

HOUSE JOINT RESOLUTION JJ

June 12, 2014, Introduced by Reps. McMillin, MacMaster, Robinson, Hooker and Howrylak 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 13 of article IV and by repealing sections 15, 25, 26, 28, 36, and 37 of article IV, to limit the legislative session, to reduce salaries and expense allowances of members of the legislature, to limit how or when a bill may be modified or passed, to allow the legislature to empower a joint committee to suspend certain rules or regulations, and to modify the procedures during a special 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 limit the legislative session, to reduce salaries and expense allowances of members of the legislature, to limit how or when a bill may be modified or passed, to allow the

legislature to empower a joint committee to suspend certain rules or regulations, and to modify the procedures during a special session, is proposed, agreed to, and submitted to the people of the state:

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ARTICLE IV

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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.

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The concurrent resolution may amend the salary and expense determinations of the state officers compensation commission to reduce the salary and expense determinations by the same proportion for members of the legislature, the governor, the lieutenant

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

14 **THE SALARY OF A LEGISLATOR WHO DOES NOT ATTEND SESSION ON ANY**
15 **DAY THE LEGISLATIVE BODY IS IN SESSION SHALL BE REDUCED ON A PRO**
16 **RATA BASIS. THE SALARY OF A LEGISLATOR SHALL NOT EXCEED 25% OF THE**
17 **PER CAPITA SALARY OF A PRIVATE SECTOR FULL-TIME MICHIGAN WORKER AS**
18 **CALCULATED BY THE FEDERAL GOVERNMENT. IF A SPECIAL SESSION OF THE**
19 **LEGISLATURE IS CALLED, LEGISLATORS MAY BE PAID AN ADDITIONAL PER**
20 **DIEM BASED ON THEIR BASE SALARY.**

21 ~~Sec. 13. The legislature shall meet at the seat of government~~
22 ~~on the second Wednesday in January of each year at twelve o'clock~~
23 ~~noon. Each regular session shall adjourn without day, on a day~~
24 ~~determined by concurrent resolution, at twelve o'clock noon. Any~~
25 ~~business, bill or joint resolution pending at the final adjournment~~
26 ~~of a regular session held in an odd numbered year shall carry over~~
27 ~~with the same status to the next regular session.~~**ANY MEMBER OF THE**

1 LEGISLATURE MAY INTRODUCE A BILL OR RESOLUTION FOR CONSIDERATION BY
2 THE LEGISLATURE DURING A REGULAR SESSION OR DURING A SPECIAL
3 SESSION BUT AT NO OTHER TIME.

4 THE LEGISLATURE SHALL CONVENE AT THE SEAT OF GOVERNMENT IN
5 REGULAR SESSION ONCE PER CALENDAR YEAR FOR NOT MORE THAN 60
6 CONSECUTIVE DAYS. THE DATE AND TIME TO OPEN A REGULAR SESSION SHALL
7 BE THE SECOND WEDNESDAY IN JANUARY AT 12 NOON UNLESS OTHERWISE SET
8 BY LAW. THE LEGISLATURE BY CONCURRENT RESOLUTION MAY SET THE DATE
9 AND TIME TO CLOSE A REGULAR SESSION AS LONG AS THAT DATE AND TIME
10 ARE NOT MORE THAN 60 DAYS AFTER THE REGULAR SESSION IS OPENED.
11 DURING THE FIRST 20 DAYS OF A REGULAR SESSION, NEITHER HOUSE SHALL
12 VOTE TO ADOPT OR MODIFY ANY BILLS UNLESS THIS RESTRICTION IS WAIVED
13 BY 3/5 OF THE MEMBERS ELECTED TO AND SERVING IN EACH HOUSE. ANY
14 BILL OR RESOLUTION PENDING AT THE CLOSE OF A REGULAR SESSION SHALL
15 NOT CARRY OVER TO ANY OTHER SESSION.

16 IF THE LEGISLATURE IS NOT IN REGULAR SESSION, THE LEGISLATURE
17 SHALL CONVENE AT THE SEAT OF GOVERNMENT IN SPECIAL SESSION AT THE
18 CALL OF THE GOVERNOR FOR NOT MORE THAN 30 CONSECUTIVE DAYS. THE
19 LEGISLATURE BY CONCURRENT RESOLUTION SHALL SET THE DATE AND TIME TO
20 CLOSE THE SPECIAL SESSION AFTER THE SPECIAL SESSION IS OPENED AS
21 LONG AS THAT DATE AND TIME ARE NOT LESS THAN 14 DAYS AND NOT MORE
22 THAN 30 DAYS AFTER THE SPECIAL SESSION IS OPENED. ONLY BILLS AND
23 RESOLUTIONS PERTINENT TO THE CALL OF THE GOVERNOR SHALL BE
24 INTRODUCED. DURING THE FIRST 5 DAYS OF A SPECIAL SESSION, NEITHER
25 HOUSE SHALL VOTE TO ADOPT OR MODIFY ANY BILLS. ANY BILL OR
26 RESOLUTION PENDING AT THE CLOSE OF A SPECIAL SESSION SHALL NOT
27 CARRY OVER TO ANY OTHER SESSION.

1 A BILL SHALL NOT BE TAKEN UP FOR ADOPTION BY EITHER HOUSE
2 UNTIL THAT BILL HAS BEEN AVAILABLE TO THE LEGISLATORS IN BOTH
3 HOUSES AND TO THE CITIZENS OF THE STATE OF MICHIGAN FOR AT LEAST 5
4 CONSECUTIVE DAYS ON THE PUBLIC INTERNET. IF THE BILL IS MODIFIED IN
5 EITHER HOUSE, THE RESULTING BILL SHALL NOT BE TAKEN UP UNTIL AT
6 LEAST 5 CONSECUTIVE DAYS HAVE ELAPSED SINCE THE RESULTING BILL HAS
7 BEEN AVAILABLE ON THE PUBLIC INTERNET. IF EITHER HOUSE ADOPTS A
8 BILL ALREADY ADOPTED IN THE OTHER HOUSE BUT MODIFIES THAT BILL, THE
9 RESULTING BILL SHALL NOT BE RECONSIDERED BY THE OTHER HOUSE UNTIL
10 THE BILL HAS BEEN AVAILABLE ON THE PUBLIC INTERNET FOR AT LEAST 5
11 CONSECUTIVE DAYS. A BILL SHALL NOT BECOME LAW WITHOUT THE
12 CONCURRENCE OF A MAJORITY OF THE MEMBERS ELECTED TO AND SERVING IN
13 EACH HOUSE. ON THE FINAL PASSAGE OF A BILL, THE VOTES AND NAMES OF
14 THE MEMBERS VOTING ON THE BILL SHALL BE ENTERED IN THE JOURNAL.

15 A GENERAL REVISION OF THE LAWS SHALL NOT BE MADE. THE
16 LEGISLATURE SHALL PROVIDE BY LAW FOR AN ANNUAL COMPILATION OF THE
17 LAWS IN FORCE, ARRANGED WITHOUT ALTERATION, UNDER APPROPRIATE HEADS
18 AND TITLES. THE COMPILATION OF LAWS SHALL BE MADE AVAILABLE ON THE
19 PUBLIC INTERNET. BILLS INTENDED TO MODIFY EXISTING LAW SHALL FIRST
20 REPEAL THE EXISTING LAW IN FULL AND THEN PROVIDE A COMPLETE
21 SUBSTITUTE, IF ANY. PARTIAL MODIFICATION OF EXISTING LAW IS NOT
22 PERMITTED.

23 THE LEGISLATURE SHALL NOT BY LEGISLATIVE OR PROCEDURAL MEANS
24 SUSPEND OR ALTER THE PASSAGE OF TIME IN ORDER TO COMPLY WITH THE
25 REQUIREMENTS OF THIS CONSTITUTION.

26 THE 2 HOUSES SHALL PROVIDE FOR THEIR ORGANIZATION,
27 INDIVIDUALLY AND JOINTLY, OUTSIDE OF REGULAR AND SPECIAL SESSIONS

1 TO GATHER AND CONSIDER FACTS AND TESTIMONY THAT MAY BE PERTINENT TO
2 THE DRAFTING OF BILLS AND RESOLUTIONS. THAT ORGANIZATION SHALL BE
3 SUSPENDED DURING REGULAR AND SPECIAL SESSIONS. THE LEGISLATURE
4 SHALL APPROPRIATE FUNDS FOR THIS PURPOSE, INCLUDING THE HIRING OF
5 STAFF TO ASSIST THE MEMBERS OF THE LEGISLATURE. THE LEGISLATURE MAY
6 BY CONCURRENT RESOLUTION EMPOWER A JOINT COMMITTEE OF THE
7 LEGISLATURE, ACTING OUTSIDE OF REGULAR AND SPECIAL SESSIONS, TO
8 SUSPEND ANY RULE OR REGULATION PROMULGATED BY AN ADMINISTRATIVE
9 AGENCY. THE SUSPENSION SHALL CONTINUE NO LONGER THAN THE CLOSE OF
10 THE NEXT REGULAR SESSION OF THE LEGISLATURE.

11 ~~—— Sec. 15. There shall be a bi-partisan legislative council~~
12 ~~consisting of legislators appointed in the manner prescribed by~~
13 ~~law. The legislature shall appropriate funds for the council's~~
14 ~~operations and provide for its staff which shall maintain bill~~
15 ~~drafting, research and other services for the members of the~~
16 ~~legislature. The council shall periodically examine and recommend~~
17 ~~to the legislature revision of the various laws of the state.~~

18 ~~—— Sec. 25. No law shall be revised, altered or amended by~~
19 ~~reference to its title only. The section or sections of the act~~
20 ~~altered or amended shall be re-enacted and published at length.~~

21 ~~—— Sec. 26. No bill shall be passed or become a law at any~~
22 ~~regular session of the legislature until it has been printed or~~
23 ~~reproduced and in the possession of each house for at least five~~
24 ~~days. Every bill shall be read three times in each house before the~~
25 ~~final passage thereof. No bill shall become a law without the~~
26 ~~concurrence of a majority of the members elected to and serving in~~
27 ~~each house. On the final passage of bills, the votes and names of~~

1 ~~the members voting thereon shall be entered in the journal.~~

2 ~~—— Sec. 28. When the legislature is convened on extraordinary~~
3 ~~occasions in special session no bill shall be passed on any~~
4 ~~subjects other than those expressly stated in the governor's~~
5 ~~proclamation or submitted by special message.~~

6 ~~—— Sec. 36. No general revision of the laws shall be made. The~~
7 ~~legislature may provide for a compilation of the laws in force,~~
8 ~~arranged without alteration, under appropriate heads and titles.~~

9 ~~—— Sec. 37. The legislature may by concurrent resolution empower~~
10 ~~a joint committee of the legislature, acting between sessions, to~~
11 ~~suspend any rule or regulation promulgated by an administrative~~
12 ~~agency subsequent to the adjournment of the last preceding regular~~
13 ~~legislative session. Such suspension shall continue no longer than~~
14 ~~the end of the next regular legislative session.~~

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