

ARIZONA*

AN ACT

To provide for conventions to pass on amendments to the Constitution of the United States proposed by the Congress of the United States for ratification by conventions in the several states.

Be It Enacted by the Legislature of the State of Arizona:

Section 1. Whenever the Congress of the United States shall propose an amendment to the Constitution of the United States, and shall propose that it be ratified by conventions in the several states, the governor shall fix by proclamation the date of an election for the purpose of electing the delegates to such convention in this state. Such election may either be at a special election or may be held at the same time as a general election, but shall be held at least as soon as the next special or general election occurring more than three months after the amendment has been proposed by the Congress.

Section 2. At such election all electors who have registered may vote. Should a special election be called, registration of voters shall be re-opened by the county recorder on the third Monday preceding such special election, and shall be closed at five o'clock P.M. on the Saturday following next thereafter. All electors who were registered at the last general election, or who are registered during the period registration is re-opened for such special election may vote at such special election.

Section 3. Except as in this act otherwise provided, such election shall be conducted and the results thereof ascertained and certified in the same manner as in the case of the election of state officers in this state, and all provisions of the laws of this state relative to elections except so far as inconsistent with this act are hereby made applicable to such election.

Section 4. The number of delegates to be chosen at such convention shall be eleven to be elected from the state at large.

Section 5. Candidates for the office of delegate to the convention shall be qualified electors of this state. Nominations shall be by petition signed by not less than one thousand qualified electors, and not otherwise. Nominations shall be without party or political designation, but the nominating petitions shall contain a statement by the nominee to the effect that he favors ratification, or that he opposes ratification, and no nominating petition shall be accepted unless such statement is contained therein. No nomination shall be effective except those of the eleven nominees in favor of the ratification and the eleven nominees against ratification whose nominating petitions were first filed with the secretary of state. Within ten days after the petitions are filed, the secretary of state shall certify the candidates of each group to the board of supervisors of the respective counties of this state. All petitions shall be filed with the secretary of state not less than twenty days before the proclaimed date of the election.

Section 6. The election shall be by ballot, separate from any ballot to be used at the same election, which shall be prepared as follows: It shall first state the substance of the proposed amendment. This shall be followed by appropriate instructions to the voters. It shall then contain perpendicular columns of equal width, headed respectively

* *Laws of Arizona, 1933*, Chapter 94, pp. 403-409.

in plain type, "For Ratification," and "Against Ratification." In the column headed "For Ratification" shall be placed the names of the nominees nominated as in favor of ratification. In the column headed "Against Ratification" shall be placed the names of the nominees nominated as against ratification. The voter shall indicate his choice by making one or more cross marks in the appropriate spaces provided on the ballot. No ballot shall be held void because any such cross mark is irregular in character. The ballot shall be so arranged that the voter may, by making a single cross mark, vote for the entire group of the nominees whose names are comprised in any column. The ballot shall be in substantially the following form:

PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

The Congress has proposed an amendment to the Constitution of the United States which provides (insert here the substance of the proposed amendment).

The Congress has also proposed that the said amendment shall be ratified by conventions in the states.

INSTRUCTIONS TO VOTERS

Do not vote for more than eleven (11) candidates.

To vote for all candidates in favor of ratification, or for all candidates against ratification, make a cross-mark in the **CIRCLE** at the head of the list of candidates for whom you wish to vote. If you do this, make no other mark.

To vote for an individual candidate make a cross-mark in the **SQUARE** at the left of the name.

For Ratification	Against Ratification
○	○
<input type="checkbox"/> John Doe	<input type="checkbox"/> Charles Coe
<input type="checkbox"/> Richard Roe	<input type="checkbox"/> Michael Moe
<input type="checkbox"/>	<input type="checkbox"/>

Sec. 7. The eleven nominees who shall receive the highest number of votes shall be the delegates at the convention. If there shall be a vacancy in the convention caused by the death or disability of any delegate, or any other cause, the same shall be filled by appointment by the majority vote of the delegates comprising the group from which such delegate was elected and if the Convention contains no other delegate of that group, shall be filled by the governor. Delegates elected upon a platform or nomination petition statement as for or against ratification must vote at such convention in

accordance with such platform or nomination petition statement, and upon failure to do so will be guilty of a misdemeanor, his vote not considered, and his office will be deemed vacant to be filled as herein provided for filling vacancies.

Sec. 8. The delegates to the convention shall meet at the capitol on the twenty-eighth day after their election at 10:00 o'clock A.M. and shall thereupon constitute a Convention to pass upon the question of whether or not the proposed amendment shall be ratified.

Sec. 9. The convention shall be the judge of the election and qualification of its members; and shall have power to elect its president, secretary and other officers, and to adopt its own rules.

Sec. 10. The convention shall keep a journal of its proceedings in which shall be recorded the vote of each delegate on the question of ratification of the proposed amendment. Upon final adjournment the journal shall be filed with the secretary of state.

Sec. 11. If the convention shall agree, by vote of a majority of the total number of delegates, to the ratification of the proposed amendment, a certificate to that effect shall be executed by the president and secretary of the convention and transmitted to the secretary of state of this state, who shall transmit the certificate under the great seal of the state to the secretary of state of the United States.

Sec. 12. Delegates shall receive ten dollars, and shall also receive mileage one way by the shortest practical route at the rate of twenty cents per mile.

Sec. 13. If at or about the time of submitting any such amendment, Congress shall either in the resolution submitting the same or by statute, prescribe the manner in which the conventions shall be constituted, and shall not except from the provisions of such statute or resolution such states as may theretofore have provided for constituting such conventions, the preceding provisions of this act shall be inoperative, the convention shall be constituted and shall operate as the said resolution or act of Congress shall direct, and all officers of the state who may by the said resolution or statute be authorized or directed to take any action to constitute such a convention for this state are hereby authorized and directed to act thereunder and in obedience thereto with the same force and effect as if acting under a statute of this state.

Approved March 18, 1933.

Referendum Filed Against This Act, June 1, 1933.