

SENATE BILL NO. 473

September 07, 2023, Introduced by Senator BELLINO and referred to the Committee on Finance, Insurance, and Consumer Protection.

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 certain cities; 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 acts and parts of acts,"

by amending section 11 (MCL 41.811), as amended by 2006 PA 608.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11. (1) The governing bodies of 2 or more contiguous
2 townships, villages, or qualified cities may, acting jointly,
3 create a joint police administrative board, fire administrative
4 board, or police and fire administrative board. A joint
5 administrative board shall consist of **up to** 2 members from each
6 participating township, village, or qualified city. The members of
7 a joint administrative board ~~shall~~**must** be appointed by their
8 respective governing bodies for terms of 6 years. Of the first
9 members appointed, 1 member from each participating township,
10 village, or qualified city ~~shall~~**must** be appointed for a term of 4
11 years. A member of a joint administrative board shall not be an
12 employee of a police or fire department of a participating
13 township, village, or qualified city. A member of a joint
14 administrative board may be compensated for each meeting, not to
15 exceed 52 per year, at a rate established by the participating
16 governing bodies for each meeting the member attends and ~~shall~~**must**
17 be reimbursed for actual and necessary expenses incurred in the
18 performance of board duties. A vacancy on a joint administrative
19 board ~~shall~~**must** be filled by the original appointing governing
20 body for the remainder of the unexpired term.

21 (2) At its first meeting, a joint administrative board shall,
22 by resolution approved by a majority of its members, select an
23 additional member who ~~shall~~**must** be a resident of a participating

1 township, village, or qualified city. The members shall annually
2 elect a chairperson and a vice-chairperson from the board
3 membership. A joint administrative board shall hold 4 regular
4 quarterly meetings a year and special meetings as necessary at
5 times as it determines. A joint administrative board shall adopt
6 its own rules of procedure and shall keep a record of its
7 proceedings. A majority of the members constitute a quorum for the
8 transaction of business and the affirmative vote of a majority of
9 all the members is necessary for the adoption of a motion or
10 resolution. The members of a joint administrative board ~~shall~~**must**
11 be residents of the townships, villages, or qualified cities from
12 which they were appointed. The members of a joint administrative
13 board may be removed by the appointing governing body.

14 (3) A joint administrative board created under this section
15 shall prepare an annual police department budget or fire department
16 budget, or both, for the police department, fire department, or
17 police and fire departments of each participating township,
18 village, or qualified city. The proposed budgets ~~shall~~**must** be
19 submitted to and reviewed by the respective governing bodies and
20 may be amended, adopted, or rejected by them. A joint
21 administrative board shall have other powers and duties as
22 considered necessary by the participating governing bodies. A joint
23 administrative board, if authorized to employ and appoint a police
24 chief, fire chief, or other police or fire officers, including
25 detectives, shall only employ and appoint such officers on behalf
26 of an individual township, qualified city, or village and does not
27 constitute a new employer.

28 (4) The business that a joint administrative board may perform
29 ~~shall~~**must** be conducted at a public meeting of the board held in

1 compliance with the open meetings act, 1976 PA 267, MCL 15.261 to
2 15.275. Public notice of the time, date, and place of the meeting
3 ~~shall~~**must** be given in the manner required by the open meetings
4 act, 1976 PA 267, MCL 15.261 to 15.275.

5 (5) A writing prepared, owned, used, in the possession of, or
6 retained by the board in the performance of an official function
7 ~~shall~~**must** be made available to the public in compliance with the
8 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

9 (6) As used in this section, "governing body" means the body
10 in which the legislative powers of a township, village, or
11 qualified city are vested.