

HOUSE BILL No. 5820

May 11, 1992, Introduced by Reps. Munsell, McBryde, Bartnik, Hoffman, Bodem, Martin, Goss, London, Nye, Brackenridge, Gilmer, Strand, Willis Bullard, Dobb, Fitzgerald, Jamian, Bobier, Robertson, Horton, Oxender, Walberg, Sikkema, Jaye, Dolan, Dresch, O'Connor, Gernaat, Middleton, McNutt, Hillegonds, Johnson, Bankes, Bender, DeLange and Harder and referred to the Committee on Appropriations.

A bill to amend section 115 of Act No. 431 of the Public Acts of 1984, entitled as amended
"The management and budget act,"
as amended by Act No. 504 of the Public Acts of 1988, being section 18.1115 of the Michigan Compiled Laws; and to add section 381a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 115 of Act No. 431 of the Public Acts of
2 1984, as amended by Act No. 504 of the Public Acts of 1988, being
3 section 18.1115 of the Michigan Compiled Laws, is amended and
4 section 381a is added to read as follows:

5 Sec. 115. (1) "Institution of higher education" means a
6 state supported 4-year college or university.

7 (2) "JCOS" means the joint capital outlay subcommittee of
8 the appropriations committees.

1 (3) "Project" means a facility which is being planned or
2 constructed.

3 (4) Except as used in sections 284 to 292, "record" means a
4 public record as defined in section 2 of the freedom of informa-
5 tion act, Act No. 442 of the Public Acts of 1976, being section
6 15.232 of the Michigan Compiled Laws.

7 (5) "State agency" means a department, board, commission,
8 office, agency, authority, or other unit of state government.
9 State agency does not include an institution of higher education
10 or a community college or, EXCEPT AS OTHERWISE PROVIDED IN THIS
11 ACT, for purposes of article 2 or 3, the legislative or judicial
12 branches of government.

13 (6) "Unit of local government" means a political subdivision
14 of this state, including school districts, community college dis-
15 tricts, intermediate school districts, cities, villages, town-
16 ships, counties, and authorities, if the political subdivision
17 has as its primary purpose the providing of local governmental
18 service for citizens in a geographically limited area of the
19 state and has the power to act primarily on behalf of that area.

20 SEC. 381A. (1) A PROPOSED NEW PROGRAM OF A STATE AGENCY
21 SHALL NOT BE FUNDED UNTIL LEGISLATION ESTABLISHING AND DESCRIBING
22 THE PROGRAM IS ENACTED INTO LAW.

23 (2) AS USED IN THIS SECTION:

24 (A) "NEW PROGRAM" MEANS AN ORGANIZED ACTIVITY OF A STATE
25 AGENCY FOR WHICH THERE HAS NOT BEEN A LINE ITEM APPROPRIATION
26 SPECIFIC TO THE PROGRAM WITHIN THE PREVIOUS 2 FISCAL YEAR BUDGETS
27 OF THE STATE.

1 (B) "STATE AGENCY" MEANS THE LEGISLATIVE BRANCH OF STATE
2 GOVERNMENT AND A DEPARTMENT, COMMISSION, BOARD, AGENCY, BUREAU,
3 DIVISION, OR OFFICE OF A DEPARTMENT IN THE EXECUTIVE BRANCH OF
4 STATE GOVERNMENT IN WHICH IS VESTED BY THE STATE CONSTITUTION OF
5 1963 OR BY STATUTE EXECUTIVE OR ADMINISTRATIVE POWERS, DUTIES, OR
6 FUNCTIONS. FOR PURPOSES OF THIS SECTION, STATE AGENCY DOES NOT
7 INCLUDE THE GOVERNOR, THE JUDICIAL BRANCH OF STATE GOVERNMENT, AN
8 INSTITUTION OF HIGHER EDUCATION, A COMMUNITY COLLEGE, OR A LOCAL
9 UNIT OF GOVERNMENT.