



# HOUSE BILL No. 4786

May 13, 1993, Introduced by Reps. Curtis, Gagliardi, Agee, Joe Young, Jr., Harder, Wetters, Scott, Olshove, Schroer, Owen and Freeman and referred to the Committee on House Oversight and Ethics.

A bill to amend sections 301, 401, 1701, and 1702 of Act No. 268 of the Public Acts of 1986, entitled as amended "Legislative council act," sections 1701 and 1702 as added by Act No. 123 of the Public Acts of 1987, being sections 4.1301, 4.1401, 4.1701, and 4.1702 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 301, 401, 1701, and 1702 of Act No. 268  
2 of the Public Acts of 1986, sections 1701 and 1702 as added by  
3 Act No. 123 of the Public Acts of 1987, being sections 4.1301,  
4 4.1401, 4.1701, and 4.1702 of the Michigan Compiled Laws, are  
5 amended to read as follows:

6 Sec. 301. (1) The Michigan commission on uniform state laws  
7 is created. The Michigan commission on uniform state laws shall  
8 consist of the following:

1 (a) Three members appointed by the council. Members  
2 appointed under this subdivision shall not be members of the  
3 legislature.

4 (b) Two members appointed by the majority leader of the  
5 senate, 1 from the minority party.

6 (c) Two members ~~appointed by the speaker of the house, 1~~  
7 ~~from the minority party~~ FROM THE HOUSE OF REPRESENTATIVES. IF  
8 THE HOUSE OF REPRESENTATIVES IS CONTROLLED BY CO-SPEAKERS PURSU<sup>^</sup>  
9 ANT TO A JOINT LEADERSHIP AGREEMENT BETWEEN REPUBLICAN AND DEMO<sup>^</sup>  
10 CRATIC MEMBERS OF THE HOUSE OF REPRESENTATIVES, 2 MEMBERS  
11 APPOINTED JOINTLY BY THE CO-SPEAKERS, 1 FROM EACH PARTY. IF TH<sup>^</sup>  
12 HOUSE OF REPRESENTATIVES IS CONTROLLED BY A SINGLE SPEAKER, 2  
13 MEMBERS APPOINTED BY THE SPEAKER, 1 FROM THE MINORITY PARTY.

14 (d) The director of the bureau or his or her designee.

15 (2) The commissioners may meet and confer with commissioners<sub>g</sub>  
16 of other states to bring about uniformity of state laws. The  
17 Michigan commission on uniform state laws shall report annually  
18 to the council.

19 (3) The expenses of the commissioners may be paid from  
20 appropriations made to the council upon vouchers approved by the  
21 council.

22 (4) The commissioners on uniform state laws for this state  
23 appointed under former Act No. 412 of the Public Acts of 1965  
24 shall continue in office until commissioners for the Michigan  
25 commission on uniform state laws are appointed under this  
26 section. Commissioners on uniform state laws for this state  
27 appointed under former Act No. 412 of the Public Acts of 1965 may

1 be appointed under this section to the Michigan commission on  
2 uniform state laws.

3 Sec. 401. (1) The Michigan law revision commission is  
4 created. The commission shall consist of the following:

5 (a) Four members appointed by the council. Members  
6 appointed under this subdivision shall not be members of the  
7 legislature.

8 (b) Two members appointed by the majority leader of the  
9 senate, 1 from the minority party.

10 (c) Two members ~~appointed by the speaker of the house, 1~~  
11 ~~from the minority party~~ FROM THE HOUSE OF REPRESENTATIVES. IF  
12 THE HOUSE OF REPRESENTATIVES IS CONTROLLED BY CO-SPEAKERS PURSU-  
13 ANT TO A JOINT LEADERSHIP AGREEMENT BETWEEN REPUBLICAN AND DEMO-  
14 CRATIC MEMBERS OF THE HOUSE OF REPRESENTATIVES, 2 MEMBERS  
15 APPOINTED JOINTLY BY THE CO-SPEAKERS, 1 FROM EACH PARTY. IF THE  
16 HOUSE OF REPRESENTATIVES IS CONTROLLED BY A SINGLE SPEAKER, 2  
17 MEMBERS APPOINTED BY THE SPEAKER, 1 FROM THE MINORITY PARTY.

18 (d) The director of the bureau or his or her designee, as an  
19 ex officio member.

20 (2) The members first appointed by the council shall be  
21 appointed for such terms that the term of 1 member will expire on  
22 each succeeding December 31. The term of a member thereafter  
23 appointed by the council, except to fill a vacancy occurring oth-  
24 erwise than by expiration of term, shall be 4 years from the  
25 expiration of the term of his or her predecessor. A vacancy in  
26 the office of a member appointed by the council occurring

1 otherwise than by expiration of term, shall be filled by the  
2 council for the remainder of the unexpired term.

3 (3) The council shall designate 1 of the members appointed  
4 by the council as chairperson of the commission. At least 3 mem-  
5 bers appointed by the council shall be attorneys admitted to  
6 practice in the courts of this state.

7 ~~(4) The 3 members of the commission appointed by the coun-~~  
8 ~~cil under former Act No. 412 of the Public Acts of 1965 shall~~  
9 ~~continue in office for the duration of the terms of office for~~  
10 ~~which they were appointed and with the members appointed under~~  
11 ~~subsection (1)(b) and (c), the director of the bureau or his or~~  
12 ~~her designee, and the additional member appointed by the council~~  
13 ~~under subsection (1)(a) shall constitute the Michigan law revi-~~  
14 ~~sion commission. Members shall be appointed by the council under~~  
15 ~~subsection (1)(a) to replace the 3 members appointed by the coun-~~  
16 ~~cil under former Act No. 412 of the Public Acts of 1965 only as~~  
17 ~~the terms of those members expire. Members appointed by the~~  
18 ~~council under former Act No. 412 of the Public Acts of 1965 may~~  
19 ~~be appointed to the commission by the council under this~~  
20 ~~section.~~

21 Sec. ~~1701~~ 701. (1) The Michigan capitol committee is  
22 created. The Michigan capitol committee shall consist of the  
23 following:

24 (a) Four members of the senate appointed by the majority  
25 leader of the senate, 1 from the minority party.

26 (b) Four members of the house ~~appointed by the speaker of~~  
27 ~~the house of representatives, 1 from the minority party~~ OF

1 REPRESENTATIVES. IF THE HOUSE OF REPRESENTATIVES IS CONTROLLED  
2 BY CO-SPEAKERS PURSUANT TO A JOINT LEADERSHIP AGREEMENT BETWEEN  
3 REPUBLICAN AND DEMOCRATIC MEMBERS OF THE HOUSE OF REPRESENTA-  
4 TIVES, 4 MEMBERS APPOINTED JOINTLY BY THE CO-SPEAKERS, 2 FROM  
5 EACH PARTY. IF THE HOUSE OF REPRESENTATIVES IS CONTROLLED BY A  
6 SINGLE SPEAKER, 4 MEMBERS APPOINTED BY THE SPEAKER, 1 FROM THE  
7 MINORITY PARTY.

8 (c) Four members appointed by the governor from the execu-  
9 tive branch of government.

10 (2) Each appointed member of the Michigan capitol committee  
11 shall serve at the pleasure of the official who appointed the  
12 member. The term of office of each member appointed by the gov-  
13 ernor shall be 2 years. Members appointed to represent the leg-  
14 islature shall serve 2-year terms ending at the end of the legis-  
15 lative biennium. A vacancy shall be filled in the same manner as  
16 the original appointment for the balance of the unexpired term.  
17 All members may be reappointed.

18 (3) Action by the Michigan capitol committee shall only be  
19 taken by concurring majorities of the committee members from the  
20 senate, the house of representatives, and the appointees from the  
21 executive branch of government.

22 (4) The business ~~which~~ THAT the Michigan capitol committee  
23 may perform shall be conducted at a public meeting of the  
24 Michigan capitol committee held in compliance with the open meet-  
25 ings act, Act No. 267 of the Public Acts of 1976, being sections  
26 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of

1 the time, date, and place of the meeting shall be given in the  
2 manner required by Act No. 267 of the Public Acts of 1976.

3 (5) A writing prepared, owned, used, in the possession of,  
4 or retained by the Michigan capitol committee in the performance  
5 of an official function shall be made available to the public in  
6 compliance with the freedom of information act, Act No. 442 of  
7 the Public Acts of 1976, being sections 15.231 to 15.246 of the  
8 Michigan Compiled Laws.

9 Sec. ~~702~~ 702. (1) The Michigan capitol committee shall  
10 advise and make recommendations to the governor, the senate  
11 majority leader, and the speaker OR CO-SPEAKERS of the house of  
12 representatives regarding the restoration and preservation of the  
13 state capitol building and the management, operation, develop-  
14 ment, construction, renovation, maintenance, and repair of the  
15 state capitol building and grounds. Such recommendations shall  
16 take effect 15 days after the submission to the governor, senate  
17 majority leader and speaker OR CO-SPEAKERS of the house of repre-  
18 sentatives unless rejected in writing by the governor, senate  
19 majority leader, or speaker OR CO-SPEAKERS of the house of  
20 representatives.

21 (2) In carrying out the powers and duties prescribed under  
22 subsection (1), the Michigan capitol committee shall do all of  
23 the following:

24 (a) Develop and recommend written procedures for the opera-  
25 tion of the Michigan capitol committee.

26 (b) Make recommendations to the governor, the majority  
27 leader of the senate, and the speaker OR CO-SPEAKERS of the house

1 of representatives regarding the implementation of all permanent  
2 physical changes to be made in or on the capitol building and all  
3 physical changes to be made on the grounds of the capitol  
4 building.

5 (c) Make recommendations to the governor, the majority  
6 leader of the senate, and the speaker OR CO-SPEAKERS of the house  
7 of representatives regarding the implementation of a state capi-  
8 tol building master plan.

9 (d) Make recommendations to the governor, the majority  
10 leader of the senate, and the speaker OR CO-SPEAKERS of the house  
11 of representatives regarding public and private financial support  
12 for the development, construction, renovation, and preservation  
13 of the capitol building and grounds.

14 (e) Make recommendations to the governor, the majority  
15 leader of the senate, and the speaker OR CO-SPEAKERS of the house  
16 of representatives regarding the selection, design, and placement  
17 of statues, memorials, trees, and plants on the grounds of the  
18 capitol building.

19 (3) The Michigan capitol committee shall have powers ~~which~~  
20 THAT are necessary or appropriate to perform the duties and exer-  
21 cise the powers prescribed under this chapter and ~~which~~ THAT  
22 are not otherwise prohibited by law, including:

23 (a) Contracting with the department of management and budget  
24 or any other public or private entity.

25 (b) Appointing advisory committees.

1       (4) The current labor and trades and safety and regulatory  
2 classifications performing duties on the capitol premises shall  
3 be maintained.

4       (5) The Michigan capitol committee shall not have authority  
5 nor exercise control over the internal decisions of the senate or  
6 the house of representatives as they relate to the allocation of  
7 space in the capitol building and on the grounds, including leg-  
8 islative or staff offices. All decisions concerning such space  
9 shall be made according to the rules or practices of the respec-  
10 tive bodies.

11       (6) As used in this section, "grounds" means the property  
12 upon which the state capitol building is situated, bordered on  
13 the north by Ottawa street; on the east by Capitol avenue; on the  
14 south by Allegan street; and on the west by Walnut street.