

HOUSE BILL No. 6114

September 17, 1998, Introduced by Reps. Gagliardi, Cherry, Palamara and LaForge and referred to the Committee on House Oversight and Ethics.

A bill to amend 1986 PA 268, entitled
"Legislative council act,"
(MCL 4.1101 to 4.1901) by adding sections 701 and 702; and to
repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 701. (1) THE MICHIGAN CAPITOL COMMITTEE IS CREATED.
2 THE MICHIGAN CAPITOL COMMITTEE SHALL CONSIST OF THE FOLLOWING:
3 (A) FIVE COMMITTEE MEMBERS FROM THE SENATE, INCLUDING THE
4 SECRETARY OF THE SENATE AND 4 SENATORS APPOINTED BY THE MAJORITY
5 LEADER OF THE SENATE, 1 SENATOR FROM THE MINORITY PARTY.
6 (B) FIVE COMMITTEE MEMBERS FROM THE HOUSE, INCLUDING THE
7 CLERK OF THE HOUSE OF REPRESENTATIVES AND 4 REPRESENTATIVES
8 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, 1
9 REPRESENTATIVE FROM THE MINORITY PARTY.

1 (C) FOUR COMMITTEE MEMBERS APPOINTED BY THE GOVERNOR FROM
2 THE EXECUTIVE BRANCH OF GOVERNMENT.

3 (2) EACH APPOINTED MEMBER OF THE MICHIGAN CAPITOL COMMITTEE
4 SHALL SERVE AT THE PLEASURE OF THE OFFICIAL WHO APPOINTED THE
5 MEMBER. THE TERM OF OFFICE OF EACH MEMBER APPOINTED BY THE GOV-
6 ERNOR SHALL BE 2 YEARS. MEMBERS APPOINTED TO REPRESENT THE LEG-
7 ISLATURE SHALL SERVE 2-YEAR TERMS ENDING AT THE END OF THE LEGIS-
8 LATIVE BIENNIUM. A VACANCY SHALL BE FILLED IN THE SAME MANNER AS
9 THE ORIGINAL APPOINTMENT FOR THE BALANCE OF THE UNEXPIRED TERM.
10 ALL MEMBERS MAY BE REAPPOINTED.

11 (3) ACTION BY THE MICHIGAN CAPITOL COMMITTEE SHALL ONLY BE
12 TAKEN BY CONCURRING MAJORITIES OF THE COMMITTEE MEMBERS FROM THE
13 SENATE, THE HOUSE OF REPRESENTATIVES, AND THE APPOINTEES FROM THE
14 EXECUTIVE BRANCH OF GOVERNMENT.

15 (4) THE BUSINESS WHICH THE MICHIGAN CAPITOL COMMITTEE MAY
16 PERFORM SHALL BE CONDUCTED AT A PUBLIC MEETING OF THE MICHIGAN
17 CAPITOL COMMITTEE HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT,
18 1976 PA 267, MCL 15.261 TO 15.275. PUBLIC NOTICE OF THE TIME,
19 DATE, AND PLACE OF THE MEETING SHALL BE GIVEN IN THE MANNER
20 REQUIRED BY THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO
21 15.275.

22 (5) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF,
23 OR RETAINED BY THE MICHIGAN CAPITOL COMMITTEE IN THE PERFORMANCE
24 OF AN OFFICIAL FUNCTION SHALL BE MADE AVAILABLE TO THE PUBLIC IN
25 COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL
26 15.231 TO 15.246.

1 SEC. 702. (1) THE MICHIGAN CAPITOL COMMITTEE SHALL ADVISE
2 AND MAKE RECOMMENDATIONS TO THE GOVERNOR, THE SENATE MAJORITY
3 LEADER, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES REGARDING
4 THE RESTORATION AND PRESERVATION OF THE STATE CAPITOL BUILDING
5 AND THE MANAGEMENT, OPERATION, DEVELOPMENT, CONSTRUCTION, RENOVATION,
6 MAINTENANCE, AND REPAIR OF THE STATE CAPITOL BUILDING AND
7 GROUNDS. THE RECOMMENDATIONS SHALL TAKE EFFECT 15 DAYS AFTER THE
8 SUBMISSION TO THE GOVERNOR, SENATE MAJORITY LEADER, AND SPEAKER
9 OF THE HOUSE OF REPRESENTATIVES UNLESS REJECTED IN WRITING BY THE
10 GOVERNOR, SENATE MAJORITY LEADER, OR SPEAKER OF THE HOUSE OF
11 REPRESENTATIVES.

12 (2) IN CARRYING OUT THE POWERS AND DUTIES PRESCRIBED UNDER
13 SUBSECTION (1), THE MICHIGAN CAPITOL COMMITTEE SHALL DO ALL OF
14 THE FOLLOWING:

15 (A) DEVELOP AND RECOMMEND WRITTEN PROCEDURES FOR THE OPERATION
16 OF THE MICHIGAN CAPITOL COMMITTEE.

17 (B) MAKE RECOMMENDATIONS TO THE GOVERNOR, THE MAJORITY
18 LEADER OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
19 REGARDING THE IMPLEMENTATION OF ALL PERMANENT PHYSICAL
20 CHANGES TO BE MADE IN OR ON THE CAPITOL BUILDING AND ALL PHYSICAL
21 CHANGES TO BE MADE ON THE GROUNDS OF THE CAPITOL BUILDING.

22 (C) MAKE RECOMMENDATIONS TO THE GOVERNOR, THE MAJORITY
23 LEADER OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
24 REGARDING THE IMPLEMENTATION OF A STATE CAPITOL BUILDING
25 MASTER PLAN.

26 (D) MAKE RECOMMENDATIONS TO THE GOVERNOR, THE MAJORITY
27 LEADER OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF

1 REPRESENTATIVES REGARDING PUBLIC AND PRIVATE FINANCIAL SUPPORT
2 FOR THE DEVELOPMENT, CONSTRUCTION, RENOVATION, AND PRESERVATION
3 OF THE CAPITOL BUILDING AND GROUNDS.

4 (E) MAKE RECOMMENDATIONS TO THE GOVERNOR, THE MAJORITY
5 LEADER OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF REPRESENTA-
6 TIVES REGARDING THE SELECTION, DESIGN, AND PLACEMENT OF STATUES,
7 MEMORIALS, TREES, AND PLANTS ON THE GROUNDS OF THE CAPITOL
8 BUILDING.

9 (3) THE MICHIGAN CAPITOL COMMITTEE SHALL HAVE POWERS THAT
10 ARE NECESSARY OR APPROPRIATE TO PERFORM THE DUTIES AND EXERCISE
11 THE POWERS PRESCRIBED UNDER THIS CHAPTER AND THAT ARE NOT OTHER-
12 WISE PROHIBITED BY LAW, INCLUDING:

13 (A) CONTRACTING WITH THE DEPARTMENT OF MANAGEMENT AND BUDGET
14 OR ANY OTHER PUBLIC OR PRIVATE ENTITY.

15 (B) APPOINTING ADVISORY COMMITTEES.

16 (4) THE CURRENT LABOR AND TRADES AND SAFETY AND REGULATORY
17 CLASSIFICATIONS PERFORMING DUTIES ON THE CAPITOL PREMISES SHALL
18 BE MAINTAINED.

19 (5) THE MICHIGAN CAPITOL COMMITTEE DOES NOT HAVE AUTHORITY
20 OR EXERCISE CONTROL OVER THE INTERNAL DECISIONS OF THE SENATE OR
21 THE HOUSE OF REPRESENTATIVES AS THEY RELATE TO THE ALLOCATION OF
22 SPACE IN THE CAPITOL BUILDING AND ON THE GROUNDS, INCLUDING LEG-
23 ISLATIVE OR STAFF OFFICES. ALL DECISIONS CONCERNING THE ALLOCA-
24 TION OF SPACE SHALL BE MADE ACCORDING TO THE RULES OR PRACTICES
25 OF THE RESPECTIVE BODIES.

26 (6) AS USED IN THIS SECTION, "GROUNDS" MEANS THE PROPERTY
27 UPON WHICH THE STATE CAPITOL BUILDING IS SITUATED, BORDERED ON

1 THE NORTH BY OTTAWA STREET; ON THE EAST BY CAPITOL AVENUE; ON THE
2 SOUTH BY ALLEGAN STREET; AND ON THE WEST BY WALNUT STREET.

3 Enacting section 1. Sections 1701 and 1702 of the legisla-
4 tive council act, 1986 PA 268, MCL 4.1701 and 4.1702, are
5 repealed.