PROSECUTING ATTORNEYS COORDINATING OFFICE ACT OF 1972

Act 203 of 1972

AN ACT to create the office of prosecuting attorneys coordination; and to prescribe its powers and duties.

History: 1972, Act 203, Imd. Eff. June 30, 1972

The People of the State of Michigan enact:

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49.101 Short title.

Sec. 1.

This act shall be known and may be cited as the "prosecuting attorneys coordinating office act of 1972".

History: 1972, Act 203, Imd. Eff. June 30, 1972

49.102 Definitions.

Sec. 2.

As used in this act:

(a) "Council" means the prosecuting attorneys coordinating council.

(b) "Executive secretary" means the executive secretary of the council.

(c) "Office" means the office of prosecuting attorneys coordination as created in section 3.

History: 1972, Act 203, Imd. Eff. June 30, 1972

49.103 Office of prosecuting attorneys coordination; creation; council; chief executive; personnel.

Sec. 3.

(1) The office of prosecuting attorneys coordination is created as an autonomous entity in the department of attorney general.

(2) The head of the office is the prosecuting attorneys coordinating council.

(3) The chief executive officer of the office is the executive secretary who shall be appointed by the council, and who shall hold office during the pleasure of the council. He shall perform the functions and duties as may be assigned to him by the council. The council may employ other persons as it deems necessary to implement the intent and purpose of this act.

History: 1972, Act 203, Imd. Eff. June 30, 1972

49.104 Council; membership; terms; vacancy.

Sec. 4.

(1) The council consists of 5 members selected as follows:

(a) The attorney general, or his designated representative.

(b) The president of the prosecuting attorneys association of Michigan.

(c) One member appointed to the council for a 1-year term, to be elected by the prosecuting attorneys association of Michigan, who shall be a prosecuting attorney from a county having a population of over 400,000 persons.

(d) One member appointed to the council for a 1-year term, to be elected by the prosecuting attorneys association of Michigan, who shall be a prosecuting attorney from a county having a population of between 100,000 and 400,000 persons.

(e) One member appointed to the council for a 1-year term, to be elected by the prosecuting attorneys association of Michigan, who shall be a prosecuting attorney from a county having a population under 100,000 persons.

(2) A member shall vacate his appointment upon termination of his official position as a prosecuting attorney or attorney general. A vacancy shall be filled in the same manner as the original appointment. A member appointed to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the member who he is to succeed in the same manner as the original appointment. Any member may be reappointed for additional terms.

(3) The terms of the members first appointed shall begin January 1 following the effective date of this act.

History: 1972, Act 203, Imd. Eff. June 30, 1972

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49.105 Council; officers; membership as holding public office.

Sec. 5.

The council shall designate from among its members a chairman and vice-chairman who shall serve for 1-year terms and who may be reelected. Membership on the council shall not constitute holding a public office, and members of the council shall not be required to take and file oaths of office before serving on the council. The council shall not have the right to exercise any portion of the sovereign power of the state. A member of the council shall not be disqualified from holding any public office or employment by reason of his appointment or membership on the council, nor shall he forfeit the office or employment, by reason of his appointment hereunder, notwithstanding the provisions of any general, special or local law, ordinance or city charter.

History: 1972, Act 203, Imd. Eff. June 30, 1972

49.106 Council; meetings.

Sec. 6.

The council shall meet at least 4 times in each year and shall hold special meetings when called by the chairman, or in the absence of the chairman, by the vice-chairman or when called by the chairman upon the written request of 3 members of the council. The council shall establish its own procedures and requirements with respect to quorum, place and conduct of its meetings and other matters.

History: 1972, Act 203, Imd. Eff. June 30, 1972

49.107 Council; annual report.

Sec. 7.

The council shall make an annual report to the governor and to the prosecuting attorneys association of Michigan regarding its efforts to implement the purposes of this act.

History: 1972, Act 203, Imd. Eff. June 30, 1972

49.108 Council; compensation; expenses.

Sec. 8.

The members of the council shall serve without compensation but shall be entitled to their actual expenses in attending meetings and in the performance of their duties hereunder.

History: 1972, Act 203, Imd. Eff. June 30, 1972

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49.109 Council; duties.

Sec. 9.

The council shall keep the prosecuting attorneys and assistant prosecuting attorneys of the state informed of all changes in legislation, law and matters pertaining to their office, to the end that a uniform system of conduct, duty and procedure is established in each county of the state.

History: 1972, Act 203, Imd. Eff. June 30, 1972

49.110 Council; powers.

Sec. 10.

The council may:

(a) Enter into agreements with other public or private agencies or organizations to implement the intent of this act.

(b) Cooperate with and assist other public or private agencies or organizations to implement the intent of this act.

(c) Make recommendations to the legislature on matters pertaining to its responsibilities under this act.

History: 1972, Act 203, Imd. Eff. June 30, 1972

49.111 Council; accepting funds, grants, and gifts.

Sec. 11.

The council may accept funds, grants and gifts from any public or private source which shall be used to defray the expenses incident to implementing its responsibilities under this act.

History: 1972, Act 203, Imd. Eff. June 30, 1972

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