

Act No. 61
Public Acts of 2001
Approved by the Governor
July 23, 2001
Filed with the Secretary of State
July 24, 2001
EFFECTIVE DATE: October 1, 2001

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2001**

Introduced by Reps. George, Voorhees and Tabor

ENROLLED HOUSE BILL No. 4939

AN ACT to amend 1984 PA 431, entitled "An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts," by amending sections 114 and 219 (MCL 18.1114 and 18.1219), section 114 as amended by 1990 PA 332 and section 219 as amended by 1999 PA 8.

The People of the State of Michigan enact:

Sec. 114. (1) "Facility" means a building or structure along with the building's or structure's grounds, approaches, services, and appurtenances owned by, or leased through a building authority by, the state such as office buildings, research buildings, academic buildings, laboratories, hospitals, prisons, recreational structures, garages, warehouses, physical plant buildings, energy or power plants, and any other building or project included by the director if the director considers the building or project to be in the public interest. Facility does not include any of the following:

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

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

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

(d) The capitol building and grounds. As used in this subdivision, "grounds" means the property upon which the state capitol building is situated, bordered on the north by Ottawa street; on the east by Capitol avenue; on the south by Allegan street; and on the west by Walnut street.

(e) A building or structure owned by, or under the jurisdiction of, the legislature.

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

(3) "F'TE" means full-time equated position in the classified service of this state.

Sec. 219. (1) The department shall provide for and issue directives for the management, operation, maintenance, security, and repair of facilities. The director shall determine space utilization standards and may assign space within the facilities. The department shall manage and operate state owned facilities under the jurisdiction of the department.

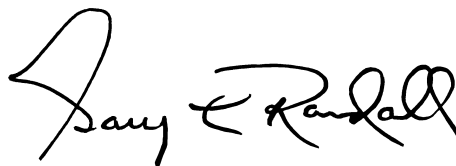
(2) The department shall not assign space in buildings and premises designated as part of the Michigan capitol park and under the exclusive jurisdiction of the Michigan capitol park commission, pursuant to section 298b, and shall not assign space in buildings under the jurisdiction of the legislature or the Michigan capitol committee created under chapter 7 of the legislative council act, 1986 PA 268, MCL 4.1701 to 4.1702, unless the Michigan capitol park commission, the legislature, or the Michigan capitol committee request the department to assign such space.

(3) The Michigan capitol committee shall manage and operate the capitol building and grounds. The senate shall manage and operate the Farnum building and grounds. The house of representatives shall manage and operate the house office building.

Enacting section 1. This amendatory act takes effect October 1, 2001.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4941 of the 91st Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved

Governor.