

HOUSE BILL No. 5941

April 23, 2002, Introduced by Reps. Bishop, Kowall, Meyer, Raczkowski and Kuipers and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1846 RS 16, entitled

"Of the powers and duties of townships, the election and duties of township officers, and the division of townships,"

by amending sections 61, 69, and 77 (MCL 41.61, 41.69, and 41.77), sections 61 and 69 as amended by 1989 PA 77 and section 77 as amended by 1997 PA 22.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 61. (1) The supervisor of each township is the chief
2 assessor of the township. The township board may provide for the
3 appointment of additional assessors. If the supervisor is not
4 certified at the proper level, the township board shall provide
5 for the appointment of properly certified assessors. The asses-
6 sors ~~so~~ appointed shall receive compensation allowed by the
7 township board. If assessors are appointed ~~pursuant to~~ UNDER
8 this section, the supervisor shall be the chief assessing officer

1 and the assessors shall be subordinate to the supervisor. Upon
2 completion of the assessment and the making of the rolls, the
3 rolls shall be deposited with the supervisor. The supervisor
4 shall be secretary of the board of review.

5 (2) The township supervisor may appoint a deputy township
6 supervisor, who shall serve at the pleasure of the supervisor.
7 The deputy shall take an oath of office and file the oath with
8 the township clerk. In case of ~~the absence,~~ AN ABSENCE FROM
9 OFFICE BY THE SUPERVISOR OF MORE THAN 1 MONTH DUE TO THE sick-
10 ness, death, or other disability of the supervisor, the deputy
11 shall possess the powers and perform the duties of the supervi-
12 sor, except the deputy shall not have a vote on the township
13 board. The deputy shall be paid by salary or otherwise as the
14 township board determines appropriate. With the approval of the
15 supervisor, the deputy may assist the supervisor in the per-
16 formance of the supervisor's duties at any additional times
17 agreed upon between the township board and the supervisor, except
18 the deputy shall not have a vote on the township board.

19 Sec. 69. Each township clerk, within the time limited for
20 filing the oath of office and before entering upon the duties of
21 the office, shall give a bond to the township in the sum and with
22 THE sureties that the township board requires and approves, con-
23 ditioned for the faithful discharge of the duties of the office
24 according to law, including the safekeeping of the records,
25 books, and papers of the township in the manner required by law,
26 and for their delivery on demand to the township clerk's
27 successor in office. The bond shall be filed in the office of

1 the supervisor. The township clerk shall appoint a deputy, who
2 shall serve at the pleasure of the clerk. The deputy shall take
3 an oath of office and file the oath with the clerk. In case of
4 ~~the absence,~~ AN ABSENCE FROM OFFICE BY THE CLERK OF MORE THAN 1
5 MONTH DUE TO THE sickness, death, or other disability of the
6 clerk, the deputy shall possess the powers and perform the duties
7 of the clerk, except the deputy shall not have a vote on the
8 township board. The deputy shall be paid by salary or otherwise
9 as the township board determines. With the approval of the town-
10 ship clerk, the deputy may assist the township clerk in the per-
11 formance of the township clerk's duties at any additional times
12 agreed upon between the board and the clerk, except the deputy
13 shall not have a vote on the township board.

14 Sec. 77. (1) A township treasurer, within the time limited
15 for filing the oath of office and before entering upon the duties
16 of the office, shall give a bond to the township in the sum and
17 with the sureties ~~as~~ THAT the township board shall require and
18 approve, conditioned on the faithful discharge of the duties of
19 the office and that the treasurer will account for and pay over
20 according to law, all money that comes into the treasurer's hands
21 as treasurer, and the supervisor shall ~~indorse~~ ENDORSE approval
22 on the bond. The treasurer shall file, within the time above
23 mentioned, the bond with the township clerk of the township, who
24 shall record the bond in a book to be provided for that purpose.
25 The township clerk, after recording the bond, shall deliver it to
26 the supervisor, who shall file it in the supervisor's office.

1 (2) The township board of a township may provide by
2 resolution for the depositing of money coming into the hands of
3 the treasurer of the township, and the treasurer shall deposit
4 the money in the financial institution the township board may
5 direct, subject to this act. Interest that accrues upon the
6 deposit shall be paid into the general fund of the township. The
7 township board of a township shall determine in the resolution
8 the time for which the deposits shall be made and all details for
9 carrying into effect the authority given in this act, but pro-
10 ceedings in connection with the deposit of money shall be con-
11 ducted in a manner to ensure full publicity and shall be open at
12 all times to public inspection.

13 (3) If a financial institution is provided as authorized in
14 this act, and the funds are deposited as directed, the treasurer
15 of the township and the treasurer's bondsmen are relieved of
16 liability occasioned by the failure of the financial institution
17 of deposit or the sureties for the financial institution, or by
18 the failure of either of them to safely keep and repay the
19 funds.

20 (4) Assets acceptable for pledging to secure deposits of
21 township funds are limited to any of the following:

22 (a) Assets considered acceptable to the state treasurer
23 under section 3 of 1855 PA 105, MCL 21.143, to secure deposits of
24 state surplus funds.

25 (b) Any of the following:

26 (i) Securities issued by the federal home loan mortgage
27 corporation.

1 (ii) Securities issued by the federal national mortgage
2 association.

3 (iii) Securities issued by the government national mortgage
4 association.

5 (c) Other securities considered acceptable to the township
6 and the financial institution.

7 (5) The treasurer shall appoint a deputy, who shall serve at
8 the pleasure of the treasurer. The deputy shall file an oath of
9 office with the township clerk and shall give a bond to the town-
10 ship as required by the township board. The deputy, in case of
11 ~~the absence,~~ AN ABSENCE FROM OFFICE BY THE TREASURER OF MORE
12 THAN 1 MONTH DUE TO THE sickness, death, or other disability of
13 the treasurer, shall possess the powers and perform the duties of
14 the treasurer, except the deputy shall not have a vote on the
15 township board. The deputy shall be paid as the township board
16 determines. With the approval of the township treasurer, the
17 deputy may assist the treasurer in the performance OF THE
18 treasurer's duties at any additional times agreed upon between
19 the board and the treasurer, except the deputy shall not have a
20 vote on the township board.

21 (6) As used in this section, "financial institution" means a
22 state or nationally chartered bank or a state or federally
23 chartered savings and loan association, savings bank, or credit
24 union whose deposits are insured by an agency of the United
25 States government and ~~which~~ THAT maintains a principal office
26 or branch office located in this state under the laws of this
27 state or the United States.