

Order

Michigan Supreme Court
Lansing, Michigan

April 3, 2019

Bridget M. McCormack,
Chief Justice

159160, 159201

David F. Viviano,
Chief Justice Pro Tem

In re HOUSE OF REPRESENTATIVES
REQUEST FOR ADVISORY OPINION
REGARDING CONSTITUTIONALITY OF
2018 PA 368 & 369

SC: 159160

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

In re SENATE REQUEST FOR ADVISORY
OPINION REGARDING CONSTITUTIONALITY
OF 2018 PA 368 & 369

SC: 159201

On order of the Court, the requests by the House of Representatives and the Senate for an advisory opinion on the constitutionality of 2018 PA 368 and 2018 PA 369 are considered. We direct the Clerk to schedule oral argument for Wednesday, July 17, 2019, at 9:30 a.m. MCR 7.308(B)(3).

We invite the House of Representatives and the Senate, and any member of either chamber, to file briefs on the following questions: (1) whether the Court should exercise its discretion to grant the requests to issue an advisory opinion in this matter; (2) whether Const 1963, art 2, § 9 permits the Legislature to enact an initiative petition into law and then amend that law during the same legislative session; and (3) whether 2018 PA 368 and 2018 PA 369 were enacted in accordance with Const 1963, art 2, § 9. We respectfully request the Attorney General to submit separate briefs arguing both sides of these questions. Briefs in support of the constitutionality of the enacted legislation shall be filed no later than May 15, 2019. Briefs in opposition to the constitutionality of the enacted legislation shall be filed no later than June 19, 2019. Persons or groups interested in the determination of the questions presented in this matter may move the Court for permission to file briefs amicus curiae on either or both sides, in accordance with the briefing schedule set forth above. Motions for permission to file briefs amicus curiae and briefs amicus curiae regarding these two cases should be filed in *In re House of Representatives Request for Advisory Opinion Regarding Constitutionality of 2018 PA 368 & 369* (Docket No. 159160) only.

The requests by the House of Representatives and the Senate for an advisory opinion remain pending.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 3, 2019

Clerk