SENATE BILL No. 486

March 10, 1993, Introduced by Senators ARTHURHULTZ, STABENOW, FAUST, POLLACK and O'BRIEN and referred to the Committee on Government Operations.

A bill to regulate political activity; to regulate legislators; and to prescribe penalties and provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   Sec. 1. (1) Except as otherwise provided in this section, a

2 state senator shall not use state funds to mail 600 or more

3 pieces of substantially similar material during the period begin-

4 ning on the last day named in the Michigan election law, Act No.

5 116 of the Public Acts of 1954, being sections 168.1 to 168.992

6 of the Michigan Compiled Laws, for receiving and filing nominat-

7 ing petitions for the office of state senator and ending on the

8 date of the general November election in which the office of

9 state senator appears on the ballot.

10   (2) A state senator may use state funds to mail 600 or more

11 pieces of substantially similar material during the period

12 prohibited by this section if the mailing directly responds to a

1 petition signed by 600 or more of his or her constituents or to a

2 postcard or similar mail-in campaign to the senator by 600 or

3 more of his or her constituents. The state senator shall limit

4 the mailing during the prohibited period only to the issue or

5 concern raised by his or her constituents in the petition or the

6 postcard or similar mail-in campaign.

7   (3) A state senator who is the chair of a senate committee

8 may use state funds to mail 600 or more pieces of substantially

9 similar material during the period prohibited by this section if

10 the mailing directly relates to the business of the committee.

11 The state senator shall limit the mailing during the prohibited

12 period only to the business of the committee.

13   (4) A state senator may use state funds to mail 600 or more

14 pieces of substantially similar material during the period pro-

15 hibited by this section if the mailing directly responds to an

16 issue of current concern to 600 or more of his or her constitu-

17 ents who have previously contacted the state senator regarding

18 that issue during his or her term of office. The state senator

19 shall limit the mailing during the prohibited period only to the

20 issue of current concern to his or her constituents.

21   (5) A state senator may use state funds to mail 600 or more

22 nonpartisan ballot guides or nonpartisan budget reports, or both,

23 prepared pursuant to section 3.

24   (6) A person who violates this section is guilty of a misde-

25 meanor punishable by a fine of not more than $1,000.00.

26   Sec. 2. (1) Except as otherwise provided in this section, a

27 state representative shall not use state funds to mail 200 or

1 more pieces of substantially similar material during the period

2 beginning on the last day named in the Michigan election law, Act

3 No. 116 of the Public Acts of 1954, for receiving and filing nom-

4 inating petitions for the office of state representative and

5 ending on the date of the general November election in which the

6 office of state representative appears on the ballot.

7   (2) A state representative may use state funds to mail 200

8 or more pieces of substantially similar material during the

9 period prohibited by this section if the mailing directly

10 responds to a petition signed by 200 or more of his or her con-

11 stituents or to a postcard or similar mail-in campaign to the

12 representative by 200 or more of his or her constituents. The

13 state representative shall limit the mailing during the prohib-

14 ited period only to the issue or concern raised by his or her

15 constituents in the petition or the postcard or similar mail-in

16 campaign.

17   (3) A state representative who is the chair of a house com-

18 mittee may use state funds to mail 200 or more pieces of substan-

19 tially similar material during the period prohibited by this sec-

20 tion if the mailing directly relates to the business of the

21 committee. The state representative shall limit the mailing

22 during the prohibited period only to the business of the

23 committee.

24   (4) A state representative may use state funds to mail 200

25 or more pieces of substantially similar material during the

26 period prohibited by this section if the mailing directly

27 responds to an issue of current concern to 200 or more of his or

1 her constituents who have previously contacted the state

2 representative regarding that issue during his or her term of

3 office. The state representative shall limit the mailing during

4 the prohibited period only to the issue of current concern to his

5 or her constituents.

6   (5) A state representative may use state funds to mail 200

7 or more nonpartisan ballot guides or nonpartisan budget reports,

8 or both, prepared pursuant to this section.

9   (6) A person who violates this section is guilty of a misde-

10 meanor punishable by a fine of not more than $1,000.00.

11   Sec. 3. (1) The director of the legislative service bureau

12 shall prepare a nonpartisan ballot guide and a nonpartisan budget

13 report for use by a state senator under section 1(5) or a state

14 representative under section 2(5). Upon request of a state sena-

15 tor or a state representative, the legislative service bureau

16 shall print the number of nonpartisan ballot guides or nonparti-

17 san budget reports, or both, requested by the state senator or

18 state representative with the state senator's or state

19 representative's name printed on the return address portion of

20 the guide or report, which name shall not be printed in type

21 larger than 10 points. The legislative service bureau shall not

22 place a photograph or any other likeness of the state senator or

23 state representative or print his or her name on any other part

24 of the nonpartisan ballot guide or the nonpartisan budget

25 report.

26   (2) As used in this section, "legislative service bureau"

27 means the legislative service bureau created by section 105 of

1 the legislative council act, Act No. 268 of the Public Acts of

2 1986, being section 4.1105 of the Michigan Compiled Laws.