



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

February 2, 2012

OPINION LETTER NO. 85-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 23, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Jeremiah Ratican regarding a proposed constitutional amendment to amend Article III of the Missouri Constitution (version B). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- prohibit the repeal or amendment by the legislature of a statute enacted by citizen initiative passed by the voters of Missouri, except by either a two-thirds vote of each house or a vote of the people through a referendum or unless such statute explicitly provides that the legislature may repeal or amend it by a majority vote of each house;
- require a two-thirds vote of the legislature before referring any statutory change to a public vote; and

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- require votes on referendums to be held at general state elections?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General