

HOUSE BILL No. 5331

September 10, 2009, Introduced by Reps. Opsommer, Rick Jones and Kowall and referred to the Committee on Appropriations.

A bill to amend 1984 PA 431, entitled
"The management and budget act,"
by amending section 391 (MCL 18.1391), as amended by 1988 PA 504.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 391. (1) When it appears to the governor, based upon
2 written information received by the governor from the budget
3 director and the department of treasury, that actual revenues for a
4 fiscal period will fall below the revenue estimates on which
5 appropriations for that period were based, the estimates being as
6 determined by the legislature in accordance with section 31 of
7 article IV of the state constitution of 1963, the governor shall
8 order the director to review all appropriations made by the
9 legislature, except those made for the legislative and judicial

1 branches of government or from funds constitutionally dedicated to
2 specific purposes.

3 (2) Based upon needs, the director shall recommend to the
4 governor a reduction of expenditures authorized by the
5 appropriations, either direct or open-ended, for that fiscal year.
6 The governor shall review the recommendations of the director and
7 shall prepare an order containing reductions in expenditures
8 authorized so that actual revenues for the fiscal period will be
9 sufficient to equal the expenditures. **AN ORDER SHALL NOT REDUCE**
10 **EXPENDITURES BY ESTABLISHING MORE THAN 6 PAID OR UNPAID FURLOUGH**
11 **DAYS FOR STATE EMPLOYEES IN A CALENDAR YEAR.** The governor shall
12 give not less than 5 days' written notice to the members of the
13 appropriations committees specifying a time and place for a joint
14 meeting of the governor and the appropriations committees, at which
15 the governor shall present to the appropriations committees the
16 governor's recommendations and copies of the governor's proposed
17 order.

18 (3) Not later than 10 days after the submission of the order
19 to the appropriations committees, each appropriation committee by
20 vote of a majority of its members elected and serving shall approve
21 or disapprove the order. Expenditures authorized by appropriations
22 shall not be reduced unless approved by both appropriations
23 committees. Upon approval by both appropriations committees, the
24 director shall implement the order.

25 (4) If either appropriation committee disapproves the order,
26 the order is without force and effect. Not later than 30 days after
27 a proposed order is disapproved, the governor may give reasonable

1 written notice of the time and place of a further joint meeting of
2 the appropriations committees, at which time the governor shall
3 submit another order reducing expenditures authorized by
4 appropriations. Within 10 days after the receipt of that order by
5 the appropriations committees, each appropriations committee, by a
6 majority of its members elected and serving, shall approve or
7 disapprove the order. Upon approval by both appropriations
8 committees, the director shall implement the order.

9 (5) After the approval by both appropriations committees
10 pursuant to subsection (3) or (4), a copy of the order of the
11 governor and resolutions of both appropriations committees
12 approving it shall be filed with the secretary of state and the
13 order shall become effective.