

# SENATE JOINT RESOLUTION D

January 29, 2009, Introduced by Senators GARCIA, CROPSEY, PAPPAGEORGE, KUIPERS, HARDIMAN, BARCIA and OLSHOVE 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

1 reserve, may be a member of either house of the legislature.

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

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

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