

HOUSE BILL No. 5022

August 13, 2003, Introduced by Reps. Nitz, Caswell, Brandenburg, Ehardt, Amos, Ward, Pappageorge, Garfield, Voorhees, Casperson, Shaffer and Bieda and referred to the Committee on Local Government and Urban Policy.

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 section 12 (MCL 41.812), as added by 1989 PA 81.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 12. (1) ~~In its discretion, the~~ **The** township board
2 ~~of a township having an organized police or fire department, or~~
3 ~~both,~~ may create a police administrative board, a fire

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1 administrative board, or a police and fire administrative board.
2 The board shall consist of 5 members, who shall be appointed by
3 the township board for terms of 6 years each. ~~However, of~~ **Of**
4 the members first appointed, 2 shall be appointed for terms
5 expiring on June 30 of the even numbered year following the
6 creation of the board, 2 shall be appointed for terms expiring on
7 June 30 of the second year following the expiration of the terms
8 of the first 2 members, and 1 member shall be appointed for a
9 term expiring June 30 of the fourth year following the expiration
10 of the terms of the first 2 members. **If a vacancy occurs, the**
11 **township board shall appoint a person to fill the unexpired**
12 **term.**

13 (2) A member of the board shall not be a member of the police
14 or fire department of the township.

15 (3) The members of the board ~~shall serve without~~
16 ~~compensation but~~ **may be compensated a per diem as determined by**
17 **the township board and** are entitled to actual and necessary
18 expenses approved by the township board incurred in the
19 performance of official duties. ~~The township board shall fill a~~
20 ~~vacancy for the unexpired term.~~

21 (4) ~~(2)~~ A police administrative board, a fire
22 administrative board, or a police and fire administrative board
23 created under former ~~Act No. 57 of the Public Acts of 1951~~ **1951**
24 **PA 57** shall be continued under ~~and governed by~~ this act.

25 (5) ~~(3)~~ An administrative board created under this section
26 shall prepare an annual police department budget or fire
27 department budget, or both, to be submitted to the township board

1 for review and approval. ~~The budget shall be reviewed by the~~
2 ~~township board and may be amended or altered in any manner. Upon~~
3 ~~adoption by the township board, the budget shall be the budget of~~
4 ~~the administrative board for the ensuing fiscal year of the~~
5 ~~township.~~

6 (6) The administrative board created under this section shall
7 have the powers and perform the functions that the township board
8 ~~in its discretion~~ delegates to the administrative board.

9 (7) ~~(4)~~ This section is supplemental to the other laws of
10 this state.