

# HOUSE JOINT RESOLUTION RR

January 14, 2010, Introduced by Reps. Hammel, Paul Scott, Bennett and LeBlanc and referred to the Committee on Ethics and Elections.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 13 of article V, to require the governor to fill certain vacancies in the office of state senator and state representative by appointment.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to require the governor to fill certain vacancies in the office of state senator and state representative by appointment, is proposed, agreed to, and submitted to the people of the state:

## ARTICLE V

1       Sec. 13. (1) ~~The governor shall issue writs of election to~~  
2 ~~fill vacancies in the senate or house of representatives. Any such~~  
3 ~~election shall be held in a manner prescribed by law. IF A VACANCY~~  
4 OCCURS IN THE OFFICE OF STATE SENATOR OR STATE REPRESENTATIVE LESS  
5 THAN ONE YEAR BEFORE THE END OF THE OFFICER'S TERM OF OFFICE, THE  
6 GOVERNOR SHALL IMMEDIATELY GIVE NOTICE OF THE VACANCY TO THE  
7 CHAIRPERSON OF THE COUNTY COMMITTEE OF THE POLITICAL PARTY OF THE  
8 INDIVIDUAL WHO VACATED THE OFFICE.

9       (2) THE COUNTY COMMITTEE OF THE POLITICAL PARTY OF THE  
10 INDIVIDUAL WHO VACATED THE OFFICE SHALL, WITHIN THIRTY DAYS OF  
11 RECEIVING NOTICE FROM THE GOVERNOR CONCERNING THE VACANCY, NOMINATE  
12 THREE INTERESTED INDIVIDUALS FOR THE POSITION AND SUBMIT THE LIST  
13 OF NOMINEES TO THE GOVERNOR.

14       (3) THE GOVERNOR SHALL, WITHIN THIRTY DAYS OF RECEIVING A LIST  
15 OF NOMINEES, APPOINT ONE OF THE NOMINEES TO SERVE THE REMAINDER OF  
16 THAT TERM.

17       (4) PRIOR TO TAKING THE OATH OF OFFICE, AN INDIVIDUAL  
18 APPOINTED UNDER THIS SECTION SHALL SIGN AN AFFIDAVIT THAT HE OR SHE  
19 SHALL NOT BE A CANDIDATE FOR THAT OFFICE AT THE NEXT GENERAL  
20 ELECTION AT WHICH AN ELECTION FOR THAT OFFICE IS HELD.

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