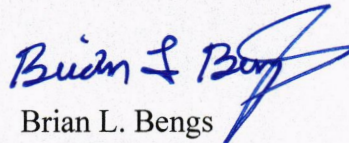
Brian L. Bengs
1314 S 8th Street
Aberdeen, SD
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Office of the Attorney General
1302 E Hwy 14, Suite 1
Pierre, SD
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Dear Attorney General Jackley,

Written comments of the director of the Legislative Research Council on a proposed initiated amendment to the Constitution were previously received and considered. Pursuant to SDCL 12-13-25.1, please find attached the final form of the proposed amendment for preparation of the attorney general's statement. A copy of it has also been submitted to the secretary of state and the director of the Legislative Research Council. If you have any questions or concerns, feel free to contact me at bbengs1970@gmail.com or 605-228-5869. Thanks for your assistance.

Sincerely,


Brian L. Bengs

Attachment:
Proposed Initiated Amendment

Be it enacted by the people of South Dakota:

That Article III, § 1 of the Constitution of the State of South Dakota, be
AMENDED:

§ 1. The legislative power of the state shall be vested in a Legislature which shall consist of a senate and house of representatives. However, the people expressly reserve to themselves the right to propose measures, which shall be submitted to a vote of the electors of the state, and also the right to require that any laws which the Legislature may have enacted shall be submitted to a vote of the electors of the state before going into effect, except such laws as may be necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions. Not more than five percent of the qualified electors of the state shall be required to invoke either the initiative or the referendum.

A measure approved by the electors may not be repealed or amended by the Legislature for seven years from the effective date of the measure.

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