



**House
Legislative
Analysis
Section**

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**CONSTITUTIONAL AMENDMENT;
LEGISLATIVE BRANCH CHANGES**

**House Joint Resolution O
Sponsor: Rep. Doug Hart
Committee: House Oversight and
Operations**

Complete to 7-31-01

A SUMMARY OF HOUSE JOINT RESOLUTION O AS INTRODUCED 5-8-01

The joint resolution proposes several amendments to the state constitution to modify term limits for legislators and other state officers, prohibit lame duck legislative sessions, place limits on former legislators acting as lobbyists, and modify the process for establishing compensation levels for elected officials. If adopted by the legislature, the proposed constitutional amendment would be submitted to the voters at a special election to be held on August 6, 2002.

State Officers Compensation Commission process. Currently, under Article IV, Section 12 of the state constitution, the State Officers Compensation Commission (SOCC) determines the salaries and expense allowances of the members of the legislature, the governor, the lieutenant governor, and the justices of the state supreme court. Unless the legislature adopts, by a two-thirds majority of the members elected to and serving in each house, a concurrent resolution rejecting the salaries and expense allowances proposed by the SOCC, the salaries and expense allowances are implemented.

The joint resolution would amend Article IV, Section 12 of the state constitution to:

- Add the attorney general and the secretary of state to the list of state officials whose salaries and expense allowances are determined by the SOCC.
- Provide that commission members' qualifications could be determined by law.
- Require the commission to make three separate determinations, one each for the legislative branch, the executive branch, and the judicial branch.
- Specify that if a determination of the SOCC for a branch of government did not exceed current salary and expense levels by more than the average percentage increase in rates of compensation for all state classified civil service employees in the immediately preceding two calendar years, then that determination would immediately take effect.
- Specify that if a determination of the SOCC for a branch of government exceeded current salary and expense allowances by more than the average percentage increase in civil service compensation, then the amount equaling the increase received by civil service employees would take effect immediately, but that any excess amount would take effect only upon an affirmative vote of a majority of the members elected to and serving in each house of the legislature. In that instance, the proposal would require that each house of the legislature conduct a record roll call

vote on a concurrent resolution to approve each SOCC determination, with the resolutions originating in the House and the Senate in alternate years.

- If such a concurrent resolution were adopted, the part of the salary determination being voted on (the portion in excess of the average percentage increase received by state civil service employees) would take effect for the next legislative session.

Term limits. Currently, the constitution states that no person can be elected to the office of state representative more than three times (for a total of six years), to the state senate more than two times (for a total of eight years), and to the elected offices of the executive branch (governor, lieutenant governor, secretary of state, and attorney general) more than two times (for a total of eight years). The joint resolution would amend Article IV, Section 54 to extend term limits for state representatives to six terms (twelve years), and for state senators to three terms (twelve years). The resolution would amend Article V, Section 30 to extend term limits for executive branch office holders to three terms (twelve years).

Lame duck sessions prohibited. The joint resolution would amend Article IV, Section 13 to require that each regular session of the legislature adjourn on the first Wednesday after the first Monday in November at 12:00 noon.

Lobbying restriction. The joint resolution would add a new Section 55 to Article IV, to provide that a legislator who leaves office would not be eligible to act as a lobbyist on issues before the legislature from the time he or she leaves office until one year after the expiration of his or her term of office.

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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.