

INITIATIVE PETITION AMENDMENT TO THE CONSTITUTION

FULL TEXT OF PROPOSAL

PROPOSAL TO AMEND THE MICHIGAN CONSTITUTION OF 1963 BY ADDING A NEW § 6A TO ARTICLE 3, GENERAL GOVERNMENT:

§ 6a. IMPROVEMENTS FOR INTERNATIONAL BRIDGES OR TUNNELS FOR MOTOR VEHICLES

SEC. 6a. (1) THE PEOPLE SHOULD DECIDE WHETHER STATE GOVERNMENT MAY CONSTRUCT OR FINANCE NEW INTERNATIONAL BRIDGES OR TUNNELS FOR MOTOR VEHICLES. CONSISTENT WITH THIS POLICY, AND TO SHIELD THE PEOPLE FROM UNNECESSARY BURDENS, THE STATE SHALL NOT UNDERTAKE OWNERSHIP AND DEVELOPMENT OF OR USE STATE FUNDS OR RESOURCES FOR NEW INTERNATIONAL BRIDGES OR TUNNELS FOR MOTOR VEHICLES UNLESS FIRST DETERMINED TO BE NECESSARY AND APPROPRIATE BY MAJORITY VOTE OF THE PEOPLE.

(2) THE PROVISIONS IN THIS SUBSECTION (2) SHALL APPLY IN THE INTERPRETATION OF THIS SECTION.

- (a) "OWNERSHIP AND DEVELOPMENT" SHALL INCLUDE ALL ACTIVITIES INVOLVING AND RELATING TO ALL OR PART OF COMMENCING, CONSTRUCTING, OR FINANCING NEW INTERNATIONAL BRIDGES OR TUNNELS FOR MOTOR VEHICLES, OR RELATED FACILITIES, INCLUDING BUT NOT LIMITED TO ANY ONE OR MORE OF THE FOLLOWING: OPTIONING OR ACQUIRING INTERESTS IN PROPERTY; PROMOTING, DESIGNING, BIDDING, CONTRACTING FOR, OR CONSTRUCTING; OR IN ANY MANNER DIRECTLY OR INDIRECTLY FINANCING OR ASSISTING IN FINANCING PROPERTY ACQUISITION, DESIGN, OR CONSTRUCTION OF SUCH IMPROVEMENTS.
- (b) "STATE" SHALL INCLUDE THE STATE OF MICHIGAN, AND ANY ONE OR MORE, OR A COMBINATION OF STATE AGENCIES, AUTHORITIES, COMMISSIONS, DISTRICTS, OR OTHER SUBDIVISIONS OR INSTRUMENTALITIES OF STATE GOVERNMENT.
- (c) THE PROCEDURE FOR SEEKING A DETERMINATION BY MAJORITY VOTE OF THE PEOPLE UNDER THIS SECTION SHALL BE THAT PROCEDURE PROVIDED BY LAW FOR THE SUBMISSION AND APPROVAL OF PETITIONS TO PROPOSE, ENACT, AND REJECT LAWS BY INITIATIVE UNDER ARTICLE 2, § 9 OF THIS CONSTITUTION, WITH THE EXCEPTIONS THAT: 1) A PROPOSAL UNDER THIS SECTION MAY NOT BE APPROVED BY THE LEGISLATURE IN LIEU OF A VOTE OF THE PEOPLE; AND 2) AN APPROVAL BY THE PEOPLE SHALL REQUIRE AN AFFIRMATIVE VOTE OF A MAJORITY OF ELECTORS IN BOTH (A) THE STATE AND (B) EACH MUNICIPALITY IN WHICH IMPROVEMENTS ARE SITUATED, CONSIDERING THE IMPACT ON LOCAL SERVICES AND FACILITIES AND THAT PUBLIC OWNERSHIP AND OPERATION WOULD IMPACT LOCAL PROPERTY TAXATION.
- (d) "NEW INTERNATIONAL BRIDGES OR TUNNELS FOR MOTOR VEHICLES" SHALL MEAN ANY BRIDGE OR TUNNEL WHICH IS NOT OPEN TO THE PUBLIC AND SERVING TRAFFIC AS OF JANUARY 1, 2012. NO VESTED RIGHTS ARE ATTRIBUTED TO ANY STATE INTERNATIONAL BRIDGE OR TUNNEL INITIATIVE THAT IS NOT SERVING TRAFFIC AS OF THAT DATE.
- (e) ANY AMBIGUITY IN THE INTERPRETATION OF THIS SECTION SHALL BE RESOLVED IN FAVOR OF SHIELDING THE PEOPLE FROM PRACTICAL OR FINANCIAL BURDENS ASSOCIATED WITH STATE GOVERNMENT OWNERSHIP AND DEVELOPMENT OF INTERNATIONAL BRIDGES AND TUNNELS FOR MOTOR VEHICLES.