

HOUSE JOINT RESOLUTION BBB

September 27, 2012, Introduced by Rep. Shirkey 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 are absent from legislative session or if the legislature does not present certain budget bills to the governor on or before a certain date and to set state-paid health care benefits for legislators.

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 are absent from legislative session or if the legislature does not present certain budget bills to the governor on or before a certain date and to set state-paid health care benefits for legislators, 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. **THE STATE OFFICERS COMPENSATION COMMISSION SHALL NOT MAKE A SALARY**

1 DETERMINATION FOR MEMBERS OF THE LEGISLATURE THAT EXCEEDS THE
2 SALARY EXISTING ON THE DATE OF THAT DETERMINATION BY MORE THAN THE
3 AVERAGE PAY RATE INCREASE FOR OTHER EMPLOYEES OF THIS STATE OR THE
4 CHANGE IN THE CONSUMER PRICE INDEX FOR THE UNITED STATES AS MOST
5 RECENTLY REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU
6 OF LABOR STATISTICS, WHICHEVER IS LOWER. The senate and house of
7 representatives shall alternate on which house of the legislature
8 shall originate the concurrent resolution, with the senate
9 originating the first concurrent resolution.

10 The concurrent resolution may amend the salary and expense
11 determinations of the state officers compensation commission to
12 reduce the salary and expense determinations by the same proportion
13 for members of the legislature, the governor, the lieutenant
14 governor, the attorney general, the secretary of state, and the
15 justices of the supreme court. The legislature shall not amend the
16 salary and expense determinations to reduce them to below the
17 salary and expense level that members of the legislature, the
18 governor, the lieutenant governor, the attorney general, the
19 secretary of state, and the justices of the supreme court receive
20 on the date the salary and expense determinations are made. If the
21 salary and expense determinations are approved or amended as
22 provided in this section, the salary and expense determinations
23 shall become effective for the legislative session immediately
24 following the next general election. The commission shall meet each
25 2 years for no more than 15 session days. **THIS STATE SHALL NOT PAY**
26 **MORE THAN 80% OF THE COSTS OF ANY HEALTH COVERAGE IT PROVIDES TO A**
27 **MEMBER OF THE LEGISLATURE DURING THE MEMBER'S TERM OF OFFICE. AN**

1 INDIVIDUAL WHO FIRST BECAME A MEMBER OF THE LEGISLATURE AFTER 2010
2 SHALL NOT RECEIVE ANY STATE-PAID RETIREMENT HEALTH CARE BENEFITS
3 BASED ON HIS OR HER LEGISLATIVE SERVICE. FOR INDIVIDUALS WHO FIRST
4 BECAME A MEMBER OF THE LEGISLATURE IN 2010 OR EARLIER, THE PORTION
5 OF THE HEALTH INSURANCE COVERAGE PREMIUM PAID BY THIS STATE SHALL
6 NOT EXCEED 80% OF THE ENTIRE PREMIUM FOR HEALTH INSURANCE COVERAGE
7 FOR THAT INDIVIDUAL. The legislature shall implement this section
8 by law.

9 SEC. 55. (1) FOR ANY DAY A HOUSE OF THE LEGISLATURE IS IN
10 SESSION AND A LEGISLATOR WHO IS A MEMBER OF THAT HOUSE DOES NOT
11 PHYSICALLY ATTEND AT LEAST A PORTION OF THE SESSION DAY WHERE VOTES
12 ARE TAKEN, THAT LEGISLATOR'S SALARY SHALL BE REDUCED ON A PRO RATA
13 BASIS UNLESS THE LEGISLATOR IS ABSENT BECAUSE OF A SERIOUS ILLNESS
14 OF THE LEGISLATOR, A SERIOUS ILLNESS OF A MEMBER OF THE
15 LEGISLATOR'S FAMILY, THE BIRTH OF THE LEGISLATOR'S CHILD, OR THE
16 DEATH OR FUNERAL OF A FAMILY MEMBER.

17 (2) IF A HOUSE OF THE LEGISLATURE HAS NOT PASSED ALL BILLS
18 NECESSARY TO PROVIDE A BALANCED BUDGET FOR THE SUCCEEDING FISCAL
19 PERIOD BY THE DATE AS PROVIDED BY LAW FOR SCHOOL DISTRICT BUDGETS
20 TO BE ADOPTED, THE SALARY OF EACH MEMBER OF THAT HOUSE SHALL BE
21 REDUCED ON A PRO RATA BASIS UNTIL ALL THE BILLS NECESSARY FOR A
22 BALANCED BUDGET HAVE BEEN PASSED BY THAT HOUSE.

23 (3) THE PORTION OF A SALARY REDUCED UNDER THIS SECTION SHALL
24 BE TRANSFERRED TO THE GENERAL FUND.

25 Resolved further, That the foregoing amendment shall be
26 submitted to the people of the state at the next general or
27 statewide special election that takes place after January 1, 2013

1 in the manner provided by law.