

# SENATE BILL NO. 97

February 03, 2021, Introduced by Senators ANANICH, BULLOCK, SANTANA, MCCANN, HERTEL, WOJNO, POLEHANKI, BRINKS, CHANG, GEISS, BAYER and HOLLIER and referred to the Committee on Appropriations.

A bill to amend 1984 PA 431, entitled  
"The management and budget act,"  
(MCL 18.1101 to 18.1594) by adding section 270.

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

1           Sec. 270. (1) The board shall create, develop, staff, and  
2 operate the MI supply infrastructure facility in this state to  
3 design, manufacture, assemble, warehouse, and distribute personal  
4 protection equipment, ventilators, flood remediation supplies, and  
5 other emergency equipment.

6           (2) The MI supply board is created within the department. The

1 board shall consist of the following members, appointed by the  
2 governor as follows:

3 (a) The state fire marshal.

4 (b) The director of department of health and human services.

5 (c) A professor of supply chain management at a university or  
6 college located in this state.

7 (d) A professor of economics at a university or college  
8 located in this state.

9 (e) A professor or instructor at a community college located  
10 in this state with experience in job training or workforce  
11 development.

12 (f) Four members as follows:

13 (i) One individual from a list of 2 or more individuals  
14 nominated by the senate majority leader.

15 (ii) One individual from a list of 2 or more individuals  
16 nominated by the senate minority leader.

17 (iii) One individual from a list of 2 or more individuals  
18 nominated by the speaker of the house of representatives.

19 (iv) One individual from a list of 2 or more individuals  
20 nominated by the minority leader of the house of representatives.

21 (3) The members first appointed to the board shall be  
22 appointed within 30 days after the effective date of the amendatory  
23 act that added this section. Members of the board shall serve for  
24 terms of 4 years or until a successor is appointed, whichever is  
25 later. If a vacancy occurs on the board, the governor shall make an  
26 appointment for the unexpired term in the same manner as the  
27 original appointment. The governor may remove a member of the board  
28 for incompetence, dereliction of duty, malfeasance, misfeasance, or  
29 nonfeasance in office, or any other good cause.

1           (4) The first meeting of the board shall be called by the  
2 governor. At the first meeting, the board shall elect from among  
3 its members a chairperson and other officers as it considers  
4 necessary or appropriate. After the first meeting, the board shall  
5 meet at least quarterly, or more frequently at the call of the  
6 chairperson. A majority of the members of the board constitute a  
7 quorum for the transaction of business at a meeting of the board. A  
8 majority of the voting members present and serving are required for  
9 official action of the board. The business that the board may  
10 perform shall be conducted at a public meeting of the board held in  
11 compliance with the open meetings act, 1976 PA 267, MCL 15.261 to  
12 15.275. A writing prepared, owned, used, in the possession of, or  
13 retained by the board in the performance of an official function is  
14 subject to the freedom of information act, 1976 PA 442, MCL 15.231  
15 to 15.246. Members of the board shall serve without compensation.  
16 However, members of the board may be reimbursed for their actual  
17 and necessary expenses incurred in the performance of their  
18 official duties as members of the board.

19           (5) The board shall work to ensure that the citizens of this  
20 state have adequate emergency supplies. The board shall work with  
21 the state director of emergency management to determine  
22 manufacturing schedules of emergency supplies.

23           (6) The board has authority to do all the following:

24           (a) Hire employees, managers, specialists, consultants, and  
25 experts to operate the MI supply infrastructure facility in this  
26 state.

27           (b) Purchase raw materials and other goods and services that  
28 are necessary to produce emergency supplies.

29           (c) Distribute or sell emergency supplies in this state or

1 outside this state.

2 (d) Charge nominal fees for emergency supplies sold or  
3 distributed to governmental entities located in this state and  
4 charge market rates for emergency supplies sold or distributed to  
5 all other entities.

6 (e) Develop programs and partnerships tailored to skilled  
7 trades and industrial job training workforce development.

8 (f) Perform any other acts required to carry out the purposes  
9 described in this section.

10 (7) The board may purchase or lease property and construct and  
11 develop facilities to operate the MI supply infrastructure  
12 facility.

13 (8) The board shall ensure that all emergency supplies  
14 manufactured or distributed by the MI supply infrastructure  
15 facility meet all Federal Drug Administration regulations for those  
16 emergency supplies.

17 (9) At the end of each fiscal year, all unallocated profits  
18 earned from the MI supply infrastructure facility shall be  
19 deposited in the general fund.

20 (10) Not later than January 1 of each year, the board shall  
21 report to the legislature on the activities of the MI supply  
22 infrastructure facility. The report shall include all the following  
23 and shall be published on the department's website:

24 (a) The amount and type of emergency supplies manufactured or  
25 distributed by the MI supply infrastructure facility.

26 (b) Rationale for the amount of each emergency supply  
27 manufactured or distributed.

28 (11) The board shall seek and secure funding from other  
29 governmental entities and nongovernmental entities to operate the

1 MI supply infrastructure facility.

2 (12) This section shall be known as the MI supply act.

3 (13) As used in this section:

4 (a) "Emergency supplies" means personal protection equipment  
5 and other emergency supplies, and ventilators, flood remediation  
6 supplies, fire protection and emergency equipment, road hazard  
7 mediation or remediation supplies, as determined by the board.

8 (b) "MI supply board" or "board" means the MI supply board  
9 created in this section.

10 (c) "Other emergency equipment" includes, but is not limited  
11 to, gloves, gowns, laboratory coats, face shields or masks, eye  
12 protection, mouthpieces, resuscitation bags, pocket masks, or  
13 ventilation devices.

14 (d) "Personal protection equipment" means protective equipment  
15 for the hands, feet, eyes, ears, faces, or anything on a person, as  
16 well as respiratory systems.