

# SENATE JOINT RESOLUTION C

January 28, 2009, Introduced by Senators McMANUS and GARCIA and referred to the Committee on Campaign and Election Oversight.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to revise the signature requirements for initiative and referendum petitions and 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 revise the signature requirements for initiative and referendum petitions and 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

1 laws and to enact and reject laws, called the initiative, and the  
 2 power to approve or reject laws enacted by the legislature, called  
 3 the referendum. The power of initiative extends only to laws which  
 4 the legislature may enact under this constitution. The power of  
 5 referendum does not extend to **GENERAL APPROPRIATION** acts making  
 6 appropriations ~~for state institutions~~ **THAT SUBSTANTIALLY FUND 1 OR**  
 7 **MORE STATE DEPARTMENTS** or **TO ACTS MAKING APPROPRIATIONS** to meet  
 8 deficiencies in state funds and must be invoked in the manner  
 9 prescribed by law within 90 days following the final adjournment of  
 10 the legislative session at which the law was enacted. To invoke the  
 11 initiative or referendum, petitions **SHALL BE** signed by a number of  
 12 registered electors, not less than eight percent for initiative and  
 13 five percent for referendum of the total vote cast for all  
 14 candidates for governor at the last preceding general election at  
 15 which a governor was elected. ~~shall be required.~~ **IN ADDITION,**  
 16 **PETITIONS TO INVOKE THE INITIATIVE OR REFERENDUM SHALL BE SIGNED BY**  
 17 **NOT FEWER THAN 100 REGISTERED ELECTORS, UNLESS A GREATER NUMBER OF**  
 18 **REGISTERED ELECTORS IS REQUIRED BY THE LEGISLATURE, IN EACH OF AT**  
 19 **LEAST 42 COUNTIES OF THIS STATE AND BY AT LEAST ONE REGISTERED**  
 20 **ELECTOR IN EACH COUNTY OF THIS STATE.**

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

24 Any law proposed by initiative petition shall be either  
 25 enacted or rejected by the legislature without change or amendment  
 26 within 40 session days from the time ~~such~~ **THE** petition is received  
 27 by the legislature. If any law proposed by ~~such~~ **THE** petition shall

1 be enacted by the legislature it shall be subject to referendum, as  
2 hereinafter provided.

3 If the law so proposed is not enacted by the legislature  
4 within the 40 days, the state officer authorized by law shall  
5 submit ~~such~~ **THE** proposed law to the people for approval or  
6 rejection at the next general election. The legislature may reject  
7 any measure so proposed by initiative petition and propose a  
8 different measure upon the same subject by a yea and nay vote upon  
9 separate roll calls, and in such event both measures shall be  
10 submitted by such state officer to the electors for approval or  
11 rejection at the next general election.

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

26 The legislature shall implement the provisions of this  
27 section.

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