

SENATE BILL No. 398

March 19, 2009, Introduced by Senator ALLEN and referred to the Committee on Commerce and Tourism.

A bill to amend 1984 PA 431, entitled
"The management and budget act,"
by amending sections 131 and 264 (MCL 18.1131 and 18.1264), section
131 as amended by 1999 PA 8 and section 264 as added by 1988 PA
504.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 131. ~~(1)~~—The director may issue, alter, or rescind
2 administrative and procedural directives as determined to be
3 necessary for the effective administration of this act. The
4 directives are exempt from the definition of a rule pursuant to
5 section 7 of the administrative procedures act of 1969, 1969 PA
6 306, MCL 24.207. The directives shall be placed in the appropriate
7 manual and distributed to each principal department, autonomous

1 entity within state government, the senate and house appropriations
2 committees, and the fiscal agencies. The directives shall take
3 effect upon written approval of the director unless a later date is
4 specified. Before a directive may become effective, the department
5 shall give the affected principal departments reasonable time, as
6 determined by the department of management and budget, to respond.

7 ~~—— (2) The department may promulgate rules as necessary to~~
8 ~~implement this act. The rules shall be promulgated pursuant to the~~
9 ~~administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to~~
10 ~~24.328.~~

11 Sec. 264. The department may debar a vendor from participation
12 in the bid process and from contract award upon notice and a
13 finding that the vendor is not able to perform responsibly, or that
14 the vendor, or an officer or an owner of a ~~25%~~ 20% or greater share
15 of the vendor, has demonstrated a lack of integrity that could
16 jeopardize the state's interest if the state were to contract with
17 the vendor.