

HOUSE BILL NO. 5175

October 29, 2019, Introduced by Reps. Frederick, Hernandez and VanWoerkom and referred to the Committee on Government Operations.

A bill to amend 1921 PA 2, entitled

"An act to promote the efficiency of the government of the state, to create a state administrative board, to define the powers and duties thereof, to provide for the transfer to said board of powers and duties now vested by law in other boards, commissions, departments and officers of the state, and for the abolishing of certain of the boards, commissions, departments and offices, whose powers and duties are hereby transferred,"

by amending section 3 (MCL 17.3).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. **(1)** The state administrative board shall exercise



1 general supervisory control over the functions and activities of
 2 all administrative departments, boards, commissioners, and officers
 3 of ~~the~~ **this** state, and of all state institutions. ~~:- Provided,~~
 4 however,

5 (2) The ~~said~~ **state administrative** board shall not ~~have power~~
 6 ~~to transfer any~~ **an** appropriation to the general fund at ~~any time or~~
 7 use ~~the same~~ **an appropriation** for ~~any a~~ purpose other than that
 8 designated by the legislature. ~~:- Provided further, That said~~

9 (3) **The state administrative** board shall not ~~have power to~~
 10 allow to ~~any a~~ state department, board, commission, officer, or
 11 institution any ~~funds,~~ **money that is** not appropriated ~~therefor~~ **for**
 12 **the department, board, commission, officer, or institution** by the
 13 legislature, from any source. ~~whatever, except as provided in the~~
 14 ~~emergency appropriation act of 1931; and said~~

15 (4) **The state** administrative board shall not ~~have the power to~~
 16 transfer to ~~any a~~ state department, board, commission, officer, or
 17 institution ~~any sum~~ **money** from the amount appropriated by the
 18 legislature for any other purpose, except, **subject to subsection**
 19 **(5), the state administrative board may** inter-transfer ~~funds~~ **money**
 20 within the appropriation for the ~~particular~~ department, board,
 21 commission, officer, or institution. ~~Said~~

22 (5) **An inter-transfer of appropriations for any particular**
 23 **department or institution under subsection (4) must not be made if**
 24 **it will increase or decrease an item of appropriation by more than**
 25 **3% or \$125,000.00, whichever is greater. However, an item of**
 26 **appropriation must not be increased or decreased by more than**
 27 **\$200,000.00 in the aggregate. An inter-transfer of appropriations**
 28 **for any particular department or institution in excess of the**
 29 **restrictions in this subsection may be made by the state**



1 administrative board only after approval by the house of
 2 representatives and senate appropriations committees.

3 (6) The state administrative board may in its discretion
 4 ~~intervene~~ do any of the following:

5 (a) Intervene in any matter ~~touching such~~ related to the
 6 board's functions and activities and ~~may, by~~ under this section.

7 (b) By resolution or order, advise or direct the department,
 8 board, commission, officer, or institution concerned as to the
 9 manner in which the function or other activity ~~shall~~ must be
 10 performed. ~~, and may order~~

11 (c) Order an interchange or transfer of employees between
 12 departments, boards, commissions, and state institutions ~~when~~ if
 13 necessary. ~~It is hereby made the duty of each and every~~

14 (7) An official ~~and or~~ employee connected with any an
 15 administrative department, office, or institution of ~~the~~ this state
 16 ~~to~~ shall follow ~~the~~ a direction or order ~~so given;~~ of the state
 17 administrative board under subsection (6) and ~~to~~ perform ~~such~~ any
 18 services in ~~the~~ carrying out ~~of~~ the purposes and intent of this act
 19 as ~~may be~~ required by the board. Failure ~~so to do~~ shall be deemed
 20 ~~to constitute~~ to comply with this subsection is malfeasance in
 21 office and ~~shall be~~ is sufficient cause for removal.

