

# HOUSE JOINT RESOLUTION M

June 20, 2019, Introduced by Rep. Yaroch and referred to the Committee on Government Operations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, section 8 of article III, sections 1, 6, 7, 8, 11, 12, 14, 16, 17, 18, 19, 20, 22, 24, 26, 27, 29, 30, 31, 33, 37, 43, 53, and 54 of article IV, sections 2, 3, 6, 7, 13, 18, 20, 25, 26, 28, and 29 of article V, sections 1 and 25 of article VI, section 6 of article VIII, sections 3, 15, and 27 of article IX, section 5 of article X, sections 5 and 7 of article XI, and sections 1 and 3 of article XII; adding section 1a to article IV and a schedule and temporary provisions; and repealing sections 2, 3, and 21 of article IV, to



provide for the establishment of a unicameral nonpartisan legislature.

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 the establishment of a unicameral nonpartisan legislature, is proposed, agreed to, and submitted to the people of the state:

ARTICLE II

Sec. 9. The people reserve to themselves the power to propose laws and to enact and reject laws, called the initiative, and the power to approve or reject laws enacted by the legislature, called the referendum. The power of initiative extends only to laws which the legislature may enact under this constitution. The power of referendum does not extend to acts making appropriations for state institutions or to meet deficiencies in state funds and must be invoked in the manner prescribed by law within 90 days following the final adjournment of the legislative session at which the law was enacted. To invoke the initiative or referendum, petitions signed by a number of registered electors, not less than eight percent for initiative and five percent for referendum of the total vote cast for all candidates for governor at the last preceding general election at which a governor was elected shall be required.

No law as to which the power of referendum properly has been invoked shall be effective thereafter unless approved by a majority of the electors voting thereon at the next general election.

Any law proposed by initiative petition shall be either enacted or rejected by the legislature without change or amendment within 40 session days from the time such petition is received by the legislature. If any law proposed by such petition shall be



1 enacted by the legislature it shall be subject to referendum, as  
2 hereinafter provided.

3 If the law so proposed is not enacted by the legislature  
4 within the 40 days, the state officer authorized by law shall  
5 submit such proposed law to the people for approval or rejection at  
6 the next general election. The legislature may reject any measure  
7 so proposed by initiative petition and propose a different measure  
8 upon the same subject by a yea and nay vote upon separate roll  
9 calls, and in such event both measures shall be submitted by such  
10 state officer to the electors for approval or rejection at the next  
11 general election.

12 Any law submitted to the people by either initiative or  
13 referendum petition and approved by a majority of the votes cast  
14 thereon at any election shall take effect 10 days after the date of  
15 the official declaration of the vote. No law initiated or adopted  
16 by the people shall be subject to the veto power of the governor,  
17 and no law adopted by the people at the polls under the initiative  
18 provisions of this section shall be amended or repealed, except by  
19 a vote of the electors unless otherwise provided in the initiative  
20 measure or by three-fourths of the members elected to and serving  
21 in ~~each house of~~ the legislature. Laws approved by the people under  
22 the referendum provision of this section may be amended by the  
23 legislature at any subsequent session thereof. If two or more  
24 measures approved by the electors at the same election conflict,  
25 ~~that~~ **the measure** receiving the highest affirmative vote shall  
26 prevail.

27 The legislature shall implement the provisions of this  
28 section.

29 ARTICLE III





1 of the house of representatives or secretary of the senate mean,  
 2 when applicable, the clerk of the legislature of one chamber. All  
 3 references to speaker of the house of representatives or temporary  
 4 president of the senate mean the majority leader of the  
 5 legislature. If a provision of the constitution requires submission  
 6 of any matter to, or action by, the house of representatives, the  
 7 senate, or joint session of the senate and house of  
 8 representatives, or the members of either body or both bodies, it  
 9 means the legislature of one chamber created in this article.

10 This section takes effect January 1, 2023.

11 ~~Sec. 2. The senate shall consist of 38 members to be elected~~  
 12 ~~from single member districts at the same election as the governor~~  
 13 ~~for four-year terms concurrent with the term of office of the~~  
 14 ~~governor.~~

15 ~~Sec. 3. The house of representatives shall consist of 110~~  
 16 ~~members elected for two-year terms from single member districts~~  
 17 ~~apportioned on a basis of population as provided in this article.~~

18 Sec. 6. (1) An independent citizens redistricting commission  
 19 for state legislative **districts** and congressional districts  
 20 (hereinafter, the "commission") is hereby established as a  
 21 permanent commission in the legislative branch. The commission  
 22 shall consist of 13 commissioners. The commission shall adopt a  
 23 redistricting plan for each of the following types of districts:  
 24 ~~state senate districts, state house of representative~~ **legislative**  
 25 ~~districts~~ and congressional districts. Each commissioner shall:

26 (a) Be registered and eligible to vote in the State of  
 27 Michigan;

28 (b) Not currently be or in the past 6 years have been any of  
 29 the following:



1           (i) ~~(i)~~—A declared candidate for partisan federal, state, or  
2 local office;

3           (ii) ~~(ii)~~—An elected official to partisan federal, state, or  
4 local office;

5           (iii) ~~(iii)~~—An officer or member of the governing body of a  
6 national, state, or local political party;

7           (iv) ~~(iv)~~—A paid consultant or employee of a federal, state, or  
8 local elected official or political candidate, of a federal, state,  
9 or local political candidate's campaign, or of a political action  
10 committee;

11           (v) ~~(v)~~—An employee of the legislature;

12           (vi) ~~(vi)~~—Any person who is registered as a lobbyist agent with  
13 the Michigan bureau of elections, or any employee of such person;  
14 or

15           (vii) ~~(vii)~~—An unclassified state employee who is exempt from  
16 classification in state civil service pursuant to **section 5 of**  
17 article XI, ~~section 5,~~ except for employees of courts of record,  
18 employees of the state institutions of higher education, and  
19 persons in the armed forces of the state;

20           (c) Not be a parent, stepparent, child, stepchild, or spouse  
21 of any individual disqualified under ~~part (1)(b) of this section,~~  
22 **subdivision (b)**; or

23           (d) Not be otherwise disqualified for appointed or elected  
24 office by this constitution.

25           (e) For five years after the date of appointment, a  
26 commissioner is ineligible to hold a partisan elective office at  
27 the state, county, city, village, or township level in Michigan.

28           (2) Commissioners shall be selected through the following  
29 process:



1 (a) The secretary of state shall do all of the following:

2 (i) ~~(i)~~—Make applications for commissioner available to the  
3 general public not later than January 1 of the year of the federal  
4 decennial census. The secretary of state shall circulate the  
5 applications in a manner that invites wide public participation  
6 from different regions of the state. The secretary of state shall  
7 also mail applications for commissioner to ten thousand Michigan  
8 registered voters, selected at random, by January 1 of the year of  
9 the federal decennial census.

10 (ii) ~~(ii)~~—Require applicants to provide a completed  
11 application.

12 (iii) ~~(iii)~~—Require applicants to attest under oath that they  
13 meet the qualifications set forth in this section; and either that  
14 they affiliate with one of the two political parties with the  
15 largest representation in the legislature (hereinafter, "major  
16 parties"), and if so, identify the party with which they affiliate,  
17 or that they do not affiliate with either of the major parties.

18 (b) Subject to ~~part (2)(c) of this section,~~ **subdivision (c)**,  
19 the secretary of state shall mail additional applications for  
20 commissioner to Michigan registered voters selected at random until  
21 30 qualifying applicants that affiliate with one of the two major  
22 parties have submitted applications, 30 qualifying applicants that  
23 identify that they affiliate with the other of the two major  
24 parties have submitted applications, and 40 qualifying applicants  
25 that identify that they do not affiliate with either of the two  
26 major parties have submitted applications, each in response to the  
27 mailings.

28 (c) The secretary of state shall accept applications for  
29 commissioner until June 1 of the year of the federal decennial



1 census.

2 (d) By July 1 of the year of the federal decennial census,  
3 from all of the applications submitted, the secretary of state  
4 shall:

5 (i) ~~(i)~~ Eliminate incomplete applications and applications of  
6 applicants who do not meet the qualifications in ~~parts (1)(a)~~  
7 ~~through (1)(d) of this section~~ **subsection (1)(a) to (d)** based  
8 solely on the information contained in the applications;

9 (ii) ~~(ii)~~ Randomly select 60 applicants from each pool of  
10 affiliating applicants and 80 applicants from the pool of non-  
11 affiliating applicants. 50% of each pool shall be populated from  
12 the qualifying applicants to such pool who returned an application  
13 mailed pursuant to ~~part 2(a) or 2(b) of this section~~, **subdivision**  
14 **(a) or (b)**, provided, that if fewer than 30 qualifying applicants  
15 affiliated with a major party or fewer than 40 qualifying non-  
16 affiliating applicants have applied to serve on the commission in  
17 response to the random mailing, the balance of the pool shall be  
18 populated from the balance of qualifying applicants to that pool.  
19 The random selection process used by the secretary of state to fill  
20 the selection pools shall use accepted statistical weighting  
21 methods to ensure that the pools, as closely as possible, mirror  
22 the geographic and demographic makeup of the state; and

23 (iii) ~~(iii) Submit~~ **Before January 1, 2023, submit** the randomly-  
24 selected applications to the majority leader and the minority  
25 leader of the senate, and the speaker of the house of  
26 representatives and the minority leader of the house of  
27 representatives, **and beginning January 1, 2023, submit the**  
28 **randomly-selected applications to the majority leader and minority**  
29 **leader of the legislature.**





1 (e) ~~By~~ **Before January 1, 2023, by** August 1 of the year of the  
2 federal decennial census, the majority leader of the senate, the  
3 minority leader of the senate, the speaker of the house of  
4 representatives, and the minority leader of the house of  
5 representatives may each strike five applicants from any pool or  
6 pools, up to a maximum of 20 total strikes by the four legislative  
7 leaders. **Beginning January 1, 2023, by August 1 of the year of the**  
8 **federal decennial census, the majority leader of the legislature**  
9 **and the minority leader of the legislature may each strike ten**  
10 **applicants from any pool or pools, up to a maximum of 20 total**  
11 **strikes by the two legislative leaders.**

12 (f) By September 1 of the year of the federal decennial  
13 census, the secretary of state shall randomly draw the names of  
14 four commissioners from each of the two pools of remaining  
15 applicants affiliating with a major party, and five commissioners  
16 from the pool of remaining non-affiliating applicants.

17 (3) Except as provided below, commissioners shall hold office  
18 for the term set forth in ~~part (18) of this section.~~ **subsection**  
19 **(18)**. If a commissioner's seat becomes vacant for any reason, the  
20 secretary of state shall fill the vacancy by randomly drawing a  
21 name from the remaining qualifying applicants in the selection pool  
22 from which the original commissioner was selected. A commissioner's  
23 office shall become vacant upon the occurrence of any of the  
24 following:

25 (a) Death or mental incapacity of the commissioner;

26 (b) The secretary of state's receipt of the commissioner's  
27 written resignation;

28 (c) The commissioner's disqualification for election or  
29 appointment or employment pursuant to **section 8 of** article XI; 7



1 ~~section 8;~~

2 (d) The commissioner ceases to be qualified to serve as a  
3 commissioner under ~~part (1) of this section;~~ **subsection (1)**; or

4 (e) After written notice and an opportunity for the  
5 commissioner to respond, a vote of 10 of the commissioners finding  
6 substantial neglect of duty, gross misconduct in office, or  
7 inability to discharge the duties of office.

8 (4) The secretary of state shall be secretary of the  
9 commission without vote, and in that capacity shall furnish, under  
10 the direction of the commission, all technical services that the  
11 commission deems necessary. The commission shall elect its own  
12 chairperson. The commission has the sole power to make its own  
13 rules of procedure. The commission shall have procurement and  
14 contracting authority and may hire staff and consultants for the  
15 purposes of this section, including legal representation.

16 (5) Beginning no later than December 1 of the year preceding  
17 the federal decennial census, and continuing each year in which the  
18 commission operates, the legislature shall appropriate funds  
19 sufficient to compensate the commissioners and to enable the  
20 commission to carry out its functions, operations and activities,  
21 which activities include retaining independent, nonpartisan  
22 subject-matter experts and legal counsel, conducting hearings,  
23 publishing notices and maintaining a record of the commission's  
24 proceedings, and any other activity necessary for the commission to  
25 conduct its business, at an amount equal to not less than 25  
26 percent of the general fund/general purpose budget for the  
27 secretary of state for that fiscal year. Within six months after  
28 the conclusion of each fiscal year, the commission shall return to  
29 the state treasury all moneys unexpended for that fiscal year. The



1 commission shall furnish reports of expenditures, at least  
2 annually, to the governor and the legislature and shall be subject  
3 to annual audit as provided by law. Each commissioner shall receive  
4 compensation at least equal to 25 percent of the governor's salary.  
5 The State of Michigan shall indemnify commissioners for costs  
6 incurred if the legislature does not appropriate sufficient funds  
7 to cover such costs.

8 (6) The commission shall have legal standing to prosecute an  
9 action regarding the adequacy of resources provided for the  
10 operation of the commission, and to defend any action regarding an  
11 adopted plan. The commission shall inform the legislature if the  
12 commission determines that funds or other resources provided for  
13 operation of the commission are not adequate. The legislature shall  
14 provide adequate funding to allow the commission to defend any  
15 action regarding an adopted plan.

16 (7) The secretary of state shall issue a call convening the  
17 commission by October 15 in the year of the federal decennial  
18 census. Not later than November 1 in the year immediately following  
19 the federal decennial census, the commission shall adopt a  
20 redistricting plan under this section for each of the following  
21 types of districts: ~~state senate districts, state house of~~  
22 ~~representative~~ **legislative** districts, and congressional districts.

23 (8) Before commissioners draft any plan, the commission shall  
24 hold at least ten public hearings throughout the state for the  
25 purpose of informing the public about the redistricting process and  
26 the purpose and responsibilities of the commission and soliciting  
27 information from the public about potential plans. The commission  
28 shall receive for consideration written submissions of proposed  
29 redistricting plans and any supporting materials, including



1 underlying data, from any member of the public. These written  
2 submissions are public records.

3 (9) After developing at least one proposed redistricting plan  
4 for each type of district, the commission shall publish the  
5 proposed redistricting plans and any data and supporting materials  
6 used to develop the plans. Each commissioner may only propose one  
7 redistricting plan for each type of district. The commission shall  
8 hold at least five public hearings throughout the state for the  
9 purpose of soliciting comment from the public about the proposed  
10 plans. Each of the proposed plans shall include such census data as  
11 is necessary to accurately describe the plan and verify the  
12 population of each district, and a map and legal description that  
13 include the political subdivisions, such as counties, cities, and  
14 townships; man-made features, such as streets, roads, highways, and  
15 railroads; and natural features, such as waterways, which form the  
16 boundaries of the districts.

17 (10) Each commissioner shall perform his or her duties in a  
18 manner that is impartial and reinforces public confidence in the  
19 integrity of the redistricting process. The commission shall  
20 conduct all of its business at open meetings. Nine commissioners,  
21 including at least one commissioner from each selection pool shall  
22 constitute a quorum, and all meetings shall require a quorum. The  
23 commission shall provide advance public notice of its meetings and  
24 hearings. The commission shall conduct its hearings in a manner  
25 that invites wide public participation throughout the state. The  
26 commission shall use technology to provide contemporaneous public  
27 observation and meaningful public participation in the  
28 redistricting process during all meetings and hearings.

29 (11) The commission, its members, staff, attorneys, and



1 consultants shall not discuss redistricting matters with members of  
 2 the public outside of an open meeting of the commission, except  
 3 that a commissioner may communicate about redistricting matters  
 4 with members of the public to gain information relevant to the  
 5 performance of his or her duties if such communication occurs ~~(a)~~  
 6 in writing or ~~(b)~~ at a previously publicly noticed forum or town  
 7 hall open to the general public.

8 The commission, its members, staff, attorneys, experts, and  
 9 consultants may not directly or indirectly solicit or accept any  
 10 gift or loan of money, goods, services, or other thing of value  
 11 greater than \$20 for the benefit of any person or organization,  
 12 which may influence the manner in which the commissioner, staff,  
 13 attorney, expert, or consultant performs his or her duties.

14 (12) Except as provided in ~~part (14) of this section,~~  
 15 **subsection (14)**, a final decision of the commission requires the  
 16 concurrence of a majority of the commissioners. A decision on the  
 17 dismissal or retention of paid staff or consultants requires the  
 18 vote of at least one commissioner affiliating with each of the  
 19 major parties and one non-affiliating commissioner. All decisions  
 20 of the commission shall be recorded, and the record of its  
 21 decisions shall be readily available to any member of the public  
 22 without charge.

23 (13) The commission shall abide by the following criteria in  
 24 proposing and adopting each plan, in order of priority:

25 (a) Districts shall be of equal population as mandated by the  
 26 United States constitution, and shall comply with the voting rights  
 27 act and other federal laws.

28 (b) Districts shall be geographically contiguous. Island areas  
 29 are considered to be contiguous by land to the county of which they



1 are a part.

2 (c) Districts shall reflect the state's diverse population and  
3 communities of interest. Communities of interest may include, but  
4 shall not be limited to, populations that share cultural or  
5 historical characteristics or economic interests. Communities of  
6 interest do not include relationships with political parties,  
7 incumbents, or political candidates.

8 (d) Districts shall not provide a disproportionate advantage  
9 to any political party. A disproportionate advantage to a political  
10 party shall be determined using accepted measures of partisan  
11 fairness.

12 (e) Districts shall not favor or disfavor an incumbent elected  
13 official or a candidate.

14 (f) Districts shall reflect consideration of county, city, and  
15 township boundaries.

16 (g) Districts shall be reasonably compact.

17 (14) The commission shall follow the following procedure in  
18 adopting a plan:

19 (a) Before voting to adopt a plan, the commission shall ensure  
20 that the plan is tested, using appropriate technology, for  
21 compliance with the criteria described above.

22 (b) Before voting to adopt a plan, the commission shall  
23 provide public notice of each plan that will be voted on and  
24 provide at least 45 days for public comment on the proposed plan or  
25 plans. Each plan that will be voted on shall include such census  
26 data as is necessary to accurately describe the plan and verify the  
27 population of each district, and shall include the map and legal  
28 description required in ~~part (9) of this section.~~ **subsection (9)**.

29 (c) A final decision of the commission to adopt a



1 redistricting plan requires a majority vote of the commission,  
 2 including at least two commissioners who affiliate with each major  
 3 party, and at least two commissioners who do not affiliate with  
 4 either major party. If no plan satisfies this requirement for a  
 5 type of district, the commission shall use the following procedure  
 6 to adopt a plan for that type of district:

7       *(i)* ~~(i)~~—Each commissioner may submit one proposed plan for each  
 8 type of district to the full commission for consideration.

9       *(ii)* ~~(ii)~~—Each commissioner shall rank the plans submitted  
 10 according to preference. Each plan shall be assigned a point value  
 11 inverse to its ranking among the number of choices, giving the  
 12 lowest ranked plan one point and the highest ranked plan a point  
 13 value equal to the number of plans submitted.

14       *(iii)* ~~(iii)~~—The commission shall adopt the plan receiving the  
 15 highest total points, that is also ranked among the top half of  
 16 plans by at least two commissioners not affiliated with the party  
 17 of the commissioner submitting the plan, or in the case of a plan  
 18 submitted by non-affiliated commissioners, is ranked among the top  
 19 half of plans by at least two commissioners affiliated with a major  
 20 party. If plans are tied for the highest point total, the secretary  
 21 of state shall randomly select the final plan from those plans. If  
 22 no plan meets the requirements of this subparagraph, the secretary  
 23 of state shall randomly select the final plan from among all  
 24 submitted plans pursuant to ~~part (14)(e)(i)~~. **subparagraph (i)** .

25       (15) Within 30 days after adopting a plan, the commission  
 26 shall publish the plan and the material reports, reference  
 27 materials, and data used in drawing it, including any programming  
 28 information used to produce and test the plan. The published  
 29 materials shall be such that an independent person is able to



1 replicate the conclusion without any modification of any of the  
2 published materials.

3 (16) For each adopted plan, the commission shall issue a  
4 report that explains the basis on which the commission made its  
5 decisions in achieving compliance with plan requirements and shall  
6 include the map and legal description required in ~~part (9) of this~~  
7 ~~section.~~ **subsection (9)**. A commissioner who votes against a  
8 redistricting plan may submit a dissenting report which shall be  
9 issued with the commission's report.

10 (17) An adopted redistricting plan shall become law 60 days  
11 after its publication. The secretary of state shall keep a public  
12 record of all proceedings of the commission and shall publish and  
13 distribute each plan and required documentation.

14 (18) The terms of the commissioners shall expire once the  
15 commission has completed its obligations for a census cycle but not  
16 before any judicial review of the redistricting plan is complete.

17 (19) The supreme court, in the exercise of original  
18 jurisdiction, shall direct the secretary of state or the commission  
19 to perform their respective duties, may review a challenge to any  
20 plan adopted by the commission, and shall remand a plan to the  
21 commission for further action if the plan fails to comply with the  
22 requirements of this constitution, the constitution of the United  
23 States or superseding federal law. In no event shall any body,  
24 except the independent citizens redistricting commission acting  
25 pursuant to this section, promulgate and adopt a redistricting plan  
26 or plans for this state.

27 (20) This section is self-executing. If a final court decision  
28 holds any part or parts of this section to be in conflict with the  
29 United States constitution or federal law, the section shall be



1 implemented to the maximum extent that the United States  
2 constitution and federal law permit. Any provision held invalid is  
3 severable from the remaining portions of this section.

4 (21) Notwithstanding any other provision of law, no employer  
5 shall discharge, threaten to discharge, intimidate, coerce, or  
6 retaliate against any employee because of the employee's membership  
7 on the commission or attendance or scheduled attendance at any  
8 meeting of the commission.

9 (22) Notwithstanding any other provision of this constitution,  
10 or any prior judicial decision, as of the effective date of the  
11 constitutional amendment adding this provision, which amends  
12 **sections 1 through 6 of** article IV, ~~sections 1 through 6,~~ **sections**  
13 **1, 2, and 4 of** article V, ~~sections 1, 2 and 4,~~ and **sections 1 and 4**  
14 **of** article VI, ~~sections 1 and 4,~~ including this provision, for  
15 purposes of interpreting this constitutional amendment the people  
16 declare that the powers granted to the commission are legislative  
17 functions not subject to the control or approval of the  
18 legislature, and are exclusively reserved to the commission. The  
19 commission, and all of its responsibilities, operations, functions,  
20 contractors, consultants and employees are not subject to change,  
21 transfer, reorganization, or reassignment, and shall not be altered  
22 or abrogated in any manner whatsoever, by the legislature. No other  
23 body shall be established by law to perform functions that are the  
24 same or similar to those granted to the commission in this section.

25 Sec. 7. Each ~~senator and representative~~ **state legislator** must  
26 be a citizen of the United States, at least 21 years of age, and an  
27 elector of the district he **or she** represents. The removal of ~~his~~ **a**  
28 **legislator's** domicile from the district shall be deemed a vacation  
29 of the office. No person who has been convicted of subversion or



1 who has within the preceding 20 years been convicted of a felony  
 2 involving a breach of public trust shall be eligible ~~for either~~  
 3 ~~house of~~ **to serve in** the legislature.

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

8 Sec. 11. Except as provided by law, ~~senators and~~  
 9 ~~representatives~~ **a state legislator** shall be privileged from civil  
 10 arrest and civil process during sessions of the legislature and for  
 11 five days next before the commencement and after the termination  
 12 thereof. ~~They~~ **A state legislator** shall not be questioned in any  
 13 other place for any speech in ~~either house.~~ **the legislature.**

14 Sec. 12. The state officers compensation commission is created  
 15 which subject to this section shall determine the salaries and  
 16 expense allowances of the members of the legislature, the governor,  
 17 the lieutenant governor, the attorney general, the secretary of  
 18 state, and the justices of the supreme court. The commission shall  
 19 consist of 7 members appointed by the governor whose qualifications  
 20 may be determined by law. Subject to the legislature's ability to  
 21 amend the commission's determinations as provided in this section,  
 22 the commission shall determine the salaries and expense allowances  
 23 of the members of the legislature, the governor, the lieutenant  
 24 governor, the attorney general, the secretary of state, and the  
 25 justices of the supreme court which determinations shall be the  
 26 salaries and expense allowances only if the legislature by  
 27 concurrent resolution adopted by a majority of the members elected  
 28 to and serving in ~~each house of~~ the legislature approve them. ~~The~~  
 29 ~~senate and house of representatives shall alternate on which house~~



1 ~~of the legislature shall originate the concurrent resolution, with~~  
 2 ~~the senate originating the first concurrent resolution.~~

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

20       Sec. 14. A majority of the members elected to and serving in  
 21 ~~each house~~ **the legislature** shall constitute a quorum to do  
 22 business. A smaller number ~~in each house~~ may adjourn from day to  
 23 day, and may compel the attendance of absent members in the manner  
 24 and with penalties as ~~each house~~ **the legislature** may prescribe.

25       Sec. 16. ~~Each house,~~ **The legislature,** except as otherwise  
 26 provided in this constitution, shall choose its own officers and  
 27 determine the rules of its proceedings, but shall not adopt any  
 28 rule that will prevent a majority of the members elected thereto  
 29 and serving therein from discharging a committee from the further



1 consideration of any measure. ~~Each house~~ **The legislature** shall be  
 2 the sole judge of the qualifications, elections, and returns of its  
 3 members, and may, with the concurrence of two-thirds of all the  
 4 members elected thereto and serving therein, expel a member. The  
 5 reasons for such expulsion shall be entered in the journal, with  
 6 the votes and names of the members voting upon the question. No  
 7 member shall be expelled a second time for the same cause.

8       Sec. 17. ~~Each house of the~~ **The legislature** may establish the  
 9 committees necessary for the efficient conduct of its business. ~~and~~  
 10 ~~the legislature may create joint committees.~~ On all actions on  
 11 bills and resolutions in each committee, names and votes of members  
 12 shall be recorded. Such vote shall be available for public  
 13 inspection. Notice of all committee hearings and a clear statement  
 14 of all subjects to be considered at each hearing shall be published  
 15 in the journal in advance of the hearing.

16       Sec. 18. ~~Each house~~ **The legislature** shall keep a journal of  
 17 its proceedings, and publish the same unless the public security  
 18 otherwise requires. The record of the vote and name of the members  
 19 ~~of either house~~ voting on any question shall be entered in the  
 20 journal at the request of one-fifth of the members present. Any  
 21 member ~~of either house~~ may dissent from and protest against any  
 22 act, proceeding, or resolution which he **or she** deems injurious to  
 23 any person or the public, and have the reason for his **or her**  
 24 dissent entered in the journal.

25       Sec. 19. All elections in ~~either house or in joint convention~~  
 26 **the legislature** and all votes on appointments submitted to the  
 27 ~~senate~~ **legislature** for advice and consent shall be published by  
 28 vote and name in the journal.

29       Sec. 20. The doors of ~~each house~~ **the legislature** shall be open



1 unless the public security otherwise requires.

2 ~~Sec. 21. Neither house shall, without the consent of the~~  
 3 ~~other, adjourn for more than two intervening calendar days, nor to~~  
 4 ~~any place other than where the legislature may then be in session.~~

5 Sec. 22. All legislation shall be by bill. ~~and may originate~~  
 6 ~~in either house.~~

7 Sec. 24. No law shall embrace more than one object, which  
 8 shall be expressed in its title. No bill shall be altered or  
 9 amended on its passage through ~~either house~~ **the legislature** so as  
 10 to change its original purpose as determined by its total content  
 11 and not alone by its title.

12 Sec. 26. No bill shall be passed or become a law at any  
 13 regular session of the legislature until it has been printed or  
 14 reproduced and in the possession of ~~each house~~ **the legislature** for  
 15 at least five days. Every bill shall be read three times ~~in each~~  
 16 ~~house~~ before the final passage thereof. No bill shall become a law  
 17 without the concurrence of a majority of the members elected to and  
 18 serving in ~~each house~~ **the legislature**. On the final passage of  
 19 bills, the votes and names of the members voting thereon shall be  
 20 entered in the journal.

21 Sec. 27. No act shall take effect until the expiration of 90  
 22 days from the end of the session at which it was passed, but the  
 23 legislature may give immediate effect to acts by a two-thirds vote  
 24 of the members elected to and serving in ~~each house~~ **the**  
 25 **legislature.**

26 Sec. 29. The legislature shall pass no local or special act in  
 27 any case where a general act can be made applicable, and whether a  
 28 general act can be made applicable shall be a judicial question. No  
 29 local or special act shall take effect until approved by two-thirds



1 of the members elected to and serving in ~~each house~~ **the legislature**  
 2 and by a majority of the electors voting thereon in the district  
 3 affected. Any act repealing local or special acts shall require  
 4 only a majority of the members elected to and serving in ~~each house~~  
 5 **the legislature** and shall not require submission to the electors of  
 6 such district.

7       Sec. 30. The assent of two-thirds of the members elected to  
 8 and serving in ~~each house of the~~ legislature shall be required for  
 9 the appropriation of public money or property for local or private  
 10 purposes.

11       Sec. 31. The general appropriation bills for the succeeding  
 12 fiscal period covering items set forth in the budget shall be  
 13 passed or rejected in ~~either house of the~~ legislature before ~~that~~  
 14 ~~house~~ **the legislature** passes any appropriation bill for items not  
 15 in the budget except bills supplementing appropriations for the  
 16 current fiscal year's operation. Any bill requiring an  
 17 appropriation to carry out its purpose shall be considered an  
 18 appropriation bill. One of the general appropriation bills as  
 19 passed by the legislature shall contain an itemized statement of  
 20 estimated revenue by major source in each operating fund for the  
 21 ensuing fiscal period, the total of which shall not be less than  
 22 the total of all appropriations made from each fund in the general  
 23 appropriation bills as passed.

24       Sec. 33. Every bill passed by the legislature shall be  
 25 presented to the governor before it becomes law, and the governor  
 26 shall have 14 days measured in hours and minutes from the time of  
 27 presentation in which to consider it. If ~~he~~ **the governor** approves,  
 28 he **or she** shall within that time sign and file it with the  
 29 secretary of state and it shall become law. If ~~he~~ **the governor** does



1 not approve, and the legislature has within that time finally  
 2 adjourned the session at which the bill was passed, it shall not  
 3 become law. If ~~he~~ **the governor** disapproves, and the legislature  
 4 continues the session at which the bill was passed, ~~he~~ **the governor**  
 5 shall return it **to the legislature** within such 14-day period with  
 6 his **or her** objections. ~~, to the house in which it originated. That~~  
 7 ~~house~~ **The legislature** shall enter such objections in full in its  
 8 journal and reconsider the bill. If two-thirds of the members  
 9 elected to and serving in ~~that house~~ **the legislature** pass the bill  
 10 notwithstanding the objections of the governor, ~~it shall be sent~~  
 11 ~~with the objections to the other house for reconsideration. The~~ **the**  
 12 bill shall become law. ~~if passed by two-thirds of the members~~  
 13 ~~elected to and serving in that house.~~ The vote of ~~each house~~ **the**  
 14 **legislature** shall be entered in the journal with the votes and  
 15 names of the members voting thereon. If any bill is not returned by  
 16 the governor within such 14-day period, the legislature continuing  
 17 in session, it shall become law as if ~~he~~ **the governor** had signed  
 18 it.

19       Sec. 37. The legislature may by ~~concurrent~~ resolution empower  
 20 a ~~joint~~ committee of the legislature, acting between sessions, to  
 21 suspend any rule or regulation promulgated by an administrative  
 22 agency subsequent to the adjournment of the last preceding regular  
 23 legislative session. Such suspension shall continue no longer than  
 24 the end of the next regular legislative session.

25       Sec. 43. No general law providing for the incorporation of  
 26 trust companies or corporations for banking purposes, or regulating  
 27 the business thereof, shall be enacted, amended or repealed except  
 28 by a vote of two-thirds of the members elected to and serving in  
 29 ~~each house~~ **the legislature.**



1           Sec. 53. The legislature by a majority vote of the members  
 2 elected to and serving in ~~each house,~~**the legislature**, shall  
 3 appoint an auditor general, who shall be a certified public  
 4 accountant licensed to practice in this state, to serve for a term  
 5 of eight years. ~~He~~**The auditor general** shall be ineligible for  
 6 appointment or election to any other public office in this state  
 7 from which compensation is derived while serving as auditor general  
 8 and for two years following the termination of his **or her** service.  
 9 ~~He~~**The auditor general** may be removed for cause at any time by a  
 10 two-thirds vote of the members elected to and serving in ~~each~~  
 11 ~~house.~~**the legislature**. The auditor general shall conduct post  
 12 audits of financial transactions and accounts of the state and of  
 13 all branches, departments, offices, boards, commissions, agencies,  
 14 authorities, and institutions of the state established by this  
 15 constitution or by law, and performance post audits thereof.

16           The auditor general upon direction by the legislature may  
 17 employ independent accounting firms or legal counsel and may make  
 18 investigations pertinent to the conduct of audits. ~~He~~**The auditor**  
 19 **general** shall report annually to the legislature and to the  
 20 governor and at such other times as he **or she** deems necessary or as  
 21 required by the legislature. ~~He~~**The auditor general** shall be  
 22 assigned no duties other than those specified in this section.

23           Nothing in this section shall be construed in any way to  
 24 infringe the responsibility and constitutional authority of the  
 25 governing boards of the institutions of higher education to be  
 26 solely responsible for the control and direction of all  
 27 expenditures from the institutions' funds.

28           The auditor general, his **or her** deputy, and one other member  
 29 of ~~his~~**the staff of the auditor general** shall be exempt from





1 classified civil service. All other members of ~~his~~**the** staff **of the**  
 2 **auditor general** shall have classified civil service status.

3 Sec. 54. No person shall be elected to the office of state  
 4 representative ~~legislature~~ more than ~~three~~**four** times. ~~No person~~  
 5 ~~shall be elected to the office of state senate more than two times.~~  
 6 Any person appointed or elected to fill a vacancy in the ~~house of~~  
 7 ~~representatives or the state senate~~**office of state legislator** for  
 8 a period greater than one half of a term of such office, shall be  
 9 considered to have been elected to serve one time in that office  
 10 for purposes of this section. This limitation on the number of  
 11 times a person shall be elected to office shall apply to terms of  
 12 office beginning on or after January 1, ~~1993~~**2023**.

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

#### 19 ARTICLE V

20 Sec. 2. All executive and administrative offices, agencies and  
 21 instrumentalities of the executive branch of state government and  
 22 their respective functions, powers and duties, except for the  
 23 office of governor and lieutenant governor, and the governing  
 24 bodies of institutions of higher education provided for in this  
 25 constitution, shall be allocated by law among and within not more  
 26 than 20 principal departments. They shall be grouped as far as  
 27 practicable according to major purposes.

28 Subsequent to the initial allocation, the governor may make  
 29 changes in the organization of the executive branch or in the



1 assignment of functions among its units which he **or she** considers  
 2 necessary for efficient administration. Where these changes require  
 3 the force of law, they shall be set forth in executive orders and  
 4 submitted to the legislature. Thereafter the legislature shall have  
 5 60 calendar days of a regular session, or a full regular session if  
 6 of shorter duration, to disapprove each executive order. Unless  
 7 disapproved ~~in both houses~~ by a resolution concurred in by a  
 8 majority of the members elected to and serving in ~~each house,~~ **the**  
 9 **legislature**, each order shall become effective at a date thereafter  
 10 to be designated by the governor.

11 Notwithstanding any other provision of this constitution or  
 12 any prior judicial decision, as of ~~the effective date of the~~  
 13 ~~constitutional amendment adding this provision, which amends~~  
 14 ~~article IV, sections 1 through 6, article V, sections 1, 2 and 4,~~  
 15 ~~and article VI, sections 1 and 4, including this provision,~~  
 16 **December 22, 2018**, for purposes of interpreting this constitutional  
 17 amendment the people declare that the powers granted to independent  
 18 citizens redistricting commission for state and congressional  
 19 districts (hereinafter, "commission") are legislative functions not  
 20 subject to the control or approval of the governor, and are  
 21 exclusively reserved to the commission. The commission, and all of  
 22 its responsibilities, operations, functions, contractors,  
 23 consultants and employees are not subject to change, transfer,  
 24 reorganization, or reassignment, and shall not be altered or  
 25 abrogated in any manner whatsoever, by the governor. No other body  
 26 shall be established by law to perform functions that are the same  
 27 or similar to those granted to the commission in **section 6 of**  
 28 ~~article IV. , section 6.~~

29 Sec. 3. The head of each principal department shall be a



1 single executive unless otherwise provided in this constitution or  
 2 by law. The single executives heading principal departments shall  
 3 include a secretary of state, a state treasurer, and an attorney  
 4 general. When a single executive is the head of a principal  
 5 department, unless elected or appointed as otherwise provided in  
 6 this constitution, he **or she** shall be appointed by the governor by  
 7 and with the advice and consent of the ~~senate~~**legislature** and he  
 8 shall serve at the pleasure of the governor.

9 When a board or commission is at the head of a principal  
 10 department, unless elected or appointed as otherwise provided in  
 11 this constitution, the members thereof shall be appointed by the  
 12 governor by and with the advice and consent of the ~~senate~~  
 13 **legislature**. The term of office and procedure for removal of such  
 14 members shall be as prescribed in this constitution or by law.

15 Terms of office of any board or commission created or enlarged  
 16 after the effective date of this constitution shall not exceed four  
 17 years except as otherwise authorized in this constitution. The  
 18 terms of office of existing boards and commissions which are longer  
 19 than four years shall not be further extended except as provided in  
 20 this constitution.

21 Sec. 6. Appointment by and with the advice and consent of the  
 22 ~~senate~~**legislature** when used in this constitution or laws in effect  
 23 or hereafter enacted means appointment subject to disapproval by a  
 24 majority vote of the members elected to and serving in the ~~senate~~  
 25 **legislature**, if such action is taken within 60 session days after  
 26 the date of such appointment. Any appointment not disapproved  
 27 within such period shall stand confirmed.

28 Sec. 7. Vacancies in any office, appointment to which requires  
 29 advice and consent of the ~~senate~~**legislature**, shall be filled by



1 the governor by and with the advice and consent of the ~~senate~~  
 2 **legislature**. A person whose appointment has been disapproved by the  
 3 ~~senate~~**legislature** shall not be eligible for an interim appointment  
 4 to the same office.

5 Sec. 13. The governor shall issue writs of election to fill  
 6 vacancies in the ~~senate or house of representatives~~. **legislature**.  
 7 Any such election shall be held in a manner prescribed by law.

8 Sec. 18. The governor shall submit to the legislature at a  
 9 time fixed by law, a budget for the ensuing fiscal period setting  
 10 forth in detail, for all operating funds, the proposed expenditures  
 11 and estimated revenue of the state. Proposed expenditures from any  
 12 fund shall not exceed the estimated revenue thereof. On the same  
 13 date, the governor shall submit to the legislature general  
 14 appropriation bills to embody the proposed expenditures and any  
 15 necessary bill or bills to provide new or additional revenues to  
 16 meet proposed expenditures. The amount of any surplus created or  
 17 deficit incurred in any fund during the last preceding fiscal  
 18 period shall be entered as an item in the budget and in one of the  
 19 appropriation bills. The governor may submit amendments to  
 20 appropriation bills to be offered in ~~either house~~**the legislature**  
 21 during consideration of the bill, ~~by that house~~, and shall submit  
 22 bills to meet deficiencies in current appropriations.

23 Sec. 20. No appropriation shall be a mandate to spend. The  
 24 governor, with the approval of the appropriating ~~committees~~  
 25 **committee** of the ~~house and senate~~, **legislature**, shall reduce  
 26 expenditures authorized by appropriations whenever it appears that  
 27 actual revenues for a fiscal period will fall below the revenue  
 28 estimates on which appropriations for that period were based.  
 29 Reductions in expenditures shall be made in accordance with



1 procedures prescribed by law. The governor may not reduce  
 2 expenditures of the legislative and judicial branches or from funds  
 3 constitutionally dedicated for specific purposes.

4 Sec. 25. The lieutenant governor shall be president of the  
 5 ~~senate, legislature,~~ but shall have no vote, unless they be equally  
 6 divided. ~~He~~ **The lieutenant governor** may perform duties requested ~~of~~  
 7 ~~him~~ by the governor, but no power vested in the governor shall be  
 8 delegated.

9 Sec. 26. In case of the conviction of the governor on  
 10 impeachment, ~~his~~ **removal of the governor** from office, ~~his or the~~  
 11 **governor's** resignation or ~~his~~ death, the lieutenant governor, the  
 12 elected secretary of state, the elected attorney general and such  
 13 other persons designated by law shall in that order be governor for  
 14 the remainder of the governor's term.

15 In case of the death of the governor-elect, the lieutenant  
 16 governor-elect, the secretary of state-elect, the attorney general-  
 17 elect and such other persons designated by law shall become  
 18 governor in that order at the commencement of the governor-elect's  
 19 term.

20 If the governor or the person in line of succession to serve  
 21 as governor is absent from the state, or suffering under an  
 22 inability, the powers and duties of the office of the governor  
 23 shall devolve in order of precedence until the absence or inability  
 24 giving rise to the devolution of powers ceases.

25 The inability of the governor or person acting as governor  
 26 shall be determined by a majority of the supreme court on ~~joint~~  
 27 request of the ~~president pro tempore of the senate and the speaker~~  
 28 ~~of the house of representatives.~~ **majority leader of the**  
 29 **legislature.** Such determination shall be final and conclusive. The



1 supreme court shall upon its own initiative determine if and when  
2 the inability ceases.

3 Sec. 28. There is hereby established a state transportation  
4 commission, which shall establish policy for the state  
5 transportation department transportation programs and facilities,  
6 and such other public works of the state, as provided by law.

7 The state transportation commission shall consist of six  
8 members, not more than three of whom shall be members of the same  
9 political party. They shall be appointed by the governor by and  
10 with the advice and consent of the ~~senate~~**legislature** for three-  
11 year terms, no three of which shall expire in the same year, as  
12 provided by law.

13 The director of the state transportation department shall be  
14 appointed as provided by law and shall be the principal executive  
15 officer of the state transportation department and shall be  
16 responsible for executing the policy of the state transportation  
17 commission.

18 Sec. 29. There is hereby established a civil rights commission  
19 which shall consist of eight persons, not more than four of whom  
20 shall be members of the same political party, who shall be  
21 appointed by the governor, by and with the advice and consent of  
22 the ~~senate~~**legislature**, for four-year terms not more than two of  
23 which shall expire in the same year. It shall be the duty of the  
24 commission in a manner which may be prescribed by law to  
25 investigate alleged discrimination against any person because of  
26 religion, race, color, or national origin in the enjoyment of the  
27 civil rights guaranteed by law and by this constitution, and to  
28 secure the equal protection of such civil rights without such  
29 discrimination. The legislature shall provide an annual



1 appropriation for the effective operation of the commission.

2 The commission shall have power, in accordance with the  
 3 provisions of this constitution and of general laws governing  
 4 administrative agencies, to promulgate rules and regulations for  
 5 its own procedures, to hold hearings, administer oaths, through  
 6 court authorization to require the attendance of witnesses and the  
 7 submission of records, to take testimony, and to issue appropriate  
 8 orders. The commission shall have other powers provided by law to  
 9 carry out its purposes. Nothing contained in this section shall be  
 10 construed to diminish the right of any party to direct and  
 11 immediate legal or equitable remedies in the courts of this state.

12 Appeals from final orders of the commission, including cease  
 13 and desist orders and refusals to issue complaints, shall be tried  
 14 de novo before the circuit court having jurisdiction provided by  
 15 law.

#### 16 ARTICLE VI

17 Sec. 1. Except to the extent limited or abrogated by **section 6**  
 18 **of** article IV ~~, section 6,~~ or **section 2 of** article V, ~~section 2,~~  
 19 the judicial power of the state is vested exclusively in one court  
 20 of justice which shall be divided into one supreme court, one court  
 21 of appeals, one trial court of general jurisdiction known as the  
 22 circuit court, one probate court, and courts of limited  
 23 jurisdiction that the legislature may establish by a two-thirds  
 24 vote of the members elected to and serving in ~~each house, the~~  
 25 **legislature.**

26 Sec. 25. For reasonable cause, which is not sufficient ground  
 27 for impeachment, the governor shall remove any judge on a  
 28 ~~concurrent~~ resolution of two-thirds of the members elected to and  
 29 serving in ~~each house of~~ the legislature. The cause for removal



1 shall be stated at length in the resolution.

2 ARTICLE VIII

3 Sec. 6. Other institutions of higher education established by  
 4 law having authority to grant baccalaureate degrees shall each be  
 5 governed by a board of control which shall be a body corporate. The  
 6 board shall have general supervision of the institution and the  
 7 control and direction of all expenditures from the institution's  
 8 funds. It shall, as often as necessary, elect a president of the  
 9 institution under its supervision. ~~He~~**The president** shall be the  
 10 principal executive officer of the institution and be ex-officio a  
 11 member of the board without the right to vote. The board may elect  
 12 one of its members or may designate the president, to preside at  
 13 board meetings. Each board of control shall consist of eight  
 14 members who shall hold office for terms of eight years, not more  
 15 than two of which shall expire in the same year, and who shall be  
 16 appointed by the governor by and with the advice and consent of the  
 17 ~~senate.~~**legislature.** Vacancies shall be filled in like manner.

18 ARTICLE IX

19 Sec. 3. The legislature shall provide for the uniform general  
 20 ad valorem taxation of real and tangible personal property not  
 21 exempt by law except for taxes levied for school operating  
 22 purposes. The legislature shall provide for the determination of  
 23 true cash value of such property; the proportion of true cash value  
 24 at which such property shall be uniformly assessed, which shall  
 25 not, after January 1, 1966, exceed 50 percent; and for a system of  
 26 equalization of assessments. For taxes levied in 1995 and each year  
 27 thereafter, the legislature shall provide that the taxable value of  
 28 each parcel of property adjusted for additions and losses, shall  
 29 not increase each year by more than the increase in the immediately





1 preceding year in the general price level, as defined in section 33  
 2 of this article, or 5 percent, whichever is less until ownership of  
 3 the parcel of property is transferred. When ownership of the parcel  
 4 of property is transferred as defined by law, the parcel shall be  
 5 assessed at the applicable proportion of current true cash value.  
 6 The legislature may provide for alternative means of taxation of  
 7 designated real and tangible personal property in lieu of general  
 8 ad valorem taxation. Every tax other than the general ad valorem  
 9 property tax shall be uniform upon the class or classes on which it  
 10 operates. A law that increases the statutory limits in effect as of  
 11 February 1, 1994 on the maximum amount of ad valorem property taxes  
 12 that may be levied for school district operating purposes requires  
 13 the approval of 3/4 of the members elected to and serving in the  
 14 ~~Senate and in the House of Representatives.~~**legislature.**

15       Sec. 15. The state may borrow money for specific purposes in  
 16 amounts as may be provided by acts of the legislature adopted by a  
 17 vote of two-thirds of the members elected to and serving in ~~each~~  
 18 ~~house,~~**the legislature,** and approved by a majority of the electors  
 19 voting thereon at any general election. The question submitted to  
 20 the electors shall state the amount to be borrowed, the specific  
 21 purpose to which the funds shall be devoted, and the method of  
 22 repayment.

23       Sec. 27. The revenue limit of Section 26 of this Article may  
 24 be exceeded only if all of the following conditions are met: (1)  
 25 The governor requests the legislature to declare an emergency; (2)  
 26 the request is specific as to the nature of the emergency, the  
 27 dollar amount of the emergency, and the method by which the  
 28 emergency will be funded; and (3) the legislature thereafter  
 29 declares an emergency in accordance with the specific of the



1 governor's request by a two-thirds vote of the members elected to  
 2 and serving in ~~each house.~~ **the legislature.** The emergency must be  
 3 declared in accordance with this section prior to incurring any of  
 4 the expenses which constitute the emergency request. The revenue  
 5 limit may be exceeded only during the fiscal year for which the  
 6 emergency is declared. In no event shall any part of the amount  
 7 representing a refund under Section 26 of this Article be the  
 8 subject of an emergency request.

9 ARTICLE X

10 Sec. 5. The legislature shall have general supervisory  
 11 jurisdiction over all state owned lands useful for forest  
 12 preserves, game areas and recreational purposes; shall require  
 13 annual reports as to such lands from all departments having  
 14 supervision or control thereof; and shall by general law provide  
 15 for the sale, lease or other disposition of such lands.

16 The legislature by an act adopted by two-thirds of the members  
 17 elected to and serving in ~~each house.~~ **the legislature** may designate  
 18 any part of such lands as a state land reserve. No lands in the  
 19 state land reserve may be removed from the reserve, sold, leased or  
 20 otherwise disposed of except by an act of the legislature.

21 ARTICLE XI

22 Sec. 5. The classified state civil service shall consist of  
 23 all positions in the state service except those filled by popular  
 24 election, heads of principal departments, members of boards and  
 25 commissions, the principal executive officer of boards and  
 26 commissions heading principal departments, employees of courts of  
 27 record, employees of the legislature, employees of the state  
 28 institutions of higher education, all persons in the armed forces  
 29 of the state, eight exempt positions in the office of the governor,



1 and within each principal department, when requested by the  
2 department head, two other exempt positions, one of which shall be  
3 policy-making. The civil service commission may exempt three  
4 additional positions of a policy-making nature within each  
5 principal department.

6 The civil service commission shall be ~~non-salaried~~ **nonsalaried**  
7 and shall consist of four persons, not more than two of whom shall  
8 be members of the same political party, appointed by the governor  
9 for terms of eight years, no two of which shall expire in the same  
10 year.

11 The administration of the commission's powers shall be vested  
12 in a state personnel director who shall be a member of the  
13 classified service and who shall be responsible to and selected by  
14 the commission after open competitive examination.

15 The commission shall classify all positions in the classified  
16 service according to their respective duties and responsibilities,  
17 fix rates of compensation for all classes of positions, approve or  
18 disapprove disbursements for all personal services, determine by  
19 competitive examination and performance exclusively on the basis of  
20 merit, efficiency and fitness the qualifications of all candidates  
21 for positions in the classified service, make rules and regulations  
22 covering all personnel transactions, and regulate all conditions of  
23 employment in the classified service.

24 State Police Troopers and Sergeants shall, through their  
25 elected representative designated by 50% of such troopers and  
26 sergeants, have the right to bargain collectively with their  
27 employer concerning conditions of their employment, compensation,  
28 hours, working conditions, retirement, pensions, and other aspects  
29 of employment except promotions which will be determined by



1 competitive examination and performance on the basis of merit,  
 2 efficiency, and fitness; and they shall have the right 30 days  
 3 after commencement of such bargaining to submit any unresolved  
 4 disputes to binding arbitration for the resolution thereof the same  
 5 as now provided by law for Public Police and Fire Departments.

6 No person shall be appointed to or promoted in the classified  
 7 service who has not been certified by the commission as qualified  
 8 for such appointment or promotion. No appointments, promotions,  
 9 demotions, or removals in the classified service shall be made for  
 10 religious, racial, or partisan considerations.

11 Increases in rates of compensation authorized by the  
 12 commission may be effective only at the start of a fiscal year and  
 13 shall require prior notice to the governor, who shall transmit such  
 14 increases to the legislature as part of ~~his~~ **the governor's** budget.  
 15 The legislature may, by a majority vote of the members elected to  
 16 and serving in ~~each house,~~ **the legislature**, waive the notice and  
 17 permit increases in rates of compensation to be effective at a time  
 18 other than the start of a fiscal year. Within 60 calendar days  
 19 following such transmission, the legislature may, by a two-thirds  
 20 vote of the members elected to and serving in ~~each house,~~ **the**  
 21 **legislature**, reject or reduce increases in rates of compensation  
 22 authorized by the commission. Any reduction ordered by the  
 23 legislature shall apply uniformly to all classes of employees  
 24 affected by the increases and shall not adjust pay differentials  
 25 already established by the civil service commission. The  
 26 legislature may not reduce rates of compensation below those in  
 27 effect at the time of the transmission of increases authorized by  
 28 the commission.

29 The appointing authorities may create or abolish positions for



1 reasons of administrative efficiency without the approval of the  
2 commission. Positions shall not be created nor abolished except for  
3 reasons of administrative efficiency. Any employee considering  
4 himself **or herself** aggrieved by the abolition or creation of a  
5 position shall have a right of appeal to the commission through  
6 established grievance procedures.

7 The civil service commission shall recommend to the governor  
8 and to the legislature rates of compensation for all appointed  
9 positions within the executive department not a part of the  
10 classified service.

11 To enable the commission to exercise its powers, the  
12 legislature shall appropriate to the commission for the ensuing  
13 fiscal year a sum not less than one percent of the aggregate  
14 payroll of the classified service for the preceding fiscal year, as  
15 certified by the commission. Within six months after the conclusion  
16 of each fiscal year the commission shall return to the state  
17 treasury all moneys unexpended for that fiscal year.

18 The commission shall furnish reports of expenditures, at least  
19 annually, to the governor and the legislature and shall be subject  
20 to annual audit as provided by law.

21 No payment for personal services shall be made or authorized  
22 until the provisions of this constitution pertaining to civil  
23 service have been complied with in every particular. Violation of  
24 any of the provisions hereof may be restrained or observance  
25 compelled by injunctive or mandamus proceedings brought by any  
26 citizen of the state.

27 Sec. 7. The ~~house of representatives~~ **legislature** shall have  
28 the sole power of impeaching civil officers for corrupt conduct in  
29 office or for crimes or misdemeanors, but a majority of the members



1 elected ~~thereto~~**to** and serving ~~therein~~**in the legislature** shall be  
2 necessary to direct an impeachment.

3 When an impeachment is directed, the ~~house of representatives~~  
4 **legislature** shall elect three of its members to prosecute the  
5 impeachment.

6 Every impeachment shall be tried by the ~~senate~~**legislature**  
7 immediately after the final adjournment of the legislature. The  
8 ~~senators~~**legislators** shall take an oath or affirmation truly and  
9 impartially to try and determine the impeachment according to the  
10 evidence. When the governor or lieutenant governor is tried, the  
11 chief justice of the supreme court shall preside.

12 No person shall be convicted without the concurrence of two-  
13 thirds of the ~~senators~~**legislators** elected and serving. Judgment in  
14 case of conviction shall not extend further than removal from  
15 office, but the person convicted shall be liable to punishment  
16 according to law.

17 No judicial officer shall exercise any of the functions of his  
18 **or her** office after an impeachment is directed until ~~he~~**the**  
19 **judicial officer** is acquitted.

#### 20 ARTICLE XII

21 Sec. 1. Amendments to this constitution may be proposed in the  
22 ~~senate or house of representatives.~~**legislature.** Proposed  
23 amendments agreed to by two-thirds of the members elected to and  
24 serving in ~~each house~~**the legislature** on a vote with the names and  
25 vote of those voting entered in the ~~respective journals~~**journal of**  
26 **the legislature** shall be submitted, not less than 60 days  
27 thereafter, to the electors at the next general election or special  
28 election as the legislature shall direct. If a majority of electors  
29 voting on a proposed amendment approve the same, it shall become



1 part of the constitution and shall abrogate or amend existing  
 2 provisions of the constitution at the end of 45 days after the date  
 3 of the election at which it was approved.

4       Sec. 3. At the general election to be held in the year 1978,  
 5 and in each ~~16th~~**sixteenth** year thereafter and at such times as may  
 6 be provided by law, the question of a general revision of the  
 7 constitution shall be submitted to the electors of the state. If a  
 8 majority of the electors voting on the question decide in favor of  
 9 a convention for such purpose, at an election to be held not later  
 10 than six months after the proposal was certified as approved, the  
 11 electors of each ~~representative~~**legislative** district as then  
 12 organized shall elect one delegate ~~and the electors of each~~  
 13 ~~senatorial district as then organized shall elect one delegate~~ at a  
 14 partisan election. The delegates so elected shall convene at the  
 15 seat of government on the first Tuesday in October next succeeding  
 16 such election or at an earlier date if provided by law.

17       The convention shall choose its own officers, determine the  
 18 rules of its proceedings and judge the qualifications, elections  
 19 and returns of its members. To fill a vacancy in the office of any  
 20 delegate, the governor shall appoint a qualified resident of the  
 21 same district who shall be a member of the same party as the  
 22 delegate vacating the office. The convention shall have power to  
 23 appoint such officers, employees and assistants as it deems  
 24 necessary and to fix their compensation; to provide for the  
 25 printing and distribution of its documents, journals and  
 26 proceedings; to explain and disseminate information about the  
 27 proposed constitution and to complete the business of the  
 28 convention in an orderly manner. Each delegate shall receive for  
 29 his **or her** services compensation provided by law.



1 No proposed constitution or amendment adopted by such  
 2 convention shall be submitted to the electors for approval as  
 3 hereinafter provided unless by the assent of a majority of all the  
 4 delegates elected to and serving in the convention, with the names  
 5 and vote of those voting entered in the journal. Any proposed  
 6 constitution or amendments adopted by such convention shall be  
 7 submitted to the qualified electors in the manner and at the time  
 8 provided by such convention not less than 90 days after final  
 9 adjournment of the convention. Upon the approval of such  
 10 constitution or amendments by a majority of the qualified electors  
 11 voting thereon the constitution or amendments shall take effect as  
 12 provided by the convention.

13 **SCHEDULE AND TEMPORARY PROVISIONS**

14 **To ensure the orderly transition from a bicameral legislature**  
 15 **to a unicameral legislature, the following schedule and temporary**  
 16 **provisions are set forth to be effective for such period as are**  
 17 **thereby required:**

18 **Sec. 1. The foregoing amendment to the constitution of 1963**  
 19 **shall take effect January 1, 2023. Until January 1, 2023, the**  
 20 **sections of the state constitution of 1963 that the foregoing**  
 21 **amendment amends shall continue in effect as though the foregoing**  
 22 **amendment had not been adopted.**

23 **Sec. 2. The senate and house of representatives are abolished**  
 24 **at midnight, December 31, 2022. The terms of senators elected at**  
 25 **the general election in 2018 or to fill any vacancy existing in the**  
 26 **senate before December 31, 2022 and the terms of representatives**  
 27 **elected at the general election in 2020 or to fill any vacancy**  
 28 **existing in the house of representatives before December 31, 2022**  
 29 **shall expire at midnight, December 31, 2022.**





1           **Sec. 3. To enable a unicameral nonpartisan legislature to**  
2 **commence January 1, 2023, the legislators who will assume office**  
3 **January 1, 2023 shall be elected at the general election in 2022 in**  
4 **the manner provided by law and consistent with this constitution.**

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

