



STATE OF MICHIGAN  
RUTH JOHNSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

Meeting  
of the  
Board of State Canvassers

August 27, 2012  
State Capitol, Room 426  
Lansing, Michigan

**Called to order:** 12:42 p.m.

**Members present:** Julie Matuzak – Chairperson  
James Waters  
Colleen Pero

**Members absent:** Norman Shinkle – Vice Chairperson

**Agenda item:** Consideration of meeting minutes for approval.

**Board action on agenda item:** Motion to approve as submitted. Moved by Pero; supported by Waters. Ayes: Matuzak, Waters, Pero. Nays: None. Motion carried.

**Agenda item:** Canvass and certification of the August 7, 2012 primary election.

**Board action on agenda item:** Two separate motions were offered.

First, the Board moved that based on an examination of the returns received by the Secretary of State for the August 7, 2012 primary, that it certifies the attached report as a true statement of the votes cast at the primary for the offices certified by the Board. The Board further moved to certify that the persons named in the attached List of Nominees are duly nominated for the offices indicated and are qualified to appear as candidates for such offices on the November 6, 2012 general election ballot. Moved by Waters; supported by Pero. Ayes: Matuzak, Waters, Pero. Nays: None. Motion carried. (Note: motion adopted at 12:53 p.m.)

Second, the Board moved to authorize staff of the Bureau of Elections to represent the Board in any recount of votes cast at the August 7, 2012 primary election. Moved by Waters; supported by Pero. Ayes: Matuzak, Waters, Pero. Nays: None. Motion carried.

**Agenda item:** Consideration of the initiative petition filed by Citizens for More Michigan Jobs, P.O. Box 13187, Lansing, Michigan 48901.

**Board action on agenda item:** The Board moved to reject the challenge filed by Protect MI Constitution in its entirety and to determine that the petition filed by Citizens for More Michigan Jobs is sufficient for placement on the November 6, 2012 general election ballot. Moved by Waters; supported by Matuzak. Ayes: Matuzak, Waters. Nays: Pero. Motion failed.

**Agenda item:** Consideration of the initiative petition filed by Michigan Alliance for Prosperity, 222 W. Genesee, Lansing, Michigan 48933.

**Board action on agenda item:** Three separate motions were offered.

First, the Board moved to conditionally approve the statement of purpose offered by the Director of Elections with the understanding the Board's approval is contingent on the proposal's certification to the ballot. Moved by Waters; supported by Pero. Ayes: Matuzak, Waters, Pero. Nays: None. Motion carried. Statement of purpose follows:

PROPOSAL 12- \_\_\_\_

A PROPOSAL TO AMEND THE STATE CONSTITUTION  
TO LIMIT THE ENACTMENT OF NEW TAXES  
BY STATE GOVERNMENT

This proposal would:

Require a 2/3 majority vote of the State House and the State Senate, or a statewide vote of the people at a November election, in order for the State of Michigan to impose new or additional taxes on taxpayers or expand the base of taxation or increasing the rate of taxation.

This section shall in no way be construed to limit or modify tax limitations otherwise created in this Constitution.

Should this proposal be approved? YES \_\_\_\_ NO \_\_\_\_

Second, the Board moved to reject the initiative petition filed by Michigan Alliance for Prosperity for placement on the November 6, 2012 general election ballot on the basis that the petition does not list all of the provisions of the Constitution that it alters or abrogates. Moved by Pero; motion not supported. Motion failed.

Third, the Board moved to reject the challenges submitted by Defend Michigan Democracy and Taxpayers United Michigan Foundation in their entirety and to determine that the initiative petition filed by Michigan Alliance for Prosperity is sufficient for placement on the November 6, 2012 general election ballot. Moved by Waters; supported by Matuzak. Ayes: Matuzak, Waters. Nays: Pero. Motion failed.

**Agenda item:** Consideration of the initiative petition filed by The People Should Decide, 12225 Stephens Road, Warren, Michigan 48089.

**Board action on agenda item:** The Board moved to reject the challenge filed by Taxpayers Against Monopolies in its entirety and to determine that the petition filed by The People Should Decide is sufficient for placement on the November 6, 2012 general election ballot. Moved by Waters; supported by Matuzak. Ayes: Matuzak, Waters. Nays: Pero. Motion failed.

**Agenda item:** Discussion on assignment of ballot designations to statewide ballot proposals qualified to appear on the November 6, 2012 general election ballot.

**Board action on agenda item:** None.

**Agenda item:** Determination of ballot wording for Stand Up for Democracy, a referendum of Public Act 4 of 2011.

**Board action on agenda item:** The Board moved to approve the statement of purpose offered by the Director of Elections. Moved by Waters; supported by Pero. Ayes: Matuzak, Waters, Pero. Nays: None. Motion carried. Statement of purpose follows:

Proposal 12-\_\_\_\_  
A REFERENDUM ON PUBLIC ACT 4 OF 2011 –  
THE EMERGENCY MANAGER LAW

Public Act 4 of 2011 would:

- Establish criteria to assess the financial condition of local government units, including school districts.
- Authorize Governor to appoint an emergency manager (EM) upon state finding of a financial emergency, and allow the EM to act in place of local government officials.
- Require EM to develop financial and operating plans, which may include modification or termination of contracts, reorganization of government, and determination of expenditures, services, and use of assets until the emergency is resolved.

- Alternatively, authorize state-appointed review team to enter into a local government approved consent decree.

Should this law be approved? YES \_\_\_ NO \_\_\_

**Agenda item:** Determination of ballot wording for Michigan Energy, Michigan Jobs, a proposed constitutional amendment.

**Board action on agenda item:** The Board moved to approve the statement of purpose offered by the Director of Elections. Moved by Waters; supported by Pero. Ayes: Matuzak, Waters, Pero. Nays: None. Motion carried. Statement of purpose follows:

Proposal 12 - \_\_\_  
 A PROPOSAL TO AMEND THE STATE CONSTITUTION  
 TO ESTABLISH A STANDARD FOR RENEWABLE ENERGY

This proposal would:

- Require electric utilities to provide at least 25% of their annual retail sales of electricity from renewable energy sources, which are wind, solar, biomass, and hydropower, by 2025.
- Limit to not more than 1% per year electric utility rate increases charged to consumers only to achieve compliance with the renewable energy standard.
- Allow annual extensions of the deadline to meet the 25% standard in order to prevent rate increases over the 1% limit.
- Require the legislature to enact additional laws to encourage the use of Michigan made equipment and employment of Michigan residents.

Should this law be approved? YES \_\_\_ NO \_\_\_

**Agenda item:** Determination of ballot wording for The People Should Decide, a proposed constitutional amendment.

**Board action on agenda item:** The Board moved to conditionally approve the statement of purpose offered by the Director of Elections with the understanding the Board's approval is contingent on the proposal's certification to the ballot. Moved by Pero; supported by Waters. Ayes: Matuzak, Waters, Pero. Nays: None. Motion carried. Statement of purpose follows:

PROPOSAL 12-\_\_\_  
 A PROPOSAL TO AMEND THE STATE CONSTITUTION  
 REGARDING CONSTRUCTION OF INTERNATIONAL

## BRIDGES AND TUNNELS

This proposal would:

- Require the approval of a majority of voters at a statewide election and in each municipality where “new international bridges or tunnels for motor vehicles” are to be located before the State of Michigan may expend state funds or resources for acquiring land, designing, soliciting bids for, constructing, financing, or promoting new international bridges or tunnels.
- Create a definition of “new international bridges or tunnels for motor vehicles” that means, “any bridge or tunnel which is not open to the public and serving traffic as of January 1, 2012.

Should this proposal be approved? YES \_\_\_ NO \_\_\_

**Agenda item:**

Determination of ballot wording for Citizens for Affordable Quality Home Care, a proposed constitutional amendment.

**Board action on agenda item:** The Board moved to approve the statement of purpose offered by the Director of Elections. Moved by Pero; supported by Waters. Ayes: Matuzak, Waters, Pero. Nays: None. Motion carried. Statement of purpose follows:

### PROPOSAL 12-\_\_\_

#### A PROPOSAL TO AMEND THE STATE CONSTITUTION TO ESTABLISH THE MICHIGAN QUALITY HOME CARE COUNCIL AND PROVIDE COLLECTIVE BARGAINING FOR IN-HOME CARE WORKERS

This proposal would:

- Allow in-home care workers to bargain collectively with the Michigan Quality Home Care Council (MQHCC). Continue the current exclusive representative of in-home care workers until modified in accordance with labor laws.
- Require MQHCC to provide training for in-home care workers, create a registry of workers who pass background checks, and provide financial services to patients to manage the cost of in-home care.
- Preserve patients’ rights to hire in-home care workers who are not referred from the MQHCC registry who are bargaining unit members.
- Authorize the MQHCC to set minimum compensation standards and terms and conditions of employment.

Should this proposal be approved? YES \_\_\_ NO \_\_\_

**Agenda item:**

Such other and further business as may be properly presented to the Board.

**Board action on agenda item:** The Board was advised that the Court of Appeals issued a decision in the case of *Protect Our Jobs v Board of State Canvassers*, Dkt. No. 311828 during the hearing. Pursuant to the August 27, 2012 order of the Court of Appeals, which issued with immediate effect and directed the defendants to “take all necessary measures to place the proposal on the November 2012 general election ballot [,]” the Board moved to determine that the initiative petition submitted by Protect Our Jobs is sufficient for placement on the November 6, 2012 general election ballot. Moved by Waters; supported by Pero. Ayes: Matuzak, Waters, Pero. Nays: None. Motion carried.

**Adjourned:**

7:16 p.m.

  
\_\_\_\_\_  
Chairperson

  
\_\_\_\_\_  
Vice-Chairperson

\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

9-7-2012  
Date