

HOUSE BILL No. 4604

April 12, 1989, Introduced by Reps. Harrison, Saunders, Watkins, Kilpatrick, Berman, DeMars, Stallworth, Perry Bullard, Joe Young, Jr., Emerson, Hollister and Wallace and referred to the Committee on Appropriations.

A bill to amend section 21 of Act No. 346 of the Public Acts of 1966, entitled as amended

"State housing development authority act of 1966,"

as amended by Act No. 49 of the Public Acts of 1983, being section 125.1421 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 21 of Act No. 346 of the Public Acts of
2 1966, as amended by Act No. 49 of the Public Acts of 1983, being
3 section 125.1421 of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 21. (1) There is created a public body corporate and
6 politic to be known as the "Michigan state housing development
7 authority". The authority shall consist of the director of
8 social services, the director of ~~commerce~~ HOUSING AND URBAN AND
9 RURAL DEVELOPMENT, the state treasurer, and 4 persons appointed

1 by the governor with the advice and consent of the senate. Not
2 more than 2 of the persons appointed shall be members of the same
3 political party. Of the members first appointed by the governor,
4 2 shall be designated to serve for a term of 3 years and 2 for a
5 term of 4 years from the dates of their appointments. Upon com-
6 pletion of each term, a person shall be appointed for a term of 4
7 years, except that a vacancy shall be filled for the unexpired
8 term. A member of the authority shall not receive compensation
9 for services but shall be entitled to the necessary expenses,
10 including traveling expenses, incurred in the discharge of the
11 member's duties. Each member shall hold office until a successor
12 has been appointed and has qualified. A certificate of appoint-
13 ment or reappointment of a member shall be filed with the author-
14 ity and this certificate shall be conclusive evidence of the
15 proper appointment of that member.

16 (2) The powers of the authority shall be vested in the mem-
17 bers in office. A majority of the members of the authority con-
18 stitutes a quorum for the purpose of conducting the authority's
19 business, for exercising the authority's powers, and for other
20 purposes, notwithstanding the existence of any vacancies. Action
21 may be taken by the authority upon a vote of a majority of the
22 members present, unless the bylaws of the authority require a
23 larger number. In the absence of fraud, a determination of the
24 authority with respect to findings of fact made by the authority
25 acting within the scope of its powers shall be conclusive, except
26 with respect to the approval of the municipal finance commission
27 or its successor agency as required by law. Meetings of the

1 members of the authority may be held anywhere in this state. The
2 business which the authority may perform shall be conducted at a
3 public meeting of the authority held in compliance with THE OPEN
4 MEETINGS ACT, Act No. 267 of the Public Acts of 1976, as amended,
5 being sections 15.261 to 15.275 of the Michigan Compiled Laws.
6 Public notice of the time, date, and place of the meeting shall
7 be given in the manner required by Act No. 267 of the Public Acts
8 of 1976, as amended.

9 (3) The authority shall elect a chairperson and
10 vice-chairperson. The authority shall employ an executive direc-
11 tor, legal and technical experts, and other officers, agents, and
12 employees, permanent and temporary, as the authority requires,
13 and shall determine their qualifications, duties, and
14 compensation. The authority may delegate to 1 or more agents or
15 employees those powers or duties as the authority considers
16 proper.

17 (4) The authority shall be within the department of
18 ~~commerce~~ HOUSING AND URBAN AND RURAL DEVELOPMENT and shall
19 exercise the authority's prescribed statutory powers, duties, and
20 functions independently of the head of ~~that department~~ THE
21 DIRECTOR OF HOUSING AND URBAN AND RURAL DEVELOPMENT. However,
22 the budgeting, procurement, and related functions of the author-
23 ity shall be performed under the direction and supervision of the
24 director of ~~commerce~~ HOUSING AND URBAN AND RURAL DEVELOPMENT.