

**SUBSTITUTE FOR
HOUSE BILL NO. 5103**

A bill to amend 1978 PA 639, entitled
"Hertel-Law-T. Stopczynski port authority act,"
by amending section 5 (MCL 120.105).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) Except as provided in subsection (5), an
2 authority shall consist of 5 or 7 members as follows:

3 (a) One member shall be appointed by the governor.

4 (b) The remaining members shall be appointed by the govern-
5 ing body of each city and the governing body of each county that
6 requested the incorporation of the authority. The representation
7 on, and the number of members of, the authority shall be deter-
8 mined by agreement among the incorporating units and included
9 within the joint resolution requesting incorporation of the
10 authority.

HB5103, As Passed House, December 2, 1998

House Bill No. 5103

2

1 (2) The members first appointed shall serve staggered
2 terms. Thereafter, each member shall serve for a term of 4
3 years, except that a person appointed to fill a vacancy shall be
4 appointed for the balance of the unexpired term. A member shall
5 be eligible for reappointment.

6 (3) The members shall elect 1 of their membership as chair-
7 person and another as vice-chairperson, shall designate their
8 terms of office, and shall appoint a secretary-treasurer who need
9 not be a member. A majority of the members of the authority
10 shall constitute a quorum, the affirmative vote of which shall be
11 necessary for any action taken by the authority. However, the
12 authority shall not commit funds of a constituent entity without
13 the concurrence of the member representing that entity. A unani-
14 mous vote of the members of the authority, which may be accom-
15 plished by written consent of an absent member, shall be required
16 to approve an operating budget or capital outlay.

17 (4) The members shall serve without compensation but shall
18 be reimbursed for all necessary travel and other expenses
19 incurred in the discharge of their duties.

20 (5) An authority which is established in a county having a
21 population of ~~2,000,000~~ 1,500,000 or more shall consist of 5
22 members as follows:

23 (a) One member shall be appointed by the governor.

24 (b) Two members shall be appointed by a majority of all the
25 members of the county board of commissioners of the county. The
26 members appointed shall be nominated by the commissioners on the

HB5103, As Passed House, December 2, 1998

House Bill No. 5103

3

1 board who do not reside within the political boundaries of a city
2 having a population of ~~1,000,000~~ 750,000 or more.

3 (c) Two members shall be appointed by the mayor of a city
4 having a population of ~~1,000,000~~ 750,000 or more which is
5 located in the county.