

**SUBSTITUTE FOR
HOUSE BILL NO. 5380**

A bill to provide for the appointment of article V convention delegates; to provide for the powers and duties of those delegates; and to provide for the duties of certain state governmental officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Alternate" means an individual appointed to replace a
3 delegate who is unable to fulfill his or her duties as a delegate.

4 (b) "Article V convention" means a convention for proposing
5 amendments to the constitution of the United States called for by
6 the states under article V of the constitution of the United
7 States.

8 (c) "Delegate" means an individual appointed to represent this

1 state at an article V convention.

2 (d) "Lobbyist" means that term as defined in section 5 of 1978
3 PA 472, MCL 4.415.

4 (e) "Lobbyist agent" means that term as defined in section 5
5 of 1978 PA 472, MCL 4.415.

6 Sec. 2. (1) When an article V convention is called, the
7 delegates and alternates for this state shall be appointed as
8 follows:

9 (a) Nine delegates consisting of the following:

10 (i) Two individuals appointed by the senate majority leader.

11 (ii) Two individuals appointed by the speaker of the house of
12 representatives.

13 (iii) Two individuals appointed by the governor.

14 (iv) One individual appointed by the minority leader of the
15 senate.

16 (v) One individual appointed by the minority leader of the
17 house of representatives.

18 (vi) One individual jointly appointed by the senate majority
19 leader, the speaker of the house of representatives, and the
20 governor.

21 (b) Nine alternates consisting of the following:

22 (i) Two individuals appointed by the senate majority leader.

23 (ii) Two individuals appointed by the speaker of the house of
24 representatives.

25 (iii) Two individuals appointed by the governor.

26 (iv) One individual appointed by the minority leader of the
27 senate.

1 (v) One individual appointed by the minority leader of the
2 house of representatives.

3 (vi) One individual jointly appointed by the senate majority
4 leader, the speaker of the house of representatives, and the
5 governor.

6 (2) To be eligible to serve as a delegate or alternate, an
7 individual must meet all of the following qualifications:

8 (a) Be at least 18 years of age.

9 (b) Be a registered voter in this state.

10 (c) Be a resident of this state.

11 (d) Not be a lobbyist or lobbyist agent.

12 (e) Not be a federal judge, member of the United States
13 senate, or member of the United States house of representatives.

14 (3) A delegate or alternate may be recalled by the individual
15 who appointed that member under subsection (1).

16 (4) If a delegate is recalled under subsection (3), the
17 delegate shall be replaced by his or her alternate within 24 hours
18 of being recalled.

19 (5) Delegates and alternates may be reimbursed for their
20 actual and necessary expenses incurred in the performance of their
21 official duties as delegates and alternates. Delegates and
22 alternates may receive compensation as provided by appropriation.

23 (6) Each delegate or alternate, after designation and before
24 the exercise of any function, shall execute an oath to do each of
25 the following:

26 (a) Pledge to support the constitution of the United States
27 and the state constitution of 1963.

1 (b) Pledge to otherwise faithfully discharge the duties of a
2 delegate or alternate.

3 (7) A delegate shall file the oath executed under subsection
4 (6) with the secretary of state.

5 Sec. 3. The legislature shall appropriate the money necessary
6 to implement this act.