

HOUSE JOINT RESOLUTION Q

November 12, 2003, Introduced by Reps. Hopgood, Paletko, Law, Condino, Dennis, Tobocman, Vagnozzi, Minore and Byrum and referred to the Committee on Government Operations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to clarify the power of referendum when making appropriations.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to clarify the power of referendum when making appropriations, is proposed, agreed to, and submitted to the people of the state:

ARTICLE II

Sec. 9. The people reserve to themselves the power to propose laws and to enact and reject laws, called the initiative, and the power to approve or reject laws enacted by the legislature, called the referendum. The power of initiative extends only to laws which the legislature may enact under this constitution. The power of referendum does not extend to **general**

1 **appropriation** acts making appropriations ~~for state institutions~~
2 **that substantially fund 1 or more state departments** or to acts
3 **making appropriations** to meet deficiencies in state funds and
4 must be invoked in the manner prescribed by law within 90 days
5 following the final adjournment of the legislative session at
6 which the law was enacted. To invoke the initiative or
7 referendum, petitions signed by a number of registered electors,
8 not less than eight percent for initiative and five percent for
9 referendum of the total vote cast for all candidates for governor
10 at the last preceding general election at which a governor was
11 elected shall be required.

12 No law as to which the power of referendum properly has been
13 invoked shall be effective thereafter unless approved by a
14 majority of the electors voting thereon at the next general
15 election.

16 Any law proposed by initiative petition shall be either
17 enacted or rejected by the legislature without change or
18 amendment within 40 session days from the time such petition is
19 received by the legislature. If any law proposed by such
20 petition shall be enacted by the legislature it shall be subject
21 to referendum, as hereinafter provided. submission to people.

22 If the law so proposed is not enacted by the legislature
23 within the 40 days, the state officer authorized by law shall
24 submit such proposed law to the people for approval or rejection
25 at the next general election. The legislature may reject any
26 measure so proposed by initiative petition and propose a
27 different measure upon the same subject by a yea and nay vote

1 upon separate roll calls, and in such event both measures shall
2 be submitted by such state officer to the electors for approval
3 or rejection at the next general election.

4 Any law submitted to the people by either initiative or
5 referendum petition and approved by a majority of the votes cast
6 thereon at any election shall take effect 10 days after the date
7 of the official declaration of the vote. No law initiated or
8 adopted by the people shall be subject to the veto power of the
9 governor, and no law adopted by the people at the polls under the
10 initiative provisions of this section shall be amended or
11 repealed, except by a vote of the electors unless otherwise
12 provided in the initiative measure or by three-fourths of the
13 members elected to and serving in each house of the legislature.
14 Laws approved by the people under the referendum provision of
15 this section may be amended by the legislature at any subsequent
16 session thereof. If two or more measures approved by the
17 electors at the same election conflict, that receiving the
18 highest affirmative vote shall prevail.

19 The legislature shall implement the provisions of this
20 section.

21 Resolved further, That the foregoing amendment shall be
22 submitted to the people of the state at the next general election
23 in the manner provided by law.