

HOUSE BILL No. 5596

February 24, 2004, Introduced by Reps. Lipsey and Hoogendyk and referred to the Committee on Transportation.

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 12 (MCL 45.562).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 12. (1) Upon the date an optional unified form of
2 county government becomes effective, the following officials
3 shall exercise the powers and functions as provided by law,
4 unless other powers or functions are delegated to an official by
5 the board of county commissioners:

6 (a) The sheriff.

7 (b) The clerk-register or clerk and the register of deeds.

1 (c) The treasurer.

2 (d) The prosecuting attorney. ~~Where~~ **If** a county employs an
3 attorney ~~pursuant to Act No. 15 of the Public Acts of 1941, as~~
4 ~~amended, being sections 49.71 and 49.72 of the Michigan Compiled~~
5 ~~Laws~~ **under 1941 PA 15, MCL 49.71 to 49.73**, the prosecuting
6 attorney shall not act ~~relative thereto~~ **for the county in civil**
7 **matters.**

8 (e) The drain commissioner.

9 (f) The boards of county road commissioners. **Members of the**
10 **county road commission shall be appointed as provided under**
11 **section 6 of 1909 PA 283, MCL 224.6.**

12 (2) The officials named in subsection (1) shall be elected or
13 appointed in ~~such~~ **the** manner and for ~~such~~ **a** term as provided
14 by law.