

HOUSE BILL No. 4939

June 13, 2001, Introduced by Reps. George, Voorhees and Tabor and referred to the Committee on Commerce.

[A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 114, 219, and 251 (MCL 18.1114, 18.1219, and 18.1251), section 114 as amended by 1990 PA 332 and sections 219 and 251 as amended by 1999 PA 8.]

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 114. (1) "Facility" means a building or structure
2 along with the building's or structure's grounds, approaches,
3 services, and appurtenances owned by, or leased through a build-
4 ing authority by, the state such as office buildings, research
5 buildings, academic buildings, laboratories, hospitals, prisons,
6 recreational structures, garages, warehouses, physical plant
7 buildings, energy or power plants, and any other building or
8 project included by the director if the director considers the

HB4939, As Passed House, June 28, 2001

2

1 building or project to be in the public interest. Facility does
2 not include any of the following:

3 (a) A building or structure for an institution of higher
4 education except as mutually agreed upon by the director and the
5 governing board of the state institution of higher education.

6 (b) A road, bridge, or railroad under the jurisdiction of
7 the state transportation department.

8 (c) An existing building or structure which is mutually
9 agreed to be excluded from the definition of facility by the
10 department and the state agency having jurisdiction over the
11 building or structure.

12 (d) The capitol building and grounds. As used in this sub-
13 division, "grounds" means the property upon which the state capi-
14 tol building is situated, bordered on the north by Ottawa street;
15 on the east by Capitol avenue; on the south by Allegan street;
16 and on the west by Walnut street.

17 (e) A building or structure owned by, or under the jurisdic-
18 tion of, the legislature.

19 ~~-(f) The Michigan library and historical center.-~~

20 (2) "Fiscal agencies" means the senate fiscal agency and the
21 house fiscal agency.

22 (3) "FTE" means full-time equated position in the classified
23 service of this state.

24 Sec. 219. (1) The department shall provide for and issue
25 directives for the management, operation, maintenance, security,
26 and repair of facilities. The director shall determine space
27 utilization standards and may assign space within the

HB4939, As Passed House, June 28, 2001

HB 4939 as amended June 26, 2001

3 (1 of 2)

1 facilities. The department shall manage and operate state owned
2 facilities under the jurisdiction of the department.

3 (2) The department shall not assign space in buildings and
4 premises designated as part of the Michigan capitol park and
5 under the exclusive jurisdiction of the Michigan capitol park
6 commission, pursuant to section 298b, and shall not assign space
7 in buildings under the jurisdiction of the legislature or the
8 Michigan capitol committee created under chapter 7 of the legis-
9 lative council act, 1986 PA 268, MCL 4.1701 to 4.1702, unless the
10 Michigan capitol park commission, the legislature, or the
11 Michigan capitol committee request the department to assign such
12 space.

13 ~~(3) The legislative council shall manage and operate the~~
14 ~~Michigan library and historical center.~~

15 (3) ~~(4)~~ The Michigan capitol committee shall manage and
16 operate the capitol building and grounds. The senate shall
17 manage and operate the Farnum building and grounds. The house of
18 representatives shall manage and operate the GROUNDS OF THE
19 FORMER Roosevelt building ~~and grounds~~ and ~~, beginning in~~
20 ~~1999,~~ the house office building.

[Sec. 251. (1) This section applies to all real property of the state except all of the following:

(a) Property under the jurisdiction of the state transportation department.

(b) Property under the jurisdiction of a state institution of higher education.

(c) Property under the jurisdiction of the department of natural resources.

(d) Property under the jurisdiction of the department of military affairs.

(2) The department shall provide for the development and maintenance of real property records and facility inventories. The department may award appropriate service contracts or employ land surveyors to survey, monument, map, describe, and record real property and facilities.

HB4939, As Passed House, June 28, 2001

SB 4939 as amended June 26, 2001

3 (2 of 2)

(3) The department shall issue directives to provide for the disposition process for facilities and lands that are considered surplus SUBJECT TO THE NOTICE REQUIREMENTS OF SUBSECTION (4). ~~The department shall require a public notice component in its directives regarding the disposition process under this subsection.~~

(4) NOT MORE THAN 30 DAYS AFTER THE DEPARTMENT DETERMINES THAT A PARCEL OF STATE PROPERTY IS CONSIDERED SURPLUS, THE DEPARTMENT SHALL GIVE PUBLIC NOTICE OF THE DEPARTMENT'S DETERMINATION. THE NOTICE SHALL BE BY PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPALITY OR MUNICIPALITIES IN WHICH THE PROPERTY IS LOCATED AND ALSO BY WRITTEN NOTICE TO THE COUNTY AND EACH CITY, VILLAGE, OR TOWNSHIP IN WHICH THE PROPERTY IS LOCATED AND TO EACH CITY, VILLAGE, OR TOWNSHIP THAT HAS A BORDER WITHIN 10 MILES OF THE PROPERTY. THE NOTICE SHALL CONTAIN THE COMMON ADDRESS OF THE PROPERTY AND A DESCRIPTION OF THE PROPERTY IN RELATION TO HIGHWAYS, STREETS, STREAMS, OR OTHER PROMINENT LANDMARKS, A STATEMENT OF THE FAIR MARKET VALUE IF KNOWN, AND A DESCRIPTION OF THE PROPOSED USE FOR THE PROPERTY BY THE PROSPECTIVE PURCHASER IF KNOWN. THE NOTICE SHALL CONTAIN AN ADDRESS AND TELEPHONE NUMBER OF THE DEPARTMENT WHERE PERSONS MAY SUBMIT QUESTIONS OR COMMENTS REGARDING THE DEPARTMENT'S DETERMINATION THAT THE PARCEL OF STATE PROPERTY IS CONSIDERED SURPLUS.]

21 Enacting section 1. This amendatory act does not take
22 effect unless House Bill No. 4941
23 of the 91st Legislature is enacted into
24 law.