

Act No. 189
Public Acts of 1995
Approved by the Governor
November 6, 1995
Filed with the Secretary of State
November 6, 1995

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1995**

Introduced by Senators Steil, Gast, Geake, Dunaskiss, Gougeon, Carl, Cisky and North

ENROLLED SENATE BILL No. 506

AN ACT to amend sections 102, 104, and 106 of Act No. 268 of the Public Acts of 1986, entitled as amended "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," being sections 4.1102, 4.1104, and 4.1106 of the Michigan Compiled Laws; and to add section 104a.

The People of the State of Michigan enact:

Section 1. Sections 102, 104, and 106 of Act No. 268 of the Public Acts of 1986, being sections 4.1102, 4.1104, and 4.1106 of the Michigan Compiled Laws, are amended and section 104a is added to read as follows:

Sec. 102. As used in this act:

- (a) "Bureau" means the legislative service bureau.
- (b) "Commission" means the Michigan law revision commission.
- (c) "Council" means the legislative council.
- (d) "Council administrator" means the chief executive officer of all legislative council agencies.
- (e) "Legislative council agencies" means the bureau, commission, and any other legislative council agency designated by the council.

Sec. 104. (1) Annually the council shall elect from its membership a chairperson and alternate chairperson who shall be from different houses. The position of chairperson shall alternate between the senate and the house of representatives.

(2) The business which the council may perform shall be conducted at a public meeting of the council held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

(3) The council shall meet not less than 3 times per year. Special meetings shall be held on call of the chairperson or a majority of the members of the council. The council shall prescribe rules for its own procedure. A majority of the council constitutes a quorum, but a smaller number may transact routine business and receive reports from the staff. A majority of the membership shall concur in any recommendation of the council.

(4) The council may report its findings and recommendations to the legislature and may accompany the council's report with proposed bills to implement its recommendations.

(5) The chairperson of the council or a member designated by the chairperson, upon majority vote of the council may administer oaths, subpoena witnesses, and examine books and records of a person, partnership, or corporation involved in a matter properly before the council. The council may create subcommittees that may include members of the legislature who are not members of the council. Noncouncil members of subcommittees may be reimbursed for expenses incurred in the administration of their duties.

(6) Except for a report or recommendation prepared by the legislative corrections ombudsman under section 10 of Act No. 46 of the Public Acts of 1975, being section 4.360 of the Michigan Compiled Laws, a writing prepared, owned, used, in the possession of, or retained by the council in the performance of an official function shall be made available to the public in compliance with the freedom of information act, Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

Sec. 104a. The council shall appoint a council administrator who shall be the chief executive officer of all legislative council agencies. The council administrator is an at-will employee and shall serve at the pleasure of the council. The council administrator has all the following duties and responsibilities:

- (a) To provide general supervisory oversight over all legislative council agencies.
- (b) To provide personnel policy oversight and development for all legislative council agencies.
- (c) To develop, prepare, and present legislative council agency budgets.
- (d) To review quarterly financial statements of legislative council agencies and monitor budgetary compliance.
- (e) To act as secretary to the council, including but not limited to the following:
 - (i) Scheduling of meetings for the council and subcommittees.
 - (ii) Keeping and recording of minutes and records of meetings.
- (f) To perform other duties and responsibilities as determined and assigned by the council.

Sec. 106. The director of the bureau shall be the chief administrative officer of the bureau. With the approval of the council, the director shall employ such employees as may be necessary and fix their compensation within the appropriation made by the legislature for this purpose. Persons employed by the director shall be nontenured, at-will employees. The director may discipline, transfer, demote, suspend, or summarily discharge an employee. The director shall have charge of the routine management of the bureau and may incur such expenses as may be necessary for carrying out the provisions of this act, to be paid out of appropriations made by the legislature for the operation of the bureau. The council shall be responsible for the general program and policies of the bureau and for the preparation and enforcement of rules and regulations concerning the services to be rendered.

This act is ordered to take immediate effect.

Secretary of the Senate.

Clerk of the House of Representatives.

Approved -----

Governor.