



SENATE BILL No. 439

February 24, 1993, Introduced by Senators EHLERS, SCHWARZ, MC MANUS, BOUCHARD, O'BRIEN, DUNASKISS, WARTNER, WELBORN and DI NELLO and referred to the Committee on Government Operations.

A bill to amend sections 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 15.213, 15.216, and 15.217 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

4 Sec. 3. The commission shall meet for not more than 15 ses-
5 sion days beginning after ~~July 1~~ AUGUST 15 of every ~~even~~ ODD
6 numbered year and may reconsider and make a further determination
7 of the mileage allowance of the members of the legislature who

1 request of the commission a redetermination. Four members of the
2 commission constitute a quorum for conducting the business of the
3 commission. The commission shall not take action or make deter-
4 minations without a concurrence of a majority of the members
5 appointed and serving on the commission. The commission shall
6 elect a chairperson from among its members. The state personnel
7 director shall act as the secretary to the commission. The com-
8 mission may establish subcommittees.

9 Sec. 6. ~~The~~ SUBJECT TO SECTION 7, THE commission shall
10 determine the salaries and expense ~~allowance~~ ALLOWANCES of the
11 governor, lieutenant governor, ~~the~~ justices of the supreme
12 court, ~~and the~~ members of the legislature, ATTORNEY GENERAL,
13 AND SECRETARY OF STATE AND SHALL DETERMINE THE RETIREMENT BENE-
14 FITS OF MEMBERS OF THE LEGISLATURE and file its determinations
15 with the clerk of the house of representatives, the secretary of
16 the senate, and the director of the department of management and
17 budget after ~~December 1~~ OCTOBER 15 and before ~~December 31~~
18 OCTOBER 31, of each ~~even~~ ODD numbered year and shall furnish
19 copies to the governor, ~~the~~ lieutenant governor, justices of
20 the supreme court, ~~and~~ members of the legislature, ATTORNEY
21 GENERAL, AND SECRETARY OF STATE.

22 Sec. 7. (1) The determinations of the commission ~~shall be~~
23 ~~effective January 1 of the year following their filing and~~ shall
24 be the compensation and expense allowances of the governor, lieu-
25 tenant governor, justices of the supreme court, ~~and~~ members of
26 the legislature, ATTORNEY GENERAL, AND SECRETARY OF STATE AND THE
27 RETIREMENT BENEFITS OF MEMBERS OF THE LEGISLATURE unless the

1 legislature, by concurrent resolution adopted by a 2/3 vote of
2 the members elected to and serving ~~prior to February 1 of the~~
3 ~~year~~ BEFORE THE DECEMBER 15 IMMEDIATELY following the filing of
4 the determinations, rejects either the entire determinations or
5 specific determinations for specific positions. EACH HOUSE OF
6 THE LEGISLATURE SHALL BRING TO A VOTE A CONCURRENT RESOLUTION TO
7 REJECT ALL THE DETERMINATIONS. THE RECORD OF THE VOTE AND THE
8 NAMES OF THE MEMBERS OF EACH HOUSE VOTING ON THE CONCURRENT RESO-
9 LUTION SHALL BE ENTERED IN THE JOURNAL OF EACH HOUSE. IF THE
10 DETERMINATIONS ARE NOT REJECTED AS PROVIDED IN THIS ACT, THE
11 DETERMINATIONS SHALL BECOME EFFECTIVE FOR THE LEGISLATIVE SESSION
12 IMMEDIATELY FOLLOWING THE NEXT GENERAL ELECTION. In case of
13 rejection OF THE ENTIRE DETERMINATIONS OR SPECIFIC DETERMINATIONS
14 FOR SPECIFIC POSITIONS, the existing salary, ~~and~~ expense
15 allowances, AND RETIREMENT BENEFITS shall ~~prevail retroactive to~~
16 ~~January 1~~ REMAIN IN EFFECT UNTIL THEY ARE CHANGED AS PROVIDED IN
17 THIS ACT.

18 (2) THE DETERMINATION OF RETIREMENT BENEFITS MADE UNDER THIS
19 ACT BY THE STATE OFFICERS COMPENSATION COMMISSION SHALL NOT
20 IMPAIR OR DIMINISH ACCRUED FINANCIAL BENEFITS PURSUANT TO SECTION
21 24 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963.

22 Section 2. This amendatory act shall not take effect unless
23 Senate Joint Resolution I

24 of the 87th Legislature becomes a part of
25 the constitution as provided in section 1 of article XII of the
26 state constitution of 1963.

1 Section 3. This amendatory act shall take effect July 1,
2 1995.