

THE SOCIAL WELFARE ACT (EXCERPT)
Act 280 of 1939

400.2 Michigan social welfare commission; powers and duties; appointment, terms, and qualifications of members; governor as ex officio member; oath; removal; vacancies; conducting business at public meeting; notice; quorum; meetings; failure to attend meetings; designation of chairperson and vice-chairperson; compensation and expenses; availability of writings to public.

Sec. 2. (1) The administration of the powers and duties of the state department shall be vested in a commission of 5 members which commission shall be known as the Michigan social welfare commission. A member of the commission shall not be a member of another commission or board, or hold another position with a state institution or department. Members of the commission shall be appointed by the governor, by and with the advice and consent of the senate, for a term of 5 years each. Of the members first appointed, 1 shall be appointed for a term of 1 year, 1 for a term of 2 years, 1 for a term of 3 years, 1 for a term of 4 years, and 1 for a term of 5 years.

(2) Members of the commission shall be citizens and residents of this state for not less than 5 years who possess and have demonstrated sincere interest, knowledge, and ability consistent with the responsibilities of the office, and not more than 3 of whom shall be members of the same political party. The governor shall be an ex officio member of the commission. Each member of the commission shall qualify by taking and filing with the secretary of state the constitutional oath of office and shall hold office until the appointment and qualification of a successor. A member of the commission may be removed by the governor for misfeasance, malfeasance, or nonfeasance in office, after hearing. Vacancies in the membership of the commission shall be filled for the remainder of the unexpired term, in the same manner as the original appointment.

(3) The business which the commission may perform shall be conducted at a public meeting of the commission held in compliance with Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976. A majority of the members of the commission shall constitute a quorum for the transaction of business. The commission shall meet on the call of the chairperson, or on a written request to the chairperson signed by 3 members of the commission, or at times and places as are prescribed by the rules of the commission. The commission shall hold not less than 12 meetings each fiscal year, with an interval of not more than 1 month between meetings.

(4) The failure on the part of a member to attend 3 consecutive meetings of the commission, unless excused by a formal vote of the commission, shall be considered by the governor as ground for removal of the nonattending member, and upon removal, the governor may appoint a successor. The commission shall annually designate 1 member to act as chairperson and 1 member to act as vice-chairperson of the commission.

(5) Each member of the commission shall be reimbursed for necessary travel and other expenses, and shall be paid \$15.00 per day when in actual session, to be paid in the same manner as expenses of other state officers are paid.

(6) Except as prescribed in sections 35 and 64, a writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

History: 1939, Act 280, Imd. Eff. June 16, 1939;—CL 1948, 400.2;—Am. 1978, Act 224, Imd. Eff. June 13, 1978.

Transfer of powers: See MCL 16.553.

Popular name: Act 280