



HOUSE BILL No. 4373

February 25, 1993, Introduced by Reps. Olshove, Freeman, Dobronski, Harder, Barns, Owen, Shepich, Yokich, Palamara, Profit, McBryde, Gire, Bandstra, Gilmer, Richard A. Young, Martin, Porreca, DeMars, Gagliardi, Wetters, Wallace, Berman, Murphy, Jondahl, London and Pitoniak and referred to the Committee on House Oversight and Ethics.

A bill to amend section 601 of Act No. 268 of the Public Acts of 1986, entitled as amended
"Legislative council act,"
being section 4.1601 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 601 of Act No. 268 of the Public Acts
2 of 1986, being section 4.1601 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 601. (1) There is created a nonpartisan agency to be
5 known as the house fiscal agency to be of service to the appro-
6 priations committee of the house OF REPRESENTATIVES and other
7 members of the house OF REPRESENTATIVES. ~~The~~

8 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), THE house fiscal
9 agency shall be governed by a GOVERNING committee CONSISTING of 3
10 members, including the chairperson of the appropriations

1 committee of the house OF REPRESENTATIVES and 2 other members of
2 the appropriations committee of the house OF REPRESENTATIVES to
3 be appointed by the chairperson, 1 from the minority party.

4 (3) IF THE HOUSE OF REPRESENTATIVES IS CONTROLLED BY
5 CO-SPEAKERS PURSUANT TO A JOINT LEADERSHIP AGREEMENT BETWEEN
6 REPUBLICAN AND DEMOCRATIC MEMBERS OF THE HOUSE OF REPRESENTA-
7 TIVES, THE GOVERNING COMMITTEE SHALL CONSIST OF 8 MEMBERS OF THE
8 HOUSE OF REPRESENTATIVES AS FOLLOWS:

9 (A) THE CO-SPEAKERS.

10 (B) THE CO-CHAIRPERSONS OF THE APPROPRIATIONS COMMITTEE.

11 (C) THE CO-VICE-CHAIRPERSONS OF THE APPROPRIATIONS
12 COMMITTEE.

13 (D) THE CO-CHAIRPERSONS OF THE HOUSE OVERSIGHT AND ETHICS
14 COMMITTEE.

15 (4) IF THE HOUSE OF REPRESENTATIVES IS CONTROLLED BY
16 CO-SPEAKERS PURSUANT TO A JOINT LEADERSHIP AGREEMENT BETWEEN
17 REPUBLICAN AND DEMOCRATIC MEMBERS OF THE HOUSE OF REPRESENTA-
18 TIVES, THE CO-CHAIRPERSONS OF THE HOUSE APPROPRIATIONS COMMITTEE
19 ARE THE CO-CHAIRPERSONS OF THE GOVERNING COMMITTEE OF THE HOUSE
20 FISCAL AGENCY. THE CO-CHAIRPERSONS OF THE GOVERNING COMMITTEE OF
21 THE HOUSE FISCAL AGENCY SHALL ALTERNATE AS CHAIRPERSON OF THE
22 GOVERNING COMMITTEE. THE DEMOCRATIC CO-CHAIRPERSON OF THE HOUSE
23 APPROPRIATIONS COMMITTEE SHALL PRESIDE AS CHAIRPERSON IN MONTHS
24 DURING WHICH THE PRESIDING OFFICERS OF THE HOUSE OF REPRESENTA-
25 TIVES ARE REPUBLICAN AND THE REPUBLICAN CO-CHAIRPERSON OF THE
26 HOUSE APPROPRIATIONS COMMITTEE SHALL PRESIDE AS CHAIRPERSON IN
27 MONTHS DURING WHICH THE PRESIDING OFFICERS OF THE HOUSE OF

1 REPRESENTATIVES ARE DEMOCRATIC. IF THE HOUSE OF REPRESENTATIVES
2 IS CONTROLLED BY A SINGLE SPEAKER, THE CHAIRPERSON OF THE HOUSE
3 APPROPRIATIONS COMMITTEE IS THE CHAIRPERSON OF THE GOVERNING COM-
4 MITTEE OF THE HOUSE FISCAL AGENCY.

5 (5) THE GOVERNING COMMITTEE OF THE HOUSE FISCAL AGENCY SHALL
6 MEET QUARTERLY. IN ADDITION TO THE QUARTERLY MEETINGS, THE GOV-
7 ERNING COMMITTEE SHALL MEET WITHIN 7 DAYS UPON REQUEST OF 2 OR
8 MORE MEMBERS OF THE GOVERNING COMMITTEE MADE TO THE CHAIRPERSON
9 OF THE GOVERNING COMMITTEE.

10 (6) ~~-(2)-~~ Except as otherwise provided in subsection ~~-(3)-~~
11 (7), a writing prepared, owned, used, in the possession of, or
12 retained by the house fiscal agency in the performance of an
13 official function shall be made available to the public in com-
14 pliance with the freedom of information act, Act No. 442 of the
15 Public Acts of 1976, being sections 15.231 to 15.246 of the
16 Michigan Compiled Laws.

17 (7) ~~-(3)-~~ An employee of the house fiscal agency shall not
18 reveal to any person who is not an employee of the house fiscal
19 agency the contents or nature of any bill, substitute, amendment,
20 resolution, special report, or proposal not yet published unless
21 the employee has the consent of the member who is sponsoring or
22 requesting the bill, substitute, amendment, resolution, special
23 report, or proposal. A bill shall not be considered published
24 until it is introduced. A substitute, an amendment, or a confer-
25 ence report shall be considered published when received by the
26 secretary of the senate or the clerk of the house of

1 representatives, or both, as is appropriate. As used in this
2 subsection:

3 (a) "Special report" means a report that is requested by a
4 member of the house of representatives to be prepared by the
5 house fiscal agency. A special report shall not be considered
6 published until it is authorized for release by the member of the
7 house of representatives requesting the report.

8 (b) "Proposal" means a plan or an activity ~~which~~ THAT is
9 under consideration by a member of the house of representatives.
10 A proposal shall not be considered published until it is autho-
11 rized for release by the member of the house of representatives
12 requesting the preparation of the proposal.

13 (8) ~~(4)~~ Persons employed by the house fiscal agency shall
14 be nontenured, at-will employees. The governing committee of the
15 house fiscal agency may discipline, transfer, demote, suspend, or
16 summarily discharge an employee.