

HOUSE BILL No. 6013

March 25, 2010, Introduced by Reps. Scripps, McDowell, Kandrevas, Haugh, Geiss, Slavens, Byrum, Roberts, Angerer, Robert Jones, Byrnes, Ebli, Meadows, Melton, Johnson, Corriveau, Sheltroun, Haase, Bledsoe, Liss, Valentine, Stanley, Segal, Roy Schmidt and Dean and referred to the Committee on Oversight and Investigations.

A bill to amend 1986 PA 268, entitled
"Legislative council act,"
by amending the title and sections 102, 105, 106, 108, 201, 202, 204, 204a, 204b, 204c, 204d, 204e, 204f, 205, and 206 (MCL 4.1102, 4.1105, 4.1106, 4.1108, 4.1201, 4.1202, 4.1204, 4.1204a, 4.1204b, 4.1204c, 4.1204d, 4.1204e, 4.1204f, 4.1205, and 4.1206), the title as amended by 1988 PA 100, sections 102 and 106 as amended by 1995 PA 189, sections 201 and 202 as amended by 1999 PA 264, section 204 as amended by 1998 PA 431, section 204a as added by 1998 PA 429, section 204b as added by 1998 PA 404, section 204c as added by 1998 PA 414, section 204d as added by 1998 PA 413, section 204e as added by 1998 PA 403, and section 204f as added by 1998 PA 411, and by adding section 111; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

1 An act to create the legislative council; to prescribe its
 2 membership, powers, and duties; to create a legislative service
 3 bureau to provide staff services to the legislature and the
 4 council; to provide for operation of legislative parking
 5 facilities; to create funds; to provide for the expenditure of
 6 appropriated funds by legislative council agencies; to authorize
 7 the sale of access to certain computerized data bases; to establish
 8 fees; to create the Michigan commission on uniform state laws; to
 9 create a law revision commission; to create a senate fiscal agency
 10 and a house fiscal agency; to create a Michigan capitol committee;
 11 to create a ~~commission on intergovernmental relations~~ **LEGISLATIVE**
 12 **ADMINISTRATIVE AGENCY**; to prescribe the powers and duties of
 13 certain state agencies and departments; to repeal certain acts and
 14 parts of acts; and to repeal certain parts of this act on specific
 15 dates.

16 Sec. 102. As used in this act:

17 (a) "Bureau" means the legislative service bureau.

18 (b) "Commission" means the Michigan law revision commission.

19 (c) "Council" means the legislative council.

20 (d) ~~"Council administrator" means the chief executive officer~~
 21 ~~of all legislative council agencies.~~ **"LEGISLATIVE ADMINISTRATIVE**
 22 **AGENCY" MEANS THE LEGISLATIVE ADMINISTRATIVE AGENCY CREATED IN**
 23 **SECTION 111.**

24 (e) "Legislative council agencies" means the bureau,
 25 commission, and any other legislative council agency designated by
 26 the council.

1 Sec. 105. The council shall maintain bill drafting, **LAW**
2 **COMPILATION**, research, and other services for the members of the
3 legislature in a bureau to be known as the legislative service
4 bureau which is hereby created. ~~The bureau shall provide bill~~
5 ~~drafting, research, and other services and shall be organized into~~
6 ~~divisions as authorized by the council.~~ The council shall appoint a
7 director of the legislative service bureau who shall serve at the
8 pleasure of the council. The director **OF THE LEGISLATIVE SERVICE**
9 **BUREAU** shall devote his or her full time to the duties of the
10 office, shall be qualified by experience and ability to conduct the
11 work of the office, and shall receive ~~such~~ compensation as ~~fixed~~
12 **ESTABLISHED** by the council.

13 Sec. 106. ~~The director of the bureau shall be the chief~~
14 ~~administrative officer of the bureau.~~ With the approval of the
15 council, the director **OF THE LEGISLATIVE SERVICE BUREAU** shall
16 employ ~~such~~ **ANY** employees as may be necessary and ~~fix~~ **ESTABLISH**
17 their compensation within the appropriation made by the legislature
18 for this purpose. Persons employed by the director **OF THE**
19 **LEGISLATIVE SERVICE BUREAU** shall be nontenured, at-will employees.
20 The director **OF THE LEGISLATIVE SERVICE BUREAU** may discipline,
21 transfer, demote, suspend, or summarily discharge an employee. The
22 director **OF THE LEGISLATIVE SERVICE BUREAU** shall have charge of the
23 routine management of the bureau and may incur ~~such~~ **THOSE** expenses
24 ~~as may be necessary~~ for carrying out the provisions of this act, to
25 be paid out of appropriations made by the legislature for the
26 operation of the bureau. The council ~~shall be~~ **IS** responsible for
27 the general program and policies of the bureau and for the

1 preparation and enforcement of rules and regulations concerning the
2 services to be rendered **BY THE BUREAU.**

3 Sec. 108. The bureau shall **DO ALL OF THE FOLLOWING:**

4 (a) At the request of the members of the legislature, draft
5 bills and resolutions; ~~or DRAFT~~ amendments ~~to,~~ or substitutes for ~~7~~
6 bills and resolutions; draft conference committee reports; and
7 examine, check, and compare pending bills with other pending bills
8 and existing laws to avoid so far as possible contrary or
9 conflicting provisions.

10 (b) At the request of the members of the legislature, draft
11 joint rules of the legislature or rules of the house of
12 representatives or the senate, or amendments to those rules.

13 (c) Prepare a definite plan for the order, classification,
14 arrangement, ~~printing, and binding~~ **AND COMPILATION** of the general
15 laws in force.

16 (d) Prepare catchlines, indexes, and tables for the public and
17 local acts of each session of the legislature.

18 **(E) CREATE AND MAINTAIN A COMPUTER DATABASE OF THE MICHIGAN**
19 **COMPILED LAWS.**

20 **(F) PROVIDE RESEARCH SERVICES TO MEMBERS OF THE LEGISLATURE.**

21 **(G) PROVIDE TECHNICAL AND OTHER ASSISTANCE TO LEGISLATIVE**
22 **COMMITTEES AS AUTHORIZED BY THE COUNCIL.**

23 **(H) PROVIDE STAFF TO ASSIST THE JOINT COMMITTEE ON**
24 **ADMINISTRATIVE RULES UNDER THE ADMINISTRATIVE PROCEDURES ACT OF**
25 **1969, 1969 PA 306, 24.201 TO 24.328.**

26 **SEC. 111. (1) THE LEGISLATIVE ADMINISTRATIVE AGENCY IS**
27 **CREATED. THE LEGISLATIVE ADMINISTRATIVE AGENCY SHALL BE HEADED BY A**

1 DIRECTOR JOINTLY APPOINTED BY THE SPEAKER OF THE HOUSE OF
2 REPRESENTATIVES AND THE MAJORITY LEADER OF THE SENATE.

3 (2) NOT LATER THAN 60 DAYS AFTER THE EFFECTIVE DATE OF THE
4 AMENDATORY ACT THAT ADDED THIS SECTION, THE DIRECTOR OF THE HOUSE
5 BUSINESS OFFICE SHALL CREATE, DEVELOP, AND IMPLEMENT A BUSINESS
6 PLAN TO CONSOLIDATE AND REORGANIZE ALL LEGISLATIVE ADMINISTRATIVE
7 SERVICES INTO THE LEGISLATIVE ADMINISTRATIVE AGENCY NOT LATER THAN
8 JANUARY 1, 2011. THE BUSINESS PLAN SHALL OUTLINE AND DESCRIBE THE
9 DUTIES, RESPONSIBILITIES, AUTHORITY, POWERS, FUNCTIONS, PERSONNEL,
10 EQUIPMENT, AND BUDGETARY RESOURCES INVOLVED IN THE LEGISLATIVE
11 ADMINISTRATIVE SERVICES AS THEY ARE CONSOLIDATED AND REORGANIZED
12 INTO THE LEGISLATIVE ADMINISTRATIVE AGENCY AND SPECIFICALLY
13 DESCRIBE HOW REDUNDANCIES SHALL BE ELIMINATED AND HOW EFFICIENCIES
14 SHALL BE INCREASED. THE BUSINESS PLAN SHALL ALSO INCLUDE A
15 TIMETABLE FOR THE CONSOLIDATION AND REORGANIZATION AND AN
16 ORGANIZATIONAL CHART OF LEGISLATIVE ADMINISTRATIVE SERVICES AS THEY
17 ARE CONSOLIDATED AND REORGANIZED INTO THE LEGISLATIVE
18 ADMINISTRATIVE AGENCY. UPON COMPLETION OF THE CONSOLIDATION AND
19 REORGANIZATION, ALL AUTHORITY, POWER, DUTIES, FUNCTIONS,
20 RESPONSIBILITIES, PERSONNEL, EQUIPMENT, AND BUDGETING RESOURCES
21 REGARDING LEGISLATIVE ADMINISTRATIVE SERVICES SHALL BE CONDUCTED BY
22 THE LEGISLATIVE ADMINISTRATIVE AGENCY.

23 (3) UPON COMPLETION OF THE CONSOLIDATION AND REORGANIZATION OF
24 ALL LEGISLATIVE ADMINISTRATIVE SERVICES, THE DIRECTOR OF THE
25 LEGISLATIVE ADMINISTRATIVE AGENCY SHALL PROVIDE THE HOUSE
26 GOVERNMENT OPERATIONS COMMITTEE AND THE SENATE GOVERNMENT
27 OPERATIONS COMMITTEE WITH A REPORT ON THE TOTAL SAVINGS ACHIEVED,

1 THE REDUCTION IN EMPLOYEES, IF ANY, DUE TO THE CONSOLIDATION AND
 2 REORGANIZATION, AND THE CURRENT STATUS OF LEGISLATIVE
 3 ADMINISTRATIVE SERVICES EVERY 3 MONTHS FOR 24 MONTHS FOLLOWING
 4 CONSOLIDATION AND REORGANIZATION.

5 (4) AS USED IN THIS SECTION, "LEGISLATIVE ADMINISTRATIVE
 6 SERVICES" MEANS BUSINESS OFFICE, FINANCE, HUMAN RESOURCES,
 7 FACILITIES, INFORMATION TECHNOLOGY, SECURITY, PRINTING,
 8 DUPLICATING, OR POST OFFICE SERVICES PROVIDED BY THE HOUSE OF
 9 REPRESENTATIVES, SENATE, OR LEGISLATIVE COUNCIL. LEGISLATIVE
 10 ADMINISTRATIVE SERVICES DO NOT INCLUDE THE HOUSE OF REPRESENTATIVES
 11 AND SENATE SESSION STAFF OR CLERKS OR THE LEGISLATIVE SERVICE
 12 BUREAU'S DUTIES AS OUTLINED IN SECTION 108.

13 Sec. 201. (1) A reprint ~~authorized~~ **PREPARED BY THE BUREAU**
 14 under section 110 may be sold by the ~~council~~ **LEGISLATIVE**
 15 **ADMINISTRATIVE AGENCY** at a cost not to exceed the cost of
 16 preparing, printing, and distributing the reprint.

17 (2) The money received from the sale of a reprint shall be
 18 deposited with the state treasurer and credited to the statutes
 19 reprint publishing fund created in subsection (3).

20 (3) The statutes reprint publishing fund is created in the
 21 state treasury and shall be administered by the ~~council~~ **LEGISLATIVE**
 22 **ADMINISTRATIVE AGENCY**. ~~The MONEY FROM THE~~ fund shall be expended
 23 only as provided in this section.

24 (4) The ~~council~~ **LEGISLATIVE ADMINISTRATIVE AGENCY** shall
 25 utilize the statutes reprint publishing fund to pay the costs of
 26 preparing, printing, and distributing reprints.

27 Sec. 202. (1) The statutes compilation fund is created in the

1 state treasury and shall be administered by the ~~council~~**LEGISLATIVE**
2 **ADMINISTRATIVE AGENCY**. ~~The MONEY FROM THE~~ fund shall be expended
3 only as provided in this section.

4 (2) The money received from the sale of each of the following
5 shall be deposited with the state treasurer and credited to the
6 statutes compilation fund:

7 (a) The compilations of the statutes required under 1970 PA
8 193, MCL 8.41 to 8.48.

9 (b) The public and local acts volumes required under section
10 35 of article IV of the state constitution of 1963 and prepared and
11 published under section 1 of 1899 PA 44, MCL 24.1.

12 (3) The ~~council~~**LEGISLATIVE ADMINISTRATIVE AGENCY** shall
13 utilize the statutes compilation fund to pay the costs of preparing
14 and publishing the publications described in subsection (2).

15 (4) The department of management and budget ~~shall~~**MAY, WITH**
16 **THE CONSENT OF THE LEGISLATIVE ADMINISTRATIVE AGENCY**, sell copies
17 or electronic access of the publications described in subsection
18 (2) at a price determined by the ~~bureau~~**LEGISLATIVE ADMINISTRATIVE**
19 **AGENCY** not to exceed the actual cost of preparation, printing, and
20 distribution.

21 Sec. 204. (1) The ~~council~~**LEGISLATIVE ADMINISTRATIVE AGENCY**
22 may provide access to computerized ~~council~~ legislative databases
23 and information to individuals and organizations that are not a
24 part of the legislative branch of government. The ~~council~~
25 **LEGISLATIVE ADMINISTRATIVE AGENCY** may establish rules to implement
26 this subsection. The ~~council~~**LEGISLATIVE ADMINISTRATIVE AGENCY**
27 shall impose conditions and restrictions upon nonlegislative access

1 and services as determined necessary by the ~~council~~ **LEGISLATIVE**
2 **ADMINISTRATIVE AGENCY**.

3 (2) The legislative computer information fund is created in
4 the state treasury and shall be administered by the ~~council~~
5 **LEGISLATIVE ADMINISTRATIVE AGENCY**. Money from the legislative
6 computer information fund shall be expended only as provided in
7 this section.

8 (3) The money received from the sale of access and related
9 services pursuant to subsection (1), along with fees charged for
10 training and the sale of user manuals and other money made
11 available for these purposes, by appropriation or otherwise, shall
12 be deposited with the state treasurer and credited to the
13 legislative computer information fund.

14 (4) The ~~council~~ **LEGISLATIVE ADMINISTRATIVE AGENCY** shall
15 utilize the legislative computer information fund to pay for all of
16 the following that are directly related to computerized ~~council~~
17 legislative databases and information:

18 (a) Research and development.

19 (b) Training.

20 (c) Additional hardware, software, and facilities.

21 (d) Acquisition of necessary support services.

22 (e) Editorial and compilation expenses.

23 (5) Notwithstanding subsection (1), ~~beginning July 1, 1999, IN~~
24 **COOPERATION WITH THE BUREAU**, the ~~council~~ **LEGISLATIVE ADMINISTRATIVE**
25 **AGENCY** shall make the Michigan Compiled Laws database search and
26 retrieval system available to the public on the Internet. This
27 subsection does not alter or relinquish any copyright or other

1 proprietary interest or entitlement of this state relating to any
2 of the information made available under this subsection.

3 (6) ~~Beginning July 1, 1999, the council~~ **THE LEGISLATIVE**
4 **ADMINISTRATIVE AGENCY** shall not charge a fee to provide the
5 Michigan Compiled Laws database search and retrieval system to the
6 public on the Internet as provided in subsection (5).

7 Sec. 204a. (1) Notwithstanding section 204, ~~beginning January~~
8 ~~1, 2001, the council~~ **LEGISLATIVE ADMINISTRATIVE AGENCY** shall make,
9 for the current legislative session, the legislative calendar,
10 notices of legislative committee and subcommittee meetings,
11 including the agendas, and a listing of the committees of each
12 house and their members available to the public on the Internet.

13 (2) The information described in subsection (1) that is
14 maintained by the ~~council~~ **LEGISLATIVE ADMINISTRATIVE AGENCY** shall
15 be made available in the shortest feasible time after the
16 information is available. The information described in subsection
17 (1) that is not maintained by the ~~council~~ **LEGISLATIVE**
18 **ADMINISTRATIVE AGENCY** shall be made available in the shortest
19 feasible time after it is made available to the ~~council~~ **LEGISLATIVE**
20 **ADMINISTRATIVE AGENCY**.

21 (3) This section does not alter or relinquish any copyright or
22 other proprietary interest or entitlement of this state relating to
23 any of the information made available under this section.

24 (4) The ~~council~~ **LEGISLATIVE ADMINISTRATIVE AGENCY** shall not
25 charge a fee for the information provided in this section.

26 Sec. 204b. (1) Notwithstanding section 204, ~~beginning July 1,~~
27 ~~1999, the council~~ **LEGISLATIVE ADMINISTRATIVE AGENCY** shall make the

1 text of each bill introduced, passed by each house, and enrolled
2 during the current legislative session available to the public on
3 the Internet.

4 (2) The information described in subsection (1) that is
5 maintained by the ~~council~~**LEGISLATIVE ADMINISTRATIVE AGENCY** shall
6 be made available in the shortest feasible time after the
7 information is available. The information described in subsection
8 (1) that is not maintained by the ~~council~~**LEGISLATIVE**
9 **ADMINISTRATIVE AGENCY** shall be made available in the shortest
10 feasible time after it is made available to the ~~council~~**LEGISLATIVE**
11 **ADMINISTRATIVE AGENCY**.

12 (3) This section does not alter or relinquish any copyright or
13 other proprietary interest or entitlement of this state relating to
14 any of the information made available under this section.

15 (4) The ~~council~~**LEGISLATIVE ADMINISTRATIVE AGENCY** shall not
16 charge a fee for the information provided in this section.

17 Sec. 204c. (1) Notwithstanding section 204, ~~beginning July 1,~~
18 ~~1999,~~ the ~~council~~**LEGISLATIVE ADMINISTRATIVE AGENCY** shall make each
19 bill analysis prepared by the house legislative analysis section or
20 the senate fiscal agency during the current legislative session
21 available to the public on the Internet.

22 (2) The information described in subsection (1) that is
23 maintained by the ~~council~~**LEGISLATIVE ADMINISTRATIVE AGENCY** shall
24 be made available in the shortest feasible time after the
25 information is available. The information described in subsection
26 (1) that is not maintained by the ~~council~~**LEGISLATIVE**
27 **ADMINISTRATIVE AGENCY** shall be made available in the shortest

feasible time after it is made available to the ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY**.

(3) This section does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under this section.

(4) The ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** shall not charge a fee for the information provided in this section.

Sec. 204d. (1) Notwithstanding section 204, ~~beginning July 1, 1999,~~ the ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** shall make each fiscal bill analysis prepared by the house fiscal agency or senate fiscal agency for the current legislative session available to the public on the Internet.

(2) The information described in subsection (1) that is maintained by the ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** shall be made available in the shortest feasible time after the information is available. The information described in subsection (1) that is not maintained by the ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** shall be made available in the shortest feasible time after it is made available to the ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY**.

(3) This section does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under this section.

(4) The ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** shall not charge a fee for the information provided in this section.

Sec. 204e. (1) Notwithstanding section 204, ~~beginning July 1, 1999,~~ the ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** shall make the

1 status of every bill and resolution that is introduced in each
2 house during the current legislative session available to the
3 public on the Internet.

4 (2) The information described in subsection (1) that is
5 maintained by the ~~council~~**LEGISLATIVE ADMINISTRATIVE AGENCY** shall
6 be made available in the shortest feasible time after the
7 information is available. The information described in subsection
8 (1) that is not maintained by the ~~council~~**LEGISLATIVE**
9 **ADMINISTRATIVE AGENCY** shall be made available in the shortest
10 feasible time after it is made available to the ~~council~~**LEGISLATIVE**
11 **ADMINISTRATIVE AGENCY**.

12 (3) This section does not alter or relinquish any copyright or
13 other proprietary interest or entitlement of this state relating to
14 any of the information made available under this section.

15 (4) The ~~council~~**LEGISLATIVE ADMINISTRATIVE AGENCY** shall not
16 charge a fee to provide the status of every bill and resolution on
17 the Internet as provided in subsection (1).

18 Sec. 204f. (1) Notwithstanding section 204, ~~beginning January~~
19 ~~1, 2001,~~ the ~~council~~**LEGISLATIVE ADMINISTRATIVE AGENCY** shall make
20 the text of the house and senate journals for the current
21 legislative session available to the public on the Internet.

22 (2) The information described in subsection (1) that is
23 maintained by the ~~council~~**LEGISLATIVE ADMINISTRATIVE AGENCY** shall
24 be made available in the shortest feasible time after the
25 information is available. The information described in subsection
26 (1) that is not maintained by the ~~council~~**LEGISLATIVE**
27 **ADMINISTRATIVE AGENCY** shall be made available in the shortest

feasible time after it is made available to the ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY**.

(3) This section does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under this section.

(4) The ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** shall not charge a fee for the information provided in this section.

Sec. 205. (1) The ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** shall establish, maintain, and operate legislative parking facilities in the capitol area.

(2) The ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** may establish and collect a fee from state employees, state officials, and the general public using legislative parking facilities.

(3) Parking fees collected by the ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** pursuant to subsection (2) shall be deposited with the state treasurer and credited to the legislative ~~council~~ parking fund created in subsection (4).

(4) The legislative ~~council~~-parking fund ~~may~~-**SHALL** be created in the state treasury by the ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** pursuant to section 206 and shall be administered by the ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY**. The fund shall be expended only as provided in this section.

(5) The ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** shall utilize the legislative ~~council~~-parking fund to pay the costs of operating and maintaining legislative parking facilities in the capitol area.

(6) The ~~council~~-**LEGISLATIVE ADMINISTRATIVE AGENCY** shall

1 establish rules to implement this section. The rules may provide
2 for the assessment of penalties and fines, for the removal of
3 vehicles, and for a grievance process.

4 Sec. 206. The **LEGISLATIVE ADMINISTRATIVE AGENCY OR THE** council
5 may, by resolution and for purposes related to the implementation
6 of this act, create funds in the state treasury to be administered
7 by the **LEGISLATIVE ADMINISTRATIVE AGENCY OR THE** council.

8 Enacting section 1. Sections 104a, 107, and 204g of the
9 legislative council act, 1986 PA 268, MCL 4.1104a, 4.1107, and
10 4.1204g, are repealed.