

HOUSE BILL NO. 6041

August 06, 2020, Introduced by Rep. Elder and referred to the Committee on Military, Veterans and Homeland Security.

A bill to amend 1973 PA 139, 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; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies,"

by amending section 4 (MCL 45.554), as amended by 1980 PA 100.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:



RJH



02209'19 a

1 Sec. 4. (1) On the date the optional unified form of county
 2 government becomes effective, all appointed boards, commissions,
 3 and authorities except the apportionment commission, airport zoning
 4 board of appeals, board of county canvassers, board of
 5 determination for a drainage district, civil service commission,
 6 county drainage board, county department of veterans' affairs
 7 administrative committee or soldiers' relief commission, concealed
 8 weapons licensing board, election commission, jury commission,
 9 library commission, parks and recreation commission, social
 10 services board, tax allocation board, a board established to
 11 oversee retirement programs, a plat board, a mental health board, a
 12 hospital board, an intercounty drainage board, and a building
 13 authority established by the county individually or in conjunction
 14 with another unit of government and the boards of county road
 15 commissioners; and all elective county offices except those of
 16 county commissioner, prosecuting attorney, clerk, register of
 17 deeds, treasurer, sheriff, and drain commissioner are abolished and
 18 the tenure of persons holding the office or appointment is
 19 terminated. Termination shall take effect whether or not it
 20 coincides with the end of a term of office or appointment. All
 21 county departments in conflict with the departmental organization
 22 established by this act are abolished. As used in this act,
 23 "department" or "county department" ~~shall~~**does** not include boards
 24 of county road commissioners.

25 (2) On the date the optional unified form of county government
 26 becomes effective, powers vested in an abolished office, board,
 27 commission, authority, or department shall become general county
 28 government powers, and functions performed by the abolished office,
 29 board, commission, authority, or department shall be administered



1 by the county executive or county manager in the manner determined
2 by the county board of commissioners.

3 (3) A board or commission ~~which~~**that** is excepted from this act
4 ~~pursuant to~~**under** subsection (1) shall exercise ~~the~~**its** powers and
5 duties as provided by law.

6 (4) The power vested in the office of county prosecuting
7 attorney, county sheriff, county register of deeds, county clerk,
8 county treasurer, county drain commissioner, or the board of county
9 road commissioners, shall not be minimized or divested by this act.

10 (5) The method of appointing veterans to and the power vested
11 in a county department of veterans' affairs administrative
12 committee ~~pursuant to Act No. 192 of the Public Acts of 1953, as~~
13 ~~amended, being sections 35.621 to 35.624 of the Michigan Compiled~~
14 ~~Laws, under 1953 PA 192, MCL 35.621 to 35.624, or a soldiers'~~
15 ~~relief commission pursuant to Act No. 214 of the Public Acts of~~
16 ~~1899, as amended, being sections 35.21 to 35.27 of the Michigan~~
17 ~~Compiled Laws, under 1899 PA 214, MCL 35.21 to 35.30, shall not be~~
18 affected, minimized, or divested, except as follows:

19 (a) Budgeting, procurement, office facilities and equipment,
20 employment, and related management functions shall be performed
21 under the direction and supervision of the county manager or
22 executive.

23 (b) The employment of veterans' service officer shall be
24 subject to approval of the department of veterans' affairs
25 administrative committee or soldiers' relief commission.

26 Enacting section 1. This amendatory act does not take effect
27 unless Senate Bill No. ____ or House Bill No. 6043 (request no.
28 02209'19) of the 100th Legislature is enacted into law.

