

HOUSE BILL No. 5803

April 30, 1992, Introduced by Reps. Jonker, Keith, Kosteva, Dobronski, Profit and Jondahl and referred to the Committee on Colleges and Universities.

A bill to create the Michigan telecommunication system linking educational institutions in the state; to establish the Michigan telecommunication system governing board and provide for the appointment of its members; and to prescribe certain powers and duties of certain state agencies and officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "Michigan telecommunication system act".

3 Sec. 2. As used in this act:

4 (a) "Department" means the department of education.

5 (b) "Intermediate school district" means that term as
6 defined in the school code of 1976.

7 (c) "Public institution of higher education" means a state
8 university described in section 4, 5, or 6 of article VIII of the
9 state constitution of 1963 or a community or junior college

1 established under section 7 of article VIII of the state
2 constitution of 1963 or part 25 of the school code of 1976, Act
3 No. 451 of the Public Acts of 1976, being sections 380.1601 to
4 380.1607 of the Michigan Compiled Laws.

5 (d) "Rule" means a rule promulgated pursuant to the adminis-
6 trative procedures act of 1969, Act No. 306 of the Public Acts of
7 1969, being sections 24.201 to 24.328 of the Michigan Compiled
8 Laws.

9 (e) "School code of 1976" means Act No. 451 of the Public
10 Acts of 1976, being sections 380.1 to 380.1852 of the Michigan
11 Compiled Laws.

12 (f) "School district" means a school district or local act
13 school district as defined in the school code of 1976.

14 Sec. 3. (1) The Michigan telecommunication system is estab-
15 lished in the department to establish and maintain a telecommuni-
16 cations network to be used in all schools in all school districts
17 and intermediate school districts, and all public institutions of
18 higher education. The system shall be implemented and adminis-
19 tered by the Michigan telecommunication system governing board
20 created in section 4.

21 (2) In addition to the telecommunication network established
22 by the Michigan telecommunication system, the Michigan telecom-
23 munication system shall provide a facsimile transmission system
24 linking all of the schools and institutions that are part of the
25 Michigan telecommunication system.

26 Sec. 4. (1) The Michigan telecommunication system governing
27 board is created in the department to implement and administer

1 the Michigan telecommunication system established under section
2 3.

3 (2) The Michigan telecommunication system governing board
4 shall consist of 11 members appointed by the governor with the
5 advice and consent of the senate.

6 (3) The members first appointed to the Michigan telecommuni-
7 cation system governing board shall be appointed within 90 days
8 after the effective date of this act.

9 (4) Members of the Michigan telecommunication system govern-
10 ing board shall serve for terms of 4 years or until a successor
11 is appointed, whichever is later, except that of the members
12 first appointed, 4 shall serve for 2 years, 4 shall serve for 3
13 years, and 3 shall serve for 4 years. If a vacancy occurs, the
14 governor shall make an appointment for the unexpired term in the
15 same manner as the original appointment.

16 (5) The first meeting of the Michigan telecommunication
17 system governing board shall be held not later than 60 days after
18 appointment of the members is completed. At the first meeting,
19 the governing board shall elect from among its members a chair-
20 person and other officers as it considers necessary or
21 appropriate. After the first meeting, the governing board shall
22 meet at least quarterly, or more frequently at the call of the
23 chairperson.

24 (6) A majority of the members of the Michigan telecommunica-
25 tion system governing board constitute a quorum for the transac-
26 tion of business.

1 (7) The business which the Michigan telecommunication system
2 governing board may perform shall be conducted at a public
3 meeting held in compliance with the open meetings act, Act
4 No. 267 of the Public Acts of 1976, being sections 15.261 to
5 15.275 of the Michigan Compiled Laws.

6 (8) A writing prepared, owned, used, in possession of, or
7 retained by the Michigan telecommunication system governing board
8 in the performance of an official function is subject to the
9 freedom of information act, Act No. 442 of the Public Acts of
10 1976, being sections 15.231 to 15.246 of the Michigan Compiled
11 Laws.

12 (9) Members of the Michigan telecommunication system govern-
13 ing board shall serve without compensation. However, members of
14 the board may be reimbursed for their actual and necessary
15 expenses incurred in the performance of their official duties as
16 members of the board.

17 (10) The Michigan telecommunication system governing board
18 shall do all of the following:

19 (a) Promulgate rules as necessary to implement this act and
20 to regulate the use of the Michigan telecommunication system.

21 (b) Make recommendations to the legislature on policy
22 regarding use and sale of the capacity of the Michigan telecom-
23 munication system.

24 (c) Establish committees to make recommendations for techno-
25 logical changes in all government departments and agencies.

26 (d) Make recommendations to the legislature on appropriate
27 ongoing technological divisions within state departments.

1 (e) Make recommendations to the legislature for national and
2 international linkages with the Michigan telecommunication
3 system.

4 (f) Consult with and make recommendations to any entity in
5 this state that requests recommendations on using the Michigan
6 telecommunication system for retraining the entity's work force.

7 (g) Develop and make available a statewide directory and
8 catalog of distance learning directors and available curricula.

9 (h) Explore possible linkages of the Michigan telecommunica-
10 tion system with private nonprofit educational entities.

11 (i) Explore possible linkages of the Michigan telecommunica-
12 tion system with large and small Michigan private sector employ-
13 ers, and make recommendations to the legislature concerning pro-
14 cedures for and the costs of such a linkage.