

# HOUSE JOINT RESOLUTION J

March 5, 2015, Introduced by Reps. Gamrat, Courser, Lucido, Chatfield, Aaron Miller, Glenn, Hooker, Cole, Kelly, McBroom, Barrett, Franz, Goike and Bumstead and referred to the Committee on Oversight and Ethics.

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 31 to article V, to provide for a limitation on the time that new executive agencies and administrative rules are effective.

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 a limitation on the time that new executive agencies and administrative rules are effective, is proposed, agreed to, and submitted to the people of the state:

ARTICLE V

SEC. 31. AFTER THIS SECTION BECOMES PART OF THIS CONSTITUTION AS PROVIDED IN SECTION 1 OF ARTICLE XII, THE CREATION OF A NEW EXECUTIVE DEPARTMENT OR OTHER AGENCY UNDER AN ACT OF THE

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1 LEGISLATURE OR UNDER AN EXECUTIVE ORDER OF THE GOVERNOR OR A NEW  
2 ADMINISTRATIVE RULE PROMULGATED BY AN EXECUTIVE DEPARTMENT OR  
3 AGENCY IS ONLY EFFECTIVE FOR A MAXIMUM OF 5 YEARS AFTER THE  
4 CREATION OR PROMULGATION. THE EXISTENCE OF THE DEPARTMENT OR AGENCY  
5 OR THE EFFECTIVENESS OF THE RULE MAY BE EXTENDED FOR ADDITIONAL  
6 PERIODS OF UP TO 5 YEARS IF BOTH HOUSES OF THE LEGISLATURE, BY  
7 MAJORITY VOTE, APPROVE A JOINT RESOLUTION APPROVING THE EXTENSION.  
8 THE JOINT RESOLUTION IS NOT SUBJECT TO APPROVAL OR VETO BY THE  
9 GOVERNOR.

10 THE LIMITATIONS OF THIS SECTION DO NOT APPLY TO THE CREATION  
11 OF A NEW EXECUTIVE DEPARTMENT OR OTHER AGENCY UNDER AN ACT OF THE  
12 LEGISLATURE OR TO THE PROMULGATION OF AN ADMINISTRATIVE RULE BY AN  
13 EXECUTIVE DEPARTMENT OR AGENCY IF THE ACT THAT CREATES THE  
14 DEPARTMENT OR AGENCY OR AUTHORIZES THE PROMULGATION OF THE RULE IS  
15 APPROVED BY TWO-THIRDS OF THE MEMBERS ELECTED TO AND SERVING IN  
16 EACH HOUSE.

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