

Act No. 332  
Public Acts of 1990  
Approved by the Governor  
December 20, 1990  
Filed with the Secretary of State  
December 21, 1990

**STATE OF MICHIGAN  
85TH LEGISLATURE  
REGULAR SESSION OF 1990**

Introduced by Reps. Joe Young, Sr., Johnson, Jacobetti, Hollister, Richard A. Young, Jondahl, O'Neill, Kilpatrick, Saunders, DeMars, Ostling, Gilmer, Sparks, Bender, Allen, Hood, Joe Young, Jr. and Harrison

# **ENROLLED HOUSE BILL No. 5237**

AN ACT to amend sections 114 and 219 of Act No. 431 of the Public Acts of 1984, entitled as amended "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; 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 penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts," as amended by Act No. 504 of the Public Acts of 1988, being sections 18.1114 and 18.1219 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Sections 114 and 219 of Act No. 431 of the Public Acts of 1984, as amended by Act No. 504 of the Public Acts of 1988, being sections 18.1114 and 18.1219 of the Michigan Compiled Laws, are amended to read as follows:

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.
- (f) The Michigan library and historical center.
- (2) "Fiscal agencies" means the senate fiscal agency and the house fiscal agency.
- (3) "FTE" means full-time equated position in the classified service of this state.

Sec. 219. (1) The department may issue directives for the management, operation, maintenance, and repair of facilities. The director may 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, Act No. 268 of the Public Acts of 1986, being sections 4.1701 to 4.1702 of the Michigan Compiled Laws, unless the Michigan capitol park commission, the legislature, or the Michigan capitol committee request the department to assign such space.

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

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.