

Act No. 392
Public Acts of 2000
Approved by the Governor
January 3, 2001
Filed with the Secretary of State
January 4, 2001
EFFECTIVE DATE: January 4, 2001

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000**

Introduced by Rep. Rick Johnson

ENROLLED HOUSE BILL No. 5952

AN ACT 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:

Sec. 3. (1) A majority of the members of the county board of commissioners of a county constitutes a quorum for the transaction of the ordinary business of the county.

(2) The county board of commissioners of a county shall act by the votes of a majority of the members present. However, the final passage or adoption of a measure or resolution or the allowance of a claim against the county shall be determined by a majority of the members elected and serving. The county board of commissioners may require in its bylaws that the votes of 2/3 of the members present or a majority of the members elected and serving, whichever is greater, are required on final passage or adoption of a nonagenda item. The voting requirements of this subsection do not apply if section 11 or any other provision of law imposes a higher voting requirement.

(3) To take the yeas and nays on a question to be voted upon by the county board of commissioners of a county, an electrical roll call system may be used.

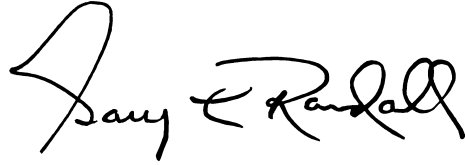
(4) The county board of commissioners of a county shall elect 1 member as chairperson and 1 member as vice-chairperson. The chairperson shall be elected each odd numbered year for a 2-year term, unless the county board of commissioners provides by resolution that the chairperson shall be elected annually for a 1-year term. The vice-chairperson shall be elected annually for a 1-year term. The election of a chairperson or vice-chairperson shall take place at the first meeting of the county board of commissioners in a year in which a chairperson or vice-chairperson, respectively, is to be elected. The term of a chairperson or vice-chairperson shall begin upon his or her election. A resolution providing for a 1-year term for the chairperson does not shorten the term of office of a sitting chairperson elected for a 2-year term.

(5) The chairperson shall preside at a meeting of the board, but if the chairperson is absent from a meeting, the vice-chairperson shall preside. A chairperson may administer an oath to a person concerning a matter submitted to the county board of commissioners or connected with the discharge of its duties, may issue subpoenas for witnesses, and may compel the attendance of a witness in the same manner as a court of law. The county board of commissioners may designate 1 member to affix his or her signature to contracts, bonds, and other documents requiring the signature of the chairperson, if the chairperson is unable to so do because of illness or other exigency which, in the opinion of the board, prevents the chairperson from performing the functions of the office.

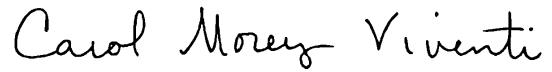
(6) A member of the county board of commissioners of a county, while a member of the board, is not eligible for election to any other county office or position, the election of which is within the jurisdiction of the county board of commissioners.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.