

# HOUSE BILL No. 4016

January 11, 2017, Introduced by Rep. Green and referred to the Committee on Transportation and Infrastructure.

A bill to create the Michigan infrastructure council; and to prescribe the powers and duties of certain state agencies and officials.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. This act shall be known and may be cited as the  
2 "Michigan infrastructure council act".

3           Sec. 2. As used in this act:

4           (a) "Asset" means infrastructure related to water,  
5 transportation, energy, or communications, including, but not  
6 limited to, water supply systems, sewer systems, drains and  
7 stormwater systems, roads, bridges, broadband and communication  
8 systems, and electricity and natural gas networks.

9           (b) "Asset management" means the practice of identifying and

1 managing infrastructure in a cost-effective and efficient manner  
2 based on continuous collection of data.

3 (c) "Council" means the Michigan infrastructure council  
4 created in section 3.

5 (d) "Department" means the department of technology,  
6 management, and budget.

7 Sec. 3. (1) The Michigan infrastructure council is created  
8 within the department.

9 (2) The council consists of 9 members representative of 1 or  
10 more of the following:

11 (a) Infrastructure technical experts from the public and  
12 private sectors with knowledge of and expertise in the areas of  
13 transportation, water, energy, and communications.

14 (b) Financial and procurement experts from the public and  
15 private sectors.

16 (c) Key state departments.

17 (d) Regional entities.

18 (3) Members of the council shall be appointed as follows:

19 (a) Three by the governor.

20 (b) Two by the senate majority leader.

21 (c) Two by the speaker of the house of representatives.

22 (d) One by the senate minority leader.

23 (e) One by the house minority leader.

24 (4) The members first appointed to the council must be  
25 appointed within 90 days after the effective date of this act.

26 (5) Members of the council shall serve for terms of 2 years or  
27 until a successor is appointed, whichever is later, except that of

1 the members first appointed under subsection (3) (a), 2 shall serve  
2 for 2 years and 1 shall serve for 1 year and of the members first  
3 appointed under subsection (3) (b) and (c), 1 shall serve for 1 year  
4 and 1 shall serve for 2 years.

5 (6) A vacancy on the council shall be filled for the unexpired  
6 term in the same manner as the original appointment.

7 (7) A member of the council may be removed for incompetence,  
8 dereliction of duty, malfeasance, misfeasance, or nonfeasance in  
9 office, or any other good cause.

10 (8) The governor shall call the first meeting of the council.  
11 At the first meeting, the council shall elect from among its  
12 members a chairperson and other officers as it considers necessary  
13 or appropriate. After the first meeting, the council shall meet at  
14 least quarterly, or more frequently at the call of the chairperson  
15 or if requested by 3 or more members.

16 (9) A majority of the members of the council constitute a  
17 quorum for the transaction of business at a meeting of the council.  
18 A majority of the members serving are required for official action  
19 of the council.

20 (10) The council shall perform its business at a public  
21 meeting of the council held in compliance with the open meetings  
22 act, 1976 PA 267, MCL 15.261 to 15.275.

23 (11) A writing prepared, owned, used, in the possession of, or  
24 retained by the council in the performance of an official function  
25 is subject to the freedom of information act, 1976 PA 442, MCL  
26 15.231 to 15.246.

27 (12) Members of the council shall serve without compensation.

1 However, members of the council may be reimbursed for their actual  
2 and necessary expenses incurred in the performance of their  
3 official duties as members of the council.

4 Sec. 4. The council shall do all of the following:

5 (a) Establish a regional infrastructure pilot program to  
6 identify existing data and data needs within the region and an  
7 appropriate system to house and analyze this information.

8 (b) Following an evaluation of the regional infrastructure  
9 pilot program under subdivision (a), deploy an asset management  
10 database process and system throughout this state.

11 (c) Develop a long-term, integrated infrastructure strategy  
12 for publicly held assets in this state and coordinate the strategy  
13 with private utilities.

14 (d) Design, oversee, and coordinate incentives, funding, and  
15 financing opportunities for this state's various infrastructure  
16 asset types.