

HOUSE BILL No. 5000

September 21, 2011, Introduced by Reps. Genetski, Haveman, Lyons, Gilbert, Glardon, Price, Callton, Tyler, Yonker, Rogers, Pettalia, Franz, Heise, Shirkey, Somerville, Pscholka, MacGregor and Kurtz and referred to the Committee on Government Operations.

A bill to establish a state university system restructuring commission; to prescribe the powers and duties of the commission; and to prescribe the powers and duties of certain state governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "state
2 university system restructuring commission act".

3 Sec. 2. As used in this act:

4 (a) "Commission" means the state university system
5 restructuring commission established in section 3.

6 (b) "Department" means the department of technology,
7 management, and budget.

8 (c) "State university" means a university described in section
9 4, 5, or 6 of article VIII of the state constitution of 1963.

1 Sec. 3. (1) The state university system restructuring
2 commission is established in the department. The commission shall
3 consist of 13 members, as follows:

4 (a) Eleven voting members, as follows:

5 (i) Four residents of this state, appointed by the governor
6 with the advice and consent of the senate, who are interested in
7 higher education but are not officially associated with a state
8 university.

9 (ii) Three members appointed by the senate majority leader.

10 (iii) Three members appointed by the speaker of the house of
11 representatives.

12 (iv) The lieutenant governor.

13 (b) The superintendent of public instruction and the director
14 of the department of technology, management, and budget are ex
15 officio and nonvoting members of the commission.

16 (2) The term of office of the appointed members is 2 years and
17 until a successor is appointed and qualified. A member may be
18 removed in the manner provided for by law for removal of public
19 officers. A vacancy shall be filled for the unexpired term in the
20 same manner and for the same class as the original appointment. The
21 governor shall designate 1 of the appointed members as chairperson
22 of the commission.

23 (3) The commission shall conduct its activities in compliance
24 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The
25 commission shall give public notice of the time, date, and place of
26 meetings of the commission in the manner required by the open
27 meetings act, 1976 PA 267, MCL 15.261 to 15.275.

1 (4) The commission shall make any writing prepared, owned,
2 used, in the possession of, or retained by the commission in the
3 performance of an official function available to the public in
4 compliance with the freedom of information act, 1976 PA 442, MCL
5 15.231 to 15.246.

6 Sec. 4. (1) The commission shall analyze the operation and
7 governance structure of the state universities; analyze the
8 advantages and disadvantages of the constitutional requirement for
9 separate governing boards for each state university; review the
10 higher education governance structures utilized by other states;
11 and make any recommendations to the governor and the legislature it
12 considers appropriate concerning the restructuring of the manner in
13 which the state universities are governed in this state.

14 (2) The commission shall annually report to the governor and
15 to the legislature concerning its recommendations and other actions
16 under subsection (1).