

# HOUSE BILL No. 5952

September 26, 2000, Introduced by Rep. Rick Johnson and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1851 PA 156, entitled

"An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,"

by amending section 3 (MCL 46.3), as amended by 1998 PA 97.

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

1       Sec. 3. (1) A majority of the members of the county board  
2 of commissioners of a county ~~shall constitute~~ CONSTITUTES a  
3 quorum for the transaction of the ordinary business of the  
4 county.

5       (2) ~~Questions that arise at meetings of the~~ THE county  
6 board of commissioners ~~shall be determined~~ OF A COUNTY SHALL  
7 ACT by the votes of a majority of the members present. However,  
8 the final passage or adoption of a measure or resolution or the  
9 allowance of a claim against the county shall be determined by a

1 majority of the members elected and serving. The county board of  
2 commissioners may require in its bylaws that the votes of 2/3 of  
3 the members present or a majority of the members elected and  
4 serving, whichever is greater, are required on final passage or  
5 adoption of a nonagenda item. The voting requirements of this  
6 subsection do not apply if section 11 or any other provision of  
7 law imposes a higher voting requirement.

8 (3) ~~When taking~~ TO TAKE the yeas and nays on a question to  
9 be voted upon BY THE COUNTY BOARD OF COMMISSIONERS OF A COUNTY,  
10 an electrical roll call system may be used.

11 (4) The county board of commissioners ~~at its first meeting~~  
12 ~~in each year shall choose~~ OF A COUNTY SHALL ELECT 1 member as  
13 chairperson and 1 member as vice-chairperson. THE CHAIRPERSON  
14 SHALL BE ELECTED EACH ODD NUMBERED YEAR FOR A 2-YEAR TERM, UNLESS  
15 THE COUNTY BOARD OF COMMISSIONERS PROVIDES BY RESOLUTION THAT THE  
16 CHAIRPERSON SHALL BE ELECTED ANNUALLY FOR A 1-YEAR TERM. THE  
17 VICE-CHAIRPERSON SHALL BE ELECTED ANNUALLY FOR A 1-YEAR TERM.  
18 THE ELECTION OF A CHAIRPERSON OR VICE-CHAIRPERSON SHALL TAKE  
19 PLACE AT THE FIRST MEETING OF THE COUNTY BOARD OF COMMISSIONERS  
20 IN A YEAR IN WHICH A CHAIRPERSON OR VICE-CHAIRPERSON, RESPECTIVE-  
21 LY, IS TO BE ELECTED. THE TERM OF A CHAIRPERSON OR  
22 VICE-CHAIRPERSON SHALL BEGIN UPON HIS OR HER ELECTION. A RESOLU-  
23 TION PROVIDING FOR A 1-YEAR TERM FOR THE CHAIRPERSON DOES NOT  
24 SHORTEN THE TERM OF OFFICE OF A SITTING CHAIRPERSON ELECTED FOR A  
25 2-YEAR TERM.

26 (5) The chairperson shall preside at a meeting of the board,  
27 ~~during the year,~~ but if the chairperson is absent from a

1 meeting, the vice-chairperson shall preside. A chairperson may  
2 administer an oath to a person concerning a matter submitted to  
3 the COUNTY board OF COMMISSIONERS or connected with the discharge  
4 of its duties, may issue subpoenas for witnesses, and may compel  
5 the attendance of a witness in the same manner as a court of  
6 law. The COUNTY board OF COMMISSIONERS may designate 1 member to  
7 affix his or her signature to contracts, bonds, and other docu-  
8 ments requiring the signature of the chairperson, if the chair-  
9 person is unable to so do because of illness or other exigency  
10 which, in the opinion of the board, prevents the chairperson from  
11 performing the functions of the office.

12 (6) ~~-(5)-~~ A member of the COUNTY board OF COMMISSIONERS OF A  
13 COUNTY, while a member of the board, is not eligible for election  
14 to any other county office or position, the election of which is  
15 within the jurisdiction of the county board of commissioners.

16 Enacting section 1. This amendatory act takes effect  
17 January 1, 2001.