

SENATE JOINT RESOLUTION F

June 27, 2007, Introduced by Senators GARCIA, PAPPAGEORGE, HARDIMAN, KUIPERS, CROPSEY and BARCIA and referred to the Committee on Government Operations and Reform.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article IV, to provide for temporary replacement members of the legislature if a member is called to active military service.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to provide for temporary replacement members of the legislature if a member is called to active military service, is proposed, agreed to, and submitted to the people of the state:

ARTICLE IV

Sec. 8. No person holding any office, employment or position under the United States or this state or a political subdivision thereof, except notaries public and members of the armed forces reserve, may be a member of either house of the legislature.

1 IF A MEMBER OF EITHER HOUSE OF THE LEGISLATURE WHO IS A MEMBER
2 OF THE RESERVES OR THE NATIONAL GUARD IS CALLED TO ACTIVE MILITARY
3 DUTY FOR MORE THAN 365 CONSECUTIVE DAYS, A TEMPORARY REPLACEMENT
4 MEMBER SHALL BE APPOINTED TO HOLD THE OFFICE OF THE MEMBER UNTIL
5 THE MEMBER IS RELEASED FROM ACTIVE MILITARY DUTY, UNTIL THE MEMBER
6 IS OTHERWISE ABLE TO RETURN TO HIS OR HER DUTIES AS A LEGISLATOR,
7 OR UNTIL THE EXPIRATION OF THE MEMBER'S TERM OF OFFICE. THE MEMBER
8 SHALL APPOINT A RESIDENT ELECTOR OF THAT DISTRICT, SELECTED BY THE
9 MEMBER, WHO IS IN THE SAME POLITICAL PARTY AS THE MEMBER AND WHO IS
10 APPROVED BY THE LOCAL POLITICAL PARTY OF THE MEMBER IN THE SAME
11 MANNER AS THE LOCAL POLITICAL PARTY SELECTS A REPLACEMENT TO FILL A
12 VACANCY IN THE LEGISLATURE THAT OCCURS AFTER THE PRIMARY ELECTION
13 AND BEFORE THE FOLLOWING GENERAL ELECTION AS PROVIDED BY LAW. THE
14 TEMPORARY REPLACEMENT MEMBER SHALL PERFORM ALL DUTIES, HAVE THE
15 SAME RESPONSIBILITIES, AND RECEIVE THE SAME COMPENSATION AS A
16 MEMBER OF THE LEGISLATURE. A MEMBER WHO IS TEMPORARILY REPLACED MAY
17 RUN FOR REELECTION OR FOR ANY OTHER OFFICE SUBJECT TO APPLICABLE
18 STATE OR FEDERAL LAW.

19 WHILE A TEMPORARY REPLACEMENT MEMBER IS APPOINTED, THE
20 MEMBER'S SALARY SHALL BE SUSPENDED. HOWEVER, ALL MEDICAL HEALTH
21 BENEFITS OF THE MEMBER SHALL REMAIN IN FULL FORCE AND EFFECT.

22 Resolved further, That the foregoing amendment shall be
23 submitted to the people of the state at the next general election
24 in the manner provided by law.