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BILL ANALYSIS

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House Bills 5134 and 5135 (as passed by the House)
Sponsor: Representative Sam Singh (H.B. 5134)
Representative Jim Stamas
House Committee: Transportation and Infrastructure
Senate Committee: Government Operations

Date Completed: 12-10-13

CONTENT

House Bills 5134 and 5135 would amend the Michigan Law Enforcement Officers Memorial Act and the Management and Budget Act, respectively, to delete provisions regarding the Michigan Capitol Park, the Michigan Capitol Park Commission, and the location of the Michigan Law Enforcement Officers Memorial Monument; and require the Michigan State Capitol Commission (proposed by Senate Bill 665) to manage the State Capitol Building and grounds.

The bills are tie-barred to each other and to Senate Bills 665 and 666. (Senate Bill 665 would enact the "Michigan State Capitol Historic Site Act" to establish the Michigan State Capitol Site; create the Michigan State Capitol Commission; require the Commission to operate the Capitol Site and parking facilities in the State Capitol area; and create the Michigan State Capitol Historic Site Fund and the State Capitol Parking Fund. Senate Bill 666 would amend the Legislative Council Act to require the Council Administrator to provide support for the Michigan State Capitol Commission, and require the Michigan Capitol Committee to make recommendations to the Commission; and would repeal a section providing for the Legislative Council to maintain parking facilities in the Capitol area.)

House Bill 5134

The Michigan Law Enforcement Officers Memorial Act provides that the Michigan Law Enforcement Officers Memorial Monument must be located on land under the jurisdiction of the Michigan Capitol Park Commission, but may not be on the grounds of the State Capitol.

The bill would delete that provision.

House Bill 5135

The Management and Budget Act requires the Michigan Capitol Committee to manage and operate the Capitol building and grounds. The Senate must manage and operate the Farnum Building and grounds and the House of Representatives must manage and operate the House Office Building.

The bill, instead, would require the Michigan State Capitol Commission to manage and operate the State Capitol Building and grounds of the Michigan State Capitol Historic Site. Other than that site, buildings and grounds used by the Senate or the House would have to be managed and operated by the Senate or the House, as applicable.

The Act describes property that comprises the Michigan Capitol Park and requires the Michigan Capitol Park Commission to adopt guidelines that designate the real property included in the Michigan Capitol Park to be under the exclusive jurisdiction of the Commission or under the joint jurisdiction of the Commission and the Department of Technology, Management, and Budget (DTMB). The guidelines may not include real property that is under the jurisdiction of the Michigan Capitol Committee. The bill would delete all of these provisions.

The Act prohibits the DTMB from assigning space in buildings and premises designated as part of the Michigan Capitol Park and under the jurisdiction of the Capitol Park Commission, or assigning space in buildings under the jurisdiction of the Legislature or the Michigan Capitol Committee, unless the Commission, the Legislature, or the Committee requests the Department to assign such space.

The bill, instead, would prohibit the DTMB from assigning space in the State Capitol Building, or assigning space in buildings under the jurisdiction of the Legislature, unless the Legislature requested the Department to do so.

The bill would repeal Sections 298, 298a, 298c, 298d, and 298e, which do the following:

- Create the Michigan Capitol Park Commission and provide for its members.
- Require the Commission to comply with the Open Meetings Act and the Freedom of Information Act.
- Require the Commission to develop a master plan for, and manage the development and operation of, the Michigan Capitol Park, and perform other duties.
- Permit the Commission to employ a director and other staff, enter into contracts, and set rental prices for concessions and the short-term use of property or space designated as part of the Michigan Capitol Park.
- Require fees received by the Commission to be credited to the General Fund.

MCL 28.785 (H.B. 5134)
18.1219 & 18.1298b (H.B. 5135)

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.