

SENATE BILL No. 207

March 7, 1989, Introduced by Senators CARL, GEAKE, WELBORN, SHINKLE, CROPSEY, POSTHUMUS, SCHWARZ and FAUST and referred to the Committee on Economic Development.

A bill to amend section 15 of Act No. 293 of the Public Acts of 1966, entitled as amended

"An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; and to prescribe the mandatory and permissive provisions of a charter,"

as amended by Act No. 7 of the Public Acts of 1980, being section 45.515 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 15 of Act No. 293 of the Public Acts of
2 1966, as amended by Act No. 7 of the Public Acts of 1980, being
3 section 45.515 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 15. A county charter adopted under the provisions of
6 this act may provide for 1 or more of the following:

1 (a) The office of corporation counsel, public defender,
2 auditor general, and all other offices, boards, commissions, or
3 departments necessary for the efficient operation of county
4 government. The charter may also provide for the power and
5 authority to establish, by ordinance, other offices, boards, com-
6 missions, and departments as may become necessary.

7 (b) That the legislative body of any unit of government
8 which is wholly or partially within the county may transfer,
9 subject to the approval of the legislative body of the county and
10 upon mutually agreed conditions, any municipal function or serv-
11 ice to the county if the performance of that function or service,
12 by the county is not specifically prohibited by law, and if the
13 function or service is offered on a county-wide basis.

14 (c) The authority to perform at the county level any func-
15 tion or service not prohibited by law, which shall include, by
16 way of enumeration and not limitation: Police protection, fire
17 protection, planning, zoning, education, health, welfare, recre-
18 ation, water, sewer, waste disposal, transportation, abatement of
19 air and water pollution, civil defense, and any other function or
20 service necessary or beneficial to the public health, safety, and
21 general welfare of the county. Powers granted solely by charter
22 may not be exercised by the charter county in a local unit of
23 government which is exercising a similar power without the con-
24 sent of the local legislative body. The cost of any service
25 authorized by charter to be performed by the county, may be
26 determined by negotiation between the local unit of government
27 and the charter county and this cost shall be charged to the

1 local unit of government or area benefited by the service, unless
2 it is rendered on a county-wide basis in which event the cost may
3 be paid from the general fund of the county. If a function exer-
4 cised by a local unit of government is transferred to the county
5 and becomes a county function financed through the general fund
6 of the county, the county shall reimburse a local unit of govern-
7 ment a negotiated sum representing the value of the transferred
8 capital assets of the function owned by and paid for by the local
9 unit of government, including outstanding bonded indebtedness of
10 the local unit of government.

11 (d) The establishment and maintenance, either within or out-
12 side of the county corporate limits, of roads, parks, cemeteries,
13 hospitals, medical facilities, airports, ports, jails, EITHER BY
14 PUBLIC JAIL FACILITIES OR BY CONTRACTING WITH PRIVATELY OPERATED
15 JAILS PURSUANT TO THE ALTERNATIVE JAILS ACT, water supply and
16 transmission facilities, sewage transmission and disposal sys-
17 tems, all public works, or other types of facility necessary to
18 preserve and provide effectively for the public health, safety,
19 and general welfare of the county.

20 (e) The power and authority to levy and collect any taxes,
21 fees, rents, tolls, or excises, the levy and collection of which
22 is authorized by law. A tax on income may not be levied by the
23 county unless authorized by law.

24 (f) A system of retirement for county officers and
25 employees.

26 (g) A classified civil service or merit system for county
27 officers and employees, except those officers and employees who

1 are expressly exempted from civil service by either the state
2 constitution of 1963 or statute.

3 (h) The election or appointment of a drain commissioner.

4 Section 2. This amendatory act shall not take effect unless
5 Senate Bill No. 216
6 of the 85th Legislature is enacted into law.