

HOUSE BILL No. 4386

March 9, 1999, Introduced by Reps. Rivet and Kilpatrick and referred to the Committee on House Oversight and Operations.

A bill to amend 1986 PA 268, entitled
"Legislative council act,"
by amending section 601 (MCL 4.1601), as amended by 1993 PA 24.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 601. (1) There is created a nonpartisan agency to be
2 known as the house fiscal agency to be of service to the appro-
3 priations committee of the house of representatives and other
4 members of the house of representatives.

5 (2) The house fiscal agency shall be governed by a governing
6 committee. The members of the governing committee are as
7 follows:

8 (a) If the house of representatives is controlled by
9 co-speakers pursuant to a joint leadership agreement between
10 republican and democratic members of the house of

1 representatives, the following 8 members of the house of
2 representatives:

3 (i) The co-speakers.

4 (ii) The co-chairpersons of the appropriations committee.

5 (iii) The co-vice-chairpersons of the appropriations
6 committee.

7 (iv) The ~~co-chairpersons of the house oversight and ethics~~
8 ~~committee~~ MAJORITY FLOOR LEADER AND THE MINORITY FLOOR LEADER.

9 (b) If the house of representatives is controlled by a
10 single speaker, the following 6 members of the house of
11 representatives:

12 (i) The speaker of the house.

13 (ii) The minority leader.

14 (iii) The chairperson of the appropriations committee.

15 (iv) The minority vice-chairperson of the appropriations
16 committee.

17 (v) The ~~chairperson of the house oversight and ethics~~
18 ~~committee~~ MAJORITY FLOOR LEADER.

19 (vi) The minority ~~vice-chairperson of the house oversight~~
20 ~~and ethics committee~~ FLOOR LEADER.

21 (3) If the house of representatives is controlled by
22 co-speakers pursuant to a joint leadership agreement between
23 republican and democratic members of the house of representa-
24 tives, the co-chairpersons of the house appropriations committee
25 are the co-chairpersons of the governing committee of the house
26 fiscal agency. The co-chairpersons of the governing committee of
27 the house fiscal agency shall alternate as chairperson of the

1 governing committee. The democratic co-chairperson of the house
2 appropriations committee shall preside as chairperson in months
3 during which the presiding officers of the house of representa-
4 tives are republican and the republican co-chairperson of the
5 house appropriations committee shall preside as chairperson in
6 months during which the presiding officers of the house of repre-
7 sentatives are democratic. If the house of representatives is
8 controlled by a single speaker, the chairperson of the house
9 appropriations committee is the chairperson of the governing com-
10 mittee of the house fiscal agency.

11 (4) The governing committee of the house fiscal agency shall
12 meet quarterly. In addition to the quarterly meetings, the gov-
13 erning committee shall meet within 7 days upon request of 2 or
14 more members of the governing committee made to the co-speakers
15 or speaker of the house.

16 (5) Except as otherwise provided in subsection (6), a writ-
17 ing prepared, owned, used, in the possession of, or retained by
18 the house fiscal agency in the performance of an official func-
19 tion shall be made available to the public in compliance with the
20 freedom of information act, ~~Act No. 442 of the Public Acts of~~
21 ~~1976, being sections 15.231 to 15.246 of the Michigan Compiled~~
22 ~~Laws— 1976 PA 442, MCL 15.231 TO 15.246.~~

23 (6) An employee of the house fiscal agency shall not reveal
24 to any person who is not an employee of the house fiscal agency
25 the contents or nature of any bill, substitute, amendment, reso-
26 lution, special report, or proposal not yet published unless the
27 employee has the consent of the member who is sponsoring or

1 requesting the bill, substitute, amendment, resolution, special
2 report, or proposal. A bill shall not be considered published
3 until it is introduced. A substitute, an amendment, or a confer-
4 ence report shall be considered published when received by the
5 secretary of the senate or the clerk of the house of representa-
6 tives, or both, as is appropriate. As used in this subsection:

7 (a) "Special report" means a report that is requested by a
8 member of the house of representatives to be prepared by the
9 house fiscal agency. A special report shall not be considered
10 published until it is authorized for release by the member of the
11 house of representatives requesting the report.

12 (b) "Proposal" means a plan or an activity that is under
13 consideration by a member of the house of representatives. A
14 proposal shall not be considered published until it is authorized
15 for release by the member of the house of representatives
16 requesting the preparation of the proposal.

17 (7) The director of the house fiscal agency shall provide
18 quarterly financial statements of the financial affairs of the
19 house fiscal agency. The quarterly financial statements shall be
20 submitted to the members of the governing committee and the house
21 of representatives not later than 30 days after each calendar
22 quarter.

23 (8) Persons employed by the house fiscal agency shall be
24 nontenured, at-will employees. The governing committee of the
25 house fiscal agency may discipline, transfer, demote, suspend, or
26 summarily discharge an employee.