

HOUSE JOINT RESOLUTION A

January 13, 2011, Introduced by Rep. Opsommer and referred to the Committee on Oversight, Reform, and Ethics.

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.

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, is proposed, agreed to, and submitted to the people of the state:

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 DETERMINATION FOR MEMBERS OF THE LEGISLATURE THAT EXCEEDS 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**

1 **CHANGE IN THE CONSUMER PRICE INDEX FOR THE UNITED STATES AS MOST**
2 **RECENTLY REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU**
3 **OF LABOR STATISTICS, WHICHEVER IS LOWER.** The senate and house of
4 representatives shall alternate on which house of the legislature
5 shall originate the concurrent resolution, with the senate
6 originating the first concurrent resolution.

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

24 **SEC. 55. (1) FOR ANY DAY A HOUSE OF THE LEGISLATURE IS IN**
25 **SESSION AND A LEGISLATOR WHO IS A MEMBER OF THAT HOUSE DOES NOT**
26 **PHYSICALLY ATTEND AT LEAST A PORTION OF THE SESSION DAY WHERE VOTES**
27 **ARE TAKEN, THAT LEGISLATOR'S SALARY SHALL BE REDUCED ON A PRO RATA**

1 BASIS UNLESS THE LEGISLATOR IS ABSENT BECAUSE OF A SERIOUS ILLNESS
2 OF THE LEGISLATOR, A SERIOUS ILLNESS OF A MEMBER OF THE
3 LEGISLATOR'S FAMILY, THE BIRTH OF THE LEGISLATOR'S CHILD, OR THE
4 DEATH OR FUNERAL OF A FAMILY MEMBER.

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

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

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