

# HOUSE BILL NO. 5077

June 22, 2021, Introduced by Reps. Cambensy, Kahle, Howell, Wozniak and Yaroach and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 22213 (MCL 333.22213), as amended by 2002 PA  
619.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 22213. (1) The commission shall, within 2 months after  
2       appointment and confirmation of all members, adopt bylaws for the  
3       operation of the commission. The bylaws shall include, at a  
4       minimum, voting procedures that protect against conflict of

1 interest and minimum requirements for attendance at meetings.

2 (2) The governor may remove a commission member from office  
3 for failure to attend 3 consecutive meetings in a 1-year period.

4 (3) The commission annually shall elect a chairperson and  
5 vice-chairperson.

6 (4) The commission shall hold regular quarterly meetings at  
7 places and on dates fixed by the commission. Special meetings may  
8 be called by the chairperson, by not less than 3 commission  
9 members, or by the department.

10 (5) A majority of the commission members appointed and serving  
11 constitutes a quorum. Final action by the commission ~~shall~~**must** be  
12 only by affirmative vote of a majority of the commission members  
13 appointed and serving. A commission member shall not vote by proxy.

14 (6) The legislature annually shall fix the per diem  
15 compensation of members of the commission. Expenses of members  
16 incurred in the performance of official duties ~~shall~~**must** be  
17 reimbursed as provided in section 1216.

18 (7) The department shall furnish administrative services to  
19 the commission ~~, and~~ shall have charge of the commission's offices,  
20 records, and accounts. ~~, and shall provide at least 2 full-time~~  
21 ~~administrative employees, secretarial staff, and other staff~~  
22 ~~necessary to allow the proper exercise of the powers and duties of~~  
23 ~~the commission. The department shall make available the times and~~  
24 ~~places of commission meetings and keep minutes of the meetings and~~  
25 ~~a record of the actions of the commission. The department shall~~  
26 ~~make available a brief summary of the actions taken by the~~  
27 ~~commission.~~

28 (8) **At least 7 days before the commission holds a meeting, the**  
29 **department shall make publicly available the time and place of the**

1 meeting, the meeting agenda, and any other written material the  
2 commission will reference during the meeting.

3 (9) The department shall do all of the following for each  
4 meeting held by the commission:

5 (a) Keep minutes and, not more than 72 hours after the minutes  
6 are approved by the commission, make the minutes publicly  
7 available.

8 (b) Create a transcript and make the transcript publicly  
9 available not more than 7 calendar days after the meeting is  
10 adjourned.

11 (c) Maintain a record of the actions of the commission and  
12 make a summary of the actions available to the public not more than  
13 7 calendar days after the meeting is adjourned.

14 (10) The department shall make any audio or video recording of  
15 a meeting or public hearing of the commission publicly available  
16 not more than 7 calendar days after the meeting or hearing.

17 (11) ~~(8)~~ The department shall assign at least 2 full-time  
18 professional employees **as necessary** to staff the commission to  
19 assist the commission in the performance of its substantive  
20 responsibilities under this part, **and to allow the proper exercise**  
21 **of the powers and duties of the commission.**