

HOUSE JOINT RESOLUTION HH

November 26, 2007, Introduced by Rep. Amos and referred to the Committee on Government Operations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 12 and 54 of article IV and by adding section 55 to article IV, to modify term limits for certain elected state offices, to prohibit certain state officials from being a lobbyist or lobbyist agent for 1 year following his or her term of office, and to reduce compensation for state legislators who have unexcused absences from session.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to modify term limits for certain elected state offices, to prohibit certain state officials from being a lobbyist or lobbyist agent for 1 year following his or her term of office, and to reduce compensation for state legislators who have unexcused absences from session, is proposed, agreed to, and

submitted to the people of the state:

ARTICLE IV

Sec. 12. The state officers compensation commission is created which subject to this section shall determine the salaries and expense allowances of the members of the legislature, the governor, the lieutenant governor, the attorney general, the secretary of state, and the justices of the supreme court. The commission shall consist of 7 members appointed by the governor whose qualifications may be determined by law. Subject to the legislature's ability to amend the commission's determinations as provided in this section, the commission shall determine the salaries and expense allowances of the members of the legislature, the governor, the lieutenant governor, the attorney general, the secretary of state, and the justices of the supreme court which determinations shall be the salaries and expense allowances only if the legislature by concurrent resolution adopted by a majority of the members elected to and serving in each house of the legislature approve them. The senate and house of representatives shall alternate on which house of the legislature shall originate the concurrent resolution, with the senate originating the first concurrent resolution. **ANY DAY THE LEGISLATIVE BODY IS IN SESSION AND A LEGISLATOR DOES NOT ATTEND SESSION, THAT LEGISLATOR SHALL HAVE HIS OR HER SALARY REDUCED ON A DAILY PRO RATA BASIS UNLESS THE LEGISLATOR RECEIVES AN EXCUSED ABSENCE. THE REASON FOR THE EXCUSED ABSENCE SHALL BE PUBLICLY STATED AND APPROVED ON A RECORD ROLL CALL VOTE OF THAT LEGISLATIVE BODY. AN EXCUSED ABSENCE SHALL ONLY BE GRANTED FOR A COMPELLING REASON SUCH AS, BUT NOT LIMITED TO, THE BIRTH OR ADOPTION OF A**

1 CHILD OR GRANDCHILD, MILITARY DUTY, SERIOUS ILLNESS OF THE
2 LEGISLATOR OR A MEMBER OF THE LEGISLATOR'S FAMILY, DEATH OF A
3 FAMILY MEMBER, OR UNFORESEEN EMERGENCIES INCLUDING UNSAFE WEATHER
4 CONDITIONS. THE PORTION OF THE SALARY REDUCED SHALL BE TRANSFERRED
5 TO THE GENERAL FUND.

6 The concurrent resolution may amend the salary and expense
7 determinations of the state officers compensation commission to
8 reduce the salary and expense determinations by the same proportion
9 for members of the legislature, the governor, the lieutenant
10 governor, the attorney general, the secretary of state, and the
11 justices of the supreme court. The legislature shall not amend the
12 salary and expense determinations to reduce them to below the
13 salary and expense level that members of the legislature, the
14 governor, the lieutenant governor, the attorney general, the
15 secretary of state, and the justices of the supreme court receive
16 on the date the salary and expense determinations are made. If the
17 salary and expense determinations are approved or amended as
18 provided in this section, the salary and expense determinations
19 shall become effective for the legislative session immediately
20 following the next general election. The commission shall meet each
21 2 years for no more than 15 session days. The legislature shall
22 implement this section by law.

23 Sec. 54. (1) ~~NO EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,~~
24 ~~A person shall be elected to the office of~~ NOT SERVE AS A state
25 representative ~~more than three times. No person shall be elected to~~
26 ~~the office of state senate more than two times~~ OR STATE SENATOR FOR
27 A COMBINED TOTAL OF MORE THAN TWELVE YEARS. Any person appointed or

1 elected to fill a vacancy in the house of representatives or the
2 state senate ~~for a period greater than one half of a term of such~~
3 ~~office, WHO HOLDS OFFICE FOR ONE DAY OR MORE WITHIN A CALENDAR YEAR~~
4 shall be considered to have ~~been elected to serve one time in that~~
5 ~~office~~ SERVED THE ENTIRE CALENDAR YEAR for purposes of this
6 section. ~~This limitation on the number of times a person shall be~~
7 ~~elected to office shall apply to terms of office beginning on or~~
8 ~~after January 1, 1993. THE LIMITATIONS ON YEARS OF SERVICE SHALL~~
9 NOT APPLY TO THOSE YEARS SERVED BY A MEMBER ELECTED IN A SPECIAL
10 ELECTION TO FILL OUT THE REMAINDER OF A TERM, IF THE REMAINDER OF
11 THAT TERM IS LESS THAN HALF OF THE FULL TERM. A PERSON IS NOT
12 ELIGIBLE TO SERVE AS A STATE REPRESENTATIVE OR STATE SENATOR UNLESS
13 THAT PERSON IS ELIGIBLE TO SERVE THE ENTIRE TERM OF THAT OFFICE
14 UNDER THIS SECTION.

15 (2) A MEMBER OF THE STATE SENATE OR THE HOUSE OF
16 REPRESENTATIVES WHO IS IN OFFICE ON THE EFFECTIVE DATE OF THIS
17 SUBSECTION MAY SERVE 12 YEARS IN THE HOUSE IN WHICH HE OR SHE IS
18 CURRENTLY SERVING. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1),
19 THE 12-YEAR LIMIT IN THIS SUBSECTION SHALL INCLUDE THOSE YEARS
20 ALREADY SERVED IN THE HOUSE IN WHICH THE MEMBER IS CURRENTLY
21 SERVING, AND ANY ADDITIONAL YEARS SERVED IN THAT HOUSE MUST BE
22 SERVED CONSECUTIVELY.

23 (3) This section shall be self-executing. Legislation may be
24 enacted to facilitate operation of this section, but no law shall
25 limit or restrict the application of this section. If any part of
26 this section is held to be invalid or unconstitutional, the
27 remaining parts of this section shall not be affected but will

1 remain in full force and effect.

2 SEC. 55. (1) A FORMER MEMBER OF THE MICHIGAN SENATE OR HOUSE
3 OF REPRESENTATIVES OR A FORMER GOVERNOR, LIEUTENANT GOVERNOR,
4 ATTORNEY GENERAL, OR SECRETARY OF STATE SHALL NOT BE A LOBBYIST OR
5 LOBBYIST AGENT FOR ONE YEAR IMMEDIATELY FOLLOWING THE END OF THE
6 TERM OF OFFICE TO WHICH HE OR SHE WAS ELECTED.

7 (2) A PERSON WHO HOLDS A NONELECTIVE POSITION OF HEAD OF A
8 PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF THIS STATE SHALL
9 NOT BE A LOBBYIST OR LOBBYIST AGENT FOR ONE YEAR IMMEDIATELY AFTER
10 LEAVING THAT POSITION.

11 Resolved further, That the foregoing amendment shall be
12 submitted to the people of the state at a special election to be
13 held on January 15, 2008 or, if the January 15, 2008 special
14 election is canceled as provided by law, the next general election
15 in the manner provided by law.