

Michigan Commission on Law Enforcement Standards BYLAWS

Article I NAME, PURPOSE, and POWERS

The Michigan Commission on Law Enforcement Standards is established by and derives its authority and responsibilities from Public Act 203 of 1965, as amended; Public Act 302 of 1982, as amended; Executive Order 2001-5, as amended by Executive Order 2008-19; Public Act 46 of 2004; and Public Act 195 of 1996.

Article II MEMBERSHIP, APPOINTMENTS, RESIGNATION, and TERMINATION

- A. **Membership.** Commission membership shall be designated as prescribed in Executive Order 2001-5 and Executive Order 2008-19. The Executive Director of the Commission shall sit as an ex-officio member and may participate in Commission discussions.
- B. **Resignation.** Resignations from the Commission shall be made to the Governor, in conformance with MCL § 201.1.1.
- C. **Removal.** The Commission may recommend to the Governor removal of a Commission member from the Commission, in compliance with Article V, Section 10 of the Constitution of 1963.

ARTICLE III ELECTION of OFFICERS, ORGANIZATION of the COMMISSION

A. Election of Officers and Organization of the Commission. The Commission shall annually elect, by a majority of those present, a Commission Chair and Vice Chair. The Chair and Vice Chair shall be eligible for reelection except that, after serving two consecutive terms, no person shall be eligible for reelection to their respective position for one year. The election shall be held at the regularly-scheduled Commission meeting in December. The term of office for both the Chair and the Vice Chair shall comprise one calendar year, commencing on January 1st, and ending on December 31st. The Chair shall take the vote for each candidate by a show of hands, or by voice vote.

- 1. **Nominations.** The Chair shall annually appoint an ad hoc nominations committee for the purpose of reviewing candidates for the office of Chair and Vice Chair. At the regularly scheduled December meeting, the nominations committee Chairperson shall report out to the full Commission and submit nominations for each office. Following the report, the Committee is discharged, and the floor shall be opened for additional nominations. Any committee member, or any member of the Commission, may nominate a candidate for either

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office. No second is required to nominate a candidate. A vote shall be taken with new officers' terms taking effective January 1 of the following year.

2. **Vacancies.** A vacancy in the office of Chair or Vice Chair is recognized upon resignation or removal as described in Article II of the Bylaws, or upon death. The Vice Chair is recognized as the presiding officer if the office of Chair is vacant. In the event both the offices of Chair and Vice Chair are vacant, the immediate past-Chair is recognized as the presiding officer. If the immediate past-Chair is not present, then the presiding officer shall be elected by majority vote of those present. Upon vacancy, the presiding officer shall re-form the nominations committee, and if necessary appoint new members to the committee at the first regularly scheduled Commission meeting. Elections shall then be held in accordance with Article III of the Bylaws at the next regularly scheduled Commission meeting.

B. **Standing Committees.** The Commission shall have the following standing committees that shall not make decisions of the Commission or engage in deliberations as a quorum of the Commission:

1. **Executive Committee.** There shall be an Executive Committee of the Commission whose permanent members shall be the Chair, the Vice Chair, and the immediate past-Chair of the Commission. The Executive Committee may make recommendations to the full Commission on any business that may be considered by the Commission.

The Executive Director shall be a permanent member of the Executive Committee, but shall not have the power to vote on matters considered by the Committee.

2. **Implementation Committee.** There shall be an Implementation Committee of the Commission whose members shall be appointed by the Chair. The Implementation Committee may make recommendations to the full Commission concerning the implementation of initiatives and legislative mandates.

C. **Ad Hoc Committees.** The Chair may establish ad hoc committees of Commission members that shall not make decisions of the Commission or engage in deliberations as a quorum of the Commission. Ad hoc committees shall perform specific tasks, and then, after making recommendations to the Commission, be dissolved.

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Article IV MEETINGS, QUORUM REQUIREMENTS, and PARLIAMENTARY PROCEDURES

- A. **Regular Meetings.** The Commission shall meet no less than four times annually, as specified by MCL § 28.606 and shall, at its December meeting establish meeting dates for the ensuing year.
- B. **Special Meetings.** The Chair may call a special meeting of the Commission upon determination that business of the Commission requires action prior to the next regularly scheduled meeting. The Chair shall call a special meeting upon the written request of five members of the Commission. The agenda for a special meeting of the Commission shall be limited to the specific items for which the meeting was called.
- C. **Emergency Meeting.** On a vote of two-thirds of the membership, the Commission may hold an emergency meeting requiring action on an issue in which public health, safety or welfare is severely threatened.
- D. **Quorum.** A quorum must be present for transaction of Commission business. The majority of the serving Commissioners shall constitute a quorum.
- E. **Presiding Officer.** The Chair shall preside at all Commission meetings and perform functions delegated to the Chair by the Commission. In the absence of the Chair, the Vice Chair shall preside and perform functions delegated to the Chair. In the absence of both the Chair and Vice Chair, the immediate past-Chair shall preside and perform the functions delegated to the Chair. If the Chair, Vice Chair and immediate past-Chair are absent, the Commission shall appoint a temporary Chair who shall preside and perform functions delegated to the Chair only for that meeting or until the Chair or Vice Chair arrives.
- F. **Agenda for Regular Meetings.** A proposed agenda of all known business to be conducted by the Commission shall be prepared for all regular meetings of the Commission. The Commission staff in consultation with the Chair shall prepare the agenda. The requirement for an agenda shall not interfere with the Commission's responsibility to perform the functions specified in the statutes and executive orders in Article I of these Bylaws. The agenda for a regular meeting of the Commission shall include the following.
- 1) *Call to Order.*
 - 2) *Introduction of Commissioners and Guests.*
 - 3) *Public Comments.* Members of the public are provided the opportunity to make comment to the Commission. Public comment to the Commission shall be limited to 3 minutes unless this requirement is waived by the Chair.

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- 4) *Additions to the Agenda.*
 - 5) *Approval of Minutes from the Previous Meeting.*
 - 6) *Report of the Commission Chair, if any.*
 - 7) *Report of the Executive Director.* The Executive Director may deliver a report to the Commission.
 - 8) *Committee Reports, if any.* Standing or ad hoc committees may deliver reports to the Commission.
 - 9) *Business Agenda*
 - A. *Consent Agenda.* The consent agenda shall consist of agenda items, which the Chair believes will not require extensive debate. Any Commissioner may request the removal of an item from the consent agenda, to the business agenda.
 - B. *New Business.* The presiding officer opens discussion of new business, which appears on the agenda.
 - C. *Old Business.* The presiding officer shall open discussion of unfinished business from previous meeting(s), which appear(s) on the agenda.
 - 10) *Committee of the Whole.* The presiding officer may entertain matters not otherwise on the agenda that the Commission wishes to discuss.
 - 11) *Announcement of Date, Time, and Location of Next Meeting.*
 - 12) *Adjournment*
- G. **Agenda for Special Meeting.** The agenda for a special meeting shall be limited to the items determined by the Chair or by the majority of the Commission members serving.
- H. **Commissioner Attendance at Meetings.** A Commissioner shall notify the Chair and/or staff of an intended absence.
- I. **Parliamentary Procedure.** The presiding officer shall have the same voting rights as any Commission member in all questions brought before the Commission, including elections. Any matter of meeting procedure not specified in these Bylaws shall be governed by the most recent version of *Roberts Rules of Order*, as practicable and as interpreted by the presiding officer.

Article V

AMENDMENTS to BYLAWS

- A. **Amendments.** These bylaws may be amended by a majority vote of Commission provided the proposed amendment or amendments have been sent to each commission member prior to the meeting.

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Article VI

CONFLICTS OF INTEREST and ETHICS

- A. The Commission may adopt resolutions governing its interpretation of the term “actual expenses” as used in Public Act 203 of 1965.
- B. A member of the Michigan Commission on Law Enforcement Standards shall abstain from voting on a question that funds training that member will likely attend or participate in. Members may participate in discussion and debate concerning such questions.
- C. A member of the Michigan Commission on Law Enforcement Standards shall abstain from voting on a question concerning possible sanctions of that member or the agency that employs that member.

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