

# HOUSE JOINT RESOLUTION O

May 8, 2001, Introduced by Reps. Hart, Schauer, Meyer, Howell, Stewart, Ehardt, Richner, Pestka, Tabor, Vander Veen, Murphy, Reeves, Woodward, Gielegem, Kolb, Phillips, Scranton, Jelinek, Waters, Toy, Clark, Garza, Thomas, Jansen and Lemmons and referred to the Committee on House Oversight and Operations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 12, 13, and 54 of article IV and section 30 of article V and adding section 55 to article IV, to modify how the state officers compensation commission's determination of certain salaries and expense allowances are made and how they become effective, to provide for approval of certain determinations by the legislature for the following legislative session, to expand who those determinations apply to, to modify term limits for certain state officials, to end legislative session on the day after election day in even numbered years, and to prohibit legislators from becoming lobbyists for 1 year after leaving office.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to modify how the state officers

compensation commission's determination of certain salaries and expense allowances are made and how they become effective, to provide for approval of certain determinations by the legislature for the following legislative session, to expand who those determinations apply to, to modify term limits for certain state officials, to end legislative session on the day after election day in even numbered years, and to prohibit legislators from becoming lobbyists for 1 year after leaving office, is proposed, agreed to, and submitted to the people of the state:

1 ARTICLE IV

2 Sec. 12. The state officers compensation commission is cre-  
3 ated which SUBJECT TO THIS SECTION shall determine the salaries  
4 and expense allowances of the members of the legislature, the  
5 governor, the lieutenant governor, ~~and~~ THE ATTORNEY GENERAL,  
6 THE SECRETARY OF STATE, AND the justices of the supreme court.  
7 The commission shall consist of 7 members appointed by the gover-  
8 nor WHOSE QUALIFICATIONS MAY BE DETERMINED BY LAW. The commis-  
9 sion shall determine the salaries and expense allowances of the  
10 ~~members of the legislature, the governor, the lieutenant gover-~~  
11 ~~nor and the justices of the supreme court which determinations~~  
12 ~~shall be the salaries and expense allowances unless the legisla-~~  
13 ~~ture by concurrent resolution adopted by 2/3 of the members~~  
14 ~~elected to and serving in each house of the legislature reject~~  
15 ~~them~~ OFFICERS DESCRIBED IN THIS SECTION IN 3 SEPARATE DETERMINA-  
16 TIONS, 1 EACH FOR THE LEGISLATIVE BRANCH, EXECUTIVE BRANCH, AND  
17 JUDICIAL BRANCH OF STATE GOVERNMENT.

1 IF A DETERMINATION DOES NOT EXCEED THE EXISTING SALARIES AND  
2 EXPENSE ALLOWANCES BY MORE THAN THE AVERAGE PERCENTAGE INCREASE  
3 IN RATES OF COMPENSATION FOR ALL STATE CLASSIFIED CIVIL SERVICE  
4 EMPLOYEES IN THE IMMEDIATELY PRECEDING 2 CALENDAR YEARS, THAT  
5 DETERMINATION SHALL IMMEDIATELY BECOME THE NEW SALARY AND EXPENSE  
6 ALLOWANCE FOR THE OFFICERS DESCRIBED IN THAT DETERMINATION.

7 IF A DETERMINATION EXCEEDS THE EXISTING SALARIES AND EXPENSE  
8 ALLOWANCES BY MORE THAN THE AVERAGE PERCENTAGE INCREASE IN RATES  
9 OF COMPENSATION FOR ALL STATE CLASSIFIED CIVIL SERVICE EMPLOYEES  
10 IN THE IMMEDIATELY PRECEDING 2 CALENDAR YEARS, THE AMOUNT THAT  
11 DOES NOT EXCEED THE AVERAGE PERCENTAGE INCREASE IN RATES OF COM-  
12 PENSATION FOR ALL STATE CLASSIFIED CIVIL SERVICE EMPLOYEES IN THE  
13 IMMEDIATELY PRECEDING 2 CALENDAR YEARS SHALL IMMEDIATELY BECOME  
14 THE NEW SALARY AND EXPENSE ALLOWANCE OF THE OFFICERS DESCRIBED IN  
15 THE DETERMINATION. THE AMOUNT OF A DETERMINATION THAT EXCEEDS  
16 THE AVERAGE PERCENTAGE INCREASE IN RATES OF COMPENSATION FOR ALL  
17 STATE CLASSIFIED CIVIL SERVICE EMPLOYEES IN THE IMMEDIATELY PRE-  
18 CEDING 2 CALENDAR YEARS SHALL BE ADDED TO THE NEW SALARY AND  
19 EXPENSE ALLOWANCE OF THE OFFICERS DESCRIBED IN THE DETERMINATION  
20 ONLY IF THE LEGISLATURE BY A CONCURRENT RESOLUTION ADOPTED BY A  
21 MAJORITY OF THE MEMBERS ELECTED TO AND SERVING IN EACH HOUSE OF  
22 THE LEGISLATURE APPROVES THAT ADDITIONAL AMOUNT. EACH HOUSE OF  
23 THE LEGISLATURE SHALL CONDUCT A RECORD ROLL CALL VOTE ON THE CON-  
24 CURRENT RESOLUTION. THE SENATE AND HOUSE OF REPRESENTATIVES  
25 SHALL ALTERNATE ON WHICH HOUSE OF THE LEGISLATURE SHALL ORIGINATE  
26 THE CONCURRENT RESOLUTION, WITH THE SENATE ORIGINATING THE FIRST  
27 CONCURRENT RESOLUTION. IF THE CONCURRENT RESOLUTION IS ADOPTED,

1 THE ADDITIONAL AMOUNT APPROVED SHALL BE ADDED TO THE NEW SALARY  
2 AND EXPENSE DETERMINATION EFFECTIVE FOR THE LEGISLATIVE SESSION  
3 IMMEDIATELY FOLLOWING THE NEXT GENERAL ELECTION.

4 The commission shall meet each 2 years for no more than 15  
5 session days. The legislature shall implement this section by  
6 law.

7 Sec. 13. The legislature shall meet at the seat of govern-  
8 ment on the second Wednesday in January of each year at twelve  
9 o'clock noon. Each regular session IN AN ODD NUMBERED YEAR shall  
10 adjourn without day, on a day determined by concurrent resolu-  
11 tion, at twelve o'clock noon. EACH REGULAR SESSION IN AN EVEN  
12 NUMBERED YEAR SHALL ADJOURN ON THE FIRST WEDNESDAY AFTER THE  
13 FIRST MONDAY IN NOVEMBER AT TWELVE O'CLOCK NOON. Any business,  
14 bill or joint resolution pending at the final adjournment of a  
15 regular session held in an odd numbered year shall carry over  
16 with the same status to the next regular session.

17 Sec. 54. No person shall be elected to the office of state  
18 representative more than ~~three~~ SIX times. No person shall be  
19 elected to the office of state senate more than ~~two~~ THREE  
20 times. Any person appointed or elected to fill a vacancy in the  
21 house of representatives or the state senate for a period greater  
22 than one half of a term of such office, shall be considered to  
23 have been elected to serve one time in that office for purposes  
24 of this section. This limitation on the number of times a person  
25 shall be elected to office shall apply to terms of office begin-  
26 ning on or after January 1, 1993.

1 This section shall be self-executing. Legislation may be  
2 enacted to facilitate operation of this section, but no law shall  
3 limit or restrict the application of this section. If any part  
4 of this section is held to be invalid or unconstitutional, the  
5 remaining parts of this section shall not be affected but will  
6 remain in full force and effect.

7 SEC. 55. A LEGISLATOR WHO LEAVES OFFICE IS NOT ELIGIBLE TO  
8 ACT AS A LOBBYIST ON ISSUES BEFORE THE LEGISLATURE IN THIS STATE  
9 FOR THE PERIOD OF TIME HE OR SHE LEAVES OFFICE UNTIL 1 YEAR AFTER  
10 THE EXPIRATION OF HIS OR HER TERM OF OFFICE.

11 ARTICLE V

12 Sec. 30. No person shall be elected more than ~~two~~ THREE  
13 times to each office of the executive branch of government: gov-  
14 ernor, lieutenant governor, secretary of state, or attorney  
15 general. Any person appointed or elected to fill a vacancy in  
16 the office of governor, lieutenant governor, secretary of state,  
17 or attorney general for a period greater than one half of a term  
18 of such office, shall be considered to have been elected to serve  
19 one time in that office for purposes of this section. This limi-  
20 tation on the number of times a person shall be elected to office  
21 shall apply to terms of office beginning on or after January 1,  
22 1993.

23 This section shall be self-executing. Legislation may be  
24 enacted to facilitate operation of this section, but no law shall  
25 limit or restrict the application of this section. If any part  
26 of this section is held to be invalid or unconstitutional, the

1 remaining parts of this section shall not be affected but will  
2 remain in full force and effect.

3       Resolved further, That the foregoing amendment shall be sub-  
4 mitted to the people of the state at a special election to be  
5 held on August 6, 2002 in the manner provided by law.