

HOUSE BILL No. 4386

March 1, 2001, Introduced by Reps. Switalski, Bovin, Pestka, Neumann, Williams, Adamini and Hardman and referred to the Committee on House Oversight and Operations.

A bill to amend 1968 PA 357, entitled

"An act to prescribe the powers, duties and functions of the state officers' compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission,"

by amending sections 6 and 7 (MCL 15.216 and 15.217).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) The commission shall determine the salaries and
2 expense ~~allowance~~ ALLOWANCES of the governor, lieutenant gover-
3 nor, AND the justices of the supreme court ~~, and the members of~~
4 ~~the legislature~~ and file its determinations with the clerk of
5 the house of representatives, the secretary of the senate and the
6 director of the department of management and budget after
7 December 1 and before December 31, of each even numbered year and
8 shall furnish copies to the governor, the lieutenant governor,
9 justices of the supreme court, and members of the legislature.

1 (2) THE COMMISSION SHALL MAKE A RECOMMENDATION FOR THE
2 SALARIES AND EXPENSE ALLOWANCES OF THE MEMBERS OF THE LEGISLATURE
3 AND PROVIDE THE LEGISLATURE WITH THE OPTION OF ADOPTING EITHER
4 THE RECOMMENDATION OR A SALARY AND EXPENSE ALLOWANCE INDEXED TO
5 THE AVERAGE WAGE OF ALL STATE EMPLOYEES REPRESENTED BY A LABOR
6 ORGANIZATION. THE COMMISSION SHALL SUBMIT THE SALARY AND EXPENSE
7 ALLOWANCE OPTIONS DESCRIBED IN THIS SECTION TO THE CLERK OF THE
8 HOUSE OF REPRESENTATIVES, THE SECRETARY OF THE SENATE, ALL MEM-
9 BERS OF THE LEGISLATURE, AND THE DIRECTOR OF THE DEPARTMENT OF
10 MANAGEMENT AND BUDGET AFTER DECEMBER 1 AND BEFORE DECEMBER 31 OF
11 EACH EVEN NUMBERED YEAR.

12 Sec. 7. (1) The determinations of the commission DESCRIBED
13 IN SECTION 6(1) shall be effective January 1 of the year follow-
14 ing their filing and shall be the compensation and expense allow-
15 ances of the governor, lieutenant governor, justices of the
16 supreme court and members of the legislature unless the legisla-
17 ture, by concurrent resolution adopted by a 2/3 vote of the mem-
18 bers elected to and serving prior to February 1 of the year fol-
19 lowing the filing of the determinations, rejects either the
20 entire determinations or specific determinations for specific
21 positions. In case of rejection, the existing ~~salary~~ SALARIES
22 and expense allowances shall prevail retroactive to January 1.

23 (2) THE RECOMMENDATION OF THE COMMISSION UNDER SECTION 6(2)
24 SHALL BE EFFECTIVE JANUARY 1 OF THE YEAR FOLLOWING ITS SUBMISSION
25 TO THE LEGISLATURE, AND SHALL BE THE COMPENSATION AND EXPENSE
26 ALLOWANCES OF THE MEMBERS OF THE LEGISLATURE UNLESS THE
27 LEGISLATURE, BY CONCURRENT RESOLUTION ADOPTED BY A 2/3 VOTE OF

1 THE MEMBERS ELECTED AND SERVING PRIOR TO FEBRUARY 1 OF THE YEAR
2 FOLLOWING THE RECOMMENDATION, DOES EITHER OF THE FOLLOWING:

3 (A) EXPRESSLY REJECTS BOTH OPTIONS SUBMITTED BY THE COMMIS-
4 SION UNDER SECTION 6(2).

5 (B) EXPRESSLY ADOPTS THE OPTION TO RECEIVE SALARIES AND
6 EXPENSE ALLOWANCES INDEXED TO THE AVERAGE WAGE OF ALL STATE
7 EMPLOYEES REPRESENTED BY A LABOR ORGANIZATION.

8 (3) IF THE LEGISLATURE EXPRESSLY REJECTS BOTH OPTIONS SUB-
9 MITTED BY THE COMMISSION UNDER SECTION 6(2), THE SALARIES AND
10 EXPENSE ALLOWANCES IN EXISTENCE AT THE TIME OF THE REJECTION
11 SHALL PREVAIL RETROACTIVE TO JANUARY 1.