

HOUSE BILL No. 5242

September 29, 2005, Introduced by Rep. Baxter and referred to the Committee on Family and Children Services.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 46 (MCL 400.46).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 46. (1) The administration of the powers and duties of
2 the county department shall be vested in a county ~~social services~~
3 **FAMILY INDEPENDENCE AGENCY** board of ~~3~~ 5 members, appointed from
4 persons residing within the county and not holding an elective
5 office, for 3-year terms as follows: ~~2~~ 4 members shall be
6 appointed by the county board of commissioners, and 1 member by the
7 **DEPARTMENT** director. ~~of social services. Members appointed before~~
8 ~~October 27, 1965, shall continue in office until the expiration of~~
9 ~~their terms and until successors are appointed and qualified.~~ Each
10 member shall qualify by taking and filing with the county clerk the

1 constitutional oath of office, and shall hold office until the
 2 appointment and qualification of a successor. Vacancies in the
 3 membership of the board shall be filled for the expiration of the
 4 unexpired term, in the same manner as provided for appointment of
 5 the original members.

6 (2) The business ~~which~~ **THAT** the county ~~social services~~
 7 **FAMILY INDEPENDENCE AGENCY** board may perform shall be conducted at
 8 a public meeting of the county ~~social services~~ **FAMILY**
 9 **INDEPENDENCE AGENCY** board held in compliance with ~~Act No. 267 of~~
 10 ~~the Public Acts of 1976~~ **THE OPEN MEETINGS ACT, 1976 PA 267, MCL**
 11 **15.261 TO 15.275**. Public notice of the time, date, and place of the
 12 meeting shall be given in the manner required by ~~Act No. 267 of~~
 13 ~~the Public Acts of 1976~~ **THE OPEN MEETINGS ACT, 1976 PA 267, MCL**
 14 **15.261 TO 15.275**. A majority of the board constitutes a quorum for
 15 the transaction of business. The board shall meet on the call of
 16 the chairperson, or on a written request to the chairperson signed
 17 by ~~2~~ 3 members of the board, or at times and places as prescribed
 18 by the rules of the board. The board shall hold not less than 12
 19 meetings each fiscal year with an interval of not more than 5 weeks
 20 between 2 meetings.

21 (3) At the first meeting following the appointment of a new
 22 member to the board, the members shall choose 1 member as
 23 chairperson, who shall continue to act as chairperson of the board
 24 until the selection of a successor.

25 (4) If a member of the county ~~social services~~ **FAMILY**
 26 **INDEPENDENCE AGENCY** board, upon receiving notification, fails to
 27 attend 3 consecutive regularly scheduled meetings of the board, the

1 county board of commissioners after notification from the county
2 ~~social services~~ **FAMILY INDEPENDENCE AGENCY** board of the failure of
3 a member to attend without reasonable cause such as illness or
4 other circumstances beyond the member's control shall by formal
5 vote excuse the member or declare the office vacant. The vacancy
6 shall be filled for the remainder of the unexpired term in the same
7 manner as the original appointment was made.

8 (5) Members of the board shall be reimbursed for necessary
9 travel and other expenses, and shall be paid ~~such~~ **AN** amount ~~as~~
10 ~~shall be~~ fixed by the board of commissioners or board of county
11 auditors.

12 (6) Except as prescribed in sections 35 and 64, a writing
13 prepared, owned, used, in the possession of, or retained by the
14 county ~~social services~~ **FAMILY INDEPENDENCE AGENCY** board in the
15 performance of an official function shall be made available to the
16 public in compliance with ~~Act No. 442 of the Public Acts of 1976~~
17 **THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.**