

SENATE JOINT RESOLUTION K

February 12, 2008, Introduced by Senator McMANUS 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.

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, 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

1 the referendum. The power of initiative extends only to laws which
2 the legislature may enact under this constitution. The power of
3 referendum does not extend to acts making appropriations for state
4 institutions or to meet deficiencies in state funds and must be
5 invoked in the manner prescribed by law within 90 days following
6 the final adjournment of the legislative session at which the law
7 was enacted. To invoke the initiative or referendum, petitions
8 **SHALL BE** signed by a number of registered electors, not less than
9 eight percent for initiative and five percent for referendum of the
10 total vote cast for all candidates for governor at the last
11 preceding general election at which a governor was elected, ~~shall~~
12 ~~be required~~ **WHO ARE RESIDENTS IN AT LEAST THREE-FOURTHS OF THE**
13 **HOUSE DISTRICTS OF THIS STATE, AND WHO, IN EACH OF THOSE HOUSE**
14 **DISTRICTS, ARE EQUAL IN NUMBER TO AT LEAST SEVEN PERCENT OF THOSE**
15 **WHO VOTED IN THAT HOUSE DISTRICT FOR GOVERNOR AT THE LAST PRECEDING**
16 **GENERAL ELECTION AT WHICH A GOVERNOR WAS ELECTED.**

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

20 Any law proposed by initiative petition shall be either
21 enacted or rejected by the legislature without change or amendment
22 within 40 session days from the time ~~such~~ **THE** petition is received
23 by the legislature. If any law proposed by ~~such~~ **THE** petition shall
24 be enacted by the legislature it shall be subject to referendum, as
25 hereinafter provided.

26 If the law so proposed is not enacted by the legislature
27 within the 40 days, the state officer authorized by law shall

1 submit ~~such~~**THE** proposed law to the people for approval or
2 rejection at the next general election. The legislature may reject
3 any measure so proposed by initiative petition and propose a
4 different measure upon the same subject by a yea and nay vote upon
5 separate roll calls, and in such event both measures shall be
6 submitted by such state officer to the electors for approval or
7 rejection at the next general election.

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

22 The legislature shall implement the provisions of this
23 section.

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