

Act No. 95
Public Acts of 1999
Approved by the Governor
July 1, 1999
Filed with the Secretary of State
July 1, 1999
EFFECTIVE DATE: July 1, 1999

STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 1999

Introduced by Reps. Rivet and Kilpatrick

ENROLLED HOUSE BILL No. 4386

AN ACT to amend 1986 PA 268, entitled "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," by amending section 601 (MCL 4.1601), as amended by 1993 PA 24.

The People of the State of Michigan enact:

Sec. 601. (1) There is created a nonpartisan agency to be known as the house fiscal agency to be of service to the appropriations committee of the house of representatives and other members of the house of representatives.

(2) The house fiscal agency shall be governed by a governing committee. The members of the governing committee are as follows:

(a) If the house of representatives is controlled by co-speakers pursuant to a joint leadership agreement between republican and democratic members of the house of representatives, the following 8 members of the house of representatives:

- (i) The co-speakers.
- (ii) The co-chairpersons of the appropriations committee.
- (iii) The co-vice-chairpersons of the appropriations committee.
- (iv) The co-floor leaders.

(b) If the house of representatives is controlled by a single speaker, the following 6 members of the house of representatives:

- (i) The speaker of the house.
- (ii) The minority leader.
- (iii) The chairperson of the appropriations committee.
- (iv) The minority vice-chairperson of the appropriations committee.
- (v) The majority floor leader.
- (vi) The minority floor leader.

(3) If the house of representatives is controlled by co-speakers pursuant to a joint leadership agreement between republican and democratic members of the house of representatives, the co-chairpersons of the house appropriations committee are the co-chairpersons of the governing committee of the house fiscal agency. The co-chairpersons of the governing committee of the house fiscal agency shall alternate as chairperson of the governing committee. The democratic co-chairperson of the house appropriations committee shall preside as chairperson in months during which the presiding officers of the house of representatives are republican and the republican co-chairperson of the house appropriations committee shall preside as chairperson in months during which the presiding officers of the house of representatives are democratic. If the house of representatives is controlled by a single speaker, the chairperson of the house appropriations committee is the chairperson of the governing committee of the house fiscal agency.

(4) The governing committee of the house fiscal agency shall meet quarterly. In addition to the quarterly meetings, the governing committee shall meet within 7 days upon request of 2 or more members of the governing committee made to the co-speakers or speaker of the house.

(5) Except as otherwise provided in subsection (6), a writing prepared, owned, used, in the possession of, or retained by the house fiscal agency in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(6) An employee of the house fiscal agency shall not reveal to any person who is not an employee of the house fiscal agency the contents or nature of any bill, substitute, amendment, resolution, special report, or proposal not yet published unless the employee has the consent of the member who is sponsoring or requesting the bill, substitute, amendment, resolution, special report, or proposal. A bill shall not be considered published until it is introduced. A substitute, an amendment, or a conference report shall be considered published when received by the secretary of the senate or the clerk of the house of representatives, or both, as is appropriate. As used in this subsection:

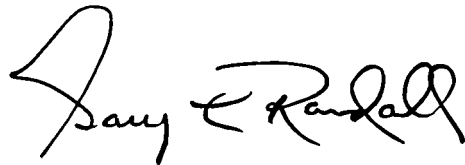
(a) "Special report" means a report that is requested by a member of the house of representatives to be prepared by the house fiscal agency. A special report shall not be considered published until it is authorized for release by the member of the house of representatives requesting the report.

(b) "Proposal" means a plan or an activity that is under consideration by a member of the house of representatives. A proposal shall not be considered published until it is authorized for release by the member of the house of representatives requesting the preparation of the proposal.

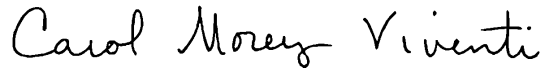
(7) The director of the house fiscal agency shall provide quarterly financial statements of the financial affairs of the house fiscal agency. The quarterly financial statements shall be submitted to the members of the governing committee and the house of representatives not later than 30 days after each calendar quarter.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.