

HOUSE JOINT RESOLUTION SS

March 12, 2008, Introduced by Rep. Simpson 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 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 sections 1a, 1b, and 55 to article IV and a schedule and temporary provisions; and repealing sections 2, 3, 4, and 21 of article IV, to provide for the establishment of a unicameral legislature, to modify congressional and legislative apportionment and districting, to prohibit a legislator from being a lobbyist or lobbyist agent

for a certain period of time following his or her term of office, to reduce compensation of state legislators who have absences from legislative session, to provide for concurrence of 2/3 of the legislature to impose certain taxes or to modify certain taxes, and to limit state-paid retirement and health care for legislators.

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 legislature, to modify congressional and legislative apportionment and districting, to prohibit a legislator from being a lobbyist or lobbyist agent for a certain period of time following his or her term of office, to reduce compensation of state legislators who have absences from legislative session, to provide for concurrence of 2/3 of the legislature to impose certain taxes or to modify certain taxes, and to limit state-paid retirement and health care for legislators, is proposed, agreed to, and submitted to the people of the state:

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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

1 was enacted. To invoke the initiative or referendum, petitions
2 signed by a number of registered electors, not less than eight
3 percent for initiative and five percent for referendum of the total
4 vote cast for all candidates for governor at the last preceding
5 general election at which a governor was elected shall be required.

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

9 Any law proposed by initiative petition shall be either
10 enacted or rejected by the legislature without change or amendment
11 within 40 session days from the time such petition is received by
12 the legislature. If any law proposed by such petition shall be
13 enacted by the legislature it shall be subject to referendum, as
14 hereinafter provided.

15 If the law so proposed is not enacted by the legislature
16 within the 40 days, the state officer authorized by law shall
17 submit such proposed law to the people for approval or rejection at
18 the next general election. The legislature may reject any measure
19 so proposed by initiative petition and propose a different measure
20 upon the same subject by a yea and nay vote upon separate roll
21 calls, and in such event both measures shall be submitted by such
22 state officer to the electors for approval or rejection at the next
23 general election.

24 Any law submitted to the people by either initiative or
25 referendum petition and approved by a majority of the votes cast
26 thereon at any election shall take effect 10 days after the date of
27 the official declaration of the vote. No law initiated or adopted

1 by the people shall be subject to the veto power of the governor,
2 and no law adopted by the people at the polls under the initiative
3 provisions of this section shall be amended or repealed, except by
4 a vote of the electors unless otherwise provided in the initiative
5 measure or by three-fourths of the members elected to and serving
6 in ~~each house of the~~ legislature. Laws approved by the people under
7 the referendum provision of this section may be amended by the
8 legislature at any subsequent session thereof. If two or more
9 measures approved by the electors at the same election conflict,
10 ~~that~~ **THE MEASURE** receiving the highest affirmative vote shall
11 prevail.

12 The legislature shall implement the provisions of this
13 section.

14 ARTICLE III

15 Sec. 8. ~~Either house of the~~ **THE** legislature or the governor
16 may request the opinion of the supreme court on important questions
17 of law upon solemn occasions as to the constitutionality of
18 legislation after it has been enacted into law but before its
19 effective date.

20 ARTICLE IV

21 Sec. 1. ~~The~~ **THROUGH DECEMBER 31, 2010, THE** legislative power
22 of the State of Michigan is vested in a senate and a house of
23 representatives.

24 **FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2012, THE**
25 **LEGISLATIVE POWER OF THE STATE OF MICHIGAN IS VESTED IN A HOUSE OF**
26 **REPRESENTATIVES CONSISTING OF 110 MEMBERS ELECTED FOR TWO-YEAR**
27 **TERMS AS PROVIDED BY LAW.**

1 BEGINNING JANUARY 1, 2013, THE LEGISLATIVE POWER OF THE STATE
2 OF MICHIGAN IS VESTED IN A LEGISLATURE CONSISTING OF ONE CHAMBER.
3 EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE LEGISLATURE SHALL
4 CONSIST OF MEMBERS ELECTED FOR FOUR-YEAR TERMS AS PROVIDED BY LAW.
5 THE LEGISLATURE SHALL CONSIST OF 74 MEMBERS FROM SINGLE-MEMBER
6 DISTRICTS APPORTIONED ON THE BASIS OF POPULATION. PRIOR TO THE 2012
7 GENERAL ELECTION, THE LOTTERY COMMISSIONER SHALL SELECT 37 OF THE
8 MEMBER DISTRICTS AT RANDOM FOR AN INITIAL TWO-YEAR TERM EXPIRING
9 DECEMBER 31, 2014. THE INITIAL TWO-YEAR TERM SHALL NOT BE
10 CONSIDERED IN THE NUMBER OF TIMES THE MEMBER CAN BE ELECTED TO THE
11 LEGISLATURE UNDER SECTION 54.

12 SEC. 1A. FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2012, ALL
13 AUTHORITY VESTED BY THE CONSTITUTION OR LAWS OF THIS STATE IN THE
14 SENATE, HOUSE OF REPRESENTATIVES, OR JOINT SESSION OF THE SENATE
15 AND HOUSE OF REPRESENTATIVES, AS APPLICABLE, IS VESTED IN THE HOUSE
16 OF REPRESENTATIVES. FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2012,
17 ALL PROVISIONS IN THE CONSTITUTION AND LAWS OF THIS STATE RELATING
18 TO THE LEGISLATURE, THE SENATE, THE HOUSE OF REPRESENTATIVES, JOINT
19 SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES, SENATOR, OR
20 MEMBER OF THE HOUSE OF REPRESENTATIVES, AS APPLICABLE, APPLY TO AND
21 MEAN THE HOUSE OF REPRESENTATIVES AND ITS MEMBERS. FROM JANUARY 1,
22 2011 THROUGH DECEMBER 31, 2012, ALL REFERENCES TO SECRETARY OF THE
23 SENATE MEAN, WHEN APPLICABLE, THE CLERK OF THE HOUSE OF
24 REPRESENTATIVES. FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2012,
25 ALL REFERENCES TO TEMPORARY PRESIDENT OF THE SENATE OR THE MAJORITY
26 LEADER OF THE LEGISLATURE MEAN THE SPEAKER OF THE HOUSE OF
27 REPRESENTATIVES.

1 THIS SECTION SHALL TAKE EFFECT JANUARY 1, 2011.

2 SEC. 1B. ALL AUTHORITY VESTED BY THE CONSTITUTION OR LAWS OF
3 THIS STATE IN THE SENATE, HOUSE OF REPRESENTATIVES, OR JOINT
4 SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, AS APPLICABLE,
5 IS VESTED IN A LEGISLATURE OF ONE CHAMBER. ALL PROVISIONS IN THE
6 CONSTITUTION AND LAWS OF THIS STATE RELATING TO THE LEGISLATURE,
7 THE SENATE, THE HOUSE OF REPRESENTATIVES, JOINT SESSIONS OF THE
8 SENATE AND HOUSE OF REPRESENTATIVES, SENATOR, OR MEMBER OF THE
9 HOUSE OF REPRESENTATIVES, AS APPLICABLE, APPLY TO AND MEAN A
10 LEGISLATURE OF ONE CHAMBER AND ITS MEMBERS. ALL REFERENCES TO CLERK
11 OF THE HOUSE OF REPRESENTATIVES OR SECRETARY OF THE SENATE MEAN,
12 WHEN APPLICABLE, THE CLERK OF THE LEGISLATURE OF ONE CHAMBER. ALL
13 REFERENCES TO SPEAKER OF THE HOUSE OF REPRESENTATIVES OR TEMPORARY
14 PRESIDENT OF THE SENATE MEAN THE MAJORITY LEADER OF THE
15 LEGISLATURE.

16 THIS SECTION SHALL TAKE EFFECT JANUARY 1, 2013.

17 ~~Sec. 2. The senate shall consist of 38 members to be elected~~
18 ~~from single member districts at the same election as the governor~~
19 ~~for four year terms concurrent with the term of office of the~~
20 ~~governor.~~

21 ~~In districting the state for the purpose of electing senators~~
22 ~~after the official publication of the total population count of~~
23 ~~each federal decennial census, each county shall be assigned~~
24 ~~apportionment factors equal to the sum of its percentage of the~~
25 ~~state's population as shown by the last regular federal decennial~~
26 ~~census computed to the nearest one one hundredth of one percent~~
27 ~~multiplied by four and its percentage of the state's land area~~

1 ~~computed to the nearest one one hundredth of one percent.~~

2 ~~—— In arranging the state into senatorial districts, the~~
3 ~~apportionment commission shall be governed by the following rules:~~

4 ~~—— (1) Counties with 13 or more apportionment factors shall be~~
5 ~~entitled as a class to senators in the proportion that the total~~
6 ~~apportionment factors of such counties bear to the total~~
7 ~~apportionment factors of the state computed to the nearest whole~~
8 ~~number. After each such county has been allocated one senator, the~~
9 ~~remaining senators to which this class of counties is entitled~~
10 ~~shall be distributed among such counties by the method of equal~~
11 ~~proportions applied to the apportionment factors.~~

12 ~~—— (2) Counties having less than 13 apportionment factors shall~~
13 ~~be entitled as a class to senators in the proportion that the total~~
14 ~~apportionment factors of such counties bear to the total~~
15 ~~apportionment factors of the state computed to the nearest whole~~
16 ~~number. Such counties shall thereafter be arranged into senatorial~~
17 ~~districts that are compact, convenient, and contiguous by land, as~~
18 ~~rectangular in shape as possible, and having as nearly as possible~~
19 ~~13 apportionment factors, but in no event less than 10 or more than~~
20 ~~16. Insofar as possible, existing senatorial districts at the time~~
21 ~~of reapportionment shall not be altered unless there is a failure~~
22 ~~to comply with the above standards.~~

23 ~~—— (3) Counties entitled to two or more senators shall be divided~~
24 ~~into single member districts. The population of such districts~~
25 ~~shall be as nearly equal as possible but shall not be less than 75~~
26 ~~per cent nor more than 125 percent of a number determined by~~
27 ~~dividing the population of the county by the number of senators to~~

1 ~~which it is entitled. Each such district shall follow incorporated~~
2 ~~city or township boundary lines to the extent possible and shall be~~
3 ~~compact, contiguous, and as nearly uniform in shape as possible.~~

4 ~~—— Sec. 3. The house of representatives shall consist of 110~~
5 ~~members elected for two year terms from single member districts~~
6 ~~apportioned on a basis of population as provided in this article.~~
7 ~~The districts shall consist of compact and convenient territory~~
8 ~~contiguous by land.~~

9 ~~—— Each county which has a population of not less than seven-~~
10 ~~tenths of one percent of the population of the state shall~~
11 ~~constitute a separate representative area. Each county having less~~
12 ~~than seven tenths of one percent of the population of the state~~
13 ~~shall be combined with another county or counties to form a~~
14 ~~representative area of not less than seven tenths of one percent of~~
15 ~~the population of the state. Any county which is isolated under the~~
16 ~~initial allocation as provided in this section shall be joined with~~
17 ~~that contiguous representative area having the smallest percentage~~
18 ~~of the state's population. Each such representative area shall be~~
19 ~~entitled initially to one representative.~~

20 ~~—— After the assignment of one representative to each of the~~
21 ~~representative areas, the remaining house seats shall be~~
22 ~~apportioned among the representative areas on the basis of~~
23 ~~population by the method of equal proportions.~~

24 ~~—— Any county comprising a representative area entitled to two or~~
25 ~~more representatives shall be divided into single member~~
26 ~~representative districts as follows:~~

27 ~~—— (1) The population of such districts shall be as nearly equal~~

1 ~~as possible but shall not be less than 75 percent nor more than 125~~
 2 ~~percent of a number determined by dividing the population of the~~
 3 ~~representative area by the number of representatives to which it is~~
 4 ~~entitled.~~

5 ~~—— (2) Such single member districts shall follow city and~~
 6 ~~township boundaries where applicable and shall be composed of~~
 7 ~~compact and contiguous territory as nearly square in shape as~~
 8 ~~possible.~~

9 ~~—— Any representative area consisting of more than one county,~~
 10 ~~entitled to more than one representative, shall be divided into~~
 11 ~~single member districts as equal as possible in population,~~
 12 ~~adhering to county lines.~~

13 ~~—— Sec. 4. In counties having more than one representative or~~
 14 ~~senatorial district, the territory in the same county annexed to or~~
 15 ~~merged with a city between apportionments shall become a part of a~~
 16 ~~contiguous representative or senatorial district in the city with~~
 17 ~~which it is combined, if provided by ordinance of the city. The~~
 18 ~~district or districts with which the territory shall be combined~~
 19 ~~shall be determined by such ordinance certified to the secretary of~~
 20 ~~state. No such change in the boundaries of a representative or~~
 21 ~~senatorial district shall have the effect of removing a legislator~~
 22 ~~from office during his term.~~

23 Sec. 6. A-~~THE INDEPENDENT REDISTRICTING~~ commission on
 24 legislative ~~AND CONGRESSIONAL~~ apportionment is hereby established
 25 consisting of ~~eight electors~~ **NINE MEMBERS, AS FOLLOWS:** four of whom
 26 **MEMBERS** shall be selected by the state organizations of each of the
 27 two political parties whose candidates for governor received the

1 highest vote at the last general election at which a governor was
2 elected, ~~preceding each apportionment. If a candidate for governor~~
3 ~~of a third political party has received at such election more than~~
4 ~~25 percent of such gubernatorial vote, the commission shall consist~~
5 ~~of 12 members, four of whom shall be selected by the state~~
6 ~~organization of the third political party. One resident of each of~~
7 ~~the following four regions shall be selected by each political~~
8 ~~party organization: (1) the upper peninsula; (2) the northern part~~
9 ~~of the lower peninsula, north of a line drawn along the northern~~
10 ~~boundaries of the counties of Bay, Midland, Isabella, Mecosta,~~
11 ~~Newaygo and Oceana; (3) southwestern Michigan, those counties south~~
12 ~~of region (2) and west of a line drawn along the western boundaries~~
13 ~~of the counties of Bay, Saginaw, Shiawassee, Ingham, Jackson and~~
14 ~~Hillsdale; (4) southeastern Michigan, the remaining counties of the~~
15 ~~state.~~ **TWO MEMBERS SHALL BE SELECTED BY THE MAJORITY LEADER OF THE**
16 **LEGISLATURE, TWO MEMBERS SHALL BE SELECTED BY THE MINORITY LEADER**
17 **OF THE LEGISLATURE, AND ONE MEMBER SHALL BE SELECTED BY THE EIGHT**
18 **OTHER MEMBERS OF THE COMMISSION. EACH MEMBER OF THE COMMISSION**
19 **SHALL BE AN ELECTOR OF THIS STATE. EACH MEMBER OF THE COMMISSION**
20 **SHALL BE COMMITTED TO APPLYING THE PROVISIONS OF THIS SECTION IN AN**
21 **HONEST, INDEPENDENT, AND IMPARTIAL MANNER AND TO UPHOLDING THE**
22 **PUBLIC CONFIDENCE IN THE INTEGRITY OF THE REDISTRICTING AND**
23 **APPORTIONMENT PROCESS.**

24 ~~No officers or employees of the federal, state or local~~
25 ~~governments~~ **INDIVIDUALS WHO HAVE BEEN APPOINTED TO OR ELECTED TO,**
26 **OR A CANDIDATE FOR ANY PUBLIC OFFICE, excepting notaries public and**
27 ~~members of the armed forces reserve, shall be~~ **THE OFFICE OF NOTARY**

1 PUBLIC, HAVE SERVED AS AN OFFICER OF A POLITICAL PARTY, OR HAVE
2 RECEIVED COMPENSATION AS A REGISTERED LOBBYIST IN THE IMMEDIATELY
3 PRECEDING THREE-YEAR PERIOD ARE NOT eligible for membership on the
4 commission. Members of the commission shall not be eligible for
5 election to ~~the legislature~~ OR APPOINTMENT TO PUBLIC OFFICE OR TO
6 RECEIVE COMPENSATION AS A REGISTERED LOBBYIST until ~~two~~ THREE years
7 after the apportionment in which they participated becomes
8 effective.

9 The commission shall be appointed ~~immediately after the~~
10 ~~adoption of this constitution~~ NOT LATER THAN FEBRUARY 1, IN THE
11 YEAR IMMEDIATELY FOLLOWING THE FEDERAL DECENNIAL CENSUS and
12 whenever apportionment or districting of the legislature is
13 required by the provisions of this constitution. Members of the
14 commission shall hold office until each apportionment or
15 districting plan becomes effective. Vacancies shall be filled in
16 the same manner as for original appointment.

17 The secretary of state shall be secretary of the commission
18 without vote, and in that capacity shall furnish, under the
19 direction of the commission, all necessary technical services. The
20 commission shall elect its own ~~chairman~~, CHAIRPERSON AND VICE-
21 CHAIRPERSON, WHO SHALL NOT BE MEMBERS OF THE SAME POLITICAL PARTY,
22 AND shall make its own rules of procedure. ~~, and shall receive~~
23 ~~compensation provided by law.~~ MEMBERS OF THE COMMISSION SHALL SERVE
24 WITHOUT COMPENSATION. HOWEVER, MEMBERS OF THE COMMISSION SHALL BE
25 REIMBURSED FOR THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE
26 PERFORMANCE OF THEIR OFFICIAL DUTIES AS MEMBERS OF THE COMMISSION.
27 The legislature shall appropriate funds to enable the commission to

1 carry out its activities.

2 ~~Within 30 days after the adoption of this constitution, and~~
3 ~~after the official total population count of each federal decennial~~
4 ~~census of the state and its political subdivisions is available,~~
5 ~~the~~ **THE** secretary of state shall issue a call convening the
6 commission not less than 30 nor more than 45 days thereafter ~~LATER~~
7 **THAN MARCH 1, IN THE YEAR IMMEDIATELY FOLLOWING THE FEDERAL**
8 **DECENNIAL CENSUS.** The commission shall complete its work ~~within 180~~
9 ~~days after all necessary census information is available~~ **NOT LATER**
10 **THAN NOVEMBER 1, IN THE YEAR IMMEDIATELY FOLLOWING THE FEDERAL**
11 **DECENNIAL CENSUS.** The commission shall proceed to district and
12 apportion the ~~senate and house of representatives~~ **LEGISLATIVE AND**
13 **CONGRESSIONAL REPRESENTATION** according to the provisions of this
14 constitution. All final decisions shall require the concurrence of
15 a **TWO-THIRDS** majority of the members of the commission. The
16 commission shall hold public hearings as may be provided by law.

17 ~~Each final apportionment and districting plan shall be~~
18 ~~published as provided by law within 30 days from the date of its~~
19 ~~adoption and shall become law 60 days after publication.~~ **NOT LESS**
20 **THAN 30 DAYS BEFORE THE ADOPTION OF AN APPORTIONMENT AND**
21 **DISTRICTING PLAN, THE COMMISSION SHALL PUBLISH AND DISTRIBUTE A**
22 **DRAFT APPORTIONMENT AND REDISTRICTING PLAN OF CONGRESSIONAL AND**
23 **LEGISLATIVE DISTRICTS AND RECEIVE PUBLIC COMMENT. THE LEGISLATURE**
24 **MAY MAKE RECOMMENDATIONS TO THE COMMISSION DURING THIS 30-DAY**
25 **COMMENT PERIOD.** The secretary of state shall keep a public record
26 of all the proceedings of the commission and shall be responsible
27 for the publication and distribution of each plan.

1 ~~—— If a majority of the commission cannot agree on a plan, each~~
2 ~~member of the commission, individually or jointly with other~~
3 ~~members, may submit a proposed plan to the supreme court. The~~
4 ~~supreme court shall determine which plan complies most accurately~~
5 ~~with the constitutional requirements and shall direct that it be~~
6 ~~adopted by the commission and published as provided in this~~
7 ~~section.~~

8 ~~—— Upon the application of any elector filed not later than 60~~
9 ~~days after final publication of the plan, the supreme court, in the~~
10 ~~exercise of original jurisdiction, shall direct the secretary of~~
11 ~~state or the commission to perform their duties, may review any~~
12 ~~final plan adopted by the commission, and shall remand such plan to~~
13 ~~the commission for further action if it fails to comply with the~~
14 ~~requirements of this constitution.~~

15 **IN ARRANGING THIS STATE INTO CONGRESSIONAL AND LEGISLATIVE**
16 **DISTRICTS, THE INDEPENDENT REDISTRICTING COMMISSION SHALL BE**
17 **GOVERNED BY THE FOLLOWING RULES:**

18 **(1) DISTRICTS SHALL NOT BE DRAWN FOR THE PURPOSE OF FAVORING A**
19 **POLITICAL PARTY, INCUMBENT LEGISLATOR OR MEMBER OF CONGRESS, OR**
20 **OTHER PERSON OR FOR THE PURPOSE OF AUGMENTING OR DILUTING THE**
21 **VOTING STRENGTH OF A COMMUNITY OF INTEREST.**

22 **(2) DISTRICTS SHALL COMPLY WITH THE UNITED STATES CONSTITUTION**
23 **AND FEDERAL LAW.**

24 **(3) DISTRICTS SHALL BE OF EQUAL POPULATION TO THE EXTENT**
25 **PRACTICABLE.**

26 **(4) DISTRICTS SHALL BE GEOGRAPHICALLY COMPACT AND CONTIGUOUS**
27 **TO THE EXTENT PRACTICABLE.**

1 (5) DISTRICT BOUNDARIES SHALL RESPECT COMMUNITIES OF INTEREST
2 TO THE EXTENT PRACTICABLE.

3 (6) DISTRICTS SHALL USE VISIBLE GEOGRAPHIC FEATURES, CITY,
4 TOWN, AND COUNTY BOUNDARIES, AND UNDIVIDED TRACTS TO THE EXTENT
5 PRACTICABLE.

6 (7) SO FAR AS POSSIBLE, EACH LEGISLATIVE DISTRICT SHALL BE
7 INCLUDED WITHIN A SINGLE CONGRESSIONAL DISTRICT. THE REQUIREMENTS
8 THAT DISTRICTS BE COMPACT, BE CONTIGUOUS, RESPECT COMMUNITIES OF
9 INTEREST, BE OF EQUAL POPULATION, AND USE VISIBLE GEOGRAPHIC
10 FEATURES SHALL TAKE PRECEDENCE OVER THIS RULE.

11 (8) THE INDEPENDENT REDISTRICTING COMMISSION SHALL NOT USE OR
12 CONSIDER VOTING HISTORY DATA, PAST ELECTION RESULTS, OR INCUMBENT
13 ADDRESSES DURING THE PREPARATION OR ADOPTION OF THE APPORTIONMENT
14 AND DISTRICTING PLAN.

15 THE SUPREME COURT SHALL HAVE ORIGINAL AND EXCLUSIVE
16 JURISDICTION TO HEAR AND DECIDE ALL CASES INVOLVING CONGRESSIONAL
17 AND LEGISLATIVE REDISTRICTING. IF THE COMMISSION DOES NOT ADOPT A
18 REDISTRICTING PLAN BY THE ESTABLISHED DEADLINE, THE SUPREME COURT
19 MAY BE PETITIONED, REQUESTING THAT THE COURT PREPARE A
20 REDISTRICTING PLAN IN COMPLIANCE WITH THIS CONSTITUTION.

21 Sec. 7. Each ~~senator and representative~~ STATE LEGISLATOR must
22 be a citizen of the United States, at least 21 years of age, and an
23 elector of the district he OR SHE represents. The removal of ~~his~~ A
24 LEGISLATOR'S domicile from the district shall be deemed a vacation
25 of the office. No person who has been convicted of subversion or
26 who has within the preceding 20 years been convicted of a felony
27 involving a breach of public trust shall be eligible ~~for either~~

1 ~~house of~~ **TO SERVE IN** the legislature.

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

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

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

19 **AN INDIVIDUAL WHO FIRST BECAME A MEMBER OF THE LEGISLATURE**
20 **AFTER 2008 SHALL NOT RECEIVE ANY STATE-PAID RETIREMENT GREATER THAN**
21 **THAT GIVEN TO A QUALIFIED PARTICIPANT IN TIER 2 UNDER THE STATE**
22 **EMPLOYEES RETIREMENT ACT, 1943 PA 240, MCL 38.1 TO 38.69, OR**
23 **INSURANCE BENEFITS AFTER LEAVING OFFICE BASED ON HIS OR HER**
24 **LEGISLATIVE SERVICE.**

25 **A LEGISLATOR WHO DOES NOT ATTEND SESSION ON ANY DAY THAT THE**
26 **LEGISLATURE IS IN SESSION SHALL NOT RECEIVE COMPENSATION FOR THAT**
27 **DAY.**

1 The legislature shall implement this section by law.

2 Sec. 14. A majority of the members elected to and serving in
3 ~~each house~~**THE LEGISLATURE** shall constitute a quorum to do
4 business. A smaller number ~~in each house~~ may adjourn from day to
5 day, and may compel the attendance of absent members in the manner
6 and with penalties as ~~each house~~**THE LEGISLATURE** may prescribe.

7 Sec. 16. (1) ~~Each house~~**THE LEGISLATURE**, except as otherwise
8 provided in this constitution, shall choose its own officers and
9 determine the rules of its proceedings, but shall not adopt any
10 rule that will prevent a majority of the members elected thereto
11 and serving therein from discharging a committee from the further
12 consideration of any measure. ~~Each house~~**THE LEGISLATURE** shall be
13 the sole judge of the qualifications, elections, and returns of its
14 members, and may, with the concurrence of two-thirds of all the
15 members elected thereto and serving therein, expel a member. The
16 reasons for such expulsion shall be entered in the journal, with
17 the votes and names of the members voting upon the question. No
18 member shall be expelled a second time for the same cause.

19 **(2) BILLS SHALL NOT BE TIE-BARRED TO ONE ANOTHER UNLESS THE**
20 **BILLS ARE NECESSARY TO IMPLEMENT A LEGISLATIVE INITIATIVE.**

21 Sec. 17. ~~Each house of the~~**THE** legislature may establish the
22 committees necessary for the efficient conduct of its business. ~~and~~
23 ~~the legislature may create joint committees.~~ On all actions on
24 bills and resolutions in each committee, names and votes of members
25 shall be recorded. Such vote shall be available for public
26 inspection. Notice of all committee hearings and a clear statement
27 of all subjects to be considered at each hearing shall be published

1 in the journal in advance of the hearing.

2 Sec. 18. ~~Each house~~ **THE LEGISLATURE** shall keep a journal of
3 its proceedings, and publish the same unless the public security
4 otherwise requires. The record of the vote and name of the members
5 ~~of either house~~ voting on any question shall be entered in the
6 journal at the request of one-fifth of the members present. Any
7 member ~~of either house~~ may dissent from and protest against any
8 act, proceeding, or resolution which he **OR SHE** deems injurious to
9 any person or the public, and have the reason for his **OR HER**
10 dissent entered in the journal.

11 Sec. 19. All elections in ~~either house or in joint convention~~
12 **THE LEGISLATURE** and all votes on appointments submitted to the
13 ~~senate~~ **LEGISLATURE** for advice and consent shall be published by
14 vote and name in the journal.

15 Sec. 20. The doors of ~~each house~~ **THE LEGISLATURE** shall be open
16 unless the public security otherwise requires.

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

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

22 Sec. 24. No law shall embrace more than one object, which
23 shall be expressed in its title. No bill shall be altered or
24 amended on its passage through ~~either house~~ **THE LEGISLATURE** so as
25 to change its original purpose as determined by its total content
26 and not alone by its title.

27 Sec. 26. (1) No bill shall be passed or become a law at any

1 regular session of the legislature until it has been printed or
2 reproduced and in the possession of ~~each house~~**THE LEGISLATURE** for
3 at least five days. Every bill shall be read three times ~~in each~~
4 ~~house~~ before the final passage thereof. ~~No~~**EXCEPT AS OTHERWISE**
5 **PROVIDED IN THIS CONSTITUTION, NO** bill shall become a law without
6 the concurrence of a majority of the members elected to and serving
7 in ~~each house~~**THE LEGISLATURE**. On the final passage of bills, the
8 votes and names of the members voting thereon shall be entered in
9 the journal.

10 (2) **A BILL TO IMPOSE, EXPAND THE BASE OF, OR INCREASE OR**
11 **DECREASE THE RATE OF A TAX IMPOSED BY THIS STATE SHALL NOT BECOME**
12 **LAW WITHOUT THE CONCURRENCE OF 2/3 OF THE MEMBERS ELECTED AND**
13 **SERVING IN THE LEGISLATURE.**

14 Sec. 27. No act shall take effect until the expiration of 90
15 days from the end of the session at which it was passed, but the
16 legislature may give immediate effect to acts by a two-thirds vote
17 of the members elected to and serving in ~~each house~~**THE**
18 **LEGISLATURE.**

19 Sec. 29. The legislature shall pass no local or special act in
20 any case where a general act can be made applicable, and whether a
21 general act can be made applicable shall be a judicial question. No
22 local or special act shall take effect until approved by two-thirds
23 of the members elected to and serving in ~~each house~~**THE LEGISLATURE**
24 and by a majority of the electors voting thereon in the district
25 affected. Any act repealing local or special acts shall require
26 only a majority of the members elected to and serving in ~~each house~~
27 **THE LEGISLATURE** and shall not require submission to the electors of

1 such district.

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

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

19 Sec. 33. Every bill passed by the legislature shall be
20 presented to the governor before it becomes law, and the governor
21 shall have 14 days measured in hours and minutes from the time of
22 presentation in which to consider it. If ~~he~~ **THE GOVERNOR** approves,
23 he **OR SHE** shall within that time sign and file it with the
24 secretary of state and it shall become law. If ~~he~~ **THE GOVERNOR** does
25 not approve, and the legislature has within that time finally
26 adjourned the session at which the bill was passed, it shall not
27 become law. If ~~he~~ **THE GOVERNOR** disapproves, and the legislature

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

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

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

27 Sec. 53. The legislature by a majority vote of the members

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

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

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

27 The auditor general, his **OR HER** deputy and one other member of

1 ~~his~~ THE staff OF THE AUDITOR GENERAL shall be exempt from
2 classified civil service. All other members of ~~his~~ THE staff OF THE
3 AUDITOR GENERAL shall have classified civil service status.

4 Sec. 54. No person shall be elected to the office of state
5 ~~representative~~ LEGISLATOR more than three times. ~~No person shall be~~
6 ~~elected to the office of state senate more than two times. Any~~
7 person appointed or elected to fill a vacancy in the ~~house of~~
8 ~~representatives or the state senate~~ OFFICE OF STATE LEGISLATOR for
9 a period greater than one half of a term of such office, shall be
10 considered to have been elected to serve one time in that office
11 for purposes of this section. This limitation on the number of
12 times a person shall be elected to office shall apply to terms of
13 office beginning on or after January 1, 1993. **FOR THE PURPOSES OF**
14 **THIS SECTION, ANY PERSON ELECTED TO THE OFFICE OF STATE SENATE OR**
15 **STATE REPRESENTATIVE SHALL BE CONSIDERED TO HAVE BEEN ELECTED TO**
16 **THE OFFICE OF STATE LEGISLATOR.**

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

23 **SEC. 55. A FORMER MEMBER OF THE MICHIGAN LEGISLATURE SHALL NOT**
24 **BE A LOBBYIST OR LOBBYIST AGENT FOR A PERIOD EQUAL TO ONE YEAR FOR**
25 **EACH TERM SERVED IMMEDIATELY FOLLOWING THE END OF THE TERM OF**
26 **OFFICE TO WHICH HE OR SHE WAS ELECTED.**

27 ARTICLE V

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

9 Subsequent to the initial allocation, the governor may make
10 changes in the organization of the executive branch or in the
11 assignment of functions among its units which he **OR SHE** considers
12 necessary for efficient administration. Where these changes require
13 the force of law, they shall be set forth in executive orders and
14 submitted to the legislature. Thereafter the legislature shall have
15 60 calendar days of a regular session, or a full regular session if
16 of shorter duration, to disapprove each executive order. Unless
17 disapproved ~~in both houses~~ by a resolution concurred in by a
18 majority of the members elected to and serving in ~~each house~~ **THE**
19 **LEGISLATURE**, each order shall become effective at a date thereafter
20 to be designated by the governor.

21 Sec. 3. The head of each principal department shall be a
22 single executive unless otherwise provided in this constitution or
23 by law. The single executives heading principal departments shall
24 include a secretary of state, a state treasurer, and an attorney
25 general. When a single executive is the head of a principal
26 department, unless elected or appointed as otherwise provided in
27 this constitution, he **OR SHE** shall be appointed by the governor by

1 and with the advice and consent of the ~~senate~~**LEGISLATURE** and he
2 shall serve at the pleasure of the governor.

3 When a board or commission is at the head of a principal
4 department, unless elected or appointed as otherwise provided in
5 this constitution, the members thereof shall be appointed by the
6 governor by and with the advice and consent of the ~~senate~~
7 **LEGISLATURE**. The term of office and procedure for removal of such
8 members shall be as prescribed in this constitution or by law.

9 Terms of office of any board or commission created or enlarged
10 after the effective date of this constitution shall not exceed four
11 years except as otherwise authorized in this constitution. The
12 terms of office of existing boards and commissions which are longer
13 than four years shall not be further extended except as provided in
14 this constitution.

15 Sec. 6. Appointment by and with the advice and consent of the
16 ~~senate~~**LEGISLATURE** when used in this constitution or laws in effect
17 or hereafter enacted means appointment subject to disapproval by a
18 majority vote of the members elected to and serving in the ~~senate~~
19 **LEGISLATURE**, if such action is taken within 60 session days after
20 the date of such appointment. Any appointment not disapproved
21 within such period shall stand confirmed.

22 Sec. 7. Vacancies in any office, appointment to which requires
23 advice and consent of the ~~senate~~**LEGISLATURE**, shall be filled by
24 the governor by and with the advice and consent of the ~~senate~~
25 **LEGISLATURE**. A person whose appointment has been disapproved by the
26 ~~senate~~**LEGISLATURE** shall not be eligible for an interim appointment
27 to the same office.

1 Sec. 13. The governor shall issue writs of election to fill
2 vacancies in the ~~senate or house of representatives~~ **LEGISLATURE**.

3 Any such election shall be held in a manner prescribed by law.

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

19 Sec. 20. No appropriation shall be a mandate to spend. The
20 governor, with the approval of the appropriating ~~committees~~
21 **COMMITTEE** of the ~~house and senate~~ **LEGISLATURE**, shall reduce
22 expenditures authorized by appropriations whenever it appears that
23 actual revenues for a fiscal period will fall below the revenue
24 estimates on which appropriations for that period were based.
25 Reductions in expenditures shall be made in accordance with
26 procedures prescribed by law. The governor may not reduce
27 expenditures of the legislative and judicial branches or from funds

1 constitutionally dedicated for specific purposes.

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

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

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

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

23 The inability of the governor or person acting as governor
24 shall be determined by a majority of the supreme court on ~~joint~~
25 request of the ~~president pro tempore of the senate and the speaker~~
26 ~~of the house of representatives~~**MAJORITY LEADER OF THE LEGISLATURE**.
27 Such determination shall be final and conclusive. The supreme court

1 shall upon its own initiative determine if and when the inability
2 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

1 secure the equal protection of such civil rights without such
2 discrimination. The legislature shall provide an annual
3 appropriation for the effective operation of the commission.

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

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

18 ARTICLE VI

19 Sec. 1. The judicial power of the state is vested exclusively
20 in one court of justice which shall be divided into one supreme
21 court, one court of appeals, one trial court of general
22 jurisdiction known as the circuit court, one probate court, and
23 courts of limited jurisdiction that the legislature may establish
24 by a two-thirds vote of the members elected to and serving in each
25 ~~house~~ **THE LEGISLATURE**.

26 Sec. 25. For reasonable cause, which is not sufficient ground
27 for impeachment, the governor shall remove any judge on a

1 ~~concurrent~~ resolution of two-thirds of the members elected to and
2 serving in ~~each house of~~ the legislature. The cause for removal
3 shall be stated at length in the resolution.

4 ARTICLE VIII

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

20 ARTICLE IX

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

1 repayment.

2 Sec. 27. The revenue limit of Section 26 of this Article may
3 be exceeded only if all of the following conditions are met: (1)
4 The governor requests the legislature to declare an emergency; (2)
5 the request is specific as to the nature of the emergency, the
6 dollar amount of the emergency, and the method by which the
7 emergency will be funded; and (3) the legislature thereafter
8 declares an emergency in accordance with the specific of the
9 governor's request by a two-thirds vote of the members elected to
10 and serving in ~~each house~~ **THE LEGISLATURE**. The emergency must be
11 declared in accordance with this section prior to incurring any of
12 the expenses which constitute the emergency request. The revenue
13 limit may be exceeded only during the fiscal year for which the
14 emergency is declared. In no event shall any part of the amount
15 representing a refund under Section 26 of this Article be the
16 subject of an emergency request.

17 ARTICLE X

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

24 The legislature by an act adopted by two-thirds of the members
25 elected to and serving in ~~each house~~ **THE LEGISLATURE** may designate
26 any part of such lands as a state land reserve. No lands in the
27 state land reserve may be removed from the reserve, sold, leased or

1 otherwise disposed of except by an act of the legislature.

2 ARTICLE XI

3 Sec. 5. The classified state civil service shall consist of
4 all positions in the state service except those filled by popular
5 election, heads of principal departments, members of boards and
6 commissions, the principal executive officer of boards and
7 commissions heading principal departments, employees of courts of
8 record, employees of the legislature, employees of the state
9 institutions of higher education, all persons in the armed forces
10 of the state, eight exempt positions in the office of the governor,
11 and within each principal department, when requested by the
12 department head, two other exempt positions, one of which shall be
13 policy-making. The civil service commission may exempt three
14 additional positions of a policy-making nature within each
15 principal department.

16 The civil service commission shall be non-salaried and shall
17 consist of four persons, not more than two of whom shall be members
18 of the same political party, appointed by the governor for terms of
19 eight years, no two of which shall expire in the same year.

20 The administration of the commission's powers shall be vested
21 in a state personnel director who shall be a member of the
22 classified service and who shall be responsible to and selected by
23 the commission after open competitive examination.

24 The commission shall classify all positions in the classified
25 service according to their respective duties and responsibilities,
26 fix rates of compensation for all classes of positions, approve or
27 disapprove disbursements for all personal services, determine by

1 competitive examination and performance exclusively on the basis of
2 merit, efficiency and fitness the qualifications of all candidates
3 for positions in the classified service, make rules and regulations
4 covering all personnel transactions, and regulate all conditions of
5 employment in the classified service.

6 State Police Troopers and Sergeants shall, through their
7 elected representative designated by 50% of such troopers and
8 sergeants, have the right to bargain collectively with their
9 employer concerning conditions of their employment, compensation,
10 hours, working conditions, retirement, pensions, and other aspects
11 of employment except promotions which will be determined by
12 competitive examination and performance on the basis of merit,
13 efficiency, and fitness; and they shall have the right 30 days
14 after commencement of such bargaining to submit any unresolved
15 disputes to binding arbitration for the resolution thereof the same
16 as now provided by law for Public Police and Fire Departments.

17 No person shall be appointed to or promoted in the classified
18 service who has not been certified by the commission as qualified
19 for such appointment or promotion. No appointments, promotions,
20 demotions, or removals in the classified service shall be made for
21 religious, racial, or partisan considerations.

22 Increases in rates of compensation authorized by the
23 commission may be effective only at the start of a fiscal year and
24 shall require prior notice to the governor, who shall transmit such
25 increases to the legislature as part of ~~his~~**THE GOVERNOR'S** budget.
26 The legislature may, by a majority vote of the members elected to
27 and serving in ~~each house~~**THE LEGISLATURE**, waive the notice and

1 permit increases in rates of compensation to be effective at a time
2 other than the start of a fiscal year. Within 60 calendar days
3 following such transmission, the legislature may, by a two-thirds
4 vote of the members elected to and serving in ~~each house~~ **THE**
5 **LEGISLATURE**, reject or reduce increases in rates of compensation
6 authorized by the commission. Any reduction ordered by the
7 legislature shall apply uniformly to all classes of employees
8 affected by the increases and shall not adjust pay differentials
9 already established by the civil service commission. The
10 legislature may not reduce rates of compensation below those in
11 effect at the time of the transmission of increases authorized by
12 the commission.

13 The appointing authorities may create or abolish positions for
14 reasons of administrative efficiency without the approval of the
15 commission. Positions shall not be created nor abolished except for
16 reasons of administrative efficiency. Any employee considering
17 himself **OR HERSELF** aggrieved by the abolition or creation of a
18 position shall have a right of appeal to the commission through
19 established grievance procedures.

20 The civil service commission shall recommend to the governor
21 and to the legislature rates of compensation for all appointed
22 positions within the executive department not a part of the
23 classified service.

24 To enable the commission to exercise its powers, the
25 legislature shall appropriate to the commission for the ensuing
26 fiscal year a sum not less than one percent of the aggregate
27 payroll of the classified service for the preceding fiscal year, as

1 certified by the commission. Within six months after the conclusion
2 of each fiscal year the commission shall return to the state
3 treasury all moneys unexpended for that fiscal year.

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

7 No payment for personal services shall be made or authorized
8 until the provisions of this constitution pertaining to civil
9 service have been complied with in every particular. Violation of
10 any of the provisions hereof may be restrained or observance
11 compelled by injunctive or mandamus proceedings brought by any
12 citizen of the state.

13 Sec. 7. The ~~house of representatives~~ **LEGISLATURE** shall have
14 the sole power of impeaching civil officers for corrupt conduct in
15 office or for crimes or misdemeanors, but a majority of the members
16 elected ~~thereto~~ **TO** and serving ~~therein~~ **IN THE LEGISLATURE** shall be
17 necessary to direct an impeachment.

18 When an impeachment is directed, the ~~house of representatives~~
19 **LEGISLATURE** shall elect three of its members to prosecute the
20 impeachment.

21 Every impeachment shall be tried by the ~~senate~~ **LEGISLATURE**
22 immediately after the final adjournment of the legislature. The
23 ~~senators~~ **LEGISLATORS** shall take an oath or affirmation truly and
24 impartially to try and determine the impeachment according to the
25 evidence. When the governor or lieutenant governor is tried, the
26 chief justice of the supreme court shall preside.

27 No person shall be convicted without the concurrence of two-

1 thirds of the ~~senators~~**LEGISLATORS** elected and serving. Judgment in
2 case of conviction shall not extend further than removal from
3 office, but the person convicted shall be liable to punishment
4 according to law.

5 No judicial officer shall exercise any of the functions of his
6 **OR HER** office after an impeachment is directed until ~~he~~**THE OFFICER**
7 is acquitted.

8 ARTICLE XII

9 Sec. 1. Amendments to this constitution may be proposed in the
10 ~~senate or house of representatives~~**LEGISLATURE**. Proposed amendments
11 agreed to by two-thirds of the members elected to and serving in
12 ~~each house~~**THE LEGISLATURE** on a vote with the names and vote of
13 those voting entered in the ~~respective journals~~**JOURNAL OF THE**
14 **LEGISLATURE** shall be submitted, not less than 60 days thereafter,
15 to the electors at the next general election or special election as
16 the legislature shall direct. If a majority of electors voting on a
17 proposed amendment approve the same, it shall become part of the
18 constitution and shall abrogate or amend existing provisions of the
19 constitution at the end of 45 days after the date of the election
20 at which it was approved.

21 Sec. 3. At the general election to be held in the year 1978,
22 and in each ~~16th~~**SIXTEENTH** year thereafter and at such times as may
23 be provided by law, the question of a general revision of the
24 constitution shall be submitted to the electors of the state. If a
25 majority of the electors voting on the question decide in favor of
26 a convention for such purpose, at an election to be held not later
27 than six months after the proposal was certified as approved, the

1 electors of each ~~representative~~ **LEGISLATIVE** district as then
2 organized shall elect one delegate ~~and the electors of each~~
3 ~~senatorial district as then organized shall elect one delegate at a~~
4 partisan election. The delegates so elected shall convene at the
5 seat of government on the first Tuesday in October next succeeding
6 such election or at an earlier date if provided by law.

7 The convention shall choose its own officers, determine the
8 rules of its proceedings and judge the qualifications, elections
9 and returns of its members. To fill a vacancy in the office of any
10 delegate, the governor shall appoint a qualified resident of the
11 same district who shall be a member of the same party as the
12 delegate vacating the office. The convention shall have power to
13 appoint such officers, employees and assistants as it deems
14 necessary and to fix their compensation; to provide for the
15 printing and distribution of its documents, journals and
16 proceedings; to explain and disseminate information about the
17 proposed constitution and to complete the business of the
18 convention in an orderly manner. Each delegate shall receive for
19 his **OR HER** services compensation provided by law.

20 No proposed constitution or amendment adopted by such
21 convention shall be submitted to the electors for approval as
22 hereinafter provided unless by the assent of a majority of all the
23 delegates elected to and serving in the convention, with the names
24 and vote of those voting entered in the journal. Any proposed
25 constitution or amendments adopted by such convention shall be
26 submitted to the qualified electors in the manner and at the time
27 provided by such convention not less than 90 days after final

1 adjournment of the convention. Upon the approval of such
2 constitution or amendments by a majority of the qualified electors
3 voting thereon the constitution or amendments shall take effect as
4 provided by the convention.

5 **SCHEDULE AND TEMPORARY PROVISIONS**

6 **TO ENSURE THE ORDERLY TRANSITION FROM A BICAMERAL LEGISLATURE**
7 **TO AN UNICAMERAL LEGISLATURE, THE FOLLOWING SCHEDULE AND TEMPORARY**
8 **PROVISIONS ARE SET FORTH TO BE EFFECTIVE FOR SUCH PERIOD AS ARE**
9 **THEREBY REQUIRED:**

10 **SEC. 1. THE FOREGOING AMENDMENT TO THE CONSTITUTION OF 1963**
11 **SHALL TAKE EFFECT JANUARY 1, 2011. UNTIL JANUARY 1, 2011, THE**
12 **SECTIONS OF THE STATE CONSTITUTION OF 1963 THAT THE FOREGOING**
13 **AMENDMENT AMENDS SHALL CONTINUE IN EFFECT AS THOUGH THE FOREGOING**
14 **AMENDMENT HAD NOT BEEN ADOPTED.**

15 **SEC. 2. THE SENATE IS ABOLISHED AT MIDNIGHT, DECEMBER 31,**
16 **2010. THE TERMS OF SENATORS ELECTED AT THE GENERAL ELECTION IN 2006**
17 **OR TO FILL ANY VACANCY EXISTING IN THE SENATE BEFORE DECEMBER 31,**
18 **2010 SHALL EXPIRE AT MIDNIGHT, DECEMBER 31, 2010. THE HOUSE OF**
19 **REPRESENTATIVES IS ABOLISHED AT MIDNIGHT, DECEMBER 31, 2012. THE**
20 **TERMS OF REPRESENTATIVES ELECTED AT THE GENERAL ELECTION IN 2010 OR**
21 **TO FILL ANY VACANCY EXISTING IN THE HOUSE OF REPRESENTATIVES BEFORE**
22 **DECEMBER 31, 2012 SHALL EXPIRE AT MIDNIGHT, DECEMBER 31, 2012.**

23 **SEC. 3. TO ENABLE A UNICAMERAL LEGISLATURE TO COMMENCE JANUARY**
24 **1, 2013, THE LEGISLATORS WHO WILL ASSUME OFFICE JANUARY 1, 2013**
25 **SHALL BE ELECTED AT THE GENERAL ELECTION IN 2012 IN THE MANNER**
26 **PROVIDED BY LAW AND CONSISTENT WITH THIS CONSTITUTION.**

27 Resolved further, That the foregoing amendment shall be

- 1 submitted to the people of the state at the next general election
- 2 in the manner provided by law.