

SENATE JOINT RESOLUTION A

January 8, 2003, Introduced by Senator JOHNSON 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 and sections 1 and 2 of article XII, to require the cost of implementation and revenue source for that cost to appear in the petition for and on the ballot with a proposed constitutional amendment or initiative.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to require the cost of implementation and revenue source for that cost to appear in the petition for and on the ballot with a proposed constitutional amendment or initiative, is proposed, agreed to, and submitted to the people of the state:

ARTICLE II

Sec. 9. The people reserve to themselves the power to

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

15 **An initiative petition shall include the estimated cost to**
16 **implement the proposed law if it were to be enacted and shall**
17 **identify each source of revenue that would be used to pay that**
18 **cost.**

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

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

1 to referendum, as hereinafter provided.

2 If the law so proposed is not enacted by the legislature
3 within the 40 days, the state officer authorized by law shall
4 submit such proposed law to the people for approval or rejection
5 at the next general election. **The information on the petition
6 about estimated cost of implementation and revenue sources shall
7 appear as part of the ballot question on the proposed law.**

8 The legislature may reject any measure so proposed by
9 initiative petition and propose a different measure upon the same
10 subject by a yea and nay vote upon separate roll calls, and in
11 such event both measures shall be submitted by such state officer
12 to the electors for approval or rejection at the next general
13 election. **A legislative proposal for a different measure shall
14 include the estimated cost to implement the proposed law if it
15 were to be enacted and shall identify each source of revenue that
16 would be used to pay that cost. This information shall appear as
17 part of the ballot question on the legislative proposal.**

18 Any law submitted to the people by either initiative or
19 referendum petition and approved by a majority of the votes cast
20 thereon at any election shall take effect 10 days after the date
21 of the official declaration of the vote. No law initiated or
22 adopted by the people shall be subject to the veto power of the
23 governor, and no law adopted by the people at the polls under the
24 initiative provisions of this section shall be amended or
25 repealed, except by a vote of the electors unless otherwise
26 provided in the initiative measure or by three-fourths of the
27 members elected to and serving in each house of the legislature.

1 Laws approved by the people under the referendum provision of
2 this section may be amended by the legislature at any subsequent
3 session thereof. If two or more measures approved by the
4 electors at the same election conflict, that receiving the
5 highest affirmative vote shall prevail.

6 The legislature shall implement the provisions of this
7 section.

8 ARTICLE XII

9 Sec. 1. Amendments to this constitution may be proposed in
10 the senate or house of representatives. Proposed amendments
11 agreed to by two-thirds of the members elected to and serving in
12 each house on a vote with the names and vote of those voting
13 entered in the respective journals shall be submitted, not less
14 than 60 days thereafter, to the electors at the next general
15 election or special election as the legislature shall direct. If
16 a majority of electors voting on a proposed amendment approve the
17 same, it shall become part of the constitution and shall abrogate
18 or amend existing provisions of the constitution at the end of
19 45 days after the date of the election at which it was approved.

20 **In the joint resolution proposing an amendment to this**
21 **constitution, the legislature shall include the estimated cost to**
22 **implement the proposed amendment if it were to become part of**
23 **this constitution and shall identify each source of revenue that**
24 **would be used to pay that cost. This information shall appear as**
25 **part of the ballot question on the constitutional amendment.**

26 Sec. 2. Amendments may be proposed to this constitution by
27 petition of the registered electors of this state. Every

1 petition shall include the full text of the proposed amendment,
2 and **shall include the estimated cost to implement the proposed**
3 **amendment if it were to become part of this constitution and**
4 **identify each source of revenue that would be used to pay that**
5 **cost. Every petition shall** be signed by registered electors of
6 the state equal in number to at least 10 percent of the total
7 vote cast for all candidates for governor at the last preceding
8 general election at which a governor was elected. Such petitions
9 shall be filed with the person authorized by law to receive the
10 same at least 120 days before the election at which the proposed
11 amendment is to be voted upon. Any such petition shall be in the
12 form, and shall be signed and circulated in such manner, as
13 prescribed by law. The person authorized by law to receive such
14 petition shall upon its receipt determine, as provided by law,
15 the validity and sufficiency of the signatures on the petition,
16 and make an official announcement thereof at least 60 days prior
17 to the election at which the proposed amendment is to be voted
18 upon.

19 Any amendment proposed by such petition shall be submitted,
20 not less than 120 days after it was filed, to the electors at the
21 next general election. **The information on the petition about**
22 **estimated cost of implementation and revenue sources shall appear**
23 **as part of the ballot question on the constitutional amendment.**
24 Such proposed amendment, existing provisions of the constitution
25 which would be altered or abrogated thereby, and the question as
26 it shall appear on the ballot shall be published in full as
27 provided by law. Copies of such publication shall be posted in

1 each polling place and furnished to news media as provided by
2 law.

3 The ballot to be used in such election shall contain a
4 statement of the purpose of the proposed amendment, expressed in
5 not more than 100 words, exclusive of caption. Such statement of
6 purpose and caption shall be prepared by the person authorized by
7 law, and shall consist of a true and impartial statement of the
8 purpose of the amendment in such language as shall create no
9 prejudice for or against the proposed amendment.

10 If the proposed amendment is approved by a majority of the
11 electors voting on the question, it shall become part of the
12 constitution, and shall abrogate or amend existing provisions of
13 the constitution at the end of 45 days after the date of the
14 election at which it was approved. If two or more amendments
15 approved by the electors at the same election conflict, that
16 amendment receiving the highest affirmative vote shall prevail.

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