

# SENATE JOINT RESOLUTION J

February 21, 2006, Introduced by Senators GARCIA, KUIPERS, TOY, BISHOP, CROPSEY and BARCIA and referred to the Committee on Government Operations.

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

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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       **IF A MEMBER OF EITHER HOUSE OF THE LEGISLATURE IS CALLED TO**  
7 **ACTIVE MILITARY DUTY, THE GOVERNOR SHALL APPOINT A TEMPORARY**  
8 **REPLACEMENT MEMBER TO HOLD THE OFFICE OF THE MEMBER UNTIL THE**  
9 **MEMBER IS RELEASED FROM ACTIVE MILITARY DUTY OR OTHERWISE ABLE TO**  
10 **RETURN TO HIS OR HER DUTIES AS A LEGISLATOR. THE GOVERNOR SHALL**  
11 **APPOINT A RESIDENT OF THAT DISTRICT WHO IS NOMINATED BY THE MEMBER,**  
12 **IN THE SAME POLITICAL PARTY AS THE MEMBER, AND NOMINATED BY THE**  
13 **LOCAL POLITICAL PARTY OF THE MEMBER AS PROVIDED BY LAW. THE**  
14 **TEMPORARY REPLACEMENT MEMBER SHALL PERFORM ALL DUTIES, HAVE THE**  
15 **SAME RESPONSIBILITIES, AND RECEIVE THE SAME COMPENSATION AS A**  
16 **MEMBER OF THE LEGISLATURE. IF THE MEMBER IS ON ACTIVE MILITARY DUTY**  
17 **AND IS UNABLE TO RUN FOR REELECTION, THE TEMPORARY REPLACEMENT**  
18 **MEMBER IS ENTITLED TO RUN FOR THE MEMBER'S OFFICE FOR THE MEMBER,**  
19 **UNLESS OTHERWISE PROVIDED IN THIS CONSTITUTION.**

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.