

Bond Case Briefs

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REFERENDA - MICHIGAN

Citizens Protecting Michigan's Constitution v. Secretary of State

Supreme Court of Michigan - July 31, 2018 - N.W.2d - 2018 WL 3635832

Objectors brought action for a writ of mandamus ordering Secretary of State and Board of State Canvassers to reject an initiative petition to amend the state constitution to reestablish a commission to oversee legislative redistricting.

After organizations supporting the proposed amendment intervened as defendants and filed a cross-complaint for a writ of mandamus requiring the proposed amendment to be placed on the ballot, the Court of Appeals denied objectors' request for relief and ordered the placement of the proposed amendment on the ballot. Objectors sought leave to appeal.

The Supreme Court of Michigan held that:

- When determining whether an initiative amendment significantly alters or abolishes the form or structure of state's government in a manner equivalent to creating a new constitution, it is not necessarily the impact on the operations of government that matters; abrogating *Sch. Dist. of City of Pontiac v. City of Pontiac*, 262 Mich. 338, 247 N.W. 474, and
- Proposed amendment did not significantly alter or abolish the form or structure of state's government in a manner that was tantamount to creating a new constitution.