

**SUBSTITUTE FOR
HOUSE BILL NO. 6338**

A bill to amend 1951 PA 33, entitled

"An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts,"

by amending the title and sections 10 and 11 (MCL 41.810 and 41.811), the title as amended by 1990 PA 102 and section 11 as amended by 1989 PA 81.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

TITLE

1 An act to provide police and fire protection for townships
 2 and for certain areas in townships, certain incorporated
 3 villages, and **certain** cities; ~~under 15,000 population;~~ to
 4 authorize contracting for fire and police protection; to
 5 authorize the purchase of fire and police equipment, and the
 6 maintenance and operation of the equipment; to provide for
 7 defraying the cost of the equipment; to authorize the creation of
 8 special assessment districts and the levying and collecting of
 9 special assessments; to authorize the issuance of special
 10 assessment bonds in anticipation of the collection of special
 11 assessments and the advancement of the amount necessary to pay
 12 such bonds, and to provide for reimbursement for such advances by
 13 reassessment if necessary; to authorize the collection of fees
 14 for certain emergency services in townships and other
 15 municipalities; to authorize the creation of administrative
 16 boards and to prescribe their powers and duties; to provide for
 17 the appointment of traffic officers and to prescribe their powers
 18 and duties; and to repeal ~~certain~~ acts and parts of acts.

19 Sec. 10. (1) ~~The provisions of this act shall apply~~ **This**
 20 **act applies** to townships — and adjoining townships and
 21 incorporated villages and **qualified** cities ~~under 15,000~~
 22 ~~inhabitants~~ acting jointly. ~~Whenever~~ **If** reference is made in
 23 this act to townships, ~~such~~ **that** reference shall ~~be deemed to~~
 24 ~~mean and~~ apply to townships and incorporated villages and
 25 **qualified** cities. ~~under 15,000 inhabitants, and whenever~~ **If**
 26 reference is made in this act to township boards, ~~such~~ **that**
 27 reference shall ~~be deemed to mean and~~ apply to township boards

1 and the legislative bodies of incorporated villages and **qualified**
2 cities. ~~under 15,000 inhabitants. No~~ A township, incorporated
3 village, or **qualified** city ~~under 15,000 inhabitants~~ shall ~~in~~
4 ~~any way~~ **not** use this act to lessen the number of paid ~~full-time~~
5 ~~firemen in their respective communities~~ **full-time firefighters**
6 **in that township, incorporated village, or qualified city.**

7 (2) As used in this act, "qualified city" means a city with a
8 population of less than 70,000 located in a county with a
9 population of more than 200,000 and less than 250,000.

10 Sec. 11. (1) The governing bodies of 2 or more contiguous
11 townships, villages, or **qualified** cities may, acting jointly,
12 create a joint police administrative board, fire administrative
13 board, or police and fire administrative board. A joint
14 administrative board shall consist of 2 members from each
15 participating township, village, or **qualified** city. The members
16 of a joint administrative board shall be appointed by their
17 respective governing bodies for terms of 6 years. However, of
18 the first members appointed, 1 member from each participating
19 township, village, or **qualified** city shall be appointed for a
20 term of 4 years. A member of a joint administrative board shall
21 not be an employee of a police or fire department of a
22 participating township, village, or **qualified** city. A member of
23 a joint administrative board may be compensated for each meeting,
24 not to exceed 52 per year, at a rate not to exceed \$30.00 by the
25 joint administrative board for each meeting the member attends
26 and shall be reimbursed for actual and necessary expenses
27 incurred in the performance of board duties. A vacancy on a

1 joint administrative board shall be filled by the original
2 appointing governing body for the remainder of the unexpired
3 term.

4 (2) At its first meeting, a joint administrative board shall,
5 by resolution approved by a majority of its members, select an
6 additional member who shall be a resident of a participating
7 township, village, or **qualified** city. The members shall annually
8 elect a chairperson and a vice-chairperson from the board
9 membership. A joint administrative board shall hold 4 regular
10 quarterly meetings a year and special meetings as necessary at
11 times as it determines. A joint administrative board shall adopt
12 its own rules of procedure and shall keep a record of its
13 proceedings. A majority of the members constitute a quorum for
14 the transaction of business and the affirmative vote of a
15 majority of all the members is necessary for the adoption of a
16 motion or resolution. The members of a joint administrative
17 board shall be residents of the townships, villages, or **qualified**
18 cities from which they were appointed. The members of a joint
19 administrative board may be removed by the appointing governing
20 body.

21 (3) A joint administrative board created pursuant to this
22 section shall prepare an annual police department budget or fire
23 department budget, or both, for the police department, fire
24 department, or police and fire departments of each participating
25 township, village, or **qualified** city. The proposed budgets shall
26 be submitted to and reviewed by the respective governing bodies
27 and may be amended, adopted, or rejected by them. A joint

1 administrative board shall have other powers and duties as
2 considered necessary by the participating governing bodies. A
3 joint administrative board, if authorized to employ and appoint a
4 police chief, fire chief, or other police or fire officers,
5 including detectives, shall only employ and appoint such officers
6 on behalf of an individual township, **qualified** city, or village
7 and does not constitute a new employer.

8 (4) The business ~~which~~ **that** a joint administrative board
9 may perform shall be conducted at a public meeting of the board
10 held in compliance with the open meetings act, ~~Act No. 267 of~~
11 ~~the Public Acts of 1976, as amended, being sections 15.261 to~~
12 ~~15.275 of the Michigan Compiled Laws~~ **1976 PA 267, MCL 15.261 to**
13 **15.275.** Public notice of the time, date, and place of the
14 meeting shall be given in the manner required by ~~Act No. 267 of~~
15 ~~the Public Acts of 1976, as amended~~ **the open meetings act, 1976**
16 **PA 267, MCL 15.261 to 15.275.**

17 (5) A writing prepared, owned, used, in the possession of, or
18 retained by the board 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, as amended, being sections 15.231 to 15.246 of the Michigan~~
22 ~~Compiled Laws~~ **1976 PA 442, MCL 15.231 to 15.246.**

23 (6) As used in this section, ~~:-~~ (a) ~~"City" means a city with~~
24 ~~a population of not more than 15,000.~~ (b) ~~"Governing~~ **"governing**
25 **body"** means the body in which the legislative powers of a
26 township, village, or **qualified** city are vested.