

HOUSE BILL No. 5776

February 2, 2010, Introduced by Reps. Lindberg, Lahti, McDowell, Neumann and Wayne Schmidt and referred to the Committee on Ethics and Elections.

A bill to amend 1966 PA 261, entitled

"An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,"

by amending section 3 (MCL 46.403).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The county apportionment commission shall consist
2 of the county clerk, the county treasurer, the prosecuting
3 attorney, and the statutory county chairperson of each of the 2
4 political parties receiving the greatest number of votes cast for
5 the office of secretary of state in the last preceding general

1 election. If a county does not have a statutory chairperson of a
2 political party, the 2 additional members shall be a party
3 representative from each of the 2 political parties receiving the
4 greatest number of votes cast for the office of secretary of state
5 in the last preceding general election and appointed by the
6 chairperson of the state central committee for each of the
7 political parties. The clerk shall convene the **COUNTY** apportionment
8 commission and they shall adopt their rules of procedure. Three
9 members of the **COUNTY** apportionment commission shall be a quorum
10 sufficient to conduct its business. All action of the **COUNTY**
11 apportionment commission shall be by majority vote of the
12 commission.

13 (2) The business ~~which~~ **THAT** the **COUNTY** apportionment
14 commission may perform shall be conducted at a public meeting held
15 in compliance with ~~Act No. 267 of the Public Acts of 1976, being~~
16 ~~sections 15.261 to 15.275 of the Michigan Compiled Laws~~ **THE OPEN**
17 **MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.** Public notice of
18 the time, date, and place of the meeting shall be given in the
19 manner required by ~~Act No. 267 of the Public Acts of 1976~~ **THE OPEN**
20 **MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.**

21 (3) A writing prepared, owned, used, in the possession of, or
22 retained by the **COUNTY APPORTIONMENT** commission in the performance
23 of an official function shall be made available to the public in
24 compliance with ~~Act No. 442 of the Public Acts of 1976, being~~
25 ~~sections 15.231 to 15.246 of the Michigan Compiled Laws~~ **THE FREEDOM**
26 **OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.**

27 (4) **IN ADDITION TO THE DUTIES PROVIDED IN THIS ACT, THE DUTIES**

1 OF THE COUNTY APPORTIONMENT COMMISSION INCLUDE ESTABLISHING SINGLE-
2 MEMBER COUNTY ROAD COMMISSION DISTRICTS AS PROVIDED IN SECTION 6 OF
3 CHAPTER IV OF 1909 PA 283, MCL 224.6.

4 Enacting section 1. This amendatory act does not take effect
5 unless all of the following bills of the 95th Legislature are
6 enacted into law:

7 (a) Senate Bill No. _____ or House Bill No. 5774 (request no.
8 02340'09).

9 (b) Senate Bill No. _____ or House Bill No. 5775 (request no.
10 02340'09 a).