



HOUSE JOINT RESOLUTION D

January 17, 1995, Introduced by Rep. Bryant and referred to the Committee on Judiciary and Civil Rights.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 10 of article II, section 54 of article IV, section 30 of article V, and sections 3, 5, and 7 of article VIII and adding section 35 to article VII and section 10 to article VIII, to provide term limits for certain federal, state, and local offices.

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 term limits for certain federal, state, and local offices is proposed, agreed to, and submitted to the people of the state:

1 Sec. 10. No person shall ~~be elected to~~ HOLD THE office
2 ~~as~~ OF representative in the United States House of
3 Representatives more than ~~three times during any twelve year~~
4 ~~period~~ TWELVE YEARS. No person shall ~~be elected to~~ HOLD THE

1 office ~~as~~ OF senator in the United States Senate more than ~~two~~
2 ~~times during any twenty four year period~~ TWELVE YEARS. ~~Any~~
3 ~~person appointed or elected to fill a vacancy in the United~~
4 ~~States House of Representatives or the United States Senate for a~~
5 ~~period greater than one half of a term of such office, shall be~~
6 ~~considered to have been elected to serve one time in that office~~
7 ~~for purposes of this section.~~ This limitation on the number of
8 ~~times~~ YEARS a person shall ~~be elected to~~ HOLD office shall
9 apply to terms of office beginning on or after January 1, 1993.

10 The people of Michigan hereby state their support for the
11 aforementioned term limits for members of the United States House
12 of Representatives and United States Senate and instruct their
13 public officials to use their best efforts to attain such a limit
14 nationwide.

15 The people of Michigan declare that the provisions of this
16 section shall be deemed severable from the remainder of this
17 amendment and that their intention is that federal officials
18 elected from Michigan will continue voluntarily to observe the
19 wishes of the people as stated in this section, in the event any
20 provision of this section is held invalid.

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

ARTICLE IV

1
2 Sec. 54. No person shall ~~be elected to~~ HOLD the office of
3 state representative more than ~~three times~~ TWELVE YEARS. No
4 person shall ~~be elected to~~ HOLD the office of state ~~senate~~
5 SENATOR more than ~~two times~~ TWELVE YEARS. ~~Any person~~
6 ~~appointed or elected to fill a vacancy in the house of represen~~
7 ~~tatives or the state senate for a period greater than one half of~~
8 ~~a term of such office, shall be considered to have been elected~~
9 ~~to serve one time in that office for purposes of this section.~~
10 This limitation on the number of ~~times~~ YEARS a person ~~shall be~~
11 ~~elected to~~ MAY HOLD office shall apply to terms of office begin-
12 ning on or after January 1, 1993.

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
16 of 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.

ARTICLE V

19
20 Sec. 30. No person shall ~~be elected more than two times~~
21 ~~to~~ HOLD FOR MORE THAN TWELVE YEARS each office of the executive
22 branch of government: governor, lieutenant governor, secretary
23 of state or attorney general. ~~Any person appointed or elected~~
24 ~~to fill a vacancy in the office of governor, lieutenant governor,~~
25 ~~secretary of state or attorney general for a period greater than~~
26 ~~one half of a term of such office, shall be considered to have~~
27 ~~been elected to serve one time in that office for purposes of~~

1 ~~this section.~~ This limitation on the number of ~~times a person~~
2 ~~shall be elected to~~ YEARS A PERSON MAY HOLD office shall apply
3 to terms of office beginning on or after January 1, 1993.

4 This section shall be self-executing. Legislation may be
5 enacted to facilitate operation of this section, but no law shall
6 limit or restrict the application of this section. If any part
7 of this section is held to be invalid or unconstitutional, the
8 remaining parts of this section shall not be affected but will
9 remain in full force and effect.

10 ARTICLE VII

11 SEC. 35. NO PERSON SHALL HOLD FOR MORE THAN TWELVE YEARS
12 ANY ELECTIVE OFFICE OF COUNTY, TOWNSHIP, CITY, OR VILLAGE
13 GOVERNMENT. THIS LIMITATION ON THE NUMBER OF YEARS A PERSON MAY
14 HOLD ANY ELECTIVE OFFICE OF COUNTY, TOWNSHIP, CITY, OR VILLAGE
15 GOVERNMENT SHALL APPLY TO TERMS OF OFFICE BEGINNING ON OR AFTER
16 JANUARY 1, 1996.

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
20 OF 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 ARTICLE VIII

24 Sec. 3. Leadership and general supervision over all public
25 education, including adult education and instructional programs
26 in state institutions, except as to institutions of higher
27 education granting baccalaureate degrees, is vested in a state

1 board of education. It shall serve as the general planning and
2 coordinating body for all public education, including higher edu-
3 cation, and shall advise the legislature as to the financial
4 requirements in connection therewith.

5 The state board of education shall appoint a superintendent
6 of public instruction whose term of office shall be determined by
7 the board. He OR SHE shall be the ~~chairman~~ CHAIRPERSON of the
8 board without the right to vote, and shall be responsible for the
9 execution of its policies. He OR SHE shall be the principal
10 executive officer of a state department of education which shall
11 have powers and duties provided by law.

12 The state board of education shall consist of eight members
13 who shall be nominated by party conventions and elected at large
14 for terms of eight years as prescribed by law. NO PERSON SHALL
15 HOLD THE OFFICE OF STATE BOARD OF EDUCATION MEMBER MORE THAN
16 TWELVE YEARS. THIS LIMITATION ON THE NUMBER OF YEARS A PERSON
17 MAY HOLD THE OFFICE OF STATE BOARD OF EDUCATION MEMBER SHALL
18 APPLY TO TERMS OF OFFICE BEGINNING ON OR AFTER JANUARY 1, 1996.

19 The governor shall fill any vacancy by appointment for the unex-
20 pired term. The governor shall be ex-officio a member of the
21 state board of education without the right to vote.

22 The power of the boards of institutions of higher education
23 provided in this constitution to supervise their respective
24 institutions and control and direct the expenditure of the
25 institutions' funds shall not be limited by this section.

26 Sec. 5. The regents of the University of Michigan and their
27 successors in office shall constitute a body corporate known as

1 the Regents of the University of Michigan; the trustees of
2 Michigan State University and their successors in office shall
3 constitute a body corporate known as the Board of Trustees of
4 Michigan State University; the governors of Wayne State
5 University and their successors in office shall constitute a body
6 corporate known as the Board of Governors of Wayne State
7 University. Each board shall have general supervision of its
8 institution and the control and direction of all expenditures
9 from the institution's funds. Each board shall, as often as nec-
10 essary, elect a president of the institution under its
11 supervision. He shall be the principal executive officer of the
12 institution, be ex-officio a member of the board without the
13 right to vote and preside at meetings of the board. The board of
14 each institution shall consist of eight members who shall hold
15 office for terms of eight years and who shall be elected as pro-
16 vided by law. NO PERSON SHALL HOLD OFFICE MORE THAN TWELVE
17 YEARS. THIS LIMITATION ON THE NUMBER OF YEARS A PERSON MAY HOLD
18 OFFICE SHALL APPLY TO TERMS OF OFFICE BEGINNING ON OR AFTER
19 JANUARY 1, 1996. The governor shall fill board vacancies by
20 appointment. Each appointee shall hold office until a successor
21 has been nominated and elected as provided by law.

22 Sec. 7. The legislature shall provide by law for the estab-
23 lishment and financial support of public community and junior
24 colleges which shall be supervised and controlled by locally
25 elected boards. NO PERSON SHALL HOLD THE OFFICE OF LOCAL PUBLIC
26 COMMUNITY OR JUNIOR COLLEGE BOARD MEMBER MORE THAN TWELVE YEARS.
27 The legislature shall provide by law for a state board for public

1 community and junior colleges which shall advise the state board
2 of education concerning general supervision and planning for such
3 colleges and requests for annual appropriations for their
4 support. The board shall consist of eight members who shall hold
5 office for terms of eight years, not more than two of which shall
6 expire in the same year, and who shall be appointed by the state
7 board of education. Vacancies shall be filled in like manner.
8 The superintendent of public instruction shall be ex-officio a
9 member of this board without the right to vote. NO PERSON SHALL
10 HOLD THE OFFICE OF STATE PUBLIC COMMUNITY OR JUNIOR COLLEGE
11 MEMBER MORE THAN TWELVE YEARS. THE LIMITATION ON THE NUMBER OF
12 YEARS A PERSON MAY HOLD THE OFFICE OF LOCAL OR STATE PUBLIC COM-
13 MUNITY OR JUNIOR COLLEGE BOARD MEMBER SHALL APPLY TO TERMS OF
14 OFFICE BEGINNING ON OR AFTER JANUARY 1, 1996.

15 SEC. 10. NO PERSON SHALL HOLD FOR MORE THAN TWELVE YEARS
16 THE OFFICE OF LOCAL SCHOOL BOARD MEMBER. NO PERSON SHALL HOLD
17 FOR MORE THAN TWELVE YEARS THE OFFICE OF INTERMEDIATE SCHOOL
18 BOARD MEMBER. THIS LIMITATION ON THE NUMBER OF YEARS A PERSON
19 MAY HOLD THE OFFICE OF LOCAL OR INTERMEDIATE SCHOOL BOARD MEMBER
20 SHALL APPLY TO TERMS OF OFFICE BEGINNING ON OR AFTER JANUARY 1,
21 1996.

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