



# HOUSE BILL No. 5062

September 19, 1995, Introduced by Reps. LaForge, Brater, Anothony, DeHart, Wallace, Dobronski, Price, Schroer, Murphy, Wetters, Martinez, Baird, Tesanovich, Kilpatrick, Brewer, Pitoniak and DeMars and referred to the Committee on Local Government.

A bill to amend sections 3, 3a, and 10 of Act No. 156 of the Public Acts of 1851, entitled as amended

"An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,"

being sections 46.3, 46.3a, and 46.10 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 3, 3a, and 10 of Act No. 156 of the  
2 Public Acts of 1851, being sections 46.3, 46.3a, and 46.10 of the  
3 Michigan Compiled Laws, are amended to read as follows:

4 Sec. 3. (1) A majority of the members of the county board  
5 of commissioners of a county shall constitute a quorum for the  
6 transaction of the ordinary business of the county. ~~—, and~~  
7 ~~questions which~~

1       (2) QUESTIONS THAT arise at ~~its~~ meetings OF THE COUNTY  
2 BOARD OF COMMISSIONERS shall be determined by the votes of a  
3 majority of the members present. ~~except upon~~ HOWEVER, the  
4 final passage or adoption of a measure or resolution ~~or the~~  
5 allowance of a claim against the county ~~in which case~~ SHALL  
6 BE DETERMINED BY a majority of the members elected and serving.  
7 ~~shall be necessary.~~ THE COUNTY BOARD OF COMMISSIONERS MAY  
8 REQUIRE IN ITS BYLAWS THAT THE VOTES OF 2/3 OF THE MEMBERS  
9 PRESENT ARE REQUIRED ON FINAL PASSAGE OR ADOPTION OF A NONAGENDA  
10 ITEM. When taking the yeas and nays on a question to be voted  
11 upon, an electrical roll call system may be used.

12       (3) The county board of commissioners at its first meeting  
13 in each year shall choose 1 member as chairperson and 1 member as  
14 vice-chairperson. The chairperson shall preside at a meeting of  
15 the board during the year, ~~if present,~~ but if the chairperson  
16 is absent from a meeting, the vice-chairperson shall preside. A  
17 chairperson may administer an oath to a person concerning a  
18 matter submitted to the board or connected with the discharge of  
19 its duties, may issue subpoenas for witnesses, and may compel the  
20 attendance of a witness in the same manner as a court of law.  
21 The board may designate 1 member to affix his or her signature to  
22 contracts, bonds, and other documents requiring the signature of  
23 the chairperson, if the chairperson is unable to so do because of  
24 illness or other exigency which, in the opinion of the board,  
25 prevents the chairperson from performing the functions of the  
26 office.

1 (4) A member of the board, while a member of the board,  
2 ~~shall not be eligible to~~ IS NOT ELIGIBLE FOR election to any  
3 other county office or position, the election of which is within  
4 the jurisdiction of the county board of commissioners.

5 Sec. 3a. The names and votes of members shall be recorded  
6 on an action ~~which is~~ taken by the board of county commission-  
7 ers or by a committee of the board of county commissioners if the  
8 action is on an ordinance ~~resolution~~ or THE appointment or  
9 election of an officer, except the vote for ~~chairman~~  
10 CHAIRPERSON may be by secret ballot. The vote and the name of  
11 the member voting on other questions or motions shall be recorded  
12 at the request of ~~1/5~~ 1/5 of the members present if the question  
13 or motion is before the board, or 1/3 of the members present if  
14 the question or motion is before a committee of the board. A  
15 record ~~which~~ THAT is made pursuant to this section shall be  
16 available for public inspection.

17 Sec. 10. A special meeting of the county board of commis-  
18 sioners of a county shall be held only when requested by at least  
19 1/3 of the members of the county board of commissioners of the  
20 county. The request shall be in writing, shall be addressed to  
21 the county clerk, and shall specify the time, date, place, and  
22 purpose of the meeting. Upon the reception of a request, the  
23 clerk shall immediately give notice in writing to each of the  
24 commissioners by causing the same to be delivered to the commis-  
25 sioners personally, or by leaving the same at the place of resi-  
26 dence of the commissioner, or by mailing a copy of the notice to  
27 his or her post office address by certified mail with return

1 receipt requested, at least ~~10 days~~ 48 HOURS before the time of  
2 the meeting. Public notice of the time, date, and place of the  
3 meeting shall be given in the manner required by THE OPEN MEET-  
4 INGS ACT, Act No. 267 of the Public Acts of 1976, BEING SECTIONS  
5 15.261 TO 15.275 OF THE MICHIGAN COMPILED LAWS.