

# HOUSE JOINT RESOLUTION P

December 19, 2019, Introduced by Reps. Stone, Brixie, Peterson, Elder, Kuppa, Wittenberg, Garrett, Byrd, Yancey, Tyrone Carter, Sabo, Hood, Lasinski, Cynthia Johnson, Sneller, Kennedy, Ellison, Warren, Sowerby, Brenda Carter, Garza, Coleman, Anthony, LaGrand, Bolden, Rabhi, Pohutsky, Hope, Tate, Hertel, Chirkun, Hammoud, Haadsma, Whitsett, Camilleri, Guerra, Manoogian, Gay-Dagnogo, Jones and Robinson 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 eliminate the power of the people to propose laws to the legislature.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to eliminate the power of the people to propose laws to the legislature, is proposed, agreed to, and submitted to the people of the state:

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ARTICLE II



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1           Sec. 9. The people reserve to themselves the power ~~to propose~~  
2 ~~laws and~~ to enact and reject laws, called the initiative, and the  
3 power to approve or reject laws enacted by the legislature, called  
4 the referendum. The power of initiative extends only to laws ~~which~~  
5 **that** the legislature may enact under this constitution. The power  
6 of referendum does not extend to acts making appropriations for  
7 state institutions or to meet deficiencies in state funds and must  
8 be invoked in the manner prescribed by law within 90 days following  
9 the final adjournment of the legislative session at which the law  
10 was enacted. To invoke the initiative or referendum, petitions  
11 signed by a number of registered electors, not less than eight  
12 percent for initiative and five percent for referendum of the total  
13 vote cast for all candidates for governor at the last preceding  
14 general election at which a governor was elected shall be required.

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

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

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



1 **law proposed by initiative petition** by a yea and nay vote upon  
2 separate roll calls, and in such event both measures shall be  
3 submitted by such state officer to the electors for approval or  
4 rejection at the next general election.

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

