

SCR26, As Adopted by Senate, November 4, 2009

Senators Garcia, Cropsey, Van Woerkom, Hardiman and Jansen offered the following concurrent resolution:

Senate Concurrent Resolution No. 26.

A concurrent resolution relative to secondary road patrol funds for counties, cities, and villages.

Whereas, Section 76 of Chapter 14 of the Revised Statutes of 1846, being MCL § 51.76, as added by 1978 PA 416, permits secondary road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a secondary road patrol agreement is void if the city or village reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions. Section 77 of Chapter 14, being MCL § 51.77, also provides a similar maintenance of effort standard for counties providing these secondary road patrol services, unless it is recognized that the reduction was merely due to cuts in general services due to economic conditions; and

Whereas, Indeed, subsection (3) of MCL § 51.76 specifically provides, in part, that: "A concurrent resolution adopted by a majority vote of the Senate and the House of Representatives which states that the city or village is required to reduce general services because of economic conditions and is not reducing law enforcement services shall be presumptive that the city or village has not violated the strictures of this subsection"; and

Whereas, In all of Michigan's counties, cities, and villages, general services have been reduced as a result of serious economic difficulties. These reductions in services have occurred in direct reaction to economic conditions; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That counties, cities, and villages in Michigan have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in section 76 or 77 of Chapter 14 of the Revised Statutes of 1846, as added by 1978 PA 416; and be it further

Resolved, That counties, cities, and villages have met the necessary terms of their agreements for secondary road patrol services as they relate to maintenance of effort.