

HOUSE BILL No. 6045

July 22, 1992, Introduced by Reps. Martin, Gilmer, Hillegonds, Bryant, Horton, Bobier, Dalman, Dolan, Rocca, Hoekman, Strand, Walberg, Robertson, London, Dobb, McBryde and Munsell and referred to the Committee on House Oversight.

A bill to amend sections 1, 3, 6, and 7 of Act No. 357 of the Public Acts of 1968, entitled

"An act to prescribe the powers, duties and functions of the state officers' compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission,"

being sections 15.211, 15.213, 15.216, and 15.217 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1, 3, 6, and 7 of Act No. 357 of the
2 Public Acts of 1968, being sections 15.211, 15.213, 15.216, and
3 15.217 of the Michigan Compiled Laws, are amended to read as
4 follows:

5 Sec. 1. The state ~~officers~~ OFFICERS compensation commis-
6 sion created by section 12 of article ~~4~~ IV of the state
7 constitution of 1963 is assigned to the department of civil

1 service for the purposes of administration, budgeting,
 2 procurement, and related management functions. The members'
 3 terms shall expire on ~~June 30~~ DECEMBER 31 of the fourth year
 4 following appointment. The members shall be appointed ~~prior to~~
 5 ~~July~~ BEFORE JANUARY 1 of the year of appointment. ~~A member may~~
 6 ~~not be reappointed.~~ Vacancies shall be filled by the governor
 7 for the remainder of the unexpired term. A member or employee of
 8 the legislative, judicial, or executive branch of government
 9 ~~shall~~ IS not ~~be~~ eligible to be a member of the commission.

10 Sec. 3. (1) The commission shall meet for not more than 15
 11 session days ~~beginning after July 1 of every even numbered year~~
 12 ~~and~~ EACH LEGISLATIVE SESSION. IN 1992, THE COMMISSION MAY MEET
 13 FOR 15 SESSION DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY
 14 ACT AMENDING THIS SECTION AND SHALL ADJOURN NOT LATER THAN
 15 SEPTEMBER 30. IN SUBSEQUENT YEARS, THE COMMISSION SHALL MEET NOT
 16 EARLIER THAN JANUARY 1 AND NOT LATER THAN 2 WEEKS BEFORE THE
 17 FILING DEADLINE FOR LEGISLATIVE OFFICE AS PROVIDED IN THE
 18 MICHIGAN ELECTION LAW, ACT NO. 116 OF THE PUBLIC ACTS OF 1954,
 19 BEING SECTIONS 168.1 TO 168.992 OF THE MICHIGAN COMPILED LAWS,
 20 FOR THE NEXT LEGISLATIVE SESSION. THE COMMISSION, AT ANY TIME,
 21 may reconsider and make a further determination of the mileage
 22 allowance of the members of the legislature who request A RECON-
 23 sideration OR A REDETERMINATION of the commission. ~~a~~
 24 ~~redetermination.~~

25 (2) Four members of the commission constitute a quorum for
 26 conducting the business of the commission. The commission shall
 27 not take action or make determinations without a concurrence of a

1 majority of the members appointed and serving on the commission.
2 The commission shall elect a chairperson from among its members.
3 The state personnel director shall act as the secretary to the
4 commission. The commission may establish subcommittees.

5 Sec. 6. The commission shall determine the salaries and
6 expense allowance of the governor, lieutenant governor, ~~the~~
7 justices of the supreme court, and ~~the~~ members of the
8 legislature. ~~and~~ THE COMMISSION SHALL file its determinations
9 with the clerk of the house of representatives, the secretary of
10 the senate, and the director of the department of management and
11 budget. ~~after December 1 and before December 31, of each even~~
12 ~~numbered year and~~ IN 1992, THE COMMISSION SHALL FILE ITS DETER-
13 MINATIONS NOT LATER THAN OCTOBER 1. FOR SUBSEQUENT YEARS, THE
14 COMMISSION SHALL FILE ITS DETERMINATIONS NOT LATER THAN 2 WEEKS
15 BEFORE THE FILING DEADLINE FOR LEGISLATIVE OFFICE AS PROVIDED IN
16 THE MICHIGAN ELECTION LAW, ACT NO. 116 OF THE PUBLIC ACTS OF
17 1954, BEING SECTIONS 168.1 TO 168.992 OF THE MICHIGAN COMPILED
18 LAWS, FOR THE NEXT LEGISLATIVE SESSION. THE COMMISSION shall
19 ALSO furnish copies OF ITS DETERMINATIONS to the governor, the
20 lieutenant governor, justices of the supreme court, and members
21 of the legislature.

22 Sec. 7. The determinations of the commission shall be
23 effective January 1 of the year following their filing ~~and~~ UPON
24 A CONCURRENT RESOLUTION ADOPTED BY A MAJORITY OF THE MEMBERS
25 ELECTED TO AND SERVING IN EACH HOUSE OF THE LEGISLATURE BEFORE
26 THE NEXT GENERAL ELECTION IN THE YEAR THE DETERMINATIONS ARE
27 MADE. THOSE DETERMINATIONS shall be the compensation and expense

1 allowances of the governor, lieutenant governor, justices of the
2 supreme court, and members of the legislature. ~~unless the leg-~~
3 ~~islature, by concurrent resolution adopted by a 2/3 vote of the~~
4 ~~members elected to and serving prior to February 1 of the year~~
5 ~~following the filing of the determinations, rejects either the~~
6 ~~entire determinations or specific determinations for specific~~
7 ~~positions. In case of rejection the existing salary and expense~~
8 ~~allowances shall prevail retroactive to January 1.~~ IF THE LEGIS-
9 LATURE FAILS TO ADOPT THE DETERMINATIONS AS PROVIDED IN THIS ACT,
10 THE CURRENT COMPENSATION AND EXPENSE ALLOWANCES SHALL REMAIN IN
11 EFFECT.

12 Section 2. This amendatory act shall not take effect unless
13 Senate Joint Resolution ____ or House Joint Resolution KK
14 (request no. 01688'91 *) of the 86th Legislature becomes a part
15 of the constitution as provided in section 1 of article XII of
16 the state constitution of 1963.