

SENATE BILL No. 101

February 7, 1989, Introduced by Senators CROPSEY, V. SMITH, GEO. HART, BINSFELD, WELBORN, POSTHUMUS, CARL, SHINKLE, DILLINGHAM, N. SMITH, SCHWARZ, BARCIA, FESSLER AND IRWIN and referred to the Committee on Local Government and Veterans.

A bill to amend the title and sections 2, 3, 8, 16, 19, 20, 21, 22, 25, 26, 27, 28, 56, 58, 61, 62, 65, 67, 69, 70, 72, 72a, 75, 75a, 76, 77, 78, 80, 81, 83, 84, 95, 97, 98, 99, 101, and 102 of chapter 16 of the Revised Statutes of 1846, entitled

"Of the powers and duties of townships, and election and duties of township officers,"

section 2 as amended by Act No. 117 of the Public Acts of 1988, section 8 as amended by Act No. 187 of the Public Acts of 1988, sections 26, 56, and 58 as amended by Act No. 40 of the Public Acts of 1983, sections 61, 69, and 77 as amended by Act No. 230 of the Public Acts of 1982, section 72 as amended by Act No. 291 of the Public Acts of 1980, and section 72a as amended by Act No. 264 of the Public Acts of 1980, being sections 41.2, 41.3, 41.8, 41.16, 41.19, 41.20, 41.21, 41.22, 41.25, 41.26, 41.27, 41.28, 41.56, 41.58, 41.61, 41.62, 41.65, 41.67, 41.69, 41.70,

41.72, 41.72a, 41.75, 41.75a, 41.76, 41.77, 41.78, 41.80, 41.81, 41.83, 41.84, 41.95, 41.97, 41.98, 41.99, 41.101, and 41.102 of the Michigan Compiled Laws; to add sections 1b, 64b, 103, 104, 105, 106, 107, 108, 109, 110, 110a, 110b, and 110c; to repeal certain parts of the act; and to repeal certain acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 2, 3, 8, 16, 19, 20, 21,
2 22, 25, 26, 27, 28, 56, 58, 61, 62, 65, 67, 69, 70, 72, 72a, 75,
3 75a, 76, 77, 78, 80, 81, 83, 84, 95, 97, 98, 99, 101, and 102 of
4 chapter 16 of the Revised Statutes of 1846, section 2 as amended
5 by Act No. 117 of the Public Acts of 1988, section 8 as amended
6 by Act No. 187 of the Public Acts of 1988, sections 26, 56, and
7 58 as amended by Act No. 40 of the Public Acts of 1983, sections
8 61, 69, and 77 as amended by Act No. 230 of the Public Acts of
9 1982, section 72 as amended by Act No. 291 of the Public Acts of
10 1980, and section 72a as amended by Act No. 264 of the Public
11 Acts of 1980, being sections 41.2, 41.3, 41.8, 41.16, 41.19,
12 41.20, 41.21, 41.22, 41.25, 41.26, 41.27, 41.28, 41.56, 41.58,
13 41.61, 41.62, 41.65, 41.67, 41.69, 41.70, 41.72, 41.72a, 41.75,
14 41.75a, 41.76, 41.77, 41.78, 41.80, 41.81, 41.83, 41.84, 41.95,
15 41.97, 41.98, 41.99, 41.101, and 41.102 of the Michigan Compiled
16 Laws, are amended and sections 1b, 64b, 103, 104, 105, 106, 107,
17 108, 109, 110, 110a, 110b, and 110c are added to read as
18 follows:

TITLE

Of the powers and duties of townships, ~~and~~ THE election and duties of township officers, AND THE DIVISION OF TOWNSHIPS.

SEC. 1B. AS USED IN THIS ACT:

(A) "OFFICER" MEANS A SUPERVISOR, TREASURER, CLERK, OR TRUSTEE.

(B) "SUPERVISOR" MEANS THE SUPERVISOR OF A TOWNSHIP ELECTED UNDER CHAPTER XVI OF THE MICHIGAN ELECTION LAW, ACT NO. 116 OF THE PUBLIC ACTS OF 1954, BEING SECTIONS 168.341 TO 168.373 OF THE MICHIGAN COMPILED LAWS.

(C) "TOWNSHIP BOARD" MEANS THE TOWNSHIP BOARD OF A TOWNSHIP CONSTITUTED AS PROVIDED IN SECTION 70.

(D) "CLERK" MEANS THE CLERK OF A TOWNSHIP ELECTED UNDER CHAPTER XVI OF ACT NO. 116 OF THE PUBLIC ACTS OF 1954.

(E) "TREASURER" MEANS THE TREASURER OF A TOWNSHIP ELECTED UNDER CHAPTER XVI OF ACT NO. 116 OF THE PUBLIC ACTS OF 1954.

(F) "TRUSTEE" MEANS A TRUSTEE OF A TOWNSHIP ELECTED UNDER CHAPTER XVI OF ACT NO. 116 OF THE PUBLIC ACTS OF 1954.

Sec. 2. (1) The inhabitants of an organized township are a body corporate and ~~shall~~ have, in addition to other powers that are conferred, the following powers and duties:

(a) To sue and be sued and ~~may~~ appoint ~~all~~ necessary agents and attorneys for that purpose.

(b) To purchase and hold real and personal property for the public use of the inhabitants and to convey, alienate, and dispose of the real and personal property.

1 (c) To make ~~all~~ contracts ~~that may be~~ necessary and
2 convenient for the exercise of their corporate powers.

3 (d) To order the disposal of their corporate property that
4 they may judge expedient.

5 (2) The township board ~~shall have~~ HAS, in addition to
6 other powers that are conferred, the power to investigate any
7 matter that ~~may come~~ IS under the jurisdiction of the township
8 and ~~is pursuant to~~ the authority vested in the township or
9 ~~any~~ AN officer under this act. The supervisor or the township
10 board by majority consent of the township board members serving
11 ~~is empowered to~~ MAY serve upon a person a subpoena that has
12 been authorized by a court of proper jurisdiction in the county
13 in which the township is situated compelling the person to appear
14 before the board or ~~any~~ A committee of the board to be examined
15 under oath or to produce a document or object for inspection or
16 copying. If a person objects to or otherwise fails to comply
17 with the subpoena served upon him or her, the supervisor or the
18 township board by majority consent of the township board members
19 may file in that court an action to enforce the notice. The
20 court may issue an order requiring the person to appear to be
21 examined or to produce a document or object for inspection or
22 copying. Failure to obey the order of the court is punishable by
23 the court as a contempt.

24 (3) ALL SUITS, ACTS, OR PROCEEDINGS, BY OR AGAINST A TOWN-
25 SHIP, IN ITS CORPORATE CAPACITY, SHALL BE IN THE NAME OF THE
26 TOWNSHIP. THE SUPERVISOR OF EACH TOWNSHIP SHALL BE THE AGENT FOR
27 HIS OR HER TOWNSHIP FOR THE TRANSACTION OF ALL LEGAL BUSINESS, BY

1 WHOM SUITS MAY BE BROUGHT AND DEFENDED, AND UPON WHOM PROCESS
2 AGAINST THE TOWNSHIP SHALL BE SERVED.

3 Sec. 3. The inhabitants of ~~any~~ A township shall have the
4 power, ~~at any legal meeting,~~ by a vote of the ~~qualified~~
5 REGISTERED electors ~~thereof~~ OF THE TOWNSHIP, to grant and vote
6 sums of money, not exceeding ~~such~~ amounts ~~as are or may be~~
7 limited by law, ~~as~~ THAT they ~~shall deem~~ CONSIDER necessary
8 for defraying ~~all~~ proper charges and expenses arising in ~~such~~
9 THE township. ~~, but they shall not vote or raise by tax in any~~
10 ~~1 year for contingent or ordinary expenses of the township to~~
11 ~~exceed the sum of \$4,000.00, except in townships having an~~
12 ~~assessed valuation of \$1,500,000.00 or less and then not to~~
13 ~~exceed \$3,000.00 and except in townships where there are 10 or~~
14 ~~more election precincts, and then a sum not to exceed \$5,000.00,~~
15 ~~and except townships having an assessed valuation of~~
16 ~~\$8,000,000.00 or over and then not to exceed 1/2 of 1% of the~~
17 ~~assessed valuation according to the assessment roll of the last~~
18 ~~preceding year. In townships having an assessed valuation of~~
19 ~~\$4,000,000.00 or over, but not more than \$8,000,000.00, the qual-~~
20 ~~ified electors of such township at the next regular election to~~
21 ~~be held in such township, or at a special election called by the~~
22 ~~township board, shall vote on the proposition of the levy of not~~
23 ~~to exceed 1/2 of 1%, and if a majority of such electors voting~~
24 ~~thereon vote in favor thereof, then in any such township not to~~
25 ~~exceed 1/2 of 1% may be levied on the assessed valuation accord-~~
26 ~~ing to the assessment roll of the last preceding year. No money~~
27 ~~shall be raised by tax on the property of the township in excess~~

~~1 of \$5,000.00 in any 1 year for township purposes, except such as~~
~~2 shall be voted for specific purposes, to be set forth and entered~~
~~3 upon the records of the township, and all moneys so raised shall~~
~~4 constitute a fund for the purpose or purposes so expressed, and~~
~~5 shall not be applied to any other purposes. In townships having~~
~~6 an assessed valuation of \$8,000,000.00 or over, the amount so~~
~~7 raised for ordinary or contingent expenses may be increased to~~
~~8 1/2 of 1% of the assessed valuation according to the assessment~~
~~9 roll of the last preceding year. In townships having an assessed~~
~~10 valuation of \$4,000,000.00 or over, but not more than~~
~~11 \$8,000,000.00, in which the electors by a majority vote have~~
~~12 voted in favor thereof, not to exceed 1/2 of 1% may be levied on~~
~~13 the assessed valuation according to the assessment roll of the~~
~~14 last preceding year. No~~ THE TOWNSHIP board ~~—~~ OR A TOWNSHIP
15 officer ~~or officers~~ shall NOT create ~~any~~ A debt or liability
16 against the township, or issue ~~any~~ A warrant, certificate, or
17 order for the payment of money, ~~except when~~ UNLESS the creation
18 of ~~such~~ THE debt or liability or the payment of ~~such~~ THE
19 money has been authorized by ~~such~~ vote OF THE REGISTERED ELEC-
20 TORS OF THE TOWNSHIP or by ~~the provisions of~~ law.

21 Sec. 8. (1) Except as otherwise provided in this section,
22 an annual meeting of the electors of each township shall be held
23 on the last Saturday in the last month of each fiscal year, at
24 the time and place selected by the township board. HOWEVER, THE
25 ANNUAL MEETING MAY BE HELD ON AN ALTERNATE DATE IF THE ALTERNATE
26 DATE IS APPROVED BY A MAJORITY OF THE TOWNSHIP BOARD AND IS IN
27 THE LAST MONTH OF THE TOWNSHIP'S FISCAL YEAR.

1 (2) The business ~~which may be~~ performed at a meeting of
2 the electors of a township shall be conducted at a public meeting
3 held in compliance with the open meetings act, Act No. 267 of the
4 Public Acts of 1976, as amended, being sections 15.261 to 15.275
5 of the Michigan Compiled Laws. Public notice of the time, date,
6 and place of the meeting shall be given by the township clerk in
7 the manner required by Act No. 267 of the Public Acts of 1976, as
8 amended, and as provided by section 2 of Act No. 43 of the Public
9 Acts of the Second Extra Session of 1963, being section 141.412
10 of the Michigan Compiled Laws, except as provided in subsection
11 (3).

12 ~~(2) An annual meeting of the electors of a township may be~~
13 ~~held on a day other than Saturday if the township board unani-~~
14 ~~mously votes to hold the annual meeting on another day.~~

15 (3) In a township having less than 200 registered electors,
16 the township board may provide that notice need not be given as
17 provided in section 2 of Act No. 43 of the Public Acts of the
18 Second Extra Session of 1963, but shall be posted in 3 of the
19 most public places of the township.

20 (4) The electors meeting at the place designated shall
21 transact ~~the~~ LAWFUL business ~~usually transacted at township~~
22 ~~meetings by voice~~ BY MAJORITY vote.

23 (5) In a township ~~—~~ other than a charter township, the
24 township board, by resolution, may, or on the filing of petitions
25 signed by not less than 5% of the registered electors of the
26 township, shall, submit the question of the reestablishment of
27 the annual meeting of the electors to the electors of the

1 township at the next regular primary election or general
2 election. The resolution or petitions shall be filed with the
3 township clerk not less than 30 days before the election at which
4 the question is submitted. If a majority of the electors of the
5 township voting on the question votes to reestablish the annual
6 meeting of the electors, the annual meeting of the electors
7 ~~shall be~~ IS reestablished for that township, AND THE ELECTORS
8 AT THE ANNUAL MEETING SHALL REASSUME POWERS CONFERRED BY STATUTE.
9 Once the annual meeting has been reestablished by a vote of the
10 people, the annual meeting may only be abolished by a resolution
11 of the township board submitting the question of the abolition of
12 the annual meeting to the electors of the township at the next
13 regular primary or general election. IF THE ANNUAL MEETING IS SO
14 ABOLISHED, POWERS THAT COULD HAVE BEEN EXERCISED BY THE ELECTORS
15 AT THE ANNUAL MEETING MAY BE EXERCISED BY THE BOARD.

16 (6) Except as provided in subsection (5), a township ~~shall~~
17 IS not ~~be~~ required to hold an annual meeting of the electors of
18 the township unless the township board, by resolution, elects to
19 hold an annual meeting.

20 Sec. 16. The annual and special township meetings ~~—~~ OF
21 THE ELECTORS shall ~~severally~~ be held at ~~such~~ THE place ~~as~~
22 ~~shall be directed~~ STATED in the act or proceedings by which the
23 township was organized ~~—~~ or ~~in such other~~ AT ANOTHER place
24 ~~as shall be~~ designated by the township board.

25 Sec. 19. ~~Any~~ AN annual or special meeting OF THE ELECTORS
26 may, by a MAJORITY vote of the ELECTORS ATTENDING THE meeting, be

1 adjourned to ~~any other~~ ANOTHER day, and from time to time, for
2 the purpose of transacting any proper business of the township.

3 Sec. 20. The first township meeting OF THE ELECTORS after
4 the organization of ~~any~~ THE township shall be held on the
5 Saturday immediately preceding the first Monday in April follow-
6 ing ~~such~~ THE organization.

7 Sec. 21. At the first township meeting OF THE ELECTORS in
8 any township, the ~~qualified~~ REGISTERED electors present,
9 between the hours of 9 and 10 ~~o'clock in the forenoon~~ A.M.,
10 shall choose 1 of their number as moderator, 1 of their number as
11 clerk, and 2 others of their number as inspectors, who shall
12 ~~severally~~ take the oath of office prescribed by ~~the twelfth~~
13 ~~article~~ SECTION 1 OF ARTICLE XI of the STATE constitution OF
14 1963, and shall conduct the proceedings of ~~such~~ THE meeting in
15 all respects as other township meetings OF THE ELECTORS are
16 required by law to be conducted. ~~, as near as may be, and with~~
17 ~~the same powers.~~

18 Sec. 22. If the ~~inhabitants~~ ELECTORS of ~~any~~ A newly
19 organized township ~~shall~~ fail to hold their first township
20 meeting on the day specified by ~~law~~ SECTION 20, any 3
21 ~~qualified voters~~ ELECTORS of ~~such~~ THE township ~~, may~~ call a
22 meeting of the electors of ~~such~~ THE township, for ~~such~~ A
23 township election, at any time thereafter, by posting ~~up~~
24 notices ~~thereof~~ OF THE MEETING in not less than 3 public places
25 in ~~such~~ THE township, at least 10 days ~~previous~~ PRIOR to the
26 holding of ~~such~~ THE meeting.

1 Sec. 25. ~~Special~~ A SPECIAL township ~~meetings~~ MEETING OF
2 THE ELECTORS shall also be held for the purpose of transacting
3 any other lawful business, ~~when~~ IF ordered by the township
4 board. ~~on~~ THE TOWNSHIP BOARD MAY ORDER SUCH A MEETING ON ITS
5 OWN INITIATIVE AND SHALL ORDER A MEETING IF THEY RECEIVE a
6 request ~~to them~~ in writing, signed by any 12 electors of the
7 township OR 1% OF THE REGISTERED ELECTORS IN THE TOWNSHIP, WHICH-
8 EVER IS GREATER, specifying ~~therein~~ the purposes for which
9 ~~such~~ THE meeting is to be held. ~~, and the mode~~ THE MANNER of
10 proceeding at ~~all~~ A special ~~meetings~~ MEETING OF THE ELECTORS
11 shall be the same as at the annual ~~meetings~~ MEETING OF THE
12 ELECTORS.

13 Sec. 26. ~~Every~~ AN order for a special township meeting OF
14 THE ELECTORS PURSUANT TO SECTION 25 shall specify the purpose for
15 which it is to be held, and the time ~~when,~~ and the place where
16 it shall be held. If any vacancies in office are to be filled at
17 the special meeting, the order shall state in what offices vacan-
18 cies exist, how they occurred, and who were the last incumbents.
19 AN ORDER FOR A SPECIAL TOWNSHIP MEETING OF THE ELECTORS SHALL BE
20 PART OF THE MINUTES OF THE TOWNSHIP BOARD PROCEEDINGS.

21 Sec. 27. The time appointed for holding ~~any~~ A special
22 township meeting OF THE ELECTORS shall BE not ~~be~~ more than 20
23 ~~, nor less than 15 days from the time of making the order~~
24 ~~therefor; and such order shall be left with the township clerk~~
25 ~~within 2 days after the making thereof, and shall be recorded in~~
26 ~~his office~~ THE TOWNSHIP BOARD ORDERS THE HOLDING OF A SPECIAL
27 TOWNSHIP MEETING OF THE ELECTORS.

1 Sec. 28. The ~~said~~ TOWNSHIP clerk, ~~shall,~~ within 2 days
2 after ~~such~~ RECEIVING AN order FOR A SPECIAL TOWNSHIP MEETING OF
3 THE ELECTORS, shall ~~be left with him,~~ cause copies ~~thereof to~~
4 ~~be posted up~~ POST COPIES OF THE ORDER in 3 of the most public
5 places in the township, ~~—~~ and if there ~~be~~ IS a newspaper
6 printed in ~~such~~ THE township, he OR SHE shall also ~~cause a~~
7 ~~copy to be published therein~~ PUBLISH A COPY OF THE ORDER IN THAT
8 NEWSPAPER, if practicable, at least 5 days before the day
9 appointed for ~~such~~ THE special TOWNSHIP meeting OF THE
10 ELECTORS.

11 Sec. 56. Resignations of all officers ~~elected at township~~
12 ~~meetings~~ shall be in writing, signed by the officer resigning,
13 and addressed to the township board and shall be delivered to and
14 filed by the township clerk. THE RESIGNATION SHALL BE EFFECTIVE
15 WHEN ACCEPTED BY THE TOWNSHIP BOARD.

16 Sec. 58. ~~Whenever there is a vacancy, or when~~ IF, BECAUSE
17 OF DISABILITIES, the incumbent ~~—, from any cause, is~~ IN A TOWN-
18 SHIP OFFICE AND THE INCUMBENT'S DEPUTY ARE unable to perform the
19 duties of ~~his or her office, in any of the township offices,~~
20 ~~except that of township treasurer~~ THEIR OFFICES, the township
21 board may make A temporary ~~appointments~~ APPOINTMENT of A suit-
22 able ~~persons~~ PERSON to discharge the duties of ~~those offices~~
23 ~~respectively~~ THE INCUMBENT'S OFFICE. The ~~persons~~ PERSON so
24 appointed shall take the oath of office ~~—~~ or ~~file the notice~~
25 ~~of acceptance~~ GIVE BOND AS required by law ~~—~~ and shall con-
26 tinue to discharge such duties until the office is filled by

1 election OR PERMANENT APPOINTMENT or until the disability OF THE
2 INCUMBENT OR THE INCUMBENT'S DEPUTY is removed.

3 Sec. 61. (1) The supervisor of each township ~~shall, by~~
4 ~~virtue of his or her office, be an~~ IS THE CHIEF assessor of the
5 township. ~~At the annual meeting in a township, the electors of~~
6 ~~the township present at the meeting may provide for the appoint-~~
7 ~~ment by the supervisor, of a clerk to assist the supervisor in~~
8 ~~the supervisor's duties. The clerk shall receive compensation as~~
9 ~~the township board determines, which compensation shall be paid~~
10 ~~from the general fund of the township as other township expenses~~
11 ~~are paid. In addition to the supervisor, the~~ THE township board
12 may provide for the appointment of ADDITIONAL assessors. ~~, not~~
13 ~~exceeding 2 in number, for the township. The assessors when~~
14 ~~appointed shall have all the powers and duties of supervisors in~~
15 ~~the assessment of property for taxation within the township and~~
16 IF THE SUPERVISOR IS NOT CERTIFIED AT THE PROPER LEVEL, THE TOWN-
17 SHIP BOARD SHALL PROVIDE FOR THE APPOINTMENT OF PROPERLY CERTI-
18 FIED ASSESSORS. THE ASSESSORS SO APPOINTED shall receive ~~for~~
19 ~~their services~~ compensation ~~as may be~~ allowed by the township
20 board. If assessors are appointed pursuant to this section, the
21 supervisor shall be the chief assessing officer and the assessors
22 shall ~~in all cases~~ be subordinate to the supervisor. Upon com-
23 pletion of the assessment and the making of the rolls, ~~such~~ THE
24 rolls shall be deposited with the supervisor. THE SUPERVISOR
25 SHALL BE SECRETARY OF THE BOARD OF REVIEW.

26 (2) The township supervisor may appoint a deputy township
27 supervisor. The deputy shall take an oath of office and file the

1 oath with the township clerk. In case of the absence, sickness,
2 death, or other disability of the supervisor, the deputy shall
3 possess ~~all~~ the powers and perform ~~all~~ the duties of the
4 supervisor, except the deputy shall not have a vote on the town-
5 ship board. The deputy shall be paid by salary or otherwise as
6 the township board determines APPROPRIATE. With the approval of
7 the supervisor, ~~and the consent of the township board,~~ the
8 deputy may assist the supervisor in the performance of the
9 supervisor's duties at any additional times agreed upon ~~between~~
10 ~~the township board and~~ BY the supervisor, except the deputy
11 shall not have a vote on the township board.

12 Sec. 62. The supervisor shall preserve and keep ~~all~~ THE
13 books, assessment rolls, and other papers belonging to the
14 supervisor's office in a safe and suitable place, but not ~~in a~~
15 ~~saloon, restaurant, public inn, hotel, place of public amusement,~~
16 ~~or in a place where intoxicating drinks are kept or sold, or~~
17 ~~where gaming or plays of chance are carried on, or~~ where the
18 books, assessment rolls, and other papers will be exposed to AN
19 unusual hazard from fire or theft. The supervisor shall deliver
20 the books, assessment rolls, and other papers on demand to his or
21 her successor in office. The books, assessment rolls, papers,
22 and any other writing prepared, owned, used, in the possession
23 of, or retained by the supervisor in the performance of an offi-
24 cial function shall be made available to the public in compliance
25 with THE FREEDOM OF INFORMATION ACT, Act No. 442 of the Public
26 Acts of 1976, being sections 15.231 to 15.246 of the Michigan
27 Compiled Laws. ~~On application of a person the supervisor shall~~

1 ~~give certified copies of the papers, or abstracts from an~~
2 ~~assessment roll or books in the supervisor's office. For making~~
3 ~~copies or abstracts the supervisor shall be entitled to receive~~
4 ~~from the person applying 6 cents for each folio, and a copy or~~
5 ~~abstract and certificate shall be required for not less than~~
6 ~~+2 1/2 cents. A certified copy or abstract shall be presumptive~~
7 ~~evidence of the facts contained in the certified copy.~~

8 SEC. 64B. THE SUPERVISOR OF A TOWNSHIP MAY PLACE A PERSON
9 UNDER OATH ON ANY OF HIS OR HER STATEMENTS MADE TO THE SUPERVISOR
10 IN HIS OR HER OFFICIAL CAPACITY AS SUPERVISOR.

11 Sec. 65. The township clerk of each township shall have
12 ~~the~~ custody of all the records, books, and papers of the town-
13 ship, when no other provision FOR CUSTODY is made by law. ~~and~~
14 ~~he~~ THE TOWNSHIP CLERK shall ~~duly~~ file and safely keep all cer-
15 tificates of oaths and other papers required by law to be filed
16 in his OR HER office, and SHALL record ~~such as are~~ THOSE ITEMS
17 required by law to be recorded. ~~therein, such~~ THESE records,
18 books, and papers shall not be kept ~~in any saloon, restaurant,~~
19 ~~public inn, hotel, place of public amusement, nor in any place~~
20 ~~where intoxicating drinks of any kind are kept or sold, or where~~
21 ~~gaming or plays of chance of any kind are carried on, nor~~ where
22 they will be exposed to AN unusual hazard of fire or theft.
23 ~~and he~~ THE TOWNSHIP CLERK shall deliver the ~~same~~ RECORDS,
24 BOOKS, AND PAPERS on demand to his OR HER successor in office.
25 ~~he~~ THE TOWNSHIP CLERK shall also open and keep an account
26 with the treasurer of ~~his~~ THE township, and shall charge ~~such~~
27 THE treasurer with all funds ~~which shall~~ THAT come into ~~his~~

1 THE TREASURER'S hands by virtue of his OR HER office, and shall
2 credit him OR HER with all ~~moneys~~ MONEY paid out by ~~him~~ THE
3 TREASURER on the order of the proper authorities of the township,
4 and shall enter the date and amount of all vouchers in a book
5 kept by ~~said~~ THE TOWNSHIP clerk in ~~said~~ THE office. ~~, he~~
6 THE TOWNSHIP CLERK shall also open and keep a separate account
7 with each ~~of the several funds~~ FUND belonging to ~~his~~ THE
8 township, and shall credit each ~~of said funds~~ FUND with ~~such~~
9 THE amounts ~~as~~ THAT properly belong to ~~them~~ IT, and shall
10 charge ~~them severally~~ EACH FUND with ~~all~~ warrants drawn on
11 the township treasurer and payable from ~~said funds respectively~~
12 THAT FUND. THE TOWNSHIP CLERK SHALL BE RESPONSIBLE FOR THE
13 DETAILED ACCOUNTING RECORDS OF THE TOWNSHIP UTILIZING THE UNIFORM
14 CHART OF ACCOUNTS PRESCRIBED BY THE STATE TREASURER. THE TOWN-
15 SHIP CLERK SHALL PREPARE AND MAINTAIN THE JOURNALS AND LEDGERS
16 NECESSARY TO REFLECT THE ASSETS, LIABILITIES, FUND EQUITIES, REV-
17 ENUES, AND EXPENDITURES FOR EACH FUND OF THE TOWNSHIP.

18 Sec. 67. The township clerk of each township, and the city
19 clerk of each city, shall, immediately after the qualifying of
20 the ~~several~~ officers elected or appointed in their respective
21 townships and cities, return to the clerks of their respective
22 counties the names AND ADDRESSES of all such officers. ~~, with~~
23 ~~their respective postoffice addresses: Provided, That the town-~~
24 ~~ship clerk of the township of South Manitou in the county of~~
25 ~~Manitou, may make such return at any time before the first day of~~
26 ~~June next after the election of such officers.~~

1 Sec. 69. Each township clerk, within the time limited for
 2 filing the oath of office and before entering upon the duties of
 3 the office, shall give a bond to the township in the sum and with
 4 sureties ~~as~~ THAT the township board ~~shall require~~ REQUIRES
 5 and ~~approve~~ APPROVES, conditioned for the faithful discharge of
 6 the duties of the office according to law, ~~and especially for~~
 7 INCLUDING the safekeeping of the records, books, and papers of
 8 the township in the manner required by law, and for their deliv-
 9 ery on demand to the TOWNSHIP clerk's successor in office. The
 10 bond shall be filed in the office of the supervisor. The
 11 TOWNSHIP clerk shall appoint a deputy, who shall take an oath of
 12 office and file the oath with the clerk. In case of the absence,
 13 sickness, death, or other disability of the clerk, the deputy
 14 shall possess ~~all~~ the powers and perform ~~all~~ the duties of
 15 the clerk, except the deputy shall not have a vote on the town-
 16 ship board. The deputy shall be paid by salary or otherwise as
 17 the township board determines. With the approval of the township
 18 clerk, ~~and the consent of the township board,~~ the deputy may
 19 assist the TOWNSHIP clerk in the performance of the TOWNSHIP
 20 clerk's duties at any additional times, ~~agreed upon between the~~
 21 ~~board and the clerk,~~ except the deputy shall not have a vote on
 22 the township board.

23 Sec. 70. The supervisor, 2 trustees, the township
 24 treasurer, and the township clerk ~~, shall~~ constitute the town-
 25 ship board, AND any 3 of ~~whom shall~~ THEM constitute a quorum
 26 for the transaction of business ~~— Provided, That~~ AT A MEETING
 27 OF THE TOWNSHIP BOARD. HOWEVER, in townships ~~now or hereafter~~

1 having a population of 5,000 or ~~over~~ MORE as determined by the
 2 last federal decennial census or ~~by any federal decennial census~~
 3 ~~hereafter taken or now or hereafter~~ having 3,000 or ~~over~~ MORE
 4 registered electors, the supervisor, the township treasurer, the
 5 township clerk, and 4 trustees, to be elected by the registered
 6 electors of the township as provided in ~~section 13 of chapter 1~~
 7 ~~of part 4 of Act No. 351 of the Public Acts of 1925, as amended,~~
 8 ~~being section 171.13~~ SECTIONS 358 AND 362 OF THE MICHIGAN ELEC-
 9 TION LAW, ACT NO. 116 OF THE PUBLIC ACTS OF 1954, BEING SECTIONS
 10 168.358 AND 168.362 of the MICHIGAN Compiled Laws, ~~of 1948,~~
 11 ~~shall~~ constitute the township board, AND any 4 of ~~whom shall~~
 12 THEM constitute a quorum for the transaction of business. ~~and~~
 13 ~~the~~ THE township clerk IN SUCH A TOWNSHIP shall be the clerk of
 14 the township board. ~~Provided, however, That~~ HOWEVER, THIS
 15 SUBSECTION DOES NOT APPLY UNLESS the electors of ~~such~~ A town-
 16 ship having a population of 5,000 or ~~over~~ MORE, or having 3,000
 17 or ~~over~~ MORE registered electors, ~~shall~~ adopt the provisions
 18 of this section by a majority vote at ~~any~~ AN annual township
 19 meeting ~~, or shall have~~ OF THE ELECTORS OR adopted the provi-
 20 sions of this section ~~prior to this amendatory act~~ BEFORE
 21 DECEMBER 22, 1952.

22 Sec. 72. The fiscal year of a township may commence on
 23 July 1 of each year and end on the following June 30, or it may
 24 commence on April 1 of each year and end on the following
 25 March 31. If a budget has been adopted, an audit performed, or
 26 other actions or proceedings taken before July 1, ~~1979,~~ based
 27 upon a fiscal year ending in March, the fiscal year shall be

1 proportionately extended or reduced to coincide with the fiscal
2 year as provided in this section without impairment of township
3 functions, services, or activities.

4 Sec. 72a. (1) ~~In addition to the annual meeting of the~~
5 ~~township board, the~~ THE township board shall provide by resolu-
6 tion for the time and place of its regular meetings, and shall
7 hold not less than 1 regular meeting every 3 months. If a time
8 set for the holding of a regular meeting of the township board is
9 a holiday, AS DESIGNATED BY THE TOWNSHIP BOARD, the regular meet-
10 ing shall be held at the same time and place on the next secular
11 day ~~which~~ THAT is not a holiday. ~~In addition to other busi-~~
12 ~~ness matters which may be acted upon at regular meetings, the~~
13 ~~board shall audit all claims against the township and authorize~~
14 ~~payment of allowed claims.~~

15 (2) A special meeting of the township board shall be held at
16 a time fixed by the board at a meeting or when the supervisor
17 considers it necessary. Upon call of the supervisor, the town-
18 ship clerk shall give notice of the time and place of the meeting
19 to each member, either in person or by leaving a written notice
20 at the member's address. A special meeting of the township board
21 shall be called by the township clerk upon a request, in writing,
22 for the meeting, signed by not less than a majority of the town-
23 ship board members.

24 (3) Business shall not be transacted at a special meeting of
25 the township board unless the business has been stated in the
26 notice of the meeting. However, if all the members of the board
27 are present at a special meeting, business which might lawfully

1 come before a regular meeting of the board may be transacted at
2 the special meeting.

3 (4) In a township which has a state equalized valuation of
4 \$25,000,000.00 or more, the township board, not more than 21 days
5 after a meeting of the board, shall publish the proceedings of
6 the meeting in a newspaper of general circulation in the
7 township. The publication of a synopsis of the proceedings, pre-
8 pared by the township clerk and approved by the supervisor, show-
9 ing the substance of each separate proceeding of the board is a
10 sufficient compliance with the requirements of this section.

11 Sec. 75. ~~No accounts shall be audited by such board,~~
12 ~~except such as are made in writing, giving the particular items~~
13 ~~of such account, and verified by oath or affirmation of the~~
14 ~~claimant or some one in his behalf. If such account shall~~
15 ~~include a claim for labor or services, for which a certain rate~~
16 ~~per day is allowed by law, or demanded by the claimant, it shall~~
17 ~~set forth correctly the number of days spent in such service, the~~
18 ~~nature of the services rendered, and the date thereof as near as~~
19 ~~may be. All accounts audited by such board shall be filed and~~
20 ~~preserved by the clerk, for the inspection of any of the inhab-~~
21 ~~itants of the township, or of any persons liable to pay taxes~~
22 ~~therein, and shall be produced at the next annual township meet-~~
23 ~~ing and there read by him, if the same shall be required by the~~
24 ~~meeting~~ IN ADDITION TO OTHER BUSINESS MATTERS THAT MAY BE ACTED
25 UPON AT A REGULAR MEETING OF THE TOWNSHIP BOARD, THE TOWNSHIP
26 BOARD SHALL APPROVE CLAIMS AGAINST THE TOWNSHIP AND AUTHORIZE
27 PAYMENT OF ALLOWED CLAIMS. ACCOUNTS APPROVED BY THE TOWNSHIP

1 BOARD SHALL BE FILED AND PRESERVED BY THE TOWNSHIP CLERK. THE
2 PAYMENTS AUTHORIZED SHALL BE PAID BY THE TREASURER, ON THE ORDER
3 OF THE TOWNSHIP BOARD, SIGNED BY THE TOWNSHIP CLERK.

4 Sec. 75a. The township board may employ a township manager
5 ~~. The manager~~ AND OTHER EMPLOYEES AS ARE NECESSARY. THEY shall
6 serve at the pleasure of the township board and shall ~~not~~ per-
7 form ~~any~~ duties ~~otherwise prohibited by state law~~ LAWFULLY
8 DIRECTED BY THE TOWNSHIP BOARD, EXCEPT THOSE DUTIES THAT ARE DEL-
9 EGATED BY LAW TO ANOTHER TOWNSHIP OFFICIAL, UNLESS CONSENT HAS
10 BEEN GRANTED.

11 Sec. 76. The township treasurer shall receive and take
12 charge of ~~all moneys~~ MONEY belonging to the township, or ~~which~~
13 ~~are~~ THAT IS by law required to be paid into the township trea-
14 sury, and shall pay over and account for the ~~same~~ MONEY,
15 according to the order of ~~such~~ THE township BOARD, or the
16 AUTHORIZED officers ~~thereof duly authorized, and shall perform~~
17 ~~all such other duties as shall be required of him by law~~ OF THE
18 TOWNSHIP.

19 Sec. 77. A township treasurer, within the time limited for
20 filing the oath of office and before entering upon the duties of
21 the office, shall give a bond to the township in the sum and with
22 the sureties as the ~~supervisor~~ TOWNSHIP BOARD shall require and
23 approve, conditioned ~~for~~ ON the faithful discharge of the
24 duties of the office and that the treasurer will ~~faithfully and~~
25 ~~truly~~ account for and pay over according to law, all money
26 ~~which~~ THAT comes into the treasurer's hands as treasurer, and
27 the supervisor shall indorse approval on the bond. The treasurer

1 shall file, within the time above mentioned, the bond with the
2 township clerk of the township, who shall record the bond in a
3 book to be provided for that purpose. The township clerk, after
4 recording the bond, shall deliver it to the supervisor, who shall
5 file it in the supervisor's office. The township board of a
6 township may provide by resolution for the depositing of money
7 coming into the hands of the treasurer of the township, and the
8 treasurer shall deposit the money in a bank the township board
9 may direct, subject to this act. Interest ~~which may accrue~~
10 THAT ACCRUES upon the deposit shall be paid into the general fund
11 of the township. The township board of a township shall deter-
12 mine in the resolution the time for which the deposits shall be
13 made ~~—~~ and all details for carrying into effect the authority
14 given in this act, but proceedings in connection with the deposit
15 of money shall be conducted in a manner to ~~insure~~ ENSURE full
16 publicity and shall be open at all times to public inspection.
17 ~~When~~ IF a depository is provided as authorized in this act, and
18 the funds are deposited as directed, the treasurer of the town-
19 ship and the treasurer's bondsmen ~~shall be~~ ARE relieved of
20 ~~any~~ liability occasioned by the failure of the bank of deposit
21 or the sureties for the bank, or by the failure of either of them
22 to safely keep and repay the funds. The treasurer shall appoint
23 a deputy, who shall file an oath of office with the township
24 clerk AND SHALL GIVE A BOND TO THE TOWNSHIP AS REQUIRED BY THE
25 TOWNSHIP BOARD. The deputy, in case of the absence, sickness,
26 death, or other disability of the treasurer, shall possess ~~all~~
27 the powers and perform ~~all~~ the duties of the treasurer, except

1 the deputy shall not have a vote on the township board. The
2 deputy shall be paid ~~by salary or otherwise~~ as the township
3 board determines. With the approval of the township treasurer,
4 ~~and the consent of the township board,~~ the deputy may assist
5 the treasurer in the performance of the treasurer's duties at any
6 additional times, ~~agreed upon between the board and the~~
7 ~~treasurer,~~ except the deputy shall not have a vote on the town-
8 ship board.

9 Sec. 78. Each township treasurer shall keep ~~a just and~~
10 ~~true~~ AN ACCURATE account of the receipts and expenditures of
11 township money in a book ~~to be provided for that purpose~~ WHICH
12 MEETS THE UNIFORM ACCOUNTING REQUIREMENTS OF THE STATE TREASURER,
13 at the expense of the township. ~~, and to~~ THE BOOK SHALL
14 REFLECT THE AMOUNT OF MONEY BELONGING TO EACH OF THE SEVERAL
15 FUNDS OF THE TOWNSHIP AND SHALL be delivered to the township
16 treasurer's successor in office. The book and any other writing
17 prepared, owned, used, in the possession of, or retained by the
18 township treasurer in the performance of an official function
19 shall be made available to the public in compliance with THE
20 FREEDOM OF INFORMATION ACT, Act No. 442 of the Public Acts of
21 1976, BEING SECTIONS 15.231 TO 15.246 OF THE MICHIGAN COMPILED
22 LAWS.

23 Sec. 80. Every person elected or appointed to the office of
24 constable, before ~~he enters upon the duties of his~~ TAKING
25 office ~~, and~~ within the time prescribed by law for filing ~~his~~
26 THE official oath, shall execute, with sufficient sureties to be
27 approved by the ~~supervisor or clerk of his~~ township BOARD, an

1 instrument in writing by which ~~said~~ THE constable and his OR
2 HER sureties ~~shall~~ jointly and severally agree to pay to each
3 ~~and every~~ person who may be entitled ~~thereto, all such sums~~
4 ~~of~~ money ~~as~~ THAT the ~~said~~ constable ~~may become~~ BECOMES
5 liable to pay on account of ~~any~~ THE neglect or default of
6 ~~said~~ THE constable in the service or return of ~~any~~ process
7 that may be delivered to him OR HER for service or collection or
8 on account of ~~any~~ misfeasance of the ~~said~~ constable in the
9 discharge of, or failure of ~~said~~ THE constable to faithfully
10 perform, ~~any of~~ the duties of his ~~said~~ OR HER office.

11 Sec. 81. ~~Such supervisor or township clerk shall endorse~~
12 ~~on such instrument, his approbation of the sureties therein~~
13 ~~named, and shall then cause the same to~~ THE BOND REQUIRED IN
14 SECTION 80 SHALL be filed in the office of the township clerk,
15 and a copy of ~~such instrument,~~ THE BOND certified by the town-
16 ship clerk ~~shall be~~ IS presumptive evidence of the contents and
17 execution ~~thereof, and all actions~~ OF THE BOND. ACTIONS
18 against a constable or his OR HER sureties ~~,~~ upon ~~any~~ such
19 ~~instrument~~ A BOND shall be ~~prosecuted~~ COMMENCED within ~~2~~ 6
20 years after the expiration of the year ~~for~~ IN which ~~the con-~~
21 ~~stable named therein shall have been elected~~ COMMENCED THE TERM
22 OF OFFICE DURING WHICH THE NEGLECT, DEFAULT, MISFEASANCE, OR
23 FAILURE OCCURRED.

24 Sec. 83. ~~Any~~ A constable may serve any writ, process, or
25 order lawfully directed to him ~~,~~ OR HER in any township in his
26 OR HER county.

1 Sec. 84. Constables ~~shall be ministerial officers of~~
2 ~~justices of the peace, and shall attend upon the sessions of~~
3 the circuit courts for their respective counties ~~—~~ when noti-
4 fied for that purpose by the sheriff AND PAID BY THEIR RESPECTIVE
5 COUNTIES.

6 Sec. 95. (1) The officers composing the township board
7 ~~—, board of registration, board of health, board of review, and~~
8 ~~inspectors of election shall be~~ ARE entitled to the salary
9 ~~fixed by the electors at the annual township meeting, and, if~~
10 ~~the electors neglect or fail to fix the salary, the officers~~
11 ~~shall be entitled to the same salary as the predecessors in~~
12 ~~office received the year before~~ AS DETERMINED BY RESOLUTION
13 ADOPTED BY THE TOWNSHIP BOARD AT LEAST 30 DAYS PRIOR TO THE
14 ANNUAL MEETING OF THE TOWNSHIP ELECTORS. THE RESOLUTION SHALL
15 ESTABLISH THE EFFECTIVE DATE OF THE SALARY, WHICH SHALL BE DURING
16 THE NEXT FISCAL YEAR. THE ELECTORS AT THE SUBSEQUENT ANNUAL
17 MEETING OF THE ELECTORS MAY ALTER THE AMOUNT OF SALARY FIXED BY
18 THE RESOLUTION. IF THE ELECTORS FAIL TO ACT ON THE SALARY RESO-
19 LUTION, THE OFFICERS ARE ENTITLED TO THE SALARY SET IN THE
20 RESOLUTION.

21 (2) A TRUSTEE MAY RECEIVE, IN ADDITION TO THE ANNUAL SALARY
22 FOR HIS OR HER SERVICE TO THE TOWNSHIP, A SUM FOR EACH MEETING OF
23 THE BOARD ACTUALLY ATTENDED BY THE TRUSTEE, AS ESTABLISHED BY THE
24 TOWNSHIP BOARD, TO BE PAID UPON AUTHORIZATION OF THE TOWNSHIP
25 BOARD. THE SUPERVISOR, CLERK, AND TREASURER SHALL RECEIVE NO
26 ADDITIONAL COMPENSATION FOR ATTENDING MEETINGS OF THE TOWNSHIP
27 BOARD. MEMBERS OF THE TOWNSHIP BOARD MAY BE REIMBURSED FOR

1 REASONABLE EXPENSES ACTUALLY INCURRED ON BEHALF OF THE TOWNSHIP.
2 AN OFFICIAL APPOINTED TO FILL A VACANCY OF AN ELECTIVE TOWNSHIP
3 OFFICE SHALL BE ENTITLED TO THE SAME COMPENSATION AS THAT ESTAB-
4 LISHED FOR THE OFFICIAL WHO PREVIOUSLY HELD THAT OFFICE. THE
5 SALARY OF AN ELECTED TOWNSHIP OFFICIAL OR AN OFFICIAL APPOINTED
6 TO FILL A VACANCY SHALL NOT BE DECREASED DURING THE OFFICIAL'S
7 TERM OF OFFICE UNLESS THE RESPONSIBILITIES AND REQUIREMENTS OF
8 THAT OFFICE ARE DIMINISHED AND THE OFFICIAL CONSENTS IN WRITING
9 TO THE REDUCTION IN SALARY. HOWEVER, IF A TOWNSHIP IN SETTING A
10 TOWNSHIP SUPERVISOR'S SALARY HAS DESIGNATED A PORTION OF THE
11 SUPERVISOR'S SALARY TO BE PAID THE SUPERVISOR FOR DIRECTLY PER-
12 FORMING THE PROPERTY TAX ASSESSING FUNCTION WITHIN THE TOWNSHIP
13 AND THE SUPERVISOR SUBSEQUENTLY FAILS TO PERFORM THAT FUNCTION,
14 THE SALARY OF THE SUPERVISOR MAY BE REDUCED BY THAT PORTION OF
15 THE SUPERVISOR'S SALARY DESIGNATED FOR THE DIRECT PERFORMANCE OF
16 THE PROPERTY TAX ASSESSMENT FUNCTION. NEVERTHELESS, THAT PORTION
17 OF A SUPERVISOR'S SALARY DESIGNATED FOR NONASSESSMENT FUNCTIONS
18 SHALL NOT BE DECREASED DURING THE SUPERVISOR'S TERM OF OFFICE
19 WITHOUT THE SUPERVISOR'S WRITTEN CONSENT.

20 (3) ~~-(2)-~~ In a township ~~which~~ THAT has abolished the
21 annual township meeting ~~pursuant to section 361 of Act No. 116~~
22 ~~of the Public Acts of 1954, as amended, being section 168.361 of~~
23 ~~the Michigan Compiled Laws, and in a charter township created~~
24 under Act No. 359 of the Public Acts of 1947, as amended, being
25 sections 42.1 to 42.34 of the Michigan Compiled Laws, the salary
26 for officers composing the township board ~~, board of~~
27 ~~registration, board of review, and inspectors of election~~ shall

1 be determined by the township board. If a petition is filed
 2 within 30 days after the township board votes the salary ~~—~~
 3 signed by 10% of the qualified electors of the township ~~praying~~
 4 REQUESTING that the question ~~shall~~ be submitted to the elector-
 5 ate, the township board shall call a special election and submit
 6 the question of salary to the electors. The vote upon the ques-
 7 tion of approving the resolution shall be by a ballot which shall
 8 be in substantially the following form:

9 "Vote on proposition of approving a resolution of the town-
 10 ship board providing a salary of dollars, per annum,
 11 to the, in place of all per diem
 12 charges for services.

13 Make a cross in the appropriate square.

14 To approve the resolution. Yes ☐

15 To approve the resolution. No ☐

16 If a majority of the electors voting upon the resolution disap-
 17 prove the resolution, the officer shall draw the same salary the
 18 officer's predecessor in office drew the year before. If a
 19 majority of the electors voting upon the resolution approve the
 20 resolution, the officer shall receive the salary set forth in the
 21 resolution.

22 ~~(3) The salary of township officials who are paid a salary~~
 23 ~~may be determined by resolution adopted by the township board.~~
 24 ~~The electors at a subsequent township meeting may alter the~~
 25 ~~amount of salary fixed by the resolution. A salary shall not be~~
 26 ~~raised within 60 days before an election.~~

1 (4) In place of the procedures in subsections (1), ~~and~~
2 (2), AND (3) for determining salaries of elected officials, the
3 township board may by ordinance establish the procedure described
4 in this subsection. The ordinance shall provide as follows:

5 (a) A local officials compensation commission is created.
6 The commission shall determine the salary of each township
7 elected official. The commission shall consist of 5 members who
8 are registered electors of the township, appointed by the super-
9 visor subject to confirmation by a majority of the members
10 elected and serving on the township board. The terms of office
11 shall be 5 years, except that of the members first appointed, 1
12 each shall be appointed for terms of 1, 2, 3, 4, and 5 years.
13 The first members shall be appointed within 30 days after the
14 effective date of the ordinance. ~~Members other than the first~~
15 ~~SUBSEQUENT members shall be appointed before October 1 of the~~
16 ~~year of appointment~~ WITHIN 30 DAYS AFTER A TERM EXPIRES OR A
17 VACANCY OCCURS. Vacancies shall be filled for the remainder of an
18 unexpired term. An officer or employee of a government agency or
19 unit or member of the immediate family of an officer or employee
20 shall not be appointed to the commission.

21 (b) The commission shall determine the salary of each MEMBER
22 OF THE township ~~elected official~~ BOARD, which SHALL BE EFPEC-
23 TIVE AT THE BEGINNING OF THE NEXT FISCAL YEAR. THE determination
24 OF THE COMMISSION shall be the salary unless the township board
25 by resolution adopted by 2/3 of the members elected to and serv-
26 ing on the board rejects the determination. The determination of
27 the commission shall be effective 30 days following filing of the

1 determination with the township clerk unless rejected by the
2 township board. If the determination is rejected, the existing
3 salary shall prevail. An expense allowance or reimbursement paid
4 to elected officials in addition to salary shall be for expenses
5 incurred in the course of township business and accounted for to
6 the township.

7 (c) The commission shall meet for not more than 15 session
8 days in each odd numbered year and shall make its determination
9 within 45 calendar days of its first meeting. A majority of the
10 members of the commission constitutes a quorum for conducting the
11 business of the commission. The business ~~which~~ THAT the com-
12 mission may perform shall be conducted at a public meeting of the
13 commission held in compliance with THE OPEN MEETINGS ACT, Act
14 No. 267 of the Public Acts of 1976, being sections 15.261 to
15 15.275 of the Michigan Compiled Laws. Public notice of the time,
16 date, and place of the meeting shall be given in the manner
17 required by Act No. 267 of the Public Acts of 1976. The commis-
18 sion shall not take action or make a determination without a con-
19 currence of a majority of the members appointed and serving on
20 the commission. The commission shall elect a chairperson from
21 among its members. As used in this section, "session days" means
22 ~~a~~ calendar ~~day~~ DAYS on which the commission meets and a
23 quorum is present. The members of the commission shall not
24 receive compensation, but shall be entitled to actual and neces-
25 sary expenses incurred in the performance of official duties.

26 (5) The township board may implement the ordinance by
27 resolution including the date for convening the commission.

1 (6) Not more than 60 days after the effective date of the
 2 ordinance, a petition for a referendum on the ordinance may be
 3 filed with the township clerk containing the signatures of not
 4 less than 5% of the registered electors of the township on the
 5 effective date of the ordinance in which case the election shall
 6 be conducted in the same manner as an election on a resolution
 7 under subsection ~~(2)~~ (3). If a petition for referendum is
 8 filed, a determination of the commission shall not be effective
 9 until the ordinance has been approved by the electors.

10 (7) The salary of an elected township official shall not be
 11 decreased during the official's term of office.

12 Sec. 97. ~~In the transaction of any business in any town-~~
 13 ~~ship meeting, the~~ THE supervisor, if present, shall be the mod-
 14 erator of ~~the~~ AN ANNUAL OR SPECIAL TOWNSHIP meeting ~~of~~ OF THE
 15 ELECTORS, and if he ~~shall~~ OR SHE IS not ~~be~~ present, the meet-
 16 ing, under the direction of the township clerk, shall elect ~~viva~~
 17 ~~voice~~ BY VOICE VOTE, a moderator of the meeting. ~~Provided,~~
 18 ~~That~~ HOWEVER, the township clerk ~~shall have~~ HAS the same
 19 powers and duties as the moderator until a moderator is chosen.

20 Sec. 98. The moderator OF A MEETING OF THE ELECTORS shall
 21 preside in ~~the~~ and regulate the proceedings of ~~the~~ A meeting
 22 ~~of~~ OF THE ELECTORS. HE OR SHE shall decide all questions of
 23 order ~~and~~ and make public declaration of all votes passed, ~~and~~
 24 and ~~when any~~ IF A vote so declared by him OR HER shall immedi-
 25 ately upon such declaration be questioned, ~~by 7 or more of the~~
 26 voters, he OR SHE shall make the vote certain by polling the
 27 voters, or dividing the meeting, unless the township, ~~shall,~~ by

1 a previous vote ~~/~~ or by ~~their by laws, have~~ ITS BYLAWS, HAS
2 otherwise provided.

3 Sec. 99. ~~No~~ A person shall NOT address ~~the~~ A meeting
4 ~~before~~ OF THE ELECTORS UNTIL permission IS obtained ~~of~~ FROM
5 the moderator, nor while any other person is speaking. ~~by his~~
6 ~~permission, and all~~ ALL persons at ~~such~~ A meeting OF THE
7 ELECTORS shall be silent at the request of the moderator.

8 Sec. 101. ~~Any~~ A PERSON SHALL NOT BE EXCLUDED FROM A
9 PUBLIC MEETING EXCEPT FOR A BREACH OF THE PEACE ACTUALLY COMMIT-
10 TED AT THE MEETING. A person who ~~shall refuse~~ REFUSES to with-
11 draw from ~~such~~ A PUBLIC meeting, on being ordered by the moder-
12 ator to do so, ~~as provided in the preceding section, shall for~~
13 ~~every such offense forfeit a sum~~ IS GUILTY OF A MISDEMEANOR PUN-
14 ISHABLE BY A FINE not exceeding ~~20 dollars~~ \$50.00.

15 Sec. 102. ~~Each inhabitant of any township, having the~~
16 ~~qualifications of an elector, as specified in the constitution of~~
17 ~~this state and in statutes enacted thereunder, and no other~~
18 ~~person,~~ AN ELECTOR OF THE TOWNSHIP shall have a right to vote on
19 all matters and questions before any township meeting OF THE
20 ELECTORS, and when any person claiming the right to vote ~~shall~~
21 ~~be~~ IS challenged, ~~by a voter,~~ the moderator shall ~~proceed in~~
22 ~~the same manner as on challenges at the election of township~~
23 ~~officers~~ RULE ON THE CHALLENGED PERSON'S QUALIFICATIONS AS AN
24 ELECTOR.

25 SEC. 103. A TOWNSHIP BOARD MAY PROVIDE POLLING PLACES
26 LOCATED WITHIN THE LIMITS OF A CITY THAT HAS BEEN INCORPORATED

1 FROM TERRITORY FORMERLY A PART OF THE TOWNSHIP, AND THE ELECTORS
2 OF THE TOWNSHIP MAY CAST THEIR BALLOTS AT THIS POLLING PLACE.

3 SEC. 104. (1) THE LIMITS AND BOUNDARY LINES OF EVERY ORGA-
4 NIZED TOWNSHIP IN EXISTENCE ON THE EFFECTIVE DATE OF THE AMENDA-
5 TORY ACT THAT ADDED THIS SECTION SHALL REMAIN AS ESTABLISHED
6 UNTIL OTHERWISE PROVIDED BY LAW.

7 (2) IF, AS PROVIDED BY LAW, LANDS OWNED BY A TOWNSHIP ARE
8 DIVIDED INTO 2 OR MORE TOWNSHIPS, THE TOWNSHIP BOARDS OF THE
9 TOWNSHIPS CONSTITUTED BY THE DIVISION SHALL JOINTLY MEET AS SOON
10 AS POSSIBLE AFTER THE FIRST TOWNSHIP MEETINGS OF THE ELECTORS
11 HELD IN EACH OF THE TOWNSHIPS. AT THE MEETING, THE TOWNSHIP
12 BOARDS MAY MAKE AN AGREEMENT CONCERNING THE DISPOSITION OF TOWN-
13 SHIP LANDS AND THE APPORTIONMENT OF THE PROCEEDS OF A SALE OF
14 THOSE LANDS, AS THEY THINK EQUITABLE, AND TAKE MEASURES, AND EXE-
15 CUTE CONVEYANCES NECESSARY TO IMPLEMENT THE AGREEMENT.

16 (3) IF A TOWNSHIP'S BOUNDARY IS ALTERED BY ANNEXING A PART
17 OF ITS TERRITORY TO 1 OR MORE TOWNSHIPS, THE TOWNSHIP BOARD OF
18 THE TOWNSHIP FROM WHICH THE TERRITORY IS TO BE TAKEN AND THE
19 TOWNSHIP BOARD OF THE TOWNSHIP OR TOWNSHIPS TO WHICH THE TERRI-
20 TORY IS TO BE ANNEXED SHALL JOINTLY MEET AS SOON AS POSSIBLE
21 AFTER THE ANNEXATION AND SHALL POSSESS THE POWERS PROVIDED IN
22 SUBSECTION (2).

23 (4) IF AN AGREEMENT FOR THE DISPOSITION OF LANDS ALTERED
24 PURSUANT TO THIS SECTION IS NOT MADE BY THE TOWNSHIP BOARDS
25 WITHIN 6 MONTHS AFTER THE ALTERATION OR DIVISION, THE TOWNSHIP
26 BOARD OF EACH TOWNSHIP IN WHICH ANY PORTION OF THESE LANDS ARE
27 LOCATED SHALL PROCEED AS SOON AS POSSIBLE TO SELL AND CONVEY THE

1 PART OF THE LANDS THAT ARE LOCATED WITHIN THE LIMITS OF THAT
2 TOWNSHIP. THE PROCEEDS ARISING FROM THIS SALE SHALL BE APPOR-
3 TIONED BETWEEN THE SEVERAL TOWNSHIPS BY THE TOWNSHIP BOARDS OF
4 ALL OF THESE TOWNSHIPS, ACCORDING TO THE AMOUNT OF TAXABLE PROP-
5 ERTY IN THE TOWNSHIP DIVIDED OR ALTERED, AS IT EXISTED IMMEDI-
6 ATELY BEFORE THE DIVISION OR ALTERATION, TO BE ASCERTAINED BY THE
7 LAST ASSESSMENT ROLL OF THE TOWNSHIP.

8 SEC. 105. IF A TOWNSHIP POSSESSED OF OR ENTITLED TO MONEY,
9 RIGHTS, CREDITS, OR OTHER PERSONAL ESTATE IS DIVIDED OR ALTERED,
10 THE MONEY, RIGHTS, CREDITS, AND OTHER PERSONAL ESTATE, SHALL BE
11 APPORTIONED BETWEEN THE INTERESTED TOWNSHIPS BY THE TOWNSHIP
12 BOARDS OF THESE TOWNSHIPS ACCORDING TO THE RULE OF APPORTIONMENT
13 ABOVE PRESCRIBED. THE TOWNSHIP BOARDS OF THESE TOWNSHIPS SHALL
14 JOINTLY MEET FOR THAT PURPOSE AS SOON AS POSSIBLE AFTER EACH
15 TOWNSHIP HOLDS ITS FIRST SUBSEQUENT TOWNSHIP MEETING.

16 SEC. 106. IF A MEETING OF THE TOWNSHIP BOARDS OF 2 OR MORE
17 TOWNSHIPS IS REQUIRED PURSUANT TO SECTIONS 104 TO 109 OF THIS
18 CHAPTER, A MEETING MAY BE CALLED BY ANY OF THE SUPERVISORS, BUT
19 THE SUPERVISOR CALLING THE MEETING SHALL GIVE IN WRITING TO ALL
20 THE OTHER OFFICERS AT LEAST 6 DAYS' NOTICE OF THE TIME AND PLACE
21 AT WHICH THE MEETING IS TO BE HELD. THE MEETING SHALL BE HELD IN
22 COMPLIANCE WITH THE OPEN MEETINGS ACT, ACT NO. 267 OF THE PUBLIC
23 ACTS OF 1976, BEING SECTIONS 15.261 TO 15.275 OF THE MICHIGAN
24 COMPILED LAWS.

25 SEC. 107. SECTIONS 104 TO 106 OF THIS CHAPTER SHALL NOT
26 APPLY TO A CEMETERY BELONGING TO A TOWNSHIP. SUCH A CEMETERY

1 SHALL BELONG TO THE TOWNSHIP WITHIN WHICH IT IS SITUATED AFTER A
2 DIVISION IS MADE.

3 SEC. 108. DEBTS OF A TOWNSHIP DIVIDED OR ALTERED AS PRO-
4 VIDED IN THIS CHAPTER SHALL BE APPORTIONED IN THE SAME MANNER AS
5 THE PERSONAL PROPERTY OF THE TOWNSHIP. AFTER THE APPORTIONMENT
6 OF THE DEBTS, EACH TOWNSHIP SHALL BE CHARGED WITH AND PAY ITS
7 SHARE OF THE DEBTS, ACCORDING TO THE APPORTIONMENT.

8 SEC. 109. IF THE TOWNSHIP BOARD OR BOARDS OF ANY TOWNSHIPS,
9 OR THE PROPER BOARD OF OFFICERS OF ANY VILLAGE OR CITY, NEGLECT
10 OR REFUSE TO MEET AS PROVIDED IN THIS CHAPTER, OR HAVING MET
11 REFUSE OR NEGLECT TO ARRIVE AT A SETTLEMENT OF THE MATTERS OF IN
12 DIFFERENCE BETWEEN THEM, AS PROVIDED IN THIS CHAPTER, THE TOWN-
13 SHIP, CITY, OR VILLAGE WHOSE BOARD REFUSES OR NEGLECTS TO SETTLE
14 THE MATTERS OF DIFFERENCE SHALL BE LIABLE IN AN ACTION FOR AN
15 ACCOUNTING AND SETTLEMENT IN THE SAME MANNER AS IS PROVIDED FOR
16 CONFLICTS BETWEEN INDIVIDUALS OR PRIVATE CORPORATIONS. THE PRO-
17 VISIONS OF SECTIONS 104 TO 109 RELATIVE TO SETTLEMENTS BETWEEN
18 TOWNSHIPS REGARDING DIVISIONS SHALL BE APPLICABLE TO VILLAGES AND
19 CITIES, SO FAR AS THOSE PROVISIONS MAY BE APPLIED.

20 SEC. 110. (1) THE TOWNSHIP BOARD MAY, BY RESOLUTION, TRANS-
21 FER THE UNEXPENDED BALANCE IN A NONRESTRICTED TOWNSHIP FUND TO
22 THE GENERAL FUND OF THE TOWNSHIP AFTER PROVISION HAS BEEN MADE
23 FOR THE PAYMENT OF UNPAID WARRANTS OR ORDERS DRAWN ON THE NONRE-
24 STRICTED FUND AND FOR CLAIMS AND ACCOUNTS THEN EXISTING WHICH,
25 WHEN AUDITED AND ALLOWED, WOULD BE PAYABLE OUT OF THAT FUND.

26 (2) IF A TRANSFER OF FUNDS IS AUTHORIZED PURSUANT TO
27 SUBSECTION (1), THE TREASURER OF THE TOWNSHIP SHALL PROVIDE FOR

1 THE TRANSFER OF FUNDS WHEN AND AS AUTHORIZED BY THE TOWNSHIP
2 BOARD.

3 (3) A TOWNSHIP BOARD SHALL NOT TRANSFER THE UNEXPENDED BAL-
4 ANCE OF ANY TOWNSHIP FUND UNDER THIS SECTION IF UNPAID BONDS PAY-
5 ABLE FROM THE FUND ARE OUTSTANDING.

6 SEC. 110A. THE TOWNSHIP BOARD OF A TOWNSHIP SHALL ESTABLISH
7 A UNIFORM CHART OF ACCOUNTS AND REPORTS AND PROVIDE ANNUAL FINAN-
8 CIAL REPORTS AND AUDITS IN ACCORDANCE WITH THE UNIFORM BUDGETING
9 AND ACCOUNTING ACT, ACT NO. 2 OF THE PUBLIC ACTS OF 1968, BEING
10 SECTIONS 141.421 TO 141.440A OF THE MICHIGAN COMPILED LAWS.

11 SEC. 110B. (1) A TOWNSHIP MAY DO ALL OF THE FOLLOWING:

12 (A) ESTABLISH A RETIREMENT SYSTEM FOR ITS EMPLOYEES AND PRO-
13 VIDE FOR FINANCING, FUNDING, AND THE PAYMENT OF BENEFITS IN THE
14 SAME MANNER AND TO THE SAME EXTENT AS PERMITTED COUNTIES UNDER
15 SECTION 12A OF ACT NO. 156 OF THE PUBLIC ACTS OF 1851, BEING
16 SECTION 46.12A OF THE MICHIGAN COMPILED LAWS, OR MAKE CONTRACTS
17 OF INSURANCE WITH AN INSURANCE COMPANY AUTHORIZED TO TRANSACT
18 BUSINESS WITHIN THE STATE.

19 (B) MAKE ARRANGEMENTS WITH A PREPAYMENT PLAN AUTHORIZED TO
20 TRANSACT BUSINESS WITHIN THE STATE, INSURING AND COVERING ITS
21 ELECTED OR APPOINTED OFFICERS AND EMPLOYEES OR ANY CLASSES OF
22 ELECTED OR APPOINTED OFFICERS AND EMPLOYEES UNDER POLICIES OF
23 GROUP INSURANCE OR PREPAYMENT PLAN CONTRACTS, OR BOTH, COVERING
24 LIFE, ACCIDENT, HEALTH, HOSPITALIZATION, AND MEDICAL AND SURGICAL
25 SERVICE AND EXPENSE INSURANCE, INCLUDING HOSPITALIZATION AND MED-
26 ICAL AND SURGICAL SERVICE AND EXPENSE FOR DEPENDENTS OF THE
27 OFFICERS AND EMPLOYEES.

1 (C) CONTRACT WITH A COMPANY THAT GRANTS ANNUITIES OR
2 PENSIONS FOR THE PENSIONING OF THE OFFICERS AND EMPLOYEES AND FOR
3 THESE PURPOSES PAY ANY PART OF THE PREMIUMS OR CHARGES FOR INSUR-
4 ANCE, PREPAYMENT PLAN COVERAGE, ANNUITIES, OR PENSIONS.

5 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROPER
6 DISBURSING OFFICER OF THE TOWNSHIP MAY DEDUCT FROM AN OFFICER'S
7 OR EMPLOYEE'S PAY, SALARY, OR COMPENSATION THAT PART OF THE PRE-
8 MIUM OR CHARGE AS IS PAYABLE BY THE OFFICER OR EMPLOYEE.

9 (3) A CONTRACT OF INSURANCE OR ARRANGEMENT FOR PREPAYMENT
10 PLAN COVERAGE PROCURED PURSUANT TO THIS SECTION MAY PROVIDE THAT
11 EACH ELECTED OR APPOINTED OFFICER OR EMPLOYEE BECOMING ELIGIBLE
12 FOR INSURANCE OR COVERAGE BECOMES INSURED OR COVERED AUTOMATI-
13 CALLY WHEN HE OR SHE BECOMES ELIGIBLE, SUBJECT TO ANY
14 ACTIVELY-AT-WORK REQUIREMENTS SPECIFIED IN THE CONTRACT OR
15 ARRANGEMENT. IF THE INSURANCE OR COVERAGE UNDER THE CONTRACT OR
16 ARRANGEMENT REQUIRES CONTRIBUTIONS FROM THE INDIVIDUAL, ANY INDI-
17 VIDUAL DESIRING NOT TO BE SO INSURED OR COVERED SHALL GIVE WRIT-
18 TEN NOTICE TO HIS OR HER EMPLOYING OFFICE THAT HE OR SHE DESIRES
19 NOT TO BE INSURED OR COVERED, AND IF THE NOTICE IS RECEIVED
20 BEFORE THE INDIVIDUAL HAS BECOME INSURED OR COVERED UNDER THE
21 CONTRACT OR ARRANGEMENT, HE OR SHE SHALL NOT BE INSURED OR
22 COVERED. IF THE NOTICE IS RECEIVED AFTER THE INDIVIDUAL HAS
23 BECOME INSURED OR COVERED, HIS OR HER INSURANCE OR COVERAGE UNDER
24 THE CONTRACT OR ARRANGEMENT SHALL CEASE AS PROVIDED FOR IN THE
25 CONTRACT OR ARRANGEMENT.

26 (4) THIS SECTION DOES NOT AFFECT THE VALIDITY OF A
27 RETIREMENT PROGRAM OR CONTRACT OF GROUP INSURANCE OR ARRANGEMENT

1 FOR PREPAYMENT PLAN COVERAGE ENTERED INTO BY THE TOWNSHIP BEFORE
2 THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS
3 SECTION.

4 (5) THE AUTHORITY GIVEN UNDER THIS SECTION IS IN ADDITION TO
5 AND NOT IN DEROGATION OF ANY POWER EXISTING IN THE TOWNSHIP UNDER
6 THE LAWS OF THIS STATE. A TOWNSHIP MAY EXERCISE THE POWERS
7 GRANTED UNDER THIS SECTION BY ORDINANCE WITHOUT NECESSITY OF
8 AMENDING ITS CHARTER.

9 SEC. 110C. THE TOWNSHIP BOARD MAY APPROPRIATE MONEY OR
10 EXPEND FUNDS FOR ALL OF THE FOLLOWING PURPOSES:

11 (A) TO ADVERTISE THE AGRICULTURAL, INDUSTRIAL, COMMERCIAL,
12 EDUCATIONAL, OR RECREATIONAL ADVANTAGES OF THE STATE, COUNTY, OR
13 TOWNSHIP.

14 (B) TO COLLECT, PREPARE, OR MAINTAIN AN EXHIBITION OF THE
15 PRODUCTS AND INDUSTRIES OF THE TOWNSHIP AT ANY DOMESTIC OR FOR-
16 EIGN EXPOSITION TO ENCOURAGE IMMIGRATION AND INCREASE THE TRADE
17 IN THE PRODUCTS OF THIS STATE OR THE TOWNSHIP.

18 (C) TO ADVERTISE THIS STATE OR ANY PORTION OF THIS STATE TO
19 TOURISTS AND RESORTERS.

20 (D) TO MAINTAIN AND CIRCULATE A PUBLICATION TO DISSEMINATE
21 INFORMATION REGARDING TOWNSHIP IMPROVEMENTS, ACTIVITIES, AND
22 FUNCTIONS.

23 Section 2. The following acts and parts of acts are
24 repealed:

25 (a) Sections 1, 4, 4a, 5, 6, 7, 15, 24, 59, 60, 63, 64, 64a,
26 71, 73, and 74 of chapter 16 of the Revised Statutes of 1846,
27 being sections 41.1, 41.4, 41.4a, 41.5, 41.6, 41.7, 41.15, 41.24,

1 41.59, 41.60, 41.63, 41.64, 41.64a, 41.71, 41.73, and 41.74 of
2 the Michigan Compiled Laws.

3 (b) Act No. 200 of the Public Acts of 1849, being section
4 41.131 of the Michigan Compiled Laws.

5 (c) Act No. 194 of the Public Acts of 1929, being section
6 41.141 of the Michigan Compiled Laws.

7 (d) Act No. 122 of the Public Acts of 1915, being section
8 41.151 of the Michigan Compiled Laws.

9 (e) Act No. 36 of the Public Acts of 1933, being section
10 41.211 of the Michigan Compiled Laws.

11 (f) Chapter 17 of the Revised Statutes of 1846, being sec-
12 tions 41.111 to 41.118 of the Michigan Compiled Laws.

13 (g) Act No. 168 of the Public Acts of 1877, being section
14 41.651 of the Michigan Compiled Laws.

15 (h) Act No. 28 of the Public Acts of 1968, being section
16 41.991 of the Michigan Compiled Laws.

17 (i) Act No. 29 of the Public Acts of 1937, being sections
18 41.161 to 41.163 of the Michigan Compiled Laws.

19 (j) Act No. 262 of the Public Acts of 1897, being sections
20 41.171 to 41.173 of the Michigan Compiled Laws.

21 (k) Act No. 27 of the Public Acts of 1960, being sections
22 41.901 to 41.905 of the Michigan Compiled Laws.