

Citizen Initiated Constitutional Amendments

Amendment #1 – Bill of Rights – of the US Constitution States:

*“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to **petition the Government for a redress of grievances**.”*

Amendment # 10 – Bill of Rights – of the US Constitution states:

*“The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, **or to the people**”.*

The Constitution of the United States provides citizens with the ability to amend the US Constitution by way of using rights secured to them in Amendment #1 and Amendment #10 of the present constitution:

Some pertinent related history:

The original Constitution was officially ratified on June 21, 1788. The original Constitution went into actual operation on March 4, 1789. That was the day that the newly elected officials took office for the first time, and the doors were officially opened for business in the brand-new United States of America.

The first ten amendments to the Constitution (commonly known as the Bill of Rights) were ratified on December 15, 1791 and took effect immediately on that date as the “new and revised” laws of the land.

Whenever wording in the Original Constitution (as ratified in 1788) conflicts with wording in any of the amendments to the original document (as ratified in 1791), the wording in the amended version ratified in 1791 takes precedent.

The Founding Fathers didn't trust politicians

(and neither should we)

“Experience hath shewn, that even under the best forms of government those entrusted with power have, in time, and by slow operations, perverted it into tyranny”.... Thomas. Jefferson

At the close of the Constitutional Convention when a citizen asked Benjamin Franklin:

“What kind of a country have you given us sir?”....

Franklin replied: *“a republic sir, **IF** you can keep it”*.

The words of Thomas Jefferson and Benjamin Franklin should be taken as a warning to us all, that our Democracy is always under threat of being taken over by those with a thirst for power and must be protected from such threats by **the citizens**. A government filled to the brim with polished professional career politicians cannot be trusted to do what is right for all citizens. The temptations are too great to succumb to self interest on the part of the politicians.

While we have elections that allow us from time to time to change politicians in one job or another, those elections may be as much as 6 years apart in time. In four to six years, a single corrupt politician can do incredible amounts of damage to us and our country. A few hundred corrupt politicians can run the entire country for just themselves and their friends and wealthy campaign contributors. When this occurs, it will be up to **the citizens** to get things back on track.

Changing the Balance Points of Power between the citizens and the government:

America's government overall is graft ridden, corrupt, and being operated primarily for the benefit of the people in government, their friends, and the wealthiest citizens... entirely at the expense of the middle and poorest classes in the country.

As warned by Thomas Jefferson, those with a thirst for money and power have over time, and in slow operations perverted our government into an oligarchy our founding fathers could not recognize today.

Over the past 230 years, the politicians have taken for themselves the right to treat the citizens as they please, as serfs and peasants, and if the citizens don't like it, that's just too bad for them.

The politicians decide how much of every citizens income they will take in the form of taxation; how much debt they can impose on the citizens for purposes they choose not to divulge; when and with whom we will go to war and put our military in harm's way; ways to treat different classes of people differently from the standpoint of being able to defend themselves from persecution by the government in court actions; and they have allowed incompetent people to be in charge of government agencies where they make up their own rules as they go along. And then they find ways to disguise their treachery when they promise their constituents to do one thing, and purposely do the opposite, so that no-one can prove in a court of law that they did these things. Most importantly, they have refused for over two centuries to create an environment where all citizens are treated equally, after promising in both our Declaration of Independence and Constitution's preamble to do just that.

Currently, there are **NO** provisions in our Constitution to prevent the politicians of different political parties from working together for the benefit of their party's, themselves, and their wealthy campaign contributors, at the expense of the poorest and middle-class citizens of the country.

Changing the government in ways that disallow such behavior on the part of the politicians will require amending our Constitution in ways that place additional limits on the politicians, and which at the same time allow citizens to participate directly in the making of all laws that have life changing consequences, and in those areas that have proven over a long period of time to be most subject to graft, corruption, and self-dealing by the politicians..

.....and **that** will require the convening of a Constitutional Convention.

Convening a Constitutional Convention: (to debate new amendments to the Constitution)

There are four possible paths to amending the Constitution:

Possibility #1:

The US Congress can propose amendments by itself and just forward the amendments they pass in chambers down to the states to ratify. Beyond that point the States have complete control and can ratify the Congressionally generated amendments or reject them as they see fit.

All of the present amendments to our Constitution were enacted in this manner.

Possibility #2:

The States can also generate their own proposed Constitutional amendments and petition the Congress to pass their proposed amendments down to the rest of the States to ratify (or not). The Congress has total control of this process and may grant the States' request or ignore it completely.

This approach has been tried many times, but so far no amendments to our Constitution have actually been enacted in this manner.

Possibility #3:

A third possibility exists that allows States to propose amendments to the Constitution by way of convening a Constitutional Convention.

If two thirds (currently 34) states sign a petition demanding that the US Congress convene a Constitutional Convention for purposes of debating one or more specific amendments to the Constitution, the US Congress is required to call such a convention.

To date this option on the part of the States has never been successfully tried.

Possibility # 4:

The fourth possibility is citizens forcing a Constitutional Convention using Initiatives at the State level to direct (not request) their state legislatures to petition the US Congress to convene a Constitutional Convention for debating amendments proposed by the citizens.

The citizens can, using the powers provided to them in our Constitution in Amendment #1 and Amendment #10, combined with the provision in Article V providing the several states, by way of their Constitutionally guaranteed right to petition the US Congress for purposes of convening a Constitutional Convention, provide a path for Citizen Initiated Amendments to become part of our present Constitution.

Citizen Initiative Petitions at the Federal level:

Initiative petitions by the citizens do not exist at the Federal level. Citizens can petition Congress at the federal level, but Congress is free to ignore these petitions, and so far has always done that.

Individual petitions submitted by the states may be acted on (rarely) by the US congress, but the US Congress is also free to ignore these if they wish.....with one exception.

The exception is when the States unite in a petition that is endorsed by two thirds of the states to convene a Constitutional Convention. This kind of petition must be acted on, and a Constitutional Convention must then be convened ASAP.

This has not yet occurred in the United States.

Citizen Initiative Petitions at the State Level.

Nineteen states presently allow citizens to exercise power by initiative measures whenever a significant number of citizens band together and attempt to force an issue.

Typically, the citizen initiative power is embedded in the state's constitution and gives citizens some combination of the right to repeal, or amend legislative actions, to propose new laws, to amend their state constitution, and to direct the legislature to act in ways proposed by the initiative petition.

At present, in states where citizens can formally have initiative petitions placed on the ballot, the States involved have typically amended their State Constitutions to allow Citizen Initiatives.

Some such states only allow citizens initiatives to officially be allowed to take effect by the legislature... after being voted on by the citizens. In some states, the legislature is allowed to amend the citizens' initiative to make it acceptable to them before allowing it to become law. These kinds of initiatives are called "indirect" initiatives.

In other states citizen initiatives do not require legislative approval, but instead become law directly upon receiving a majority vote on the measure on the ballot. These types of initiatives are called "direct" initiatives. In some states having "direct" initiatives, the legislature is allowed to go back in later and amend or overrule a citizen initiative when a threat to "state or national security" or "the good of the state" is supposedly present.

"State or national security" is defined as being whatever the politicians say it is at the time , and typically may include things like taxes being allocated differently by the citizens than how the politician would like to see the taxes allocated, and other things of this nature. "The good of the State" can be just about anything.

That will need to change.

In both the "Direct" and "Indirect" initiative instances, the states have asserted their right to determine when, and how such measures can become laws. This assertion on their part is probably unconstitutional since it assumes taking possession of and making rules regarding rights reserved solely to the individual citizens.

Neither the Federal Government or any of the States legislatures can propose initiatives by themselves or require citizens to vote on initiatives. The federal government and the state legislatures can propose laws, amend laws, and repeal laws that originated in their respective legislatures as they see fit. Either could if it wanted propose and make new laws or amend or repeal existing laws made in the legislature, and then refer these new or amended laws to the citizens to approve or disapprove (by way of a referendum).

But, states cannot (legally) seize the rights reserved to citizens by our Constitution just because it serves their political purposes, and because they wish to be able to "amend" citizen implemented measures whenever it does not agree with what the politicians want.

Initiatives are reserved solely to the Citizens. A primary purpose of initiatives is to provide citizens with the ability to change things that the politicians have done that citizens do not agree with, and to provide a means for citizens to initiate and pass laws that politicians are unwilling to bring to a vote in the legislature.

If citizen passed initiatives can later be modified for any reason by the politicians, the entire citizen initiative petition process guaranteed under the first amendment in our Constitution becomes just another exercise in “give with one hand, take back with the other” by the legislative powers of the state.

The US Constitution stipulates that the legislative and judicial processes are all that are available to the federal and state governments for making, amending, or repealing laws.

The right to petition government for a redress of grievances is reserved to the citizens in the First Amendment of our Constitution. An initiative petition is just one form of petition available to citizens to use in this regard.

Because the right to petition is reserved to the people in the first amendment, it is debatable whether the state governments or the federal government can in any way decide whether, when or how such petitions can be allowed on a ballot for voting by the citizens at large, or what powers initiative actions may assume over legislative or judicial functions of any government, or what topics can be allowed in such petitions.

From a practical standpoint, it probably makes sense for states to be allowed to place some reasonable requirements for having an initiative petition placed on a statewide ballot.

Were there to be no state specified requirements at all, the process could bog down just from the sheer weight of the number of petitions listed and become unworkable.

Currently, in all states that believe it is in their purview to “allow” initiative petitions to be placed on a ballot, two requirements have been used:

1. The initiative measure must be on a statewide election ballot for legislative positions at the state or national level or for governor or for President, or in a “special” election.
2. A prescribed number of eligible-to-vote citizen names must be submitted to the state secretary on petitions in order to qualify the petition to appear on the ballot, with said qualifying petitions being first sworn to and notarized by the petition circulators.

It is important that state requirements for getting initiative petitions by the citizens submitted for a vote not be so onerous that they unduly discourage citizens from participating in the initiative petition process.

A Less than One Percent Solution

For a citizen-based movement changing the balance points of power between the citizens and the government to succeed it will need to be successful by directly involving as few as one tenth of one percent of the citizens at the outset. Perhaps even less than that.

Ultimately a plurality of the entire citizen population will be required to push the initiative campaign over the top, but at the beginning the fewer citizens needed to get things underway, the better...and the easier it will be to get started.

The approach chosen here is to rely on petitions to the state governments by the citizens. Each petition circulator can probably obtain a thousand petition signers over a period of time, and the aggregate number of petition signers by all circulators will then determine the outcome.

The arithmetic is pretty simple. Assuming each petition circulator gets a combination of 1000 electronic or hand-signed signatures over some period of time (170 per month for exampleif 6 months was the target,9 signatures per day) the combined number of signatures on all such petitions, while representing just 10% of the population, would at election time provide an opportunity for 100% of the citizens to vote on the initiative measure....and the number of petition circulators would likely represent less than one tenth of one percent of the population of the state.

Once the petition signatures are certified, all registered voters get to vote on the petition. The tenth of a percent of the population circulating petitions at the outset becomes a majority of the entire number of registered voters in the state at the end of the process.

Three Hurdles to Overcome

Three petitions may be needed in each state to get the whole job done.

Presently the Constitution only provides for two thirds of the states endorsing a petition to convene a Constitutional Convention.

Once a Constitutional Convention is convened the federal government may try to limit discussion during the convention to just those matters it deems important or worthy.

It is not specified in the Constitution that Congress has such a power, but Congress may assume that without objection from the states that they can do so, and some states may agree with them.

It will be up to the states to provide an objection that disallows the US Congress from limiting amendments being discussed to just those that they prefer, and it will be up to the citizens of each state to make sure their state government objects, should the US Congress try to impose its will over that of the people when responding to a petition to convene a Constitutional Convention. Citizens can do this by an initiative petition or in some instances by referendum votes.

The US Congress may also attempt to limit the attendees at any Constitutional Convention to some combination of “electors” they favor. Once again it will be up to the citizens of each to state ensure that the representatives allowed to attend and/or speak at a Constitutional Convention include a preponderance of citizens from each state selected by the citizens themselves....not just “electors” picked by the politicians.

If the US Congress and State government politicians are allowed to determine what topics can be discussed, and who can represent the citizens from each state, the US Congress and State governments can preordain the outcome of the convention before it even starts.

Finally, once any proposed amendments have been accepted at the convention, the Congress may attempt (probably will and has in the past) to specify who can and who cannot vote at the state level to ratify any amendments coming out of the constitutional convention, and whether the ratification at the state level may be by a vote of the state legislatures or by a series of state convention of “electors” called for purposes of voting for ratification.

The citizens of each state will need to initiate changes to their state constitutions (by referendum or initiative amendment) to assure that the ratification vote on constitutional amendments at the federal level sent back to the US Congress mirrors precisely the wishes of a plurality of the registered voters of the state, regardless of which ratification means is specified by the US Congress.

The US Congress role in the amendment process in a constitutional convention should be limited to making sure the minimum number of states has endorsed the convening of a convention, specifying the mode of ratification, and counting the votes for ratification once the convention is over. Any other powers they attempt to seize for themselves will need to be stopped short by the citizens at the time the states petition the US Congress for the constitutional convention to be convened.

Three Citizen Steps Needed to Clear the Hurdles

Step #1.

Make sure that your state's constitution provides for binding "direct" initiative petitions to be submitted by the citizens for a vote of all state citizens, and further provides that citizen passed initiatives are not subject for any reason to being overruled, amended or repealed by elected or appointed officials.

Requirements for initiative petition signers need to be allowed by electronic or handwritten means and require signatures of no more than the lesser of (10% or 1,000,000) eligible voters to qualify for ballot listing.

Direct initiatives become law automatically when the measure receives a plurality vote at election time, without requiring any actions on the part of the legislature or governor.

If your state does not presently have such a provision in its Constitution, citizens can generally force the issue using a referendum.

Depending on how quickly the matter can be brought to a vote state by state in some combination of 34 states (minimum) and passed by the citizens, this step could take from 2 to possibly as many as 4 years to complete.

The good news is that in three of the four states with the largest populations (New York, Texas, and Florida) it wouldn't necessarily matter if those three states were left off of the petition to convene a Constitutional Convention. These three states represent a significant minority of the nation's population, but they are still only three states, and just 34 states out of the remaining 49 states signing the petition to convene a Constitutional Convention would be enough to get the job done.

Referendums and initiatives can usually only be voted on in election years, but some states can call a special election for just voting on referendums and/or initiatives.

This is probably the most time-consuming step, but it makes the next two steps possible in shorter periods of time in each case .

Once binding Direct initiatives (**step #1**) have been inserted in the state constitutions in a manner that disallows the politicians to override the citizens wishes, the road will have been cut to grade for getting a Constitutional Convention convened to debate constitutional amendments proposed solely by the citizens.

Step #2.

Step #2 is about making sure that a Constitutional Convention, once convened, provides for specific constitutional amendments proposed by individual citizens to be debated.

The petition sent to the US Congress demanding that a Constitutional Convention be convened can specify the amendments to be debated during the convention; and can further stipulate that the citizens attending the convention and debating and voting on the amendments not be skewed toward attendees picked solely by the US Congress, the state legislatures, elected state executives, or a commission handpicked by the politicians (at either the state or national level) or by any combination of these.

A reasonable split between political appointees and individual citizens at the constitutional convention would be 40% political appointees and 60% individual citizens...EACH HAVING ONE VOTE.

Step #3.

Step #3 is about making sure that once a constitutional convention approves any new amendments to the constitution; that the process of ratifying the amendments by the individual states represents the will of a plurality all of the state's citizens, and not just the will of the politicians and political appointees.

Currently the Constitution has provided the US Congress with the decision of whether any amendments passed by the convention can be ratified by a vote of the state legislatures, or by the outcome of a convention called by the legislature (or governor).

Nowhere in the Constitution is there a provision for the citizens of the country to weigh in directly in the ratification process.

However, the citizens of each state could, by way of an initiative measure require their state's constitutional convention "electors" to vote according to a vote of a plurality OF THE CITIZENS on the question.

The "official electors" would still cast the ratification vote (either way) as provided by the Congress, but the state could (states' rights) mandate that the ratification vote by their "electors" exactly mirror a citizen vote on the ratification measure(s).

There should be ample precedent for following this path in the states. In national elections for President, states are permitted to require the electoral college “electors” to vote as the majority of citizens from their state voted in the National election for President.

Same thing. Just a different topic.

SOME EXAMPLES:

Attached to this essay are a couple of sample documents that readers may find of interest:

1. An annotated copy of the wording in one states constitution that allows “direct” initiatives (Arizona’s constitution – Article IV).

As in most instances where a state allows initiative measures, there is verbiage in the attached amendment that allows state authorities to override citizen initiatives whenever they wish.

The portions of text that would need to be removed to ensure that the citizens wishes could not be overridden by the politicians, regardless of the politicians “reasons” for doing so, have been lined through and highlighted for your ease in finding them in the fairly long document.

2. A list of the 19 states presently “allowing” their citizens to submit initiative petitions to the citizens for their consideration, including whether the initiative power of the citizens in each case is confined to state statutes or includes the states’ constitution, and whether the type of initiatives “allowed” are of the “direct” or “indirect” kind.

Unfortunately, a majority of states still have no constitutional provision for allowing citizens to participate in the affairs of their state. These states are going the extra mile to keep the citizens under the thumbs of the politicians by disallowing initiative petitions for any reason.

You have to ask yourself “what are the politicians afraid of”?

No examples have been listed that show the types of initiative petition wording for accomplishing Steps #2 and step #3. The reason being that no state has thus far been involved in convening a constitutional convention proposed by the citizens of the state.

As initiatives of these types are generated in the several states, please forward a copy to the AmericaII.org website. Readers countrywide can possibly use them as samples in their states if they have not already done so.

That could shorten the time needed to get a combination of 34 states as signers on a petition by the states to convene a constitutional convention.

These Amendments at the state level will fundamentally change the balance points of power between the citizens and the government at the State level. And by doing so, allow the citizens to then change the balance points of power between the Federal government and themselves at the National level.

This is why citizen rights and states' rights are protected in our Constitution.

Elsewhere on the www.americaii.org website is a 67-page book entitled

“Common Sense – Revisited”

In either “Common Sense Revisited”, or in “America II”, you will find a list of recommended (national) constitutional amendments; together with a statement re: what each amendment would accomplish, and why it is needed at this time.

Please give it a look.

Thanks.

Jack

www.americaii.org

Addendum # 1:

Sample wording for allowing initiatives and referendums – annotated with lined through text proposing deletions that would disallow politicians having the ability to override a citizen passed initiative for any reason.

This particular sample was taken from Article 4 of the State Constitution of the State of Arizona which is one of 19 states providing citizens with initiative powers. (see the attached list of states allowing citizen initiatives)

Article IV.

Section 1. Legislative authority; initiative and referendum

(1) Senate; house of representatives; reservation of power to people. The legislative authority of the state shall be vested in the legislature, consisting of a senate and a house of representatives, but the people reserve the power to propose laws and amendments to the constitution and to enact or reject such laws and amendments at the polls, independently of the legislature; and they also reserve, for use at their own option, the power to approve or reject at the polls any act, or item, section, or part of any act, of the legislature.

(2) Initiative power. The first of these reserved powers is the initiative. Under this power ten per centum of the qualified electors shall have the right to propose any measure, and fifteen per centum shall have the right to propose any amendment to the constitution.

(3) Referendum power; emergency measures; effective date of acts. The second of these reserved powers is the referendum. Under this power the legislature, or five per centum of the qualified electors, may order the submission to the people at the polls of any measure, or item, section, or part of any measure, enacted by the legislature, ~~except laws immediately necessary for the preservation of the public peace, health, or safety, or for the support and maintenance of the departments of the state government and state institutions;~~ but to allow opportunity for referendum petitions, no act passed by the legislature shall be operative for ninety days after the close of the session of the legislature enacting such measure, ~~except such as require earlier operation to preserve the public peace, health, or safety, or to provide appropriations for the support and maintenance of the departments of the state and of state institutions; provided, that no such emergency measure shall be considered passed by the legislature unless it shall state in a separate section why it is necessary that it shall become immediately operative, and shall be approved by the affirmative votes of two-thirds of the members elected to each house of the legislature, taken by roll call of ayes and nays,~~

~~and also approved by the governor; and should such measure be vetoed by the governor, it shall not become a law unless it shall be approved by the votes of three fourths of the members elected to each house of the legislature, taken by roll call of ayes and nays.~~

(4) Initiative and referendum petitions; filing. All petitions submitted under the power of the initiative shall be known as initiative petitions and shall be filed with the Secretary of State not less than four months preceding the date of the election at which the measures so proposed are to be voted upon. All petitions submitted under the power of the referendum shall be known as referendum petitions, and shall be filed with the Secretary of State not more than ninety days after the final adjournment of the session of the legislature which shall have passed the measure to

which the referendum is applied. The filing of a referendum petition against any item, section, or part of any measure shall not prevent the remainder of such measure from becoming operative.

~~(5) Effective date of initiative and referendum measures. Any measure or amendment to the constitution proposed under the initiative, and any measure to which the referendum is applied, shall be referred to a vote of the qualified electors, and shall become law when approved by a majority of the votes cast thereon and upon proclamation of the governor, and not otherwise.~~

(6)(A) Veto of initiative or referendum. The veto power of the governor shall not extend to an initiative measure approved by a majority of the votes cast thereon or to a referendum measure decided by a majority of the votes cast thereon.

(6)(B) Legislature's power to repeal initiative or referendum. The legislature shall not have the power to repeal an initiative measure approved by a majority of the votes cast thereon or to repeal a referendum measure decided by a majority of the votes cast thereon. (6)(C)

Legislature's power to amend initiative or referendum. The legislature shall not have the power to amend an initiative measure approved by a majority of the votes cast thereon, or to amend a referendum measure decided by a majority of the votes cast thereon, unless the amending legislation furthers the purposes of such measure and at least three fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to amend such measure.

(6)(D) Legislature's power to appropriate or divert funds created by initiative or referendum. The legislature shall not have the power to appropriate or divert funds created or allocated to a specific purpose by an initiative measure approved by a majority of the votes cast thereon, or by a referendum measure decided by a majority of the votes cast thereon, unless the appropriation or diversion of funds furthers the purposes of such measure and at least three fourths of the members of each house of the legislature, by

~~a roll call of ayes and nays, vote to appropriate or divert such funds.~~

(7) Number of qualified electors. The whole number of votes cast for all candidates for governor at the general election last preceding the filing of any initiative or referendum petition on a state or county measure shall be the basis on which the number of qualified electors required to sign such petition shall be computed.

(8) Local, city, town or county matters. The powers of the initiative and the referendum are hereby further reserved to the qualified electors of every incorporated city, town, and county as to all local, city, town, or county matters on which such incorporated cities, towns, and counties are or shall be empowered by general laws to legislate. Such incorporated cities, towns, and counties may prescribe the manner of exercising said powers within the restrictions of general laws. Under the power of the initiative fifteen per centum of the qualified electors may propose

measures on such local, city, town, or county matters, and ten per centum of the electors may propose the referendum on legislation enacted within and by such city, town, or county. Until provided by general law, said cities and towns may prescribe the basis on which said percentages shall be computed.

(9) Form and contents of initiative and of referendum petitions; verification. Every initiative or referendum petition shall be addressed to the secretary of state in the case of petitions for or on state measures, and to the clerk of the board of supervisors, city clerk, or corresponding officer in the case of petitions for or on county, city, or town measures; and shall contain the declaration of each petitioner, for himself, that he is a qualified elector of the state (and in the case of petitions for or on city, town, or county measures, of the city, town, or county affected), his post office address, the street and number, if any, of his residence, and the date on which he signed such petition. Each sheet containing petitioners' signatures shall be attached to a full and correct copy of the title ~~and text of the measure so proposed to be initiated or referred to the people,~~ and every sheet of every such petition containing signatures shall be verified by the affidavit of the person who circulated said sheet or petition, setting forth that each of the names on said sheet was signed in the presence of the affiant and that in the belief of the affiant each signer was a qualified elector of the state, or in the case of a city, town, or county measure, of the city, town, or county affected by the measure so proposed to be initiated or referred to the people.

(10) Official ballot. When any initiative or referendum petition or any measure referred to the people by the legislature shall be filed, in accordance with this section, with the secretary of state, he shall cause to be printed on the official ballot at the next regular general election the title and number of said measure, together with the words "yes" and "no" in such manner that the electors may express at the polls their approval or disapproval of the measure.

(11) Publication of measures. The text of all measures to be submitted shall be

published as proposed amendments to the constitution are published, and in submitting such measures and proposed amendments the secretary of state and all other officers shall be guided by the general law until legislation shall be especially provided therefore.

(12) Conflicting measures or constitutional amendments. If two or more conflicting measures or amendments to the constitution shall be approved by the people at the same election, the measure or amendment receiving the greatest number of affirmative votes shall prevail in all particulars as to which there is conflict.

(13) Canvass of votes; proclamation. It shall be the duty of the secretary of state, in the presence of the governor and the chief justice of the supreme court, to canvass the votes for and against each such measure or proposed amendment to the constitution within **ten** days after the election, and upon the completion of the canvass the governor shall forthwith issue a proclamation, giving the whole number of votes cast for and against each measure or proposed amendment, and declaring such measures or amendments as are approved by a majority of those voting thereon to be law.

~~(14) Reservation of legislative power. This section shall not be construed to deprive the legislature of the right to enact any measure. Except that the legislature shall not have the power to adopt any measure that supersedes, in whole or in part, any initiative measure approved by a majority of the votes cast thereon or any referendum measure decided by a majority of the votes cast thereon, unless the superseding measure furthers the purposes of the initiative or referendum measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to supersede such initiative or referendum measure.~~

(15) Legislature's right to refer measure to the people. Nothing in this section shall be construed to deprive or limit the legislature of the right to order the submission to the people at the polls of any measure, item, section, or part of any measure.

(16) Self-executing. This section of the constitution shall be, in all respects, self-executing.

Section 2. Penalty for violation of initiative and referendum provisions

The legislature shall provide a penalty for any willful violation of any of the provisions of the preceding section.

Article 21

Section 1. Introduction in legislature; initiative petition; election

Any amendment or amendments to this Constitution may be proposed in either House of the Legislature, or by Initiative Petition signed by a number of qualified electors equal to fifteen per centum of the total number of votes for

all candidates for Governor at the last preceding general election. Any proposed amendment or amendments which shall be introduced in either House of the Legislature, and which shall be approved by a majority of the members elected to each of the two Houses, shall be entered on the journal of each House, together with the ayes and nays thereon. When any proposed amendment or amendments shall be thus passed by a majority of each House of the Legislature and entered on the respective journals thereof, or when any elector or electors shall file with the Secretary of State any proposed amendment or amendments together with a petition therefor signed by a number of electors equal to fifteen per centum of the total number of votes for all candidates for Governor in the last preceding general election, the Secretary of State shall submit such proposed amendment or amendments to the vote of the people at the next general election (except when the Legislature shall call a special election for the purpose of having said proposed amendment or amendments voted upon, in which case the Secretary of State shall submit such proposed amendment or amendments to the qualified electors at said special election,) and if a majority of the qualified electors voting thereon shall approve and ratify such proposed amendment or amendments in said regular or special election, such amendment or amendments shall become a part of this Constitution. Until a method of publicity is otherwise provided by law, the Secretary of State shall have such proposed amendment or amendments published for a period of at least ninety days previous to the date of said election in at least one newspaper in every county of the State in which a newspaper shall be published, in such manner as may be prescribed by law. If more than one proposed amendment shall be submitted at any election, such proposed amendments shall be submitted in such manner that the electors may vote for or against such proposed amendments separately.

Beyond this, each state currently allowing initiative measures typically tacks on several pages of small print detailing what petitioners must do to have their petitions accepted by the state.

If your state allows initiative petitions, but doesn't yet allow for gathering petitioners' signatures electronically, you would be well advised to add that requirement to the petition for allowing initiative measures. Gathering signatures electronically is much more efficient (and quicker) than doing it by hand.

In Arizona's Constitution re: initiatives, the fine print goes on several more pages, but those pages are mostly about how petitions are handled after submission by the citizens.

There will likely be pushback, but the citizens should be able to prevail in this regard, since the changes all have to do with increasing citizens powers over the powers of the politicians. It should be relatively easy to sell these changes to the public at large.

Addendum #2

Initiative and Referendum States as of 2020

Initiative – a law or constitutional amendment introduced by citizens through a petition process either to the legislature or directly to the voters.

Popular Referendum – a process by which voters may petition to demand a popular vote on a new law passed by the legislature.

State	Statutes		Amend the State's (only) Constitution
	Initiative	Popular Referendum	Initiative
Alaska	I	Yes	None
Arizona	D	Yes	D
Arkansas	D	Yes	D
California	D	Yes	D
Colorado	D	Yes	D
Florida	None	No	D
Idaho	D	Yes	None
Illinois	None	No	D
Maine	I	Yes	None
Maryland	None	Yes	None
Massachusetts	I	Yes	I
Michigan	I	Yes	D
Mississippi	None	No	I

		Statutes	Constitution
Missouri	D	Yes	D
Montana	D	Yes	D
Nebraska	D	Yes	D
Nevada	I	Yes	D
New Mexico	None	Yes	None
North Dakota	D	Yes	D
Ohio	I	Yes	D
Oklahoma	D	Yes	D
Oregon	D	Yes	D
South Dakota	D	Yes	D
Utah	D & I	Yes	None
Washington	D & I	Yes	None
Wyoming	I*	Yes	None
U.S. Virgin Islands	I	Yes	I

D – *Direct Initiative*; proposals that qualify go directly on the ballot

I – *Indirect Initiative*; proposals are submitted to the legislature, which has an opportunity to act on the proposed legislation. The initiative question will subsequently go on the ballot if the legislature rejects it, submits a different proposal or takes no action.

I* -- Alaska and Wyoming’s initiative processes are usually considered indirect. However, instead of requiring that an initiative be submitted to the legislature for action, they only require that an initiative cannot be placed on the ballot until after a legislative session has convened and adjourned.