

SENATE BILL No. 726

December 13, 1989, Introduced by Senators CROPSEY, WELBORN, BARCIA, POSTHUMUS and DE GROW and referred to the Committee on Local Government and Veterans.

A bill to amend section 5 of chapter V of Act No. 3 of the Public Acts of 1895, entitled as amended

"An act to provide for the incorporation of villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other

evidences of indebtedness by villages; to define the powers and duties of the municipal finance commission or its successor agency and of the department of treasury with regard thereto; to define the application of this act and provide for its amendment by villages subject thereto; and to validate prior amendments and certain prior actions taken and bonds issued by villages,"

as amended by Act No. 205 of the Public Acts of 1983, being section 65.5 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Section 1. Section 5 of chapter V of Act No. 3 of the
- 2 Public Acts of 1895, as amended by Act No. 205 of the Public Acts
- 3 of 1983, being section 65.5 of the Michigan Compiled Laws, is
- 4 amended to read as follows:

CHAPTER V

Sec. 5. (1) The council shall prescribe the rules of its own proceedings, and shall keep a record of those proceedings. A majority of the members ~~shall be~~ CONSTITUTES a quorum for the transaction of business. A lesser number may adjourn and compel the attendance of absent members in a manner ~~as~~ prescribed by ordinance. An office shall ~~not~~ be created or abolished; a tax or assessment imposed; a street, alley, or public ground vacated; real estate or an interest in real estate purchased, leased, sold, or disposed of; or a public improvement ordered; ~~except~~ by a concurring vote of 2/3 of the members. The vote shall be taken by yeas and nays, and entered in the journal. Money shall ~~not~~ be appropriated ~~except~~ by ordinance or resolution of the council. An ordinance appropriating money shall ~~not~~ be passed, or a resolution appropriating money shall ~~not~~ be adopted, ~~except~~ by a concurring vote of 2/3 of the members. Within 15 days after a meeting of the council, the proceedings ~~had or taken at~~ OF the meeting ~~, together with the vote of the members,~~ shall be published in a newspaper circulated in the village, if there is a newspaper circulated in the village. THE PUBLICATION OF A SYNOPSIS OF THE PROCEEDINGS, PREPARED BY THE VILLAGE CLERK AND APPROVED BY THE PRESIDENT, SHOWING THE SUBSTANCE OF EACH SEPARATE PROCEEDING OF THE COUNCIL IS A SUFFICIENT COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

(2) A writing prepared, owned, used, in the possession of, or retained by a village council or the village clerk, treasurer, marshal, or street commissioner in the performance of an official

1 function shall be made available to the public in compliance with
2 the freedom of information act, Act No. 442 of the Public Acts of
3 1976, being sections 15.231 to 15.246 of the Michigan Compiled
4 Laws.