

MICHIGAN INFRASTRUCTURE COUNCIL ACT (EXCERPT)
Act 323 of 2018

21.603 Michigan infrastructure council; creation; membership; terms of members; removal; quorum; department of technology, management, and budget central data storage agency.

Sec. 3. (1) The Michigan infrastructure council is created within the department.

(2) The Michigan infrastructure council consists of the following:

(a) Nine voting members appointed pursuant to subsection (3) who are representative of 1 or more of the following:

(i) Asset management experts from the public and private sectors with knowledge of and expertise in the areas of planning, design, construction, management, operations and maintenance for drinking water, wastewater, stormwater, transportation, energy, and communications.

(ii) Financial and procurement experts from the public or private sector.

(iii) Experts in regional asset management planning across jurisdictions and infrastructure sectors.

(b) The following nonvoting members:

(i) The chairperson of the water asset management council or his or her designee.

(ii) The chairperson of the transportation asset management council or his or her designee.

(iii) The director of the department of agriculture and rural development or his or her designee.

(iv) The director of the department of environmental quality or his or her designee.

(v) The director of the department of natural resources or his or her designee.

(vi) The director of the department of technology, management, and budget or his or her designee.

(vii) The director of the state transportation department or his or her designee.

(viii) The state treasurer or his or her designee.

(ix) The chairperson of the Michigan public service commission or his or her designee.

(3) Voting members of the Michigan infrastructure council under subsection (2)(a) shall be appointed as follows:

(a) Five by the governor.

(b) One by the senate majority leader.

(c) One by the speaker of the house of representatives.

(d) One by the senate minority leader.

(e) One by the house minority leader.

(4) The voting members first appointed to the Michigan infrastructure council must be appointed within 60 days after the effective date of this act.

(5) The voting members of the Michigan infrastructure council serve for terms of 3 years or until a successor is appointed, whichever is later, except as follows:

(a) Of the members first appointed under subsection (3)(a), 1 shall serve for 2 years, 1 shall serve for 1 year, and 3 shall serve for 3 years.

(b) Of the members first appointed under subsection (3)(b), (c), (d), and (e), 2 shall serve for 2 years and 2 shall serve for 1 year.

(6) A vacancy on the Michigan infrastructure council shall be filled for the unexpired term in the same manner as the original appointment.

(7) A member of the Michigan infrastructure council may be removed for incompetence, dereliction of duty, malfeasance during his or her tenure in office, or any other cause considered appropriate by the office for whom the appointment was made.

(8) The governor shall call the first meeting of the Michigan infrastructure council within 90 days after the effective date of this act. At the first meeting, the Michigan infrastructure council shall elect from among its members a chairperson and other officers as it considers appropriate. After the first meeting, the Michigan infrastructure council shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by 3 or more members.

(9) A majority of the voting members of the Michigan infrastructure council and a majority of the nonvoting members of the Michigan infrastructure council constitute a quorum for the transaction of business at a meeting of the Michigan infrastructure council. An affirmative vote of a majority of the voting members of the Michigan infrastructure council is required for official action of the Michigan infrastructure council.

(10) The Michigan infrastructure council shall perform its business at a public meeting of the Michigan infrastructure council held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(11) A writing created by the Michigan infrastructure council in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(12) Members of the Michigan infrastructure council serve without compensation. However, members of

the Michigan infrastructure council may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the Michigan infrastructure council.

(13) The departments of agriculture and rural development; environmental quality; natural resources; technology, management, and budget; transportation; and treasury shall provide qualified administrative and technical staff to the Michigan infrastructure council.

(14) The department of technology, management, and budget shall serve as the central data storage agency for the statewide database provided for in this act.

History: 2018, Act 323, Imd. Eff. July 2, 2018.