

HOUSE JOINT RESOLUTION A

January 22, 2009, Introduced by Rep. Opsommer and referred to the Committee on Government Operations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV and by adding section 55 to article IV, to provide that the state officers compensation commission's determination of certain salaries shall not exceed the increase in the consumer price index or the average increase in state employee pay and to reduce compensation of state legislators who have absences from legislative session or when the legislature does not present certain budget bills to the governor on or before a certain date.

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 that the state officers compensation commission's determination of certain salaries shall

not exceed the increase in the consumer price index or the average increase in state employee pay and to reduce compensation of state legislators who have absences from legislative session or when the legislature does not present certain budget bills to the governor on or before a certain date, is proposed, agreed to, and submitted to the people of the state:

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ARTICLE IV

Sec. 12. The state officers compensation commission is created which subject to this section shall determine the salaries and expense allowances of the members of the legislature, the governor, the lieutenant governor, the attorney general, the secretary of state, and the justices of the supreme court. The commission shall consist of 7 members appointed by the governor whose qualifications may be determined by law. Subject to the legislature's ability to amend the commission's determinations as provided in this section, the commission shall determine the salaries and expense allowances of the members of the legislature, the governor, the lieutenant governor, the attorney general, the secretary of state, and the justices of the supreme court which determinations shall be the salaries and expense allowances only if the legislature by concurrent resolution adopted by a majority of the members elected to and serving in each house of the legislature approve them. **A SALARY DETERMINATION OF THE STATE OFFICERS COMPENSATION COMMISSION FOR MEMBERS OF THE LEGISLATURE SHALL NOT EXCEED THE SALARY EXISTING ON THE DATE OF THAT DETERMINATION BY MORE THAN THE AVERAGE PAY RATE INCREASE FOR OTHER EMPLOYEES OF THIS STATE OR THE CHANGE IN THE CONSUMER PRICE INDEX FOR THE UNITED STATES AS MOST RECENTLY**

1 REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR
2 STATISTICS, WHICHEVER IS LOWER. The senate and house of
3 representatives shall alternate on which house of the legislature
4 shall originate the concurrent resolution, with the senate
5 originating the first concurrent resolution.

6 The concurrent resolution may amend the salary and expense
7 determinations of the state officers compensation commission to
8 reduce the salary and expense determinations by the same proportion
9 for members of the legislature, the governor, the lieutenant
10 governor, the attorney general, the secretary of state, and the
11 justices of the supreme court. The legislature shall not amend the
12 salary and expense determinations to reduce them to below the
13 salary and expense level that members of the legislature, the
14 governor, the lieutenant governor, the attorney general, the
15 secretary of state, and the justices of the supreme court receive
16 on the date the salary and expense determinations are made. If the
17 salary and expense determinations are approved or amended as
18 provided in this section, the salary and expense determinations
19 shall become effective for the legislative session immediately
20 following the next general election. The commission shall meet each
21 2 years for no more than 15 session days. The legislature shall
22 implement this section by law.

23 SEC. 55. (1) ANY DAY THE LEGISLATIVE BODY IS IN SESSION AND A
24 LEGISLATOR DOES NOT ATTEND SESSION, THAT LEGISLATOR SHALL HAVE HIS
25 OR HER SALARY REDUCED ON A PRO RATA BASIS UNLESS THE LEGISLATOR IS
26 ABSENT BECAUSE OF A SERIOUS ILLNESS OF THE LEGISLATOR OR A MEMBER
27 OF THE LEGISLATOR'S FAMILY OR THE DEATH OF A FAMILY MEMBER.

1 (2) IF A HOUSE OF THE LEGISLATURE HAS NOT PASSED ALL BILLS
2 NECESSARY TO PROVIDE A BALANCED BUDGET FOR THE SUCCEEDING FISCAL
3 PERIOD BY LABOR DAY, EACH MEMBER OF THAT HOUSE SHALL HAVE HIS OR
4 HER SALARY REDUCED ON A PRO RATA BASIS UNTIL ALL THE BILLS
5 NECESSARY FOR A BALANCED BUDGET HAVE BEEN PASSED BY THAT HOUSE.

6 (3) THE PORTION OF THE SALARY REDUCED UNDER THIS SECTION SHALL
7 BE TRANSFERRED TO THE GENERAL FUND.

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