
INITIATIVE PETITIONS—
PROPOSED AMENDMENTS
TO THE
MICHIGAN CONSTITUTION

INITIATIVE PETITIONS
PROPOSED CONSTITUTIONAL AMENDMENT

A proposal to amend the state constitution to grant state classified employees the constitutional right to collective bargaining with binding arbitration. (Proposal provided under an initiative petition filed with the Secretary of State on July 8, 2002.)

The proposal would amend the state constitution by adding language to Article 11, Section 5. The following is the language of the proposed constitutional amendment as it appeared on the initiative petition. Words added to Article 11, Section 5, of the state constitution are in capital letters.

Article 11, Section 5:

Sec. 5. The classified state civil service shall consist of all positions in the state service except those filled by popular election, heads of principal departments, members of boards and commissions, the principal executive officer of boards and commissions heading principal departments, employees of courts of record, employees of the legislature, employees of the state institutions of higher education, all persons in the armed forces of the state, eight exempt positions in the office of the governor, and within each principal department, when requested by the department head, two other exempt positions, one of which shall be policy-making. The civil service commission may exempt three additional positions of a policy-making nature within each principal department.

The civil service commission shall be non-salaried and shall consist of four persons, not more than two of whom shall be members of the same political party, appointed by the governor for terms of eight years, no two of which shall expire in the same year.

The administration of the commission's powers shall be vested in a state personnel director who shall be a member of the classified service and who shall be responsible to and selected by the commission after open competitive examination.

The commission shall classify all positions in the classified service according to their respective duties and responsibilities, fix rates of compensation for all classes of positions, approve or disapprove disbursements for all personal services, determine by competitive examination and performance exclusively on the basis of merit, efficiency and fitness the qualifications of all candidates for positions in the classified service, make rules and regulations covering all personnel transactions, and regulate all conditions of employment in the classified service.

State Police Troopers and Sergeants shall, through their elected representative designated by 50% of such troopers and sergeants, have the right to bargain collectively with their employer concerning conditions of their employment, compensation, hours, working conditions, retirement, pensions, and other aspects of employment except promotions which will be determined by competitive examination and performance on the basis of merit, efficiency and fitness; and they shall have the right 30 days after commencement of such bargaining to submit any unresolved disputes to binding arbitration for the resolution thereof the same as now provided by law for Public Police and Fire Departments.

STATE CLASSIFIED EMPLOYEES SHALL HAVE THE RIGHT TO ELECT BARGAINING REPRESENTATIVES BY A MAJORITY VOTE IN APPROPRIATE

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BARGAINING UNITS AS DETERMINED BY THE COMMISSION FOR THE PURPOSE OF COLLECTIVELY BARGAINING WITH THE STATE EMPLOYER AND FOR OTHER MUTUAL AID AND PROTECTION. THE STATE SHALL BARGAIN IN GOOD FAITH FOR THE PURPOSE OF REACHING A BINDING COLLECTIVE BARGAINING AGREEMENT WITH ANY ELECTED BARGAINING REPRESENTATIVE OVER WAGES, HOURS, PENSIONS AND ALL OTHER TERMS AND CONDITIONS OF EMPLOYMENT. IF THE BARGAINING REPRESENTATIVE AND THE STATE CANNOT REACH A COLLECTIVE BARGAINING AGREEMENT, THE BARGAINING REPRESENTATIVE SHALL HAVE THE RIGHT 30 DAYS AFTER THE COMMENCEMENT OF BARGAINING TO SUBMIT ANY UNRESOLVED DISPUTES TO BINDING ARBITRATION FOR RESOLUTION THEREOF THE SAME AS NOW PROVIDED BY LAW FOR PUBLIC POLICE AND FIRE DEPARTMENTS.

No person shall be appointed to or promoted in the classified service who has not been certified by the commission as qualified for such appointment or promotion. No appointments, promotions, demotions or removals in the classified service shall be made for religious, racial or partisan considerations.

Increases in rates of compensation authorized by the commission may be effective only at the start of a fiscal year and shall require prior notice to the governor, who shall transmit such increases to the legislature as part of his budget. The legislature may, by a majority vote of the members elected to and serving in each house, waive the notice and permit increases in rates of compensation to be effective at a time other than the start of a fiscal year. Within 60 calendar days followings [sic] such transmission, the legislature may, be a two-thirds vote of the members elected to and serving in each house, reject or reduce increases in rates of compensation authorized by the commission. Any reduction ordered by the legislature shall apply uniformly to all classes of employees affected by the increases and shall not adjust pay differentials already established by the civil service commission. The legislature may not reduce rates of compensation below those in effect at the time of the transmission of increases authorized by the commission.

The appointing authorities may create or abolish positions for reasons of administrative efficiency without the approval of the commission. Positions shall not be created nor abolished except for reasons of administrative efficiency. Any employee considering himself aggrieved by the abolition or creation of a position shall have a right of appeal to the commission through established grievance procedures.

The civil service commission shall recommend to the governor and to the legislature rates of compensation for all appointed positions within the executive department not a part of the classified service.

To enable the commission to exercise its powers, the legislature shall appropriate to the commission for the ensuing fiscal year a sum not less than one percent of the aggregate payroll of the classified service for the preceding fiscal year, as certified by the commission. Within six months after the conclusion of each fiscal year the commission shall return to the state treasury all moneys unexpended for that fiscal year.

The commission shall furnish reports of expenditures, at least annually, to the governor and the legislature and shall be subject to annual audit as provided by law.

No payment for personal services shall be made or authorized until the provisions of this constitution pertaining to civil service have been complied with in every particular. Violation of any of the provisions hereof may be restrained or observance compelled by injunctive or mandamus proceedings brought by any citizen of the state.

Provisions of existing constitution altered or abrogated by the proposal if adopted:

Article 11, Section 5:

Sec. 5. The classified state civil service shall consist of all positions in the state service except those filled by popular election, heads of principal departments, members of boards and commissions, the principal executive officer of boards and commissions heading principal departments, employees of courts of record, employees of the legislature, employees of the state institutions of higher education, all persons in the armed forces of the state, eight exempt positions in the office of the governor, and within each principal department, when requested by the department head, two other exempt positions, one of which shall be policy-making. The civil service commission may exempt three additional positions of a policy-making nature within each principal department.

The civil service commission shall be non-salaried and shall consist of four persons, not more than two of whom shall be members of the same political party, appointed by the governor for terms of eight years, no two of which shall expire in the same year.

The administration of the commission's powers shall be vested in a state personnel director who shall be a member of the classified service and who shall be responsible to and selected by the commission after open competitive examination.

The commission shall classify all positions in the classified service according to their respective duties and responsibilities, fix rates of compensation for all classes of positions, approve or disapprove disbursements for all personal services, determine by competitive examination and performance exclusively on the basis of merit, efficiency and fitness the qualifications of all candidates for positions in the classified service, make rules and regulations covering all personnel transactions, and regulate all conditions of employment in the classified service.

State Police Troopers and Sergeants shall, through their elected representative designated by 50% of such troopers and sergeants, have the right to bargain collectively with their employer concerning conditions of their employment, compensation, hours, working conditions, retirement, pensions, and other aspects of employment except promotions which will be determined by competitive examination and performance on the basis of merit, efficiency and fitness; and they shall have the right 30 days after commencement of such bargaining to submit any unresolved disputes to binding arbitration for the resolution thereof the same as now provided by law for Public Police and Fire Departments.

No person shall be appointed to or promoted in the classified service who has not been certified by the commission as qualified for such appointment or promotion. No appointments, promotions, demotions or removals in the classified service shall be made for religious, racial or partisan considerations.

Increases in rates of compensation authorized by the commission may be effective only at the start of a fiscal year and shall require prior notice to the governor, who shall transmit such increases to the legislature as part of his budget. The legislature may, by a majority vote of the members elected to and serving in each house, waive the notice and permit increases in rates of compensation to be effective at a time other than the start of a fiscal year. Within 60 calendar days followings [sic] such transmission, the legislature may, by a two-thirds vote of the members elected to and serving in each house, reject or reduce increases in rates of compensation authorized by the commission. Any reduction ordered by the legislature shall apply uniformly to all classes of employees affected by the increases and shall not adjust pay differentials already established by the civil service

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commission. The legislature may not reduce rates of compensation below those in effect at the time of the transmission of increases authorized by the commission.

The appointing authorities may create or abolish positions for reasons of administrative efficiency without the approval of the commission. Positions shall not be created nor abolished except for reasons of administrative efficiency. Any employee considering himself aggrieved by the abolition or creation of a position shall have a right of appeal to the commission through established grievance procedures.

The civil service commission shall recommend to the governor and to the legislature rates of compensation for all appointed positions within the executive department not a part of the classified service.

To enable the commission to exercise its powers, the legislature shall appropriate to the commission for the ensuing fiscal year a sum not less than one percent of the aggregate payroll of the classified service for the preceding fiscal year, as certified by the commission. Within six months after the conclusion of each fiscal year the commission shall return to the state treasury all moneys unexpended for that fiscal year.

The commission shall furnish reports of expenditures, at least annually, to the governor and the legislature and shall be subject to annual audit as provided by law.

No payment for personal services shall be made or authorized until the provisions of this constitution pertaining to civil service have been complied with in every particular. Violation of any of the provisions hereof may be restrained or observance compelled by injunctive or mandamus proceedings brought by any citizen of the state.

The following is the official ballot wording:

PROPOSAL 02-3

A PROPOSAL TO AMEND THE STATE CONSTITUTION TO GRANT STATE CLASSIFIED EMPLOYEES THE CONSTITUTIONAL RIGHT TO COLLECTIVE BARGAINING WITH BINDING ARBITRATION

The proposed constitutional amendment would:

- Grant state classified employees, in appropriate bargaining units determined by the Civil Service Commission, the right to elect bargaining representatives for the purpose of collective bargaining with the state employer.
- Require the state to bargain in good faith for the purpose of reaching a binding collective bargaining agreement with any elected bargaining representatives over wages, hours, pensions and other terms and conditions of employment.
- Extend the bargaining representatives the right to submit any unresolved disputes over the terms of a collective bargaining agreement to binding arbitration 30 days after the commencement of bargaining.

Should the proposal be adopted?

Yes ☐

No ☐

Compiler's note: Proposal 02-3, set forth above, was submitted to, and rejected by, the voters at the November 5, 2002, general election, by a vote of 1,336,249 for, and 1,591,756 against.

PROPOSED CONSTITUTIONAL AMENDMENT

A proposal to amend the state constitution to reallocate the “tobacco settlement revenue” received by the state from cigarette manufacturers. (Proposal provided under an initiative petition filed with the Secretary of State on July 8, 2002.)

The proposal would amend the state constitution by adding language to Article 9, Section 36. The following is the language of the proposed constitutional amendment as it appeared on the initiative petition. Words added to Article 9, Section 36, of the state constitution are in capital letters.

Article 9, Section 36:

Sec. 36. Dedication of Tobacco Tax AND SETTLEMENT REVENUE To Improvement of Health Care

Dedication of Tobacco Tax to Improvement of Health Care

Six percent of the proceeds of the tax on tobacco products shall be dedicated to improving the quality of health care of the residents of this state.

DEDICATION OF TOBACCO SETTLEMENT REVENUE TO IMPROVEMENT OF HEALTH

BEGINNING ON JANUARY 1, 2003, NOT LESS THAN 90% OF THE MONEY RECEIVED BY THIS STATE THAT IS ATTRIBUTABLE TO THE MASTER SETTLEMENT AGREEMENT INCORPORATED INTO A CONSENT DECREE AND FINAL JUDGMENT ENTERED INTO ON DECEMBER 7, 1998 IN KELLEY EX REL MICHIGAN V PHILIP MORRIS, INC., ET AL, INGHAM COUNTY CIRCUIT COURT, DOCKET NO. 96-84281-CZ, HEREAFTER REFERRED TO AS THE TOBACCO SETTLEMENT REVENUE, SHALL BE DEDICATED TO IMPROVING THE QUALITY OF HEALTH OF THE RESIDENTS OF THIS STATE.

CREATION OF FUNDS

THE TOBACCO ILLNESS CARE FUND IS CREATED IN THE DEPARTMENT OF TREASURY AND SHALL CONSIST OF 46% OF THE TOBACCO SETTLEMENT REVENUE. THE TOBACCO SETTLEMENT RESEARCH AND EDUCATION FUND IS CREATED IN THE DEPARTMENT OF TREASURY AND SHALL CONSIST OF 31% OF THE TOBACCO SETTLEMENT REVENUE. THE SENIOR CITIZEN PRESCRIPTION DRUG ASSISTANCE FUND IS CREATED IN THE DEPARTMENT OF TREASURY AND SHALL CONSIST OF 13% OF THE TOBACCO SETTLEMENT REVENUE.

EXPENDITURES

FUNDS IN THE TOBACCO ILLNESS CARE FUND SHALL BE APPROPRIATED AND DISTRIBUTED TO NONPROFIT HOSPITALS, THE HEALTHY MICHIGAN FOUNDATION, LICENSED NURSING HOMES, LICENSED HOSPICES, NURSE PRACTITIONERS AND SCHOOL-LINKED HEALTH CENTERS, AS PROVIDED IN THIS SECTION. FUNDS IN THE TOBACCO ILLNESS CARE FUND SHALL BE APPROPRIATED AND DISTRIBUTED AS

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FOLLOWS: TWENTY-EIGHT (28%) PERCENT OF THE TOBACCO SETTLEMENT REVENUE TO NONPROFIT HOSPITALS; THIRTEEN (13%) PERCENT OF THE TOBACCO SETTLEMENT REVENUE TO LICENSED NURSING HOMES; TWO (2%) PERCENT OF THE TOBACCO SETTLEMENT REVENUE TO LICENSED HOSPICES; ONE (1%) PERCENT OF THE TOBACCO SETTLEMENT REVENUE TO THE HEALTHY MICHIGAN FOUNDATION; ONE (1%) PERCENT OF THE TOBACCO SETTLEMENT REVENUE TO NURSE PRACTITIONERS; AND ONE (1%) PERCENT OF THE TOBACCO SETTLEMENT REVENUE TO SCHOOL-LINKED HEALTH CENTERS THAT PROVIDE PRIMARY CARE, SCREENING, ASSESSMENT, HEALTH PROMOTION AND REFERRAL SERVICES TO CHILDREN AND TEENAGERS. THE FUNDS APPROPRIATED TO NONPROFIT HOSPITALS SHALL BE DISTRIBUTED BASED UPON THE RATIO OF EACH HOSPITAL'S TOTAL NET PATIENT REVENUE AS COMPARED TO THE TOTAL NET PATIENT REVENUE OF ALL MICHIGAN NONPROFIT HOSPITALS, FOR THE PURPOSE OF IMPROVING THE QUALITY OF HEALTH OF MICHIGAN RESIDENTS. NET PATIENT REVENUE SHALL BE DETERMINED BY THE MOST RECENTLY FILED MEDICARE COST REPORT OR ITS SUCCESSOR OR, IN THE ABSENCE THEREOF, HOSPITAL FINANCIAL STATEMENTS. THE FUNDS APPROPRIATED TO LICENSED NURSING HOMES SHALL BE DISTRIBUTED BASED UPON THE RATIO OF EACH LICENSED NURSING HOME'S TOTAL NUMBER OF LICENSED BEDS COMPARED TO THE TOTAL NUMBER OF LICENSED BEDS FOR ALL MICHIGAN LICENSED NURSING HOMES, FOR THE PURPOSE OF ENHANCING PATIENT CARE. THE FUNDS APPROPRIATED TO LICENSED HOSPICES THAT SERVE MEDICAID PATIENTS SHALL BE DISTRIBUTED BASED UPON THE RATIO OF MEDICAID EXPENDITURES TO EACH INDIVIDUAL LICENSED HOSPICE COMPARED TO TOTAL MEDICAID EXPENDITURES TO LICENSED HOSPICES, INCLUDING EXPENDITURES MADE THROUGH HEALTH PLANS. THE FUNDS APPROPRIATED TO NURSE PRACTITIONERS WILL BE DISTRIBUTED TO NURSE PRACTITIONERS AT LEAST 20% OF WHOSE ANNUAL PRACTICE REVENUE IS DERIVED FROM MEDICAID, AND SUCH FUNDS SHALL BE DISTRIBUTED BASED UPON TOTAL MEDICAID EXPENDITURES TO EACH NURSE PRACTITIONER RECEIVING A PAYMENT AS COMPARED TO TOTAL MEDICAID EXPENDITURES TO ALL NURSE PRACTITIONERS RECEIVING A PAYMENT, INCLUDING MEDICAID EXPENDITURES MADE THROUGH HEALTH PLANS.

FUNDS IN THE TOBACCO SETTLEMENT RESEARCH AND EDUCATION FUND SHALL BE APPROPRIATED AND DISTRIBUTED TO THE TOBACCO-FREE FUTURES FUND, INC, A MICHIGAN NONPROFIT CORPORATION, THE HEALTH AND AGING RESEARCH AND DEVELOPMENT INITIATIVE, WHICH WAS CREATED BY PUBLIC ACT 120 OF 1999, THE COUNCIL OF MICHIGAN FOUNDATIONS AND A MICHIGAN NURSES SCHOLARSHIP PROGRAM, AS PROVIDED IN THIS SECTION. FUNDS IN THE TOBACCO SETTLEMENT RESEARCH AND EDUCATION FUND SHALL BE APPROPRIATED AND DISTRIBUTED AS FOLLOWS: FIFTEEN (15%) PERCENT OF THE TOBACCO SETTLEMENT REVENUE TO THE TOBACCO-FREE FUTURES FUND, TO DEVELOP AND IMPLEMENT A STATEWIDE COMPREHENSIVE STRATEGIC PLAN TO PREVENT AND REDUCE TOBACCO USE AND ITS ADVERSE HEALTH EFFECTS; THIRTEEN (13%) PERCENT OF THE TOBACCO SETTLEMENT REVENUE TO THE HEALTH AND AGING RESEARCH AND DEVELOPMENT INITIATIVE, FROM WHICH FUNDS FIFTEEN (15%)

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PERCENT SHALL BE USED FOR TOBACCO-RELATED RESEARCH; TWO (2%) PERCENT OF THE TOBACCO SETTLEMENT REVENUE TO THE COUNCIL OF MICHIGAN FOUNDATIONS TO SUPPORT LOCAL COMMUNITY EFFORTS TO ADDRESS YOUTH AND SENIOR NEEDS; AND ONE (1%) PERCENT OF THE TOBACCO SETTLEMENT REVENUE TO A MICHIGAN NURSES SCHOLARSHIP PROGRAM.

WITH REGARD TO THE FUNDS APPROPRIATED TO A MICHIGAN NURSES SCHOLARSHIP PROGRAM, SUCH FUNDS SHALL BE APPROPRIATED AND DISTRIBUTED TO AN EDUCATIONAL NURSING SCHOLARSHIP PROGRAM FOR ELIGIBLE RESIDENT STUDENTS ENROLLED OR ACCEPTED INTO A BACHELOR OR ASSOCIATE DEGREE NURSING PROGRAM THAT SHALL BE OPERATED AS DEFINED IN PUBLIC ACT 368 OF 1978.

FUNDS IN THE SENIOR CITIZEN PRESCRIPTION DRUG ASSISTANCE FUND SHALL BE APPROPRIATED AND DISTRIBUTED TO THE ELDER PRESCRIPTION DRUG PROGRAM, AS DEFINED IN PUBLIC ACT 499 OF 2000, AS PROVIDED IN THIS SECTION. THIRTEEN (13%) PERCENT OF THE TOBACCO SETTLEMENT REVENUE SHALL BE APPROPRIATED AND DISTRIBUTED TO THE ELDER PRESCRIPTION DRUG PROGRAM.

THE TOBACCO SETTLEMENT REVENUE SHALL BE APPROPRIATED AND DISTRIBUTED TO THE RECIPIENTS DESIGNATED IN THIS SECTION ON AN ANNUAL BASIS. TOBACCO SETTLEMENT REVENUE IN THE FUNDS CREATED BY THIS SECTION AT THE CLOSE OF THE STATE'S FISCAL YEAR, INCLUDING BUT NOT LIMITED TO INVESTMENT EARNINGS, SHALL REMAIN IN THE RESPECTIVE FUND AND SHALL NOT REVERT TO THE GENERAL FUND. SHOULD ANY DESIGNATED RECIPIENT OF TOBACCO SETTLEMENT REVENUE UNDER THIS SECTION CEASE TO EXIST OR OTHERWISE BECOME UNABLE TO ACCEPT TOBACCO SETTLEMENT REVENUE AS PROVIDED BY THIS SECTION, TOBACCO SETTLEMENT REVENUE THAT WAS APPROPRIATED TO SUCH RECIPIENT SHALL REVERT TO OR REMAIN IN EITHER THE TOBACCO ILLNESS CARE FUND, THE TOBACCO SETTLEMENT RESEARCH AND EDUCATION FUND OR THE SENIOR CITIZEN PRESCRIPTION DRUG ASSISTANCE FUND AND SUCH TOBACCO SETTLEMENT REVENUE SHALL BE APPROPRIATED AND DISTRIBUTED TO THE OTHER RECIPIENTS DESIGNATED FOR AMOUNTS HELD IN THE APPLICABLE FUND IN THE SAME RATIO AS EXISTS AMONG THE REMAINING ELIGIBLE RECIPIENTS FOR APPROPRIATIONS AND DISTRIBUTIONS FROM SUCH FUND.

THE REMAINING 10% OF THE TOBACCO SETTLEMENT REVENUE SHALL BE APPROPRIATED AND DISTRIBUTED TO THE GENERAL FUND AND THE LEGISLATURE SHALL AUTHORIZE APPROPRIATIONS OF THAT MONEY.

ANNUAL REPORT

ALL RECIPIENTS OF FUNDS UNDER THIS SECTION SHALL ANNUALLY FILE A REPORT WITH THE AUDITOR GENERAL ITEMIZING THEIR EXPENDITURES OF FUNDS RECEIVED UNDER THIS SECTION. THE AUDITOR GENERAL SHALL PREPARE AN ANNUAL TOBACCO SETTLEMENT ACCOUNTABILITY REPORT ITEMIZING THE MANNER IN WHICH THE TOBACCO SETTLEMENT REVENUE IS APPROPRIATED AND EXPENDED. THIS REPORT SHALL BE AVAILABLE TO THE PUBLIC BY REQUEST.

NO EFFECT ON STATE FUNDING

EXPENDITURES FROM ALL SOURCES FOR HOSPITALS AND OTHER HEALTH CARE SERVICES PURSUANT TO MCL 400.1, *ET. SEQ.*, THE MEDICAID PROGRAM, SHALL NOT BE REDUCED AS A RESULT OF THE ALLOCATION OF FUNDS EFFECTED BY THIS SECTION. THE TOBACCO SETTLEMENT REVENUE APPROPRIATED BY THIS SECTION IS SEPARATE, DISTINCT AND IN ADDITION TO THE FUNDS ANNUALLY APPROPRIATED OR OTHERWISE PROVIDED TO NONPROFIT HOSPITALS, LICENSED NURSING HOMES, LICENSED HOSPICES AND NURSE PRACTITIONERS, AND SHALL NOT BE CONSIDERED OR FACTORED INTO THE DETERMINATION OF FUTURE MEDICAID EXPENDITURES. IN EACH FISCAL YEAR, THE LEGISLATURE SHALL MAKE EXPENDITURES FOR NONPROFIT HOSPITALS, LICENSED NURSING HOMES, LICENSED HOSPICES AND NURSE PRACTITIONERS, RESPECTIVELY, IN AN AMOUNT THAT IS SUFFICIENT TO CAUSE THE RATIO OF EXPENDITURES FOR EACH SUCH GROUP TO TOTAL STATE EXPENDITURES FOR THAT GROUP TO BE EQUAL TO OR GREATER THAN SUCH RATIO IN FISCAL YEAR 2001, PROVIDED THAT SUCH RATIO SHALL BE ADJUSTED ANNUALLY TO REFLECT CHANGES IN THE FEDERAL MEDICAID MATCHING RATE, CHANGES IN THE NUMBERS OF MEDICAID BENEFICIARIES AND CHANGES IN THE TYPES OF MEDICAID ENROLLEES. FOR PURPOSES OF THIS SECTION, NONPROFIT HOSPITALS, LICENSED NURSING HOMES, LICENSED HOSPICES AND NURSE PRACTITIONERS ARE CONSIDERED SEPARATE GROUPS WHOSE RESPECTIVE RATIOS SHALL BE ANALYZED INDEPENDENTLY. STATE FUNDS, FROM WHATEVER SOURCE, APPROPRIATED FOR TOBACCO PREVENTION, EDUCATION, REDUCTION OR CESSATION; CANCER, CARDIOVASCULAR DISEASE OR STROKE PREVENTION, EDUCATION OR CONTROL; OR LUNG DISEASE PROGRAMS, OR SCHOOL-LINKED HEALTH CENTERS OR ADOLESCENT HEALTH CARE CLINICS, SHALL NOT BE REDUCED OR OTHERWISE AFFECTED BY THIS SECTION AND THE LEGISLATURE SHALL MAKE EXPENDITURES FOR EACH OR THESE PROGRAMS RESPECTIVELY AT AN AMOUNT EQUAL TO OR GREATER THAN THE AMOUNTS APPROPRIATED IN FISCAL YEAR 2001.

SELF-EXECUTING

THIS SECTION SHALL BE SELF-EXECUTING. LEGISLATION MAY BE ENACTED TO FACILITATE OPERATION OF THIS SECTION, BUT NO LAW SHALL LIMIT OR RESTRICT THE APPLICATION OF THIS SECTION. IF ANY PART OF THIS SECTION IS HELD OT BE UNCONSTITUTIONAL, THE REMAINING PARTS OF THIS SECTION SHALL NOT BE AFFECTED BUT WILL REMAIN IN FULL FORCE AND EFFECT. ALL EXISTING STATUTORY PROVISIONS THAT ARE INCONSISTENT WITH THIS SECTION ARE HEREBY ABROGATED.

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The following is the approved ballot wording:

PROPOSAL 02-4

A PROPOSED CONSTITUTIONAL AMENDMENT TO REALLOCATE THE “TOBACCO SETTLEMENT REVENUE” RECEIVED BY THE STATE FROM CIGARETTE MANUFACTURERS

The proposed constitutional amendment would:

- Annually allocate on a permanent basis 90% (approximately \$297 million) of “tobacco settlement revenue” received by state from cigarette manufacturers as follows: \$151.8 million to nonprofit hospitals, licensed nursing homes, licensed hospices, nurse practitioners, school-linked health centers and Healthy Michigan Foundation; \$102.3 million to fund programs to reduce tobacco use, Health and Aging Research Development Initiative, Tobacco-Free Futures Fund, Council of Michigan Foundations and Nurses Scholarship Program; and \$42.9 million to the Elder Prescription Drug Program.
- Guarantee recipients funding at 2001 appropriation levels plus additional state funds on an escalating basis for nonprofit hospitals, licensed nursing homes, licensed hospices and nurse practitioners.

Should this proposal be adopted?

Yes ☐

No ☐

Compiler's note: Proposal 02-4, set forth above, was submitted to, and rejected by, the voters at the November 5, 2002, general election by a vote of 1,018,644 for, and 2,011,105 against.