

SENATE BILL No. 396

April 17, 2007, Introduced by Senators KAHN, RICHARDVILLE, PATTERSON, KUIPERS, BIRKHOLZ, GILBERT, PAPPAGEORGE, JELINEK and BROWN and referred to the Committee on Government Operations and Reform.

A bill to amend 1986 PA 268, entitled
"Legislative council act,"
(MCL 4.1101 to 4.1901) by adding chapter 7A; and to repeal acts and
parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER 7A

SEC. 751. AS USED IN THIS CHAPTER:

(A) "COMMISSION" MEANS THE COMMISSION ON GOVERNMENT EFFICIENCY
ESTABLISHED IN THIS CHAPTER.

(B) "STATE AGENCY" MEANS A DEPARTMENT, COMMISSION, AUTHORITY,
OR BOARD IN THE EXECUTIVE BRANCH.

SEC. 752. (1) THE COMMISSION ON GOVERNMENT EFFICIENCY IS
CREATED WITHIN THE LEGISLATIVE COUNCIL.

1 (2) THE COMMISSION SHALL CONSIST OF THE FOLLOWING 9 MEMBERS:

2 (A) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES.

4 (B) ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE HOUSE
5 OF REPRESENTATIVES.

6 (C) THE HEAD OF THE HOUSE FISCAL AGENCY.

7 (D) ONE MEMBER APPOINTED BY THE MAJORITY LEADER OF THE SENATE.

8 (E) ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE SENATE.

9 (F) THE HEAD OF THE SENATE FISCAL AGENCY.

10 (G) THREE MEMBERS OF THE PUBLIC JOINTLY SELECTED BY THE
11 SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE MAJORITY LEADER OF
12 THE SENATE, 1 WITH EXPERIENCE IN ACCOUNTING, 1 WITH EXPERIENCE IN
13 HUMAN RESOURCES, AND 1 WITH EXPERIENCE IN FINANCE.

14 (3) THE MEMBERS FIRST APPOINTED TO THE COMMISSION SHALL BE
15 APPOINTED WITHIN 60 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY
16 ACT THAT ADDED THIS CHAPTER.

17 (4) MEMBERS OF THE COMMISSION SHALL SERVE FOR A TERM OF 3
18 YEARS.

19 (5) IF A VACANCY OCCURS ON THE COMMISSION, THE PERSON WHO
20 APPOINTED THE MEMBER SHALL MAKE AN APPOINTMENT FOR THE UNEXPIRED
21 TERM IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

22 (6) THE PERSON WHO APPOINTED THE MEMBER MAY REMOVE A MEMBER OF
23 THE COMMISSION FOR INCOMPETENCY, DERELICTION OF DUTY, MALFEASANCE,
24 MISFEASANCE, OR NONFEASANCE IN OFFICE, OR ANY OTHER GOOD CAUSE.

25 (7) THE FIRST MEETING OF THE COMMISSION SHALL BE CALLED BY THE
26 SPEAKER OF THE HOUSE OF REPRESENTATIVES. AT THE FIRST MEETING, THE
27 COMMISSION SHALL ELECT FROM AMONG ITS MEMBERS A CHAIRPERSON AND

1 OTHER OFFICERS AS IT CONSIDERS NECESSARY OR APPROPRIATE. AFTER THE
2 FIRST MEETING, THE COMMISSION SHALL MEET AT LEAST MONTHLY, OR MORE
3 FREQUENTLY AT THE CALL OF THE CHAIRPERSON OR IF REQUESTED BY 3 OR
4 MORE MEMBERS.

5 (8) A MAJORITY OF THE MEMBERS OF THE COMMISSION CONSTITUTE A
6 QUORUM FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE
7 COMMISSION. A MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE
8 REQUIRED FOR OFFICIAL ACTION OF THE COMMISSION.

9 (9) THE BUSINESS THAT THE COMMISSION MAY PERFORM SHALL BE
10 CONDUCTED AT A PUBLIC MEETING OF THE COMMISSION HELD IN COMPLIANCE
11 WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

12 (10) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
13 RETAINED BY THE COMMISSION IN THE PERFORMANCE OF AN OFFICIAL
14 FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442,
15 MCL 15.231 TO 15.246.

16 (11) MEMBERS OF THE COMMISSION SHALL SERVE WITHOUT
17 COMPENSATION. HOWEVER, MEMBERS OF THE COMMISSION MAY BE REIMBURSED
18 FOR REASONABLE AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE
19 OF THEIR OFFICIAL DUTIES AS MEMBERS OF THE COMMISSION.

20 (12) NOT LATER THAN JUNE 1, 2008, THE COMMISSION SHALL DO ALL
21 OF THE FOLLOWING:

22 (A) REVIEW AND INVESTIGATE WAYS TO MAKE STATE GOVERNMENT MORE
23 EFFICIENT.

24 (B) REVIEW, INVESTIGATE, AND COLLECT INFORMATION NECESSARY TO
25 EVALUATE ALL FUNCTIONS AND SERVICES PROVIDED BY EACH STATE AGENCY,
26 INCLUDING, BUT NOT LIMITED TO, ALL OF THE FOLLOWING:

27 (i) HUMAN RESOURCE DUTIES AND RESPONSIBILITIES.

1 (ii) PAYROLL SERVICES.

2 (iii) ACCOUNTING AND FINANCIAL SERVICES.

3 (iv) PURCHASING PROGRAMS.

4 (v) PRINTING SERVICES.

5 (vi) MAIL SERVICES.

6 (vii) MAINTENANCE SERVICES.

7 (viii) JANITOR OR CLEANING SERVICES.

8 (C) DETERMINE THE COMPLETE COST OF EACH FUNCTION OR SERVICE
9 PERFORMED BY A STATE AGENCY.

10 (D) DETERMINE THE TOTAL NUMBER OF FTES FOR EACH FUNCTION OR
11 SERVICE PERFORMED BY A STATE AGENCY.

12 (E) DETERMINE HOW EACH FUNCTION OR SERVICE IS FUNDED IN EACH
13 STATE AGENCY.

14 (F) DETERMINE THE TOTAL AND COMPLETE COST OF ALL FUNCTIONS AND
15 SERVICES COMBINED.

16 (13) NOT LATER THAN JUNE 1, 2009, THE COMMISSION SHALL MAKE
17 SPECIFIC DETERMINATIONS OF THE ITEMS DESCRIBED IN SUBSECTION (12)
18 AND REPORT THOSE DETERMINATIONS TO EACH HOUSE OF THE LEGISLATURE.

19 (14) IN CONNECTION WITH ITS DUTIES UNDER THIS SECTION, THE
20 COMMISSION MAY ISSUE SUBPOENAS, DIRECT THE SERVICE OF THE SUBPOENA
21 BY ANY POLICE OFFICER, AND COMPEL THE ATTENDANCE AND TESTIMONY OF
22 WITNESSES; MAY ADMINISTER OATHS AND EXAMINE ANY PERSON AS MAY BE
23 NECESSARY; AND MAY COMPEL THE PRODUCTION OF BOOKS, ACCOUNTS,
24 PAPERS, DOCUMENTS, AND RECORDS. THE ORDERS AND SUBPOENAS ISSUED BY
25 THE COMMISSION MAY BE ENFORCED UPON APPLICATION TO ANY CIRCUIT
26 COURT AS PROVIDED BY LAW.

27 Enacting section 1. Chapter 7A of the legislative council act,

1 1986 PA 268, MCL 4.1751 to 4.1753, is repealed effective September
2 30, 2010.