

NONPARTISAN UNICAMERAL LEGISLATURE

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House Joint Resolution R
Sponsor: Rep. Jeff Yaroach
Committee: Government Operations
Complete to 9-12-17

Analysis available at
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SUMMARY:

House Joint Resolution R proposes an amendment to the State Constitution of 1963 which would replace the current bicameral legislature—composed of the Michigan House of Representatives and the Michigan Senate—with a unicameral legislature.

Beginning January 1, 2019, the legislative power of the state of Michigan would be vested in a legislature consisting of one chamber. The legislature would consist of 110 members elected for staggered four-year terms (half of the initial members would serve for two-year terms in order to achieve that effect). Members would be elected from single member districts apportioned on the basis of population, with no indication of party affiliation or endorsement by a political party on the ballot.

The joint resolution states that its provisions would take effect January 1, 2019. The Senate and the House of Representatives would be abolished at midnight on December 31, 2018. The terms of sitting senators or representatives would expire at midnight on December 31, 2018. Legislators would be elected to the unicameral legislature at the 2018 general election, with terms beginning January 1, 2019.

All authority vested by the constitution or laws of the state in the Senate, House of Representatives, or joint session of the Senate and House of Representatives would be vested in a legislature of one chamber. All provisions in the constitution and laws relating to the legislature, the Senate, the House of Representatives, joint sessions of the two houses, and to senators and representatives, would apply to and mean the legislature of one chamber and its members. Likewise, all references to the Clerk of the House of Representatives and the Secretary of the Senate would mean the clerk of the legislature of one chamber. And, all references to the Speaker of the House of Representatives or President Pro Tem of the Senate would mean the majority leader of the legislature.

(Note: as the legislature is intended to be nonpartisan, it is unclear how the legislature would have a majority leader, as that title typically refers to the leader of the party in the majority).

The lieutenant governor would be the president of the legislature, with a vote only in the case of a tie.

The joint resolution would delete language from the constitution referring to the 38-member Senate and the 110-member House of Representatives, the apportionment of legislative districts, and the commission on legislative apportionment (this provision was declared unconstitutional by the U.S. Supreme Court in 1982).¹ Further, the resolution would delete references to joint committees and to concurrent resolutions of the legislature, and change all references to the two houses to instead refer to “the legislature”. Powers specifically vested in the House of Representatives (impeachment of officers) and in the Senate (trial of impeached officers, advice and consent on gubernatorial appointments) would instead be vested in the unicameral legislature.

And, under the joint resolution, no person could be elected to the legislature more than four times (for a total of 16 years). Currently, House members may serve up to three terms (six years), and senators may serve up to two terms (eight years).

The joint resolution specifies that the proposed constitutional amendment would be submitted to the voters at the next general election.

FISCAL IMPACT:

House Joint Resolution R would create savings for the state, but would have no fiscal impact on local units of government.

The provisions of the resolution would reduce the number of elected legislative members by 38, from the current 148 to 110. Assuming the current salary of \$71,685 was maintained for the unicameral legislative members, the reduction of 38 members would reduce annual member salary expenses by a total of approximately \$3.7 million with fringe benefit costs included. A reduction in the number of members would also lead to reduced expenses for office information technology allotments and other office allotments and. Based on recent House of Representatives data, reducing the number of member offices by 38 would reduce annual expenses for office information technology allotments by \$25,000 and other office allotments by \$779,000.

Reducing the number of elected legislative members would likely lead to a reduction in necessary staff. Based on the current average staff salary of \$40,000, each eliminated staff member would reduce expenditures by approximately \$61,100 once fringe benefit costs are included. Total savings would depend on the extent to which staff were reduced.

Currently, the House of Representatives and Senate lease separate office buildings. The House Office Building is scheduled for payoff in 2023. The Senate Office Building was recently bonded for by the Michigan Strategic Fund and is not scheduled for payoff until 2047. Given that the House Office Building is designed for 110 member offices, if it is assumed that the Senate Office Building is more likely to be sold, based on the cost of financing the bonds, total lease cost savings from selling the Senate Office Building could

¹ *In re Apportionment of State Legislature*, 413 Mich 96; 321 NW2d 565 (1982), rehearing denied 413 Mich 149; 321 NW2d 585; stay denied 413 Mich 222; 321 NW2d 615, appeal dismissed 459 US 900; 103 S Ct 201; 74 L Ed 2d 161.

reach \$130.0 million. On an annual basis, including costs associated with bond payments (lease costs), taxes and insurances, utilities, general maintenance, and janitorial services, expenditures would be reduced by between \$8.0-11.0 million through 2047, when the lease costs presumably would have ended. The savings solely associated with maintenance, operation, and repair of a second building would continue in perpetuity, and based on current House Office Building costs, are likely to be between \$2.5 million and \$3.0 million annually.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.