

HOUSE JOINT RESOLUTION X

November 09, 2022, Introduced by Rep. Steven Johnson and referred to the Committee on Government Operations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 5 of article III, to prohibit the use of nondisclosure agreements in interstate compacts.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to prohibit the use of nondisclosure agreements in interstate compacts, is proposed, agreed to, and submitted to the people of the state:

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ARTICLE III

1 Sec. 5. Subject to provisions of general law, this state or
2 any political subdivision thereof, any governmental authority or
3 any combination thereof may enter into agreements for the
4 performance, financing, or execution of their respective functions,
5 with any one or more of the other states, the United States, the
6 Dominion of Canada, or any political subdivision thereof unless
7 otherwise provided in this constitution. **This state, any political**
8 **subdivision of this state, any governmental authority, or any**
9 **combination of these shall not enter into an interstate compact**
10 **that is subject to a nondisclosure agreement or that includes a**
11 **provision or clause within the compact that provides that the**
12 **compact or any of its terms are confidential or that the parties to**
13 **the compact are prohibited from disclosing, discussing, describing,**
14 **or commenting upon the terms of the compact.** Any other provision of
15 this constitution notwithstanding, an officer or employee of the
16 state or of any such unit of government or subdivision or agency
17 thereof may serve on or with any governmental body established for
18 the purposes set forth in this section and ~~shall~~**must** not be
19 required to relinquish his **or her** office or employment by reason of
20 such service. The legislature may impose such restrictions,
21 limitations or conditions on such service as it may deem
22 appropriate.

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.