

HOUSE JOINT RESOLUTION S

November 29, 2001, Introduced by Reps. Whitmer, Murphy, Jamnick, Garza, Williams, Zelenko and Bogardus and referred to the Committee on Redistricting and Elections.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to narrow the exemption from the power of referendum regarding acts 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 narrow the exemption from the power of referendum regarding acts 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 laws and to enact and reject laws, called the initiative, and the power to approve or reject laws enacted by the legislature, called the referendum. The power of initiative extends only to laws which the legislature may enact under this

1 constitution. The power of referendum does not extend to ~~acts~~
2 ~~making~~ AN ACT WHOSE PRIMARY PURPOSE IS TO MAKE appropriations
3 for state institutions or TO AN ACT to meet deficiencies in state
4 funds and must be invoked in the manner prescribed by law within
5 90 days following the final adjournment of the legislative ses-
6 sion at which the law was enacted. To invoke the initiative or
7 referendum, petitions signed by a number of registered electors,
8 not less than eight percent for initiative and five percent for
9 referendum of the total vote cast for all candidates for governor
10 at the last preceding general election at which a governor was
11 elected shall be required.

12 No law as to which the power of referendum properly has been
13 invoked shall be effective thereafter unless approved by a major-
14 ity of the electors voting thereon at the next general election.

15 Any law proposed by initiative petition shall be either
16 enacted or rejected by the legislature without change or amend-
17 ment within 40 session days from the time such petition is
18 received by the legislature. If any law proposed by such peti-
19 tion shall be enacted by the legislature it shall be subject to
20 referendum, as hereinafter provided.

21 If the law so proposed is not enacted by the legislature
22 within the 40 days, the state officer authorized by law shall
23 submit such proposed law to the people for approval or rejection
24 at the next general election. The legislature may reject any
25 measure so proposed by initiative petition and propose a differ-
26 ent measure upon the same subject by a yea and nay vote upon
27 separate roll calls, and in such event both measures shall be

1 submitted by such state officer to the electors for approval or
2 rejection at the next general election.

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

18 The legislature shall implement the provisions of this
19 section.

20 Resolved further, That the foregoing amendment shall be sub-
21 mitted to the people of the state at the next general election in
22 the manner provided by law.