



**House
Legislative
Analysis
Section**

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MICHIGAN CAPITOL PARK COMMISSION

House Bill 5207 as enrolled
Second Analysis (8-15-88) **RECEIVED**

Sponsor: Rep. David C. Hollister
House Committee: Appropriations

Mich. State Law Library

THE APPARENT PROBLEM:

The proposed Michigan Capitol Park is composed of state-owned land in Lansing, bounded by Logan Street on the west, Sycamore Street on the east, Ottawa Street on the north, and Allegan Street on the south. It will also include facilities adjacent to this area that are tentatively planned as tourist-oriented centers. Since this area is adjacent to the Capitol Building and grounds, which has an oversight committee (the Michigan Capitol Committee) to coordinate future restoration plans, a corresponding advisory body for the park is needed to ensure coordination in development of the two areas.

THE CONTENT OF THE BILL:

The bill would amend the Management and Budget Act to establish the Michigan Capitol Park Commission within the Department of Management and Budget (DMB). The commission would exercise its powers, duties, and functions (except for budgeting, procurement and related management functions) independently of the director of DMB. Under the bill, the Michigan Capitol Park would be designated as "all real property owned by the state, located in downtown Lansing and bounded by Ottawa Street on the north, Allegan Street on the south, Sycamore Street on the east, and Logan Street on the west," and additional property located outside these boundaries but within the vicinity of the park. The commission, and the director of the Department of Management and Budget, would be required to adopt guidelines designating property to be included in the park, including property that would be under the exclusive jurisdiction of the Michigan Capitol Park Commission or under the joint jurisdiction of the department and the commission. The guidelines adopted would not include property under the jurisdiction of the Michigan Capitol Committee. A resolution adopted by the commission would not be valid unless approved by the Joint Capital Outlay subcommittee of the House Appropriations Committee and by the Senate Appropriations Committee.

Currently, the act authorizes DMB to manage and assign space in most state facilities. The bill would add to the list of facilities excluded from DMB control buildings and premises designated as part of the park and under the exclusive jurisdiction of the commission. Under the bill, DMB could not assign space in buildings under the jurisdiction of the legislature or the Michigan Capitol Committee unless requested to by the Capitol Park Commission, Michigan Capitol Committee, or the legislature. The act also authorizes DMB, with the approval of the State Administrative Board, to rent and lease land and facilities for the use of state agencies. The bill would amend the act to require prior approval by the Joint Capital Outlay subcommittee of a leased facility of 25,000 gross square feet or more that is to be constructed by a private entity, pursuant to state specifications. The bill would also require that the department notify the joint Capital Outlay subcommittee in writing 30 days before entering into a lease contract when the project to be constructed is to cost more than \$1 million and consists of less than 25,000 gross square feet.

The commission would consist of seven members appointed by the governor with the advice and consent of the Senate. Of the seven members, the governor would be required to appoint one person recommended by the mayor of the City of Lansing, one person recommended by the Speaker of the House, and one person recommended by the Senate Majority Leader. Members would serve staggered four-year terms of office. All would serve without compensation, except for reimbursement of expenses incurred in connection with their duties. The commission would annually elect a vice-chairperson and secretary and would be subject to the Open Meetings Act and the Freedom of Information Act.

The commission would be authorized to develop a master plan for the Michigan Capitol Park, manage its development, and be responsible for the operation of programs within the park (exclusive of physical building management and maintenance); promulgate rules to implement the act; act as an advisory body to the Department of Management and Budget regarding the development and operation of real property not designated as part of the park; confer and cooperate with the Michigan Capitol Committee; coordinate — with the City of Lansing — state activities or developments in and around the park; advise the Department of State Police regarding the provision of police and security services and the enforcement of rules for the care and preservation of the park; and annually report to the governor and the legislature on the activities of the commission, the progress and changes in the master plan, and the development and operation of the park. The commission could also accept gifts, contributions, and bequests; enter into contracts, fix rental prices for concessions and the short term use of property within the park; and employ a director and other persons. All money received from rentals or privileges would be paid promptly into the state treasury, to be credited to the general fund.

The bill would take effect September 1, 1988.

MCL 18.1114 et al.

BACKGROUND INFORMATION:

The proposed capitol park is an outgrowth of a new spirit of cooperation between the state and the City of Lansing. In the past, the state — downtown Lansing's major employer — has made development decisions which have dramatically affected the downtown landscape with little regard for their impact on the capital city itself. In an effort to improve state-owned land downtown and assist the City of Lansing in its downtown revitalization efforts, Governor Blanchard has proposed restoration of the Capitol, dedication of the capitol complex as a public park, and conversion of the Lansing Civic Center to a state-owned "Yes Michigan Center."

Both city and state commissioned task forces to work together on the proposed park. The Capital City Revitalization Task Force examined the western portion of

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the state complex and recommended that it be developed as a public park. The acres of surface parking now located there would be replaced by a parking structure elsewhere in the complex.

The new spirit of cooperation between the City of Lansing and the state has already produced a whirlwind of downtown development: the city completed construction of the Lansing Center; and private sector construction of a new housing complex, office buildings and a downtown retail center are proposed. Aided by grants from the Department of Natural Resources, the city is extending the riverwalk along the Grand and Red Cedar rivers, planning one day to link downtown and the campus of Michigan State University via the hiking and biking trail; the Department of Transportation has initiated a \$500,000 landscaping project along I-496 in Lansing; and new restaurants and businesses have opened their doors near the Washington Avenue pedestrian mall to cater to state employees who come to listen to lunch-hour concerts.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the governor has recommended a funding level of \$151,100, and the establishment of two full time positions for the commission for fiscal year 1988-89. The legislature appropriated \$496,300 to fund projects for fiscal year 1987-88, but these projects were never met, and legislation has yet to be enacted to establish the two positions. (8-16-88)

ARGUMENTS:

For:

Michigan's capital city symbolizes much about the State of Michigan. It is a center of industry, education and government, and because of that important role should embody all that is best about the state. The Michigan Capitol Park Commission would oversee the development of an attractive and welcoming capital city and capitol area. At the same time, the area west of the state complex has been going to waste for several years. It should be an inviting, landscaped area which would provide a proper setting for the restored capitol and the new Heritage Center, while at the same time complementing the surrounding downtown neighborhoods. The commission would work with the Michigan Capitol Committee to coordinate the development of the whole area.