

# SENATE JOINT RESOLUTION O

June 11, 2008, Introduced by Senator McMANUS and referred to the Committee on Campaign and Election Oversight.

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:

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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~~**A** person shall ~~shall~~**MAY** be elected to the office of  
24 state representative ~~more than three times. No person shall be~~  
25 ~~elected to the office of~~**OR** state senate ~~more than two times~~**SEVEN**  
26 **TIMES BUT, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, SHALL NOT**  
27 **SERVE FOR A COMBINED TOTAL OF MORE THAN FOURTEEN YEARS. THE**

1 **LIMITATION ON YEARS OF SERVICE SHALL NOT PREVENT A STATE SENATOR**  
2 **FROM COMPLETING HIS OR HER TERM OF OFFICE.** Any person ~~appointed or~~  
3 elected to fill a vacancy in the house of representatives or the  
4 state senate ~~for a period greater than one half of a term of such~~  
5 ~~office,~~ **WHO HOLDS OFFICE FOR ONE DAY OR MORE WITHIN A CALENDAR YEAR**  
6 shall be considered to have ~~been elected to serve one time in that~~  
7 ~~office~~ **SERVED THE ENTIRE CALENDAR YEAR** for purposes of this  
8 section. This limitation on the **YEARS OF SERVICE OR** number of times  
9 a person shall be elected to office shall apply to terms of office  
10 beginning on or after January 1, ~~1993~~ **2010. THE LIMITATIONS ON**  
11 **YEARS OF SERVICE SHALL NOT APPLY TO THOSE YEARS SERVED BY A MEMBER**  
12 **ELECTED IN A SPECIAL ELECTION TO FILL OUT THE REMAINDER OF A TERM,**  
13 **IF THE REMAINDER OF THAT TERM IS LESS THAN HALF OF THE FULL TERM.**

14 (2) This section shall be self-executing. Legislation may be  
15 enacted to facilitate operation of this section, but no law shall  
16 limit or restrict the application of this section. If any part of  
17 this section is held to be invalid or unconstitutional, the  
18 remaining parts of this section shall not be affected but will  
19 remain in full force and effect.

20 **SEC. 55. (1) A FORMER MEMBER OF THE MICHIGAN SENATE OR HOUSE**  
21 **OF REPRESENTATIVES OR A FORMER GOVERNOR, LIEUTENANT GOVERNOR,**  
22 **ATTORNEY GENERAL, OR SECRETARY OF STATE SHALL NOT BE A LOBBYIST OR**  
23 **LOBBYIST AGENT FOR ONE YEAR IMMEDIATELY FOLLOWING THE END OF THE**  
24 **TERM OF OFFICE TO WHICH HE OR SHE WAS ELECTED.**

25 (2) A PERSON WHO HOLDS A NONELECTIVE POSITION OF HEAD OF A  
26 PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF THIS STATE SHALL  
27 NOT BE A LOBBYIST OR LOBBYIST AGENT FOR ONE YEAR IMMEDIATELY AFTER

1 **LEAVING THAT POSITION.**

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