



# SENATE BILL No. 357

February 9, 1993, Introduced by Senators CONROY, SCHWARZ, ARTHURHULTZ, CHERRY, BERRYMAN, STABENOW, HONIGMAN, HART, KELLY, KOIVISTO and FAXON and referred to the Committee on Local Government and Urban Development.

A bill to amend section 6 of Act No. 139 of the Public Acts of 1973, entitled

"An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; and to provide methods for abolition of a unified form of county government,"

as amended by Act No. 100 of the Public Acts of 1980, being section 45.556 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 6 of Act No. 139 of the Public Acts of  
2 1973, as amended by Act No. 100 of the Public Acts of 1980, being  
3 section 45.556 of the Michigan Compiled Laws, is amended to read  
4 as follows:

1       Sec. 6. The board may DO 1 OR MORE OF THE FOLLOWING:

2       (a) Establish policies to be followed by the government of  
3 the county in the conduct of its affairs and exercise ~~all~~  
4 powers and duties vested in boards of county commissioners not  
5 inconsistent with this act.

6       (b) Adopt ordinances and rules necessary for the conduct of  
7 county business and exercise ~~all~~ other powers in the area of  
8 legislation authorized by this act or by law. IF A VIOLATION OF  
9 AN ORDINANCE IS A MUNICIPAL CIVIL INFRACTION, THE ORDINANCE MAY  
10 PROVIDE A CIVIL FINE FOR ITS VIOLATION. A VIOLATION OF AN ORDI-  
11 NANCE IS A MUNICIPAL CIVIL INFRACTION ONLY IF THE ORDINANCE  
12 EXPLICITLY STATES THAT A VIOLATION IS A MUNICIPAL CIVIL  
13 INFRACTION. AS USED IN THIS SUBDIVISION, "MUNICIPAL CIVIL  
14 INFRACTION" MEAN THAT TERM AS DEFINED IN SECTION 113 OF THE  
15 REVISED JUDICATURE ACT OF 1961, ACT NO. 236 OF THE PUBLIC ACTS OF  
16 1961, BEING SECTION 600.113 OF THE MICHIGAN COMPILED LAWS.

17       (c) Establish committees of the board necessary for the  
18 efficient conduct of business.

19       (d) Adopt the annual county budget and work program, and  
20 adopt, revise, and update a long range capital improvement pro-  
21 gram and capital budget.

22       (e) Make appropriations, levy taxes, and incur indebtedness  
23 in the manner authorized by law for the carrying out of func-  
24 tions, powers, and duties granted or imposed upon the county or  
25 upon an office or department of the county as provided by law.

26       (f) Establish salaries of elected officials and heads of  
27 boards, commissions, and departments, unless otherwise fixed by

1 law, ~~— Adopt~~ AND ADOPT a classification and pay plan for  
2 positions in the county service, which shall provide uniform com-  
3 pensation for like service.

4 (g) Adopt, following a public hearing, personnel rules gov-  
5 erning county employment and operation of a merit system if  
6 adopted as provided by law.

7 (h) Appoint members of a board, commission, or authority.

8 (i) Appoint, when alternate A of this act is applicable, a  
9 county manager to serve as chief administrative officer of the  
10 county.

11 (j) Inquire into and investigate the official conduct and  
12 audit the accounts of a county office. For the purpose of an  
13 investigation under this act, the board may authorize the chair-  
14 person to administer oaths and affirmations, subpoena witnesses,  
15 compel their attendance, take evidence, and require the produc-  
16 tion of records or other documents ~~—which—~~ THAT the board ~~—deems—~~  
17 CONSIDERS relevant or material to the inquiry. Before ~~—any—~~ A  
18 subpoena is issued, the board shall obtain an order of the cir-  
19 cuit court by a showing that there is good cause.

20 (k) Appoint a staff to assist the board in postaudit and  
21 investigative functions.

22 (l) Appoint necessary personnel to assist the board.

23 (m) Adopt and revise a comprehensive plan for county devel-  
24 opment as provided by law.

25 (n) Adopt and enforce rules establishing and defining the  
26 authority, duties, and responsibilities of county departments and  
27 offices.

1       (o) Consolidate county departments or transfer functions  
2 from 1 department to another pursuant to section 14.

3       (p) Enter into agreements with other governmental or  
4 quasi-governmental entities for the JOINT performance of  
5 services. ~~jointly.~~

6       (q) Accept gifts and grants-in-aid from a government or pri-  
7 vate source.

8       Section 2. This amendatory act shall not take effect unless  
9 Senate Bill No. 348

10               of the 87th Legislature is enacted into law.