SALARIES; WAYNE COUNTY
Act 261 of 1947

AN ACT to authorize the board of supervisors in each of the counties of this state, now or hereafter having a population of 1,000,000 or more, to provide for and fix the compensation and prescribe the powers and duties of certain officers and employees of such county; and to provide for the deposit of funds by all county officers and officials with the county treasurer.

History: 1947, Act 261, Eff. Oct. 11, 1947;—Am. 1949, Act 17, Eff. Sept. 23, 1949;—Am. 1955, Act 24, Imd. Eff. Apr. 7, 1955.

The People of the State of Michigan enact:

45.451 Salaries of county officers of county having population of 1,000,000 or more; determination; fees or commissions payable to county; change in compensation.

Sec. 1. (1) The salary of the treasurer, prosecuting attorney, county clerk, register of deeds, and the county auditors, of a county having a population of 1,000,000 or more, shall be provided for, fixed, and determined for each of them by the county board of commissioners of the county at its annual meeting held in October before the commencement of the terms of the officers in the same proceedings and manner as all other budget appropriations are approved for county officers and employees. The salary of the county treasurer, prosecuting attorney, county clerk, register of deeds, and county auditors shall be full payment for services performed by the officers for the county or for the patrons of those offices. The salary shall be in place of all fees, commissions, or perquisites payable to the officers under the laws of this state for the performance and discharge of duties required by those offices, the duties of which the officers exercise by virtue of their offices, and in place of all fees or commissions collectible by the officers for the performance of the duties of their offices if the fees are not fixed by law. The officers shall not receive other or further compensation for the duties imposed upon them, or while acting as notary public or in any other capacity authorized by law in the matter of administering oaths or taking acknowledgment upon any instrument, document, or application prepared, issued, executed, recorded, or filed by or with the public office or officer relating to the official business of the public office or officer. However, all fees or commissions made payable to or that may be charged by them by virtue of their office or as notary public or in the matter of administering oaths or taking acknowledgments as provided in this section shall be received by them for and on account of the county.

(2) Notwithstanding subsection (1), for a county having a population of 1,000,000 or more which has a county officers compensation commission, the compensation of the elected county officers shall be determined by that commission. A change in compensation of the elected county officers of a county which has a county officers compensation commission shall commence at the beginning of the first odd numbered year after the determination is made by the county officers compensation commission and is not rejected.

History: 1947, Act 261, Eff. Oct. 11, 1947;—CL 1948, 45.451;—Am. 1949, Act 17, Eff. Sept. 23, 1949;—Am. 1955, Act 24, Imd. Eff. Apr. 7, 1955;—Am. 1978, Act 488, Imd. Eff. Dec. 1, 1978.

45.452 County officers; additional compensation for new duties prohibited.

Sec. 2. No officer whose salary is fixed by this act shall be entitled to any fees, commissions or added compensation by reason of any new duties hereafter added to the office held by him.

History: 1947, Act 261, Eff. Oct. 11, 1947;—CL 1948, 45.452.

45.453 County officers; fees collected, payment to county treasurer, statement.

Sec. 3. The said county clerk, circuit court commissioners, county auditors, prosecuting attorney, treasurer and register of deeds of any such county shall receive or collect no other compensation, except the salary above provided, for the performance or discharge of any of the duties of their respective offices, but they shall pay the fees, commissions or charges provided by law to be paid or that they may fix or charge for the performance or discharge of such duties or any duties in their said offices to the county treasurer on the last Saturday of every month, and the same shall be for the use of said county and placed to the credit of the general fund. Such payment shall in all cases be accompanied with a statement in writing of the respective officers, of the services rendered and fees collected, and that the same is true in every particular, which statement shall be verified by the oath of the officers making the same that such statement is true.

History: 1947, Act 261, Eff. Oct. 11, 1947;—CL 1948, 45.453.

45.454 County officers; record books and accounting forms for uniform system of accounts; audit of accounts; rules and regulations of board of county auditors for deposit and disbursement of funds; duties of county treasurer.

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Sec. 4. The board of auditors of said county shall prepare and provide said county treasurer, county clerk, register of deeds, circuit court commissioners, prosecuting attorney, friend of the court, clerk of the common pleas court, sheriff, and every other officer or official whose salary in whole or in part is paid by the county and who, in the course of his official duties, receives any funds either public or private, with the proper books, blanks and forms for the regular and systematic accounting of all moneys received by them from whatever source, in order that every officer and official shall maintain a system of accounting as nearly uniform as may be practicable. Said board shall provide each of said officers with blanks, each having a stub attached, bound in book form and consecutively numbered, for all certificates or certified copies of records on which a fee is collectible. Said blanks shall have entered on their face the amount of the fee collected and for what purpose paid, and shall be a record of the amounts collected by the officer issuing the same. Said board of county auditors shall also have the power and they are hereby authorized at least once each year or more frequently if necessary to examine the books and accounts of the county treasurer and other county officers, and they shall on demand be exhibited to them by said officers. And as often as said board may require, the accounts and vouchers of the said county officers shall be audited and allowed by them, and after the same shall have been audited by said board it shall not be requisite that such accounts and vouchers be again audited by the board of supervisors.

The board of auditors may, by resolution, provide rules and regulations for: (1) the regular deposit of funds with the county treasurer or other recognized depositories approved by the board of auditors; and (2) for the method of disbursing or distributing private funds, by every officer or official whose salary in whole or in part is paid by the county and who, in the course of his official duties, receives any funds either public or private. Whenever any moneys are paid to the county treasurer by any officer or agent of said county, such officer or agent shall take a duplicate receipt therefor, which shall be filed in the office of said board. Said treasurer shall on each day report to said board the moneys received by him on that day, and after making his last report. They shall keep an account of all moneys which may be chargeable against the county treasurer and any other officer who may receive any moneys belonging to the county, and shall keep an account with said officers showing the amounts with which they should be credited, and their accounts shall be so kept that the financial affairs of the county may at any time be ascertained by inspection of the books of said board.

History: 1947, Act 261, Eff. Oct. 11, 1947;—CL 1948, 45.454;—Am. 1955, Act 24, Imd. Eff. Apr. 7, 1955.

45.455 Incumbent county officers; salaries and fees.

Sec. 5. The present county treasurer, county clerk, register of deeds and circuit court commissioners shall be entitled to receive the salaries, fees and perquisites now legally payable to them, during their present term of office, the provisions of this act notwithstanding.

History: 1947, Act 261, Eff. Oct. 11, 1947;—CL 1948, 45.455.

45.456 Violation of act; penalty.

Sec. 6. Any officer who shall fail to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in the sum of not exceeding $500.00 or imprisonment in the county jail not exceeding 6 months.

History: 1947, Act 261, Eff. Oct. 11, 1947;—CL 1948, 45.456.

45.457 Repeals.

Sec. 7. All acts or parts of acts, so far as contrary to the provisions of this act, whether local or general, are hereby repealed.

History: 1947, Act 261, Eff. Oct. 11, 1947;—CL 1948, 45.457.

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