COUNTY OFFICERS COMPENSATION COMMISSION

Act 485 of 1978

AN ACT to permit the creation of a county officers compensation commission; to prescribe the powers and duties of the commission and other public officers; and to prescribe penalties and provide remedies.

History: 1978, Act 485, Imd. Eff. Dec. 1, 1978 ;-- Am. 1998, Act 158, Eff. Mar. 23, 1999

The People of the State of Michigan enact:

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45.471 County officers compensation commission; establishment; purpose; resolution.

Sec. 1.

A county board of commissioners may establish a county officers compensation commission to determine the compensation for the nonjudicial elected officials of the county. A resolution establishing a county officers compensation commission shall comply with the requirements of this act.

History: 1978, Act 485, Imd. Eff. Dec. 1, 1978

45.472 County officers compensation commission; appointment, qualifications and terms of members.

Sec. 2.

(1) The county officers compensation commission shall consist of 7 members who are registered electors residing in the county. Upon recommendations from the members of the board, the chairperson of the county board of commissioners shall appoint the members of the compensation commission subject to confirmation by a majority of the members elected to and serving on the county board of commissioners.

(2) The term of office for members of the compensation commission shall be 4 years, except that of the members first appointed, 2 each shall be appointed for a term of 1 year, 2 shall be appointed for a term of 2 years, 2 shall be appointed for a term of 3 years, and 1 shall be appointed for a term of 4 years. The initial members shall be appointed within 30 days after the effective date of the resolution establishing the commission. Thereafter, members shall be appointed before October 1 of the year of appointment. A vacancy shall be filled for the remainder of the unexpired term.

(3) A person who is a member or employee of the legislative, judicial, or executive branch of any level of government or a member of that person's immediate family shall not be appointed to the compensation commission.

History: 1978, Act 485, Imd. Eff. Dec. 1, 1978

45.473 Compensation of elected officials; determination; expenses.

Sec. 3.

The county officers compensation commission shall determine the compensation of the elected officials of the county, other than judges, which determination shall be the compensation of those officials unless the county board of commissioners rejects the determination by resolution adopted by 2/3 of the members elected to and serving on the board. Unless rejected, the determination shall be effective at the beginning of the first odd numbered year after the determination is made. If the determination is rejected, the compensation then in effect for those officials shall continue. An expense allowance or reimbursement paid to elected officials in addition to salary shall be for expenses incurred in the course of county business and accounted for to the county.

History: 1978, Act 485, Imd. Eff. Dec. 1, 1978

45.474 County officers compensation commission; meetings; determination; quorum; concurrence of majority; chairperson; expenses.

Sec. 4.

(1) The county officers compensation commission shall meet for not more than 15 session days each even numbered year and shall make its determination within 45 calendar days after its first meeting of the year. "Session day" as used in this subsection, means a calendar day on which the compensation commission meets and a quorum is present.

(2) A majority of the members of the compensation commission constitutes a quorum for conducting the business of the commission. The commission shall not take action or make a determination without a concurrence of a majority of the members appointed and serving on the commission.

(3) The commission shall elect a chairperson from among its members.

(4) Members of the compensation commission shall not receive compensation for their service on the commission, but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

History: 1978, Act 485, Imd. Eff. Dec. 1, 1978

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45.475 Conducting business at public meeting; notice.

Sec. 5.

The business which the commission may perform shall be conducted at a public meeting of the commission held in compliance with Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

History: 1978, Act 485, Imd. Eff. Dec. 1, 1978

45.476 Resolution subject to referendum; petition; placing proposition on ballot; effect of defeat of proposition; effect of determination.

Sec. 6.

If a resolution is adopted establishing a county officers compensation commission pursuant to this act, the resolution may be subject to referendum if a petition requesting the referendum, signed by not less than 5% of the registered electors of the county, is filed with the county

clerk within 60 days after the adoption of the resolution. If the clerk determines the petition to be valid, a proposition to approve or disapprove the resolution shall be placed upon the ballot in the next general election. If the proposition is defeated, the commission shall not be created, or if created, shall be abolished. If a valid referendum petition is filed, a determination of the commission shall not take effect until the resolution has been approved by the electors.

History: 1978, Act 485, Imd. Eff. Dec. 1, 1978

45.476a Violation of MCL 168.1 to 168.992 applicable to petitions; penalties.

Sec. 6a.

A petition under section 6, including the circulation and signing of the petition, is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488. A person who violates a provision of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, applicable to a petition described in this section is subject to the penalties prescribed for that violation in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

History: Add. 1998, Act 158, Eff. Mar. 23, 1999

45.477 Conditional effective date.

Sec. 7.

This act shall not take effect unless House Bill No. 6200 of the 1978 regular session of the legislature is enacted into law.

History: 1978, Act 485, Imd. Eff. Dec. 1, 1978
Compiler's Notes: House Bill No. 6200, referred to in this section, was approved by the Governor on October 20, 1978, and became P.A. 1978, No. 476, Eff. Dec. 1, 1978.

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