

SENATE BILL No. 952

October 28, 2009, Introduced by Senators BROWN, McMANUS and JANSEN and referred to the Committee on Campaign and Election Oversight.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 482 (MCL 168.482), as amended by 1998 PA 142.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 482. (1) Each petition under this section shall be 8-
2 1/2 inches by 14 inches in size. **THE PETITION FORMAT SHALL BE**
3 **ARRANGED HORIZONTALLY ON THE SHEET.**

4 (2) If the measure to be submitted proposes a constitutional
5 amendment, initiation of legislation, or referendum of
6 legislation, the heading of each part of the petition shall be
7 prepared in the following form and printed in capital letters in
8 14-point boldfaced type:

1 INITIATIVE PETITION
 2 AMENDMENT TO THE CONSTITUTION
 3 OR
 4 INITIATION OF LEGISLATION
 5 OR
 6 REFERENDUM OF LEGISLATION
 7 PROPOSED BY INITIATIVE PETITION

8 (3) The full text of the ~~amendment so proposed~~ **AMENDMENT TO**
 9 **THE CONSTITUTION, PROPOSED LAW, OR LAW THAT IS THE SUBJECT OF THE**
 10 **REFERENDUM** shall ~~follow and be printed ON THE PETITION~~ in 8-point
 11 type ~~. If the proposal would alter or abrogate an existing~~
 12 ~~provision of the constitution, the petition shall so state and~~
 13 ~~the provisions to be altered or abrogated shall be inserted,~~
 14 ~~preceded by the words:~~ **AS FOLLOWS:**

15 ~~—— "Provisions of existing constitution altered or abrogated by~~
 16 ~~the proposal if adopted."~~

17 (A) IF THE PETITION INVOLVES A PROPOSED AMENDMENT TO THE
 18 CONSTITUTION, PROPOSED LAW, OR REFERENDUM THAT INCLUDES
 19 ALTERATIONS TO EXISTING PROVISIONS OF LAW, THE ALTERATIONS SHALL
 20 BE PRESENTED BY SHOWING ANY LANGUAGE THAT WOULD BE ADDED TO THE
 21 PROVISION IN CAPITAL LETTERS AND ANY LANGUAGE THAT WOULD BE
 22 DELETED FROM THE PROVISION STRUCK OUT WITH A LINE.

23 (B) THE FULL TEXT OF THE PROPOSED AMENDMENT TO THE
 24 CONSTITUTION, PROPOSED LAW, OR REFERRED LAW SHALL APPEAR ON THE
 25 SIGNATURE SIDE OF THE PETITION SHEET AFTER AN INTRODUCTION
 26 SPECIFYING THE PROVISIONS OF THE CONSTITUTION OR THE TITLE AND
 27 PROVISIONS OF LAW THAT THE PROPOSAL IS DESIGNED TO ALTER,

1 ABROGATE, OR CREATE.

2 (C) IF THE PROPOSED AMENDMENT TO THE CONSTITUTION, PROPOSED
3 LAW, OR REFERRED LAW IS TOO LENGTHY TO PRINT IN THE AVAILABLE
4 SPACE ON THE SIGNATURE SIDE OF THE PETITION SHEET, A STATEMENT
5 DESCRIBING THE SUBJECT MATTER OF THE PROPOSAL SHALL APPEAR ON THE
6 SIGNATURE SIDE OF THE PETITION SHEET AFTER AN INTRODUCTION
7 SPECIFYING THE PROVISIONS OF THE CONSTITUTION OR THE TITLE AND
8 PROVISIONS OF LAW THAT THE PROPOSAL IS DESIGNED TO ALTER,
9 ABROGATE, OR CREATE. THE STATEMENT DESCRIBING THE SUBJECT MATTER
10 OF THE PROPOSAL SHALL BE LIMITED TO WORDS AND PHRASES THAT
11 OBJECTIVELY DELINEATE THE PURPOSE OF THE PROPOSAL AND SHALL NOT
12 INCLUDE WORDS OR PHRASES DESIGNED TO PROMOTE THE PASSAGE OF THE
13 PROPOSAL. A REFERENCE SHALL BE MADE TO THE REVERSE SIDE OF THE
14 PETITION SHEET FOR THE FULL TEXT OF THE PROPOSED CONSTITUTIONAL
15 AMENDMENT, PROPOSED LAW, OR REFERRED LAW. THE FULL TEXT OF THE
16 PROPOSED CONSTITUTIONAL AMENDMENT, PROPOSED LAW, OR REFERRED LAW
17 SHALL APPEAR ON THE REVERSE SIDE OF THE PETITION SHEET AFTER AN
18 INTRODUCTION SPECIFYING THE PROVISIONS OF THE CONSTITUTION OR THE
19 TITLE AND PROVISIONS OF LAW THAT THE PROPOSAL IS DESIGNED TO
20 ALTER, ABROGATE, OR CREATE.

21 (D) IF THE FULL TEXT OF THE PROPOSED AMENDMENT TO THE
22 CONSTITUTION, PROPOSED LAW, OR REFERRED LAW IS TOO LENGTHY TO BE
23 PRINTED ON THE REVERSE SIDE OF THE PETITION SHEET, THE LANGUAGE
24 OF THE PROPOSED CONSTITUTIONAL AMENDMENT, PROPOSED LAW, OR
25 REFERRED LAW SHALL BE CONTINUED ON A FOLD-OVER EXTENSION TO THE
26 PETITION SHEET. THE FOLD-OVER EXTENSION SHALL NOT BE REMOVED
27 PRIOR TO THE FILING OF THE PETITION.

(E) THE FOLLOWING STATEMENT SHALL APPEAR IN 8-POINT TYPE ON THE SIGNATURE SIDE OF THE PETITION SHEET AFTER THE INFORMATION REQUIRED UNDER SUBDIVISIONS (B) AND (C):

"THIS PROPOSAL IS TO BE VOTED ON AT THE NOVEMBER [DATE OF ELECTION] GENERAL ELECTION."

(4) The following statement shall appear beneath the petition heading **IN 8-POINT TYPE**:

"We, the undersigned qualified and registered electors, residents in the city township (strike 1) of in the county of, state of Michigan, respectively petition for (amendment to constitution) (initiation of legislation) (referendum of legislation)." ~~.(other appropriate description)."~~

(5) The following **NOTICE AND** warning shall be printed in 12-point **BOLDFACED** type immediately above the place for signatures: ~~, on each part of the petition.~~

NOTICE

READ THE PROPOSAL CAREFULLY BEFORE SIGNING THE PETITION. THE PROPOSAL AND ANY STATEMENT DESCRIBING THE SUBJECT MATTER OF THE PROPOSAL THAT APPEAR ON THE PETITION WERE WRITTEN BY THE SPONSOR OF THE PROPOSAL AND NOT BY THE STATE OF MICHIGAN. IF A STATEMENT DESCRIBING THE SUBJECT MATTER OF THE PROPOSAL APPEARS ON THE PETITION, IT MAY NOT FULLY EXPLAIN THE EFFECT THE PROPOSAL WOULD HAVE IF ADOPTED.

1 WARNING

2 A person who knowingly signs this petition more than once,
 3 signs a name other than his or her own, signs when not a
 4 qualified and registered elector, or sets opposite his or her
 5 signature on a petition, a date other than the actual date the
 6 signature was affixed, is violating the provisions of the
 7 Michigan election law.

8 (6) THE PETITION SHEET SHALL CONTAIN 7 OR 10 LINES PRINTED
 9 IN 8-POINT TYPE, AS PROVIDED BELOW, FOR PETITION SIGNERS TO ENTER
 10 THEIR CITY OR TOWNSHIP OF REGISTRATION, SIGNATURE, PRINTED NAME,
 11 STREET ADDRESS OR RURAL ROUTE, ZIP CODE, AND DATE OF SIGNING:

12 INDICATE

13 CITY OR

14 TOWNSHIP

15 IN WHICH

16 REGISTERED

17 TO VOTE

SIGNATURE

PRINTED

NAME

STREET

ADDRESS

OR RURAL

ROUTE

ZIP

CODE

DATE OF

SIGNING

MO DAY YR

19 CITY OF 1.

20 TOWNSHIP OF

21 CITY OF 2.

22 TOWNSHIP OF

23 (7) THE FOLLOWING CERTIFICATE SHALL BE PRINTED IN 8-POINT
 24 TYPE IN THE LOWER LEFT-HAND CORNER OF THE SIGNATURE SIDE OF THE
 25 PETITION SHEET:

CERTIFICATE OF CIRCULATOR

I, THE CIRCULATOR OF THIS PETITION, ASSERT THAT I POSSESSED THE QUALIFICATIONS TO BE AN ELECTOR IN THE STATE OF MICHIGAN WHEN I BEGAN CIRCULATING THIS PETITION; THAT EACH SIGNATURE ON THE PETITION WAS SIGNED IN MY PRESENCE; THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, EACH SIGNATURE IS THE GENUINE SIGNATURE OF THE PERSON PURPORTING TO SIGN THE PETITION; AND THAT EACH PERSON SIGNING THE PETITION WAS AT THE TIME OF SIGNING A QUALIFIED AND REGISTERED ELECTOR OF THE CITY OR TOWNSHIP INDICATED ON THE PETITION.

(8) THE FOLLOWING WARNING SHALL BE PRINTED IN 12-POINT BOLDFACED TYPE IN THE LOWER LEFT-HAND CORNER OF THE PETITION SHEET IMMEDIATELY BENEATH THE CERTIFICATE OF THE CIRCULATOR:

WARNING

A CIRCULATOR WHO KNOWINGLY MAKES A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS A CIRCULATOR IS GUILTY OF A MISDEMEANOR.

(9) THE FOLLOWING INFORMATION SHALL BE PRINTED IN 8-POINT TYPE IN THE LOWER RIGHT-HAND CORNER OF THE PETITION SHEET FOR THE PETITION CIRCULATOR TO ENTER HIS OR HER SIGNATURE, PRINTED NAME, STREET NUMBER OR RURAL ROUTE, CITY OR TOWNSHIP WHERE QUALIFIED TO BE REGISTERED, ZIP CODE, AND DATE OF SIGNING:

(SIGNATURE OF CIRCULATOR)

_____/_____/_____
(DATE)

1 _____
 2 (PRINTED NAME OF CIRCULATOR)
 3 _____
 4 (CITY OR TOWNSHIP WHERE QUALIFIED TO BE A MICHIGAN ELECTOR)
 5 _____
 6 COMPLETE RESIDENCE ADDRESS (ZIP CODE)
 7 (STREET AND NUMBER OR RURAL ROUTE)

8 (10) THE FOLLOWING SHALL BE PRINTED IN 12-POINT BOLDFACED
 9 TYPE AND APPEAR ABOVE THE INFORMATION DESCRIBED IN SUBSECTION
 10 (9):

11 "CIRCULATOR - DO NOT SIGN OR DATE THE CERTIFICATE UNTIL
 12 AFTER CIRCULATING THE PETITION.".

13 (11) ~~(6) The remainder of the petition form shall be as~~
 14 ~~provided following the warning to electors signing the petition~~
 15 ~~in section 544c(1). In addition, the petition shall comply with~~
 16 the requirements of section 544c(2).

17 Enacting section 1. This amendatory act does not take effect
 18 unless Senate Bill No. 954

19 of the 95th Legislature is enacted into law.