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## PSERS: CONSTITUTIONAL STATUS

### House Joint Resolution P

Sponsor: Rep. Cameron Brown

Committee: Constitutional Law and Ethics

Complete to 2-23-00

### A SUMMARY OF HOUSE JOINT RESOLUTION P AS INTRODUCED 2-16-00

The joint resolution proposes an amendment to Article IX of the state constitution. It would add a new Section 40 to provide constitutional protection for the Public School Employees Retirement System. (The retirement system is established in statute under the Public School Employees Retirement Act, MCL 38.1301 - 38.1467.)

The joint resolution, if approved by the legislature and the voters, would constitutionally establish the Michigan Public School Employees Retirement System within the Department of Management and Budget. The joint resolution specifies that the retirement system could receive appropriations, money, or other things of value. The state treasurer would direct the investment of the funds of the retirement system, and credit interest and earnings of the funds to the respective reserves of the retirement system that earned the income, as provided by law. The joint resolution specifies that, except for actions of the state treasurer authorized under the joint resolution, an expenditure or transfer of an asset, interest, or earnings of the retirement system could be made only upon the authorization of a majority of the members of the Public School Employees Retirement Board.

The joint resolution further specifies that the retirement board would administer the retirement system as provided in the resolution and by law. The board would be prohibited from authorizing the expenditure or transfer of an asset, interest, or earnings of the retirement system unless the board determined by a majority vote that the expenditure or transfer was for the benefit of members and retirants of the retirement system and their spouses, dependents, and beneficiaries.

The resolution would be submitted to the voters at the next general election.

Analyst: D. Martens

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.