

HOUSE BILL No. 5650

February 8, 2006, Introduced by Rep. Ward and referred to the Committee on House Oversight, Elections, and Ethics.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 477 (MCL 168.477), as amended by 1999 PA 219.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 477. (1) The ~~board of state canvassers~~ **STATE DIRECTOR**
2 **OF ELECTIONS** shall make an official declaration of the sufficiency
3 or insufficiency of a petition under this chapter at least 2 months
4 before the election at which the proposal is to be submitted. **THE**
5 **STATE DIRECTOR OF ELECTIONS SHALL DECLARE THE PETITION SUFFICIENT**
6 **UNLESS HE OR SHE DETERMINES THAT THE PETITION IS NOT IN PROPER FORM**
7 **OR THAT THE NUMBER OF VALID SIGNATURES IS LESS THAN THE MINIMUM**
8 **NUMBER REQUIRED. IN DETERMINING THE SUFFICIENCY OF THE FORM OF THE**

1 **PETITION, THE STATE DIRECTOR OF ELECTIONS SHALL NOT CONSIDER THE**
2 **SUBSTANCE OF THE PROPOSAL AFFIXED TO THE PETITION.** If the ~~board of~~
3 ~~state canvassers~~ **STATE DIRECTOR OF ELECTIONS** declares that the
4 petition is sufficient, the secretary of state shall send copies of
5 the statement of purpose of the proposal ~~as approved by the board~~
6 ~~of state canvassers under section 474~~ to the several daily and
7 weekly newspapers published in this state, with the request that
8 the newspapers give as wide publicity as possible to the proposed
9 amendment or other question. Publication of any matter by any
10 newspaper under this section shall be without expense or cost to
11 ~~the~~ **THIS** state. ~~of Michigan.~~

12 (2) For the purposes of the second paragraph of section 9 of
13 article II of the state constitution of 1963, a law that is the
14 subject of the referendum continues to be effective until the
15 referendum is properly invoked, which occurs when the ~~board of~~
16 ~~state canvassers~~ **STATE DIRECTOR OF ELECTIONS** makes ~~its~~ **HIS OR**
17 **HER** official declaration of the sufficiency of the referendum
18 petition. The ~~board of state canvassers~~ **STATE DIRECTOR OF**
19 **ELECTIONS** shall complete the canvass of a referendum petition
20 within 60 days after the petition is filed with the secretary of
21 state, except that 1 15-day extension may be granted by the
22 secretary of state if necessary to complete the canvass.

23 Enacting section 1. This amendatory act does not take effect
24 unless all of the following bills of the 93rd Legislature are
25 enacted into law:

26 (a) Senate Bill No. 973 or House Bill No.____ (request no.
27 04197'05 *).

1 (b) Senate Bill No. 974 or House Bill No.____ (request no.
2 05710'06).

3 (c) Senate Bill No. 975 or House Bill No.____ (request no.
4 05711'06).

5 (d) Senate Bill No. 976 or House Bill No.____ (request no.
6 05712'06).

7 (e) Senate Bill No.____ or House Bill No. 5648(request no.
8 05714'06).

9 (f) Senate Bill No.____ or House Bill No. 5649(request no.
10 05715'06).