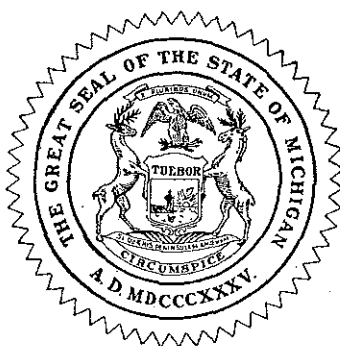


PUBLIC ACTS  
OF  
THE LEGISLATURE  
OF THE  
STATE OF MICHIGAN

PASSED AT THE  
REGULAR SESSION OF 1913  
CONTAINING CONCURRENT RESOLUTIONS AND AMENDMENTS  
TO THE CONSTITUTION.

83914



COMPILED BY  
FREDERICK C. MARTINDALE,  
SECRETARY OF STATE

LANSING, MICHIGAN  
WYNKOOP HALLENBECK CRAWFORD CO., STATE PRINTERS  
1913

the time ballots to be used at said election are required to be delivered to such inspectors under the general election law. All votes cast upon such amendment shall be counted, canvassed and returned in the same manner as is provided by law for counting, canvassing and returning the vote for State officers.

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[No. 4.]

CONCURRENT RESOLUTION proposing amendments to sections one and nineteen of article five of the constitution of Michigan, relative to the initiative and referendum upon legislative matters;

*Resolved by the House of Representatives of the State of Michigan (the Senate concurring).* That the following amendments to the constitution of the State of Michigan, relative to the initiative and referendum in legislation, are hereby proposed and submitted to the people of the State, that is to say, that sections one and nineteen of article five of said constitution be amended to read as follows:

SECTION 1. The legislative power of the State of Michigan is vested in a senate and house of representatives; but the people reserve to themselves the power to propose legislative measures, resolutions and laws; to enact or reject the same at the polls independently of the legislature; and to approve or reject at the polls any act passed by the legislature, except acts making appropriations for State institutions and to meet deficiencies in State funds. The first power reserved by the people is the initiative. At least eight per cent of the legal voters of the State shall be required to propose any measure by petition: *Provided*, That no law shall be enacted by the initiative that could not under this constitution be enacted by the legislature. Initiative petitions shall set forth in full the proposed measure, and shall be filed with the Secretary of State not less than ten days before the commencement of any session of the legislature. Every petition shall be certified to as herein provided as having been signed by qualified electors of the State equal in number to eight per cent of the total vote cast for all candidates for Governor at the last preceding general election, at which a Governor was elected. Upon receipt of any initiative petition, the Secretary of State shall canvass the same to ascertain if such petition has been signed by the requisite number of qualified electors, and if the same has been so signed, the Secretary of State shall transmit such petition to the legislature as soon as it convenes and organizes. The law proposed by such petition shall be either enacted or rejected by the legislature without change or amendment within forty days from the time such petition is received by the legislature.

If any law proposed by such petition shall be enacted by the legislature it shall be subject to referendum, as hereinafter provided. If any law so petitioned for be rejected, or if no action is taken upon it by the legislature within said forty days, the Secretary of State shall submit such proposed law to the people for approval or rejection at the

next ensuing general election. The legislature may reject any measure so proposed by initiative petition and propose a different measure upon the same subject by a yea and nay vote upon separate roll calls, and in such event both measures shall be submitted by the Secretary of State to the electors for approval or rejection at the next ensuing general election. All said initiative petitions last above described shall have printed thereon in twelve point black face type the following: "Initiative measure to be presented to the legislature."

The second power reserved to the people is the referendum. No act passed by the legislature shall go into effect until ninety days after the final adjournment of the session of the legislature which passed such act, except such acts making appropriations and such acts immediately necessary for the preservation of the public peace, health or safety, as have been given immediate effect by action of the legislature.

Upon presentation to the Secretary of State within ninety days after the final adjournment of the legislature, of a petition certified to as herein provided, as having been signed by qualified electors equal in number to five per cent of the total vote cast for all candidates for Governor at the last election at which a Governor was elected, asking that any act, section or part of any act of the legislature, be submitted to the electors for approval or rejection, the Secretary of State, after canvassing such petition as above required, and the same is found to be signed by the requisite number of electors, shall submit to the electors for approval or rejection such act or section or part of any act at the next succeeding general election; and no such act shall go into effect until and unless approved by a majority of the qualified electors voting thereon.

Any act submitted to the people by either initiative or referendum petition and approved by a majority of the votes cast thereon at any election shall take effect ten days after the date of the official declaration of the vote by the Secretary of State. No act initiated or adopted by the people, shall be subject to the veto power of the Governor, and no act adopted by the people at the polls under the initiative provisions of this section shall be amended or repealed, except by a vote of the electors unless otherwise provided in said initiative measure, but the legislature may propose such amendments, alterations or repeals to the people. Acts adopted by the people under the referendum provision of this section may be amended by the legislature at any subsequent session thereof: *Provided, however,* If two or more measures approved by the electors at the same election conflict, the measure receiving the highest affirmative vote shall prevail. The text of all measures to be submitted shall be published as constitutional amendments are required by law to be published.

Any initiative or referendum petition may be presented in sections, each section containing a full and correct copy of the title and text of the proposed measure. Each signer thereto shall add to his signature, his place of residence, street and number in cities having street numbers, and his election precinct. Any qualified elector of the State shall be competent to solicit such signatures within the county in which he is an elector. Each section of the petition shall bear the name of the county or city in which it is circulated, and only qualified electors of such county or city shall be competent to sign such section. Each sec-

tion shall have attached thereto the affidavit of the person soliciting signatures to the same, stating his own qualifications and that all the signatures to the attached section were made in his presence, that each signature to the section is the genuine signature of the person signing the same, and no other affidavit thereto shall be required. Such petitions so verified shall be prima facie evidence that the signatures thereon are genuine and that the persons signing the same are qualified electors.

Each section of the petition shall be filed with the clerk of the county in which it was circulated, but all said sections circulated in any county shall be filed at the same time. Within twenty days after the filing of such petition in his office, the said clerk shall forward said petition to the Secretary of State. Within forty days from the transmission of the said petition to the Secretary of State, a supplemental petition identical with the original as to the body of the petition but containing supplemental names, may be filed with the county clerk, and such supplemental petition shall be forwarded to the Secretary of State by said clerk within ten days after the filing of the same.

SEC. 19. All legislation by the legislature shall be by bill and may originate in either house of the legislature.

*Resolved further*, That the foregoing amendments be submitted to the people of this State at the April election in the year nineteen hundred thirteen. The Secretary of State is hereby required to certify the foregoing amendments to the clerks of the several counties of the State as required by law. It shall be the duty of the board of election commissioners of each county to prepare a ballot for the use of the electors in voting upon such amendments, which ballot shall be substantially in the following form:

"Vote on amendments to sections one and nineteen of article five of the constitution, relative to the initiative and referendum upon legislative matters.

Amendments to sections one and nineteen of article five of the constitution, relative to the initiative and referendum upon legislative matters, making said sections one and nineteen to read as follows:

SECTION 1. The legislative power of the State of Michigan is vested in a senate and house of representatives; but the people reserve to themselves the power to propose legislative measures, resolutions and laws; to enact or reject the same at the polls independently of the legislature; and to approve or reject at the polls any act passed by the legislature, except acts making appropriations for State institutions and to meet deficiencies in State funds. The first power reserved by the people is the initiative. At least eight per cent of the legal voters of the State shall be required to propose any measure by petition: *Provided*, That no law shall be enacted by the initiative that could not under this constitution be enacted by the legislature. Initiative petitions shall set forth in full the proposed measure and shall be filed with the Secretary of State not less than ten days before the commencement of any session of the legislature. Every petition shall be certified to as herein provided as having been signed by qualified electors of the State equal in number to eight per cent of the total vote cast for all candidates for Governor at the last preceding general election, at which a Governor was elected. Upon receipt of any initiative petition, the Secretary of

State shall canvass the same to ascertain if such petition has been signed by the requisite number of qualified electors, and if the same has been so signed, the Secretary of State shall transmit such petition to the legislature as soon as it convenes and organizes. The law proposed by such petitions shall be either enacted or rejected by the legislature without change or amendment within forty days from the time such petition is received by the legislature.

If any law proposed by such petition shall be enacted by the legislature it shall be subject to referendum, as hereinafter provided. If any law so petitioned for be rejected, or if no action is taken upon it by the legislature within said forty days, the Secretary of State shall submit such proposed law to the people for approval or rejection at the next ensuing general election. The legislature may reject any measure so proposed by initiative petition, and propose a different measure upon the same subject by a yea and nay vote upon separate roll calls, and in such event both measures shall be submitted by the Secretary of State to the electors for approval or rejection at the next ensuing general election. All said initiative petitions last above described shall have printed thereon in twelve point, black face type the following: "Initiative measure to be presented to the legislature."

The second power reserved to the people is the referendum. No act passed by the legislature shall go into effect until ninety days after the final adjournment of the session of the legislature which passed such act, except such acts making appropriations and such acts immediately necessary for the preservation of the public peace, health or safety, as have been given immediate effect by action of the legislature.

Upon presentation to the Secretary of State within ninety days after the final adjournment of the legislature, of a petition certified to as herein provided, as having been signed by qualified electors equal in number to five per cent of the total vote cast for all candidates for Governor at the last election at which a Governor was elected, asking that any act, section or part of any act of the legislature, be submitted to the electors for approval or rejection, the Secretary of State, after canvassing such petition as above required, and the same is found to be signed by the requisite number of electors, shall submit to the electors for approval or rejection such act or section or part of any act at the next succeeding general election, and no such act shall go into effect until and unless approved by a majority of the qualified electors voting thereon.

Any act submitted to the people by either initiative or referendum petition and approved by a majority of the votes cast thereon at any election shall take effect ten days after the date of the official declaration of the vote by the Secretary of State. No act initiated or adopted by the people, shall be subject to the veto power of the governor, and no act adopted by the people at the polls under the initiative provisions of this section, shall be amended or repealed except by a vote of the electors unless otherwise provided in said initiative measure, but the legislature may propose such amendments, alterations or repeals to the people. Acts adopted by the people under the referendum provision of this section may be amended by the legislature at any subsequent session thereof: *Provided, however,* If two or more measures approved by the electors at the same election conflict, the measure receiving the

highest affirmative vote shall prevail. The text of all measures to be submitted shall be published as constitutional amendments are required by law to be published.

Any initiative or referendum petition may be presented in sections, each section containing a full and correct copy of the title and text of the proposed measure. Each signer thereto shall add to his signature, his place of residence, street and number in cities having street numbers, and his election precinct. Any qualified elector of the State shall be competent to solicit such signatures within the county in which he is an elector. Each section of the petition shall bear the name of the county or city in which it is circulated, and only qualified electors of such county or city shall be competent to sign such section. Each section shall have attached thereto the affidavit of the person soliciting signatures to the same, stating his own qualifications and that all the signatures to the attached section were made in his presence, that each signature to the section is the genuine signature of the person signing the same, and no other affidavit thereto shall be required. Such petitions so verified shall be prima facie evidence that the signatures thereon are genuine and that the persons signing the same are qualified electors.

Each section of the petition shall be filed with the clerk of the county in which it was circulated, but all said sections circulated in any county shall be filed at the same time. Within twenty days after the filing of such petition in his office the said clerk shall forward said petition to the Secretary of State. Within forty days from the transmission of the said petition to the Secretary of State, a supplemental petition identical with the original as to the body of the petition, but containing supplemental names, may be filed with the county clerk, and such supplemental petition shall be forwarded to the Secretary of State by said clerk within ten days after the filing of the same.

SEC. 19. All legislation by the legislature shall be by bill and may originate in either house of the legislature.

Amendments to sections one and nineteen of article five of the constitution, relative to the initiative and referendum upon legislative matters, Yes [ ].

Amendments to sections one and nineteen of article five of the constitution, relative to the initiative and referendum upon legislative matters, No [ ].

It shall be the duty of the board of election commissioners of each county to deliver the ballots so prepared to the inspectors of election at the several voting precincts within their respective counties within the time ballots to be used at said election are required to be delivered to such inspectors under the general election law. All votes cast upon said amendment shall be counted, canvassed and returned in the same manner as is required by law for counting, canvassing and returning the vote for State officers.

## AMENDMENTS TO THE CONSTITUTION.

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Amendment to the constitution relative to the amendment of the charters of cities and villages, proposed by the second extra session of the legislature of nineteen hundred twelve, and ratified by the people at the November election of nineteen hundred twelve.

### ARTICLE EIGHT.

SEC. 21. Under such general laws, the electors of each city and village shall have power and authority to frame, adopt and amend its charter and to amend an existing charter of the city or village heretofore granted or passed by the legislature for the government of the city or village and, through its regularly constituted authority, to pass all laws and ordinances relating to its municipal concerns, subject to the constitution and general laws of this State.

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Amendment to the constitution relative to the recall of elective officers, proposed by the legislature of nineteen hundred thirteen, and ratified by the people at the April election of nineteen hundred thirteen.

### ARTICLE THREE.

SEC. 8. Laws shall be passed to preserve the purity of elections and guard against abuses of the elective franchise, and to provide for the recall of all elective officers, except judges of courts of record and courts of like jurisdiction upon petition of twenty-five per centum of the number of electors who voted at the preceding election for the office of Governor in their respective electoral districts.

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Amendment to the constitution relative to the initiative and referendum upon legislative matters, proposed by the legislature of nineteen hundred thirteen, and ratified by the people at the April election of nineteen hundred thirteen.

### ARTICLE FIVE.

SECTION 1. The legislative power of the State of Michigan is vested in a senate and house of representatives; but the people reserve to them-

selves the power to propose legislative measures, resolutions and laws; to enact or reject the same at the polls independently of the legislature; and to approve or reject at the polls any act passed by the legislature, except acts making appropriations for State institutions and to meet deficiencies in State funds. The first power reserved by the people is the initiative. At least eight per cent of the legal voters of the State shall be required to propose any measure by petition: *Provided*, That no law shall be enacted by the initiative that could not under this constitution be enacted by the legislature. Initiative petitions shall set forth in full the proposed measure and shall be filed with the Secretary of State not less than ten days before the commencement of any session of the legislature. Every petition shall be certified to as herein provided as having been signed by qualified electors of the State equal in number to eight per cent of the total vote cast for all candidates for Governor at the last preceding general election, at which a Governor was elected. Upon receipt of any initiative petition, the Secretary of State shall canvass the same to ascertain if such petition has been signed by the requisite number of qualified electors, and if the same has been so signed, the Secretary of State shall transmit such petition to the legislature as soon as it convenes and organizes. The law proposed by such petitions shall be either enacted or rejected by the legislature without change or amendment within forty days from the time such petition is received by the legislature.

If any law proposed by such petition shall be enacted by the legislature it shall be subject to referendum, as hereinafter provided. If any law so petitioned for be rejected, or if no action is taken upon it by the legislature within said forty days, the Secretary of State shall submit such proposed law to the people for approval or rejection at the next ensuing general election. The legislature may reject any measure so proposed by initiative petition, and propose a different measure upon the same subject by a yea and nay vote upon separate roll calls, and in such event both measures shall be submitted by the Secretary of State to the electors for approval or rejection at the next ensuing general election. All said initiative petitions last above described shall have printed thereon in twelve point, black face type the following: "Initiative measure to be presented to the legislature."

The second power reserved to the people is the referendum. No act passed by the legislature shall go into effect until ninety days after the final adjournment of the session of the legislature which passed such act, except such acts making appropriations and such acts immediately necessary for the preservation of the public peace, health or safety, as have been given immediate effect by action of the legislature.

Upon presentation to the Secretary of State within ninety days after the final adjournment of the legislature, of a petition certified to as herein provided, as having been signed by qualified electors equal in number to five per cent of the total vote cast for all candidates for Governor at the last election at which a Governor was elected, asking that any act, section or part of any act of the legislature, be submitted to the electors for approval or rejection, the Secretary of State, after canvassing such petition as above required, and the same is found to be signed by the requisite number of electors, shall submit to the electors for approval or rejection such act or section or part of any act at the

next succeeding general election, and no such act shall go into effect until and unless approved by a majority of the qualified electors voting thereon.

Any act submitted to the people by either initiative or referendum petition and approved by a majority of the votes cast thereon at any election shall take effect ten days after the date of the official declaration of the vote by the Secretary of State. No act initiated or adopted by the people, shall be subject to the veto power of the Governor, and no act adopted by the people at the polls under the initiative provisions of this section, shall be amended or repealed except by a vote of the electors unless otherwise provided in said initiative measure, but the legislature may propose such amendments, alterations or repeals to the people. Acts adopted by the people under the referendum provision of this section may be amended by the legislature at any subsequent session thereof: *Provided, however,* If two or more measures approved by the electors at the same election conflict, the measure receiving the highest affirmative vote shall prevail. The text of all measures to be submitted shall be published as constitutional amendments are required by law to be published.

Any initiative or referendum petition may be presented in sections, each section containing a full and correct copy of the title and text of the proposed measure. Each signer thereto shall add to his signature, his place of residence, street and number in cities having street numbers, and his election precinct. Any qualified elector of the State shall be competent to solicit such signatures within the county in which he is an elector. Each section of the petition shall bear the name of the county or city in which it is circulated, and only qualified electors of such county or city shall be competent to sign such section. Each section shall have attached thereto the affidavit of the person soliciting signatures to the same, stating his own qualifications and that all the signatures to the attached section were made in his presence, that each signature to the section is the genuine signature of the person signing the same, and no other affidavit thereto shall be required. Such petitions so verified shall be prima facie evidence that the signatures thereon are genuine and that the persons signing the same are qualified electors.

Each section of the petition shall be filed with the clerk of the county in which it was circulated, but all said sections circulated in any county shall be filed at the same time. Within twenty days after the filing of such petition in his office the said clerk shall forward said petition to the Secretary of State. Within forty days from the transmission of the said petition to the Secretary of State, a supplemental petition identical with the original as to the body of the petition, but containing supplemental names, may be filed with the county clerk, and such supplemental petition shall be forwarded to the Secretary of State by said clerk within ten days after the filing of the same.

SEC. 19. All legislation by the legislature shall be by bill and may originate in either house of the legislature.

Amendment to the constitution relative to the initiative and referendum on constitutional amendments, proposed by the legislature of nineteen hundred thirteen, and ratified by the people at the April election of nineteen hundred thirteen.

#### ARTICLE SEVENTEEN.

SEC. 2. Amendments may also be proposed to this constitution by petition of the qualified voters of this State. Every such petition shall include the full text of the amendment so proposed and be signed by not less than ten per cent of the legal voters of the State. Initiative petitions proposing an amendment to this constitution shall be filed with the Secretary of State at least four months before the election at which such proposed amendment is to be voted upon. Upon receipt of such petition by the Secretary of State, he shall canvass the same to ascertain if such petition has been signed by the requisite number of qualified electors, and if the same has been so signed, the proposed amendment shall be submitted to the electors at the next regular election at which any State officer is to be elected. Any constitutional amendment initiated by the people as herein provided, shall take effect and become a part of the constitution if the same shall be approved by a majority of the electors voting thereon and not otherwise. Every amendment shall take effect thirty days after the election at which it is approved. The total number of votes cast for Governor at the regular election last preceding the filing of any petition proposing an amendment to the constitution, shall be the basis upon which the number of legal voters necessary to sign such a petition shall be computed. The Secretary of State shall submit all proposed amendments to the constitution initiated by the people for adoption or rejection in compliance herewith. The petition shall consist of sheets in such form and having printed or written at the top thereof such heading as shall be designated or prescribed by the Secretary of State. Such petition shall be signed by qualified voters in person only, with the residence address of such persons and the date of signing the same. To each of such petitions, which may consist of one or more sheets, shall be attached the affidavit of the elector circulating the same, stating that each signature thereto is the genuine signature of the person signing the same, and that to the best knowledge and belief of the affiant each person signing the petition was at the time of signing a qualified elector. Such petition so verified shall be prima facie evidence that the signatures thereon are genuine, and that the persons signing the same are qualified electors. The text of all amendments to be submitted shall be published as constitutional amendments are now required to be published.