

Act No. 350
Public Acts of 1988
Approved by the Governor
November 30, 1988
Filed with the Secretary of State
November 30, 1988

**STATE OF MICHIGAN
84TH LEGISLATURE
REGULAR SESSION OF 1988**

Introduced by Rep. Dodak

ENROLLED HOUSE BILL No. 5826

AN ACT to amend sections 802, 803, and 805 of Act No. 268 of the Public Acts of 1986, entitled as amended "An act to create the legislative council; to prescribe its membership, powers, and duties; to create a legislative service bureau to provide staff services to the legislature and the council; to provide for operation of legislative parking facilities; to create funds; to provide for the expenditure of appropriated funds by legislative council agencies; to authorize the sale of access to certain computerized data bases; to establish fees; to create the Michigan commission on uniform state laws; to create a law revision commission; to create a senate fiscal agency and a house fiscal agency; to create a Michigan capitol committee; to create a commission on intergovernmental relations; to prescribe the powers and duties of certain state agencies and departments; to repeal certain acts and parts of acts; and to repeal certain parts of this act on specific dates," as added by Act No. 100 of the Public Acts of 1988, being sections 4.1802, 4.1803, and 4.1805 of the Michigan Compiled Laws; and to add section 805a.

The People of the State of Michigan enact:

Section 1. Sections 802, 803, and 805 of Act No. 268 of the Public Acts of 1986, as added by Act No. 100 of the Public Acts of 1988, being sections 4.1802, 4.1803, and 4.1805 of the Michigan Compiled Laws, are amended and section 805a is added to read as follows:

Sec. 802. (1) The commission on intergovernmental relations is created to study the relationship between state government and local units of government and to improve cooperation and coordination among state government and local units of government, other states, and the federal government.

(2) The commission on intergovernmental relations shall consist of the following:

(a) Seven members appointed by the senate majority leader as follows:

(i) One elected township board member.

(ii) One elected mayor or city or village council member.

(iii) One elected county executive, board of commissioners member, or elected county officer.

(iv) Four members of the public which may include legislators with knowledge and expertise necessary to serve on the commission on intergovernmental relations and who are not registered under Act No. 472 of the Public Acts of 1978, being sections 4.411 to 4.431 of the Michigan Compiled Laws.

(b) Seven members appointed by the speaker of the house of representatives as follows:

(i) One elected township board member.

(ii) One elected mayor or city or village council member.

(iii) One elected county executive, board of commissioners member, or elected county officer.

(iv) Four members of the public which may include legislators with knowledge and expertise necessary to serve on the commission on intergovernmental relations and who are not registered under Act No. 472 of the Public Acts of 1978, being sections 4.411 to 4.431 of the Michigan Compiled Laws.

(c) Five members appointed by the governor with the knowledge and expertise necessary to serve on the commission on intergovernmental relations.

(d) Two members appointed by the chief justice of the Michigan supreme court with the knowledge and expertise necessary to serve on the commission on intergovernmental relations.

(3) The members appointed to the commission on intergovernmental relations shall hold office for a term of 4 years and shall not be eligible for reappointment.

(4) A vacancy on the commission on intergovernmental relations shall be filled in the same manner as the original appointment. A member appointed to the commission on intergovernmental relations under subsection (2)(a)(i) to (iii) and (b)(i) to (iii) shall remain a commission member as long as he or she holds the office by virtue of which he or she was qualified to be appointed as a commission member. A member who ceases to hold the office by virtue of which he or she was qualified to be appointed as a commission member or whose commission term expires may continue to serve until a successor is appointed under this section.

(5) A majority of the appointments made to the commission on intergovernmental relations as of the commission's first organizational meeting called pursuant to section 803 shall constitute a quorum for the transaction of business at a meeting. Action by the commission on intergovernmental relations shall be determined by a majority of the votes cast.

(6) Members of the commission on intergovernmental relations shall receive per diem compensation as determined by the legislative council and shall be entitled to actual and necessary expenses incurred in the performance of official duties under this chapter.

Sec. 803. (1) The organizational meeting of the commission on intergovernmental relations shall be called by the legislative council not later than January 31, 1989. At this meeting the commission on intergovernmental relations shall elect a chairperson, vice-chairperson, and other officers as the commission on intergovernmental relations considers necessary.

(2) The chairperson and vice-chairperson shall serve for a term of 2 years. If the chairperson and vice-chairperson are absent from a meeting, the members present may elect a temporary chairperson.

(3) The commission on intergovernmental relations shall meet not less than quarterly and at other times as it considers necessary. The business which the commission on intergovernmental relations may perform shall be conducted at a public meeting held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

Sec. 805. The commission on intergovernmental relations may do all of the following:

(a) Consult with local units of government and state officials and serve as a forum for the discussion and study of intergovernmental problems.

(b) Evaluate on a continuous basis the interrelationships among local, regional, state, interstate, and federal agencies in the provision of public services to the citizens of this state and, as appropriate, prepare studies and recommendations to improve organizational structure, operational efficiency, allocation of functional responsibilities, delivery of services, and related matters.

(c) Analyze the structure, functions, revenue requirements, and fiscal policies affecting local units of government, and make recommendations for improvement.

(d) Examine proposed and existing federal and state programs, assess their impact upon local units of government, and provide assessments and recommendations, when appropriate, to the legislature, the governor, or any other group, public or private, whose activities affect intergovernmental relations.

(e) Encourage consortia and, when appropriate, coordinate studies relating to intergovernmental relations conducted by colleges and universities; state, local, regional, and federal agencies; and research or consulting organizations.

(f) Review the recommendations of national commissions studying federal, state, and local government relationships and problems and assess their possible application to this state.

(g) Report on a regular basis to local units of government and state officials on the progress of this state and local units of government toward meeting their intergovernmental responsibilities.

(h) Analyze and report on any action that involves the enactment or adoption of a new state program or that involves an increase or decrease in a level of service in an existing program where the action substantially increases the expenditures of or reduces the revenue or revenue producing ability of a local unit of government. The commission on intergovernmental relations shall send its analysis and report prepared under this subdivision to the governor, senate majority leader, and speaker of the house of representatives.

(i) Review and assess the work and recommendations of the federal advisory commission on intergovernmental relations and report the assessments to that commission.

(j) Receive, apply for, and expend an appropriation or grant or contract for a grant, from the state, a local unit of government, the federal government, or any other public or private source for any purpose given under this chapter.

Sec. 805a. Subject to the approval of the legislative council, employ an executive director who shall serve at the pleasure of the council. The executive director may use the staff and data resources of the senate and house fiscal agencies in fulfilling his or her duties under this chapter. In developing a data base, full consideration shall be given to existing data bases in the senate and house fiscal agencies, including the local government data base in the house fiscal agency. If funds are available, the executive director, subject to the approval of the legislative council, may employ and set the compensation of staff as may be necessary. Subject to the approval of the legislative council, the executive director may hire or contract for consultants on behalf of the commission on intergovernmental relations.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.