DRAFT BILL No. _______

A bill to provide for the establishment of metropolitan governments; to provide for the powers and duties of officers of a metropolitan government; to abolish certain departments, boards, commissions, offices, and authorities; to provide for the creation of metropolitan commissions; to provide for the transfer of functions to a metropolitan government; to provide for the organization of administrative functions; and to prescribe penalties and provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER 1

Sec. 101. This act shall be known and may be cited as the "metropolitan city-county government act".

Sec. 103. The legislature finds and declares all of the following:

(a) That the efficient and effective operation of local units of government is necessary for the interests of the people of this state to assure the provision of necessary governmental services essential to public health, safety, and welfare in metropolitan areas.

(b) That there exists in this state a continuing need to strengthen and revitalize the economy of this state and to organize the activities of local government in metropolitan areas in a manner that reduces governmental barriers to economic growth,
facilitates economic development, prevents or reduces unemployment, and creates new employment opportunities.

(c) That under section 27 of article 7 of the state constitution of 1963, the legislature may establish in metropolitan areas additional forms of government or authorities with power, duties, and jurisdictions as the legislature shall provide.

(d) That it is necessary and appropriate for the promotion of the health, safety, and welfare of the people of this state to enable the formation of metropolitan governments designed to perform multipurpose functions.

(3) That the formation of a metropolitan government under this act and the powers conferred by this act constitute a necessary program and serve a necessary public purpose.

Sec. 103. As used in this act:

(a) "Chief executive" means the chief executive officer of a metropolitan government.

(b) "Clerk/Register" means the clerk/register of a metropolitan government. The clerk register shall be the county clerk and county register of deeds for a participating county required under section 4 of article 7 of the state constitution of 1963, with additional duties and powers as provided under this act.

(c) "Effective date" means 12 noon on the first day of January of an even numbered year following the adoption of a metropolitan government under this act by both the electors of a qualified county and the electors of a qualified city.

(d) "Metropolitan area" means the area within the geographic boundaries of a qualified county.

(e) "Metropolitan commission" means the legislative body of a metropolitan government established under this act.

(f) "Metropolitan government" means the government established under this act for a qualified county and qualified city that have adopted a metropolitan government under chapter 3.
(g) "Participating city" means a qualified city participating on and after an effective date in a metropolitan government under this act.

(h) "Participating county" means a qualified county participating on and after an effective date in a metropolitan government under this act.

(i) "Qualified city" means a city within a qualified county with a population more than 150,000 and less than 250,000 according to the most recent decennial census.

(j) "Qualified county" means a county with a population of more than 600,000 and less than 700,000 according to the most recent decennial census.

(k) "Prosecuting attorney" means the prosecuting attorney of a metropolitan government. The prosecuting attorney shall be the county prosecuting attorney for a participating county required under section 4 of article 7 of the state constitution of 1963, with additional duties and powers as provided under this act.

(l) "Sheriff" means the sheriff of a metropolitan government. The sheriff shall be the county sheriff for a participating county required under section 4 of article 7 of the state constitution of 1963, with additional duties and powers as provided under this act.

(m) "Treasurer" means the treasurer of a metropolitan government. The treasurer shall be the county treasurer for a participating county required under section 4 of article 7 of the state constitution of 1963, with additional duties and powers as provided under this act.

Sec. 105. Each metropolitan government organized under this act shall be a public body corporate and politic and a metropolitan authority organized under section 27 of article 7 of the state constitution of 1963.

Sec. 107. This act is a comprehensive code for the establishment and operation of a metropolitan government. When a metropolitan government is established under this act, this act is
controlling as to all matters to which this act relates. Applicable provisions of other laws not inconsistent with this act remain in full force and effect.

Sec. 109. The provisions of this act apply notwithstanding any county or municipal resolution, ordinance, or charter provision to the contrary.

Sec. 111. This act shall be construed liberally to effectuate the legislative intent and the purposes of this act as complete and independent authorization for the performance of each and every act and thing authorized in the act, and all powers granted in this act shall be broadly interpreted to effectuate the intent and purposes of this act and not as to limitation of powers.

CHAPTER 2

Sec. 201. A qualified city and a qualified county that has neither adopted an optional unified form of county government under 1973 PA 139, MCL 45.551 to 45.573, nor adopted a charter under 1966 PA 293, MCL 45.501, may establish a metropolitan government as provided under chapter 3. A metropolitan government organized under this act shall supersede the form of government existing immediately prior to an effective date for the qualified county and each qualified city in the metropolitan area of the metropolitan government.

Sec. 203. A metropolitan government under this act shall be known as the "metropolitan government for [qualified city name] and [qualified county name] county".

Sec. 205. The principal seat of government of a metropolitan government organized under this act shall be within a qualified city.

CHAPTER 3

Sec. 301. (1) A metropolitan government for a qualified county and a qualified city shall be adopted and become effective in a metropolitan area as provided under this section.
(2) At the first election held on the November regular
election date in an even numbered year immediately following the
effective date of this act or the date upon which a county becomes
a qualified county, the county clerk shall submit to the electors
of the qualified county the question under subsection (8).

(3) At the first election held on the November regular
election date in an even numbered year immediately following the
effective date of this act or the date upon which a city becomes a
qualified city, the clerk of the qualified city shall submit to the
electors of the qualified city the question under subsection (8).

(4) If a majority of the electors of a qualified county at an
election under subsection (2), or a qualified city at an election
under subsection (3), or both, disapprove the adoption of a
metropolitan government, a metropolitan government for the
qualified county and the qualified city is not adopted.

(5) Disapproval by the electors of the adoption of a
metropolitan government for a qualified county and qualified city
shall not limit the ability of the board of commissioners of a
qualified county or the city council of a qualified city to
subsequently direct the resubmission to the electors of the
qualified county or the qualified city the question of the adoption
of a metropolitan government for the qualified county and qualified
city under subsections (6) and (7).

(6) If the electors of a qualified county previously
disapproved the adoption of a metropolitan government for the
qualified county and qualified city, the board of county
commissioners of the qualified county may direct the resubmission
of the question of adoption of a metropolitan government to the
electors of the qualified county and the county clerk shall submit
to the electors of the qualified county the question under
subsection (8) at the next election held on the November regular
election date in an even numbered year more than 60 days after
direction by the board of county commissioners.
(7) If the electors of a qualified city previously disapproved the adoption of a metropolitan government for the qualified county and qualified city, the city council of the qualified city may direct the resubmission of the question of adoption of a metropolitan government to the electors of the qualified city and the city clerk of the qualified city shall submit to the electors of the qualified city the question under subsection (8) at the next election held on the November regular election date in an even numbered year more than 60 days after direction by the city council.

(8) The question submitted to the electors of a qualified county or a qualified city under this section shall be: "Shall a metropolitan government for the county of [name of qualified county] and the city of [name of qualified city] be adopted? [ ] YES [ ] No".

(9) If a majority of the electors of a qualified county approve the adoption of a metropolitan government for the qualified county and the qualified city under this section, the county clerk of the qualified county shall report the approval to the clerk of the qualified city and the secretary of state. If a majority of the electors of a qualified city approve the adoption of a metropolitan government for the qualified county and the qualified city under this section, the clerk of the qualified city shall report the approval to the county clerk of the qualified county and the secretary of state.

(10) Approval of a metropolitan government by the electors of a qualified county or a qualified city under this section shall be valid for a period of 4 years after the general election. The electors of a qualified county and a qualified city need not approve the adoption of a metropolitan government at the same election for the adoption of a metropolitan government for the qualified county and qualified city to be effective.
(11) If, within the same 4-year period, a majority of the
electors of a qualified county approve the adoption of a
metropolitan government for the qualified county and qualified city
at an election under subsection (2) or (6), and the majority of the
electors of a qualified city approve the adoption of a metropolitan
government under subsection (3) or (7), then a metropolitan
government is adopted for the qualified county and qualified city
effective at 12 noon on the first day of January of the next even
numbered year following the latest adoption of a metropolitan
government for the qualified city and qualified county by the
electors of either the qualified county or the qualified city.

(12) An election under this section shall be held in
accordance with the general election laws of this state not
inconsistent with this act.

Sec. 303. (1) If the electors of a qualified county and a
qualified city approve the adoption of metropolitan government for
the qualified county and qualified city under section 301, a joint
metropolitan redistricting committee is established consisting of
the county clerk of the qualified county, the treasurer of the
qualified county, the prosecuting attorney of the qualified county,
the clerk of the qualified city, the treasurer of the qualified
city, and the corporation counsel of the qualified city. The county
clerk of the qualified county shall convene the initial meeting of
the committee not less than 10 days after the certification of the
results of the last election at which the voters of a qualified
county and a qualified city approved the adoption of a metropolitan
government for the qualified county and qualified city.

(2) Not later than March 31 following the initial meeting of
the joint metropolitan redistricting committee under subsection
(1), the committee shall adopt by a majority vote of its members a
plan establishing electoral districts for the metropolitan
commission that complies with the requirements of section 715 and
submit the plan to the county clerk of the qualified county, the
board of commissioners of the qualified county, the clerk of the
qualified city, and the city council of the qualified city.

(3) A plan establishing electoral districts for the
metropolitan commission adopted by the joint metropolitan
redistricting committee under this section is effective for
subsequent primary elections and general elections for members of
the metropolitan commission, until a plan is adopted following a
subsequent decennial census under section 713.

Sec. 305. (1) The initial chief executive of a new
metropolitan government shall be elected by the electors of the
qualified county at the first November election in an odd numbered
year held after the adoption of a plan by a joint metropolitan
redistricting committee under section 303. If at the time of the
November election, less than 2 years remain in the terms of office
for the county sheriff, county treasurer, and county prosecutor of
the qualified county, the chief executive shall be elected for an
initial term of 5 years beginning at noon on January 1 following
the November election. If at the time of the November election,
more than 2 years remain in the terms of office for the county
sheriff, county treasurer, and county prosecutor of the qualified
county, the chief executive shall be elected to an initial term of
3 years beginning at noon on January 1 following the November
general election.

(2) The initial members of the metropolitan commission of a
new metropolitan government shall be elected from districts
established under section 303 by the electors of the qualified
county at the first November election in an odd numbered year held
after the adoption of a plan by a joint metropolitan redistricting
committee under section 303. If at the time of the November
election, less than 2 years remain in the terms of office for the
county sheriff, county treasurer, and county prosecutor of the
qualified county, the chief executive shall be elected for an
initial term of 5 years beginning at noon on January 1 following
the November election. If at the time of the November election, 
more than 2 years remain in the terms of office for the county 
sheriff, county treasurer, and county prosecutor of the qualified 
county, the chief executive shall be elected to an initial term of 
3 years beginning at noon on January 1 following the November 
general election.

(3) A county treasurer, county sheriff, county clerk, county 
prosecuting attorney, and county clerk/register or county clerk and 
county register of deeds for a qualified county serving on the 
effective date of a metropolitan government shall become the 
treasurer, sheriff, prosecuting attorney, and clerk/register or 
clerk and register of deeds for the metropolitan government on the 
effective date and shall initially serve as officers of the 
metropolitan government for the remainder of each officer’s term as 
county treasurer, county sheriff, county clerk, county prosecuting 
attorney, and county clerk/register or county clerk and county 
register of deeds. This act shall not extend the term of office of 
a county treasurer, county sheriff, county clerk, county register 
of deeds, county clerk/register, or county prosecuting attorney 
serving on the effective date.

Sec. 307. For offices elected under section 305, a regular 
primary election for candidates for the office of member of the 
metropolitan commission, and the office of chief executive shall be 
held in the metropolitan area on the Tuesday succeeding the first 
Monday in August preceding the November election at which the 
officers are to be elected. At the August primary election, the 
qualified and registered electors of the participating county may 
vote for party candidates for the offices. The elections shall be 
conducted in the manner provided for metropolitan government 
election in chapter 7.

CHAPTER 4

Sec. 401. (1) On the effective date, the legislative powers, 
duties, functions, and responsibilities of the board of
commissioners of the participating county and the board of county
road commissioners of the participating county are transferred to
and vested in the metropolitan commission, except as otherwise
provided in this act. Upon the transfer, the board of commissioners
of the participating county and the board of road commissioners of
the participating county are abolished.

(2) On the effective date, the powers, duties, functions, and
responsibilities of the county sheriff of the participating county
are transferred to and vested in the sheriff of the metropolitan
government. The establishment of a metropolitan government for the
participating county and a participating city shall not minimize or
divest the powers, duties, functions, and responsibilities of the
sheriff as a county sheriff under the state constitution of 1963 or
other applicable law. Power, duties, functions, and
responsibilities vested in the sheriff of the metropolitan
government under this subsection are subject to subsequent
reorganization by the metropolitan government under this act.

(3) On the effective date, the powers, duties, functions, and
responsibilities of the county treasurer of the participating
county are transferred to and vested in the treasurer of the
metropolitan government. The establishment of a metropolitan
government for the participating county and a participating city
shall not minimize or divest the powers, duties, functions, and
responsibilities of the treasurer as a county treasurer under the
state constitution of 1963 or other applicable law. Power, duties,
functions, and responsibilities vested in the treasurer of the
metropolitan government under this subsection are subject to
subsequent reorganization by the metropolitan government under this
act.

(4) On the effective date, the powers, duties, functions, and
responsibilities of the county clerk and county register of deeds
of the participating county are transferred to and vested in the
clerk and register for the metropolitan government until a
clerk/register for the metropolitan government is elected. If the
participating county has merged the functions of the county clerk
and county of register of deeds, the powers, duties, functions, and
responsibilities are vested in the clerk/register. The
establishment of a metropolitan government for the participating
county and a participating city shall not minimize or divest the
powers, duties, functions, and responsibilities of the
clerk/register or the clerk and register as a county clerk and
county register under the state constitution of 1963 or other
applicable law. Power, duties, functions, and responsibilities
vested in a clerk, register of deeds, or clerk/register for the
metropolitan government under this subsection are subject to
subsequent reorganization by the metropolitan government under this
act.

(5) On the effective date, the powers, duties, functions, and
responsibilities of the county prosecuting attorney of the
participating county are transferred to and vested in the
prosecuting attorney of the metropolitan government. The
establishment of a metropolitan government for the participating
county and a participating city shall not minimize or divest the
powers, duties, functions, and responsibilities of the prosecuting
attorney as a county prosecuting attorney under the state
constitution of 1963 or other applicable law. Power, duties,
functions, and responsibilities vested in the prosecuting attorney
of the metropolitan government under this subsection are subject to
subsequent reorganization by the metropolitan government under this
act.

(6) On the effective date, all executive powers, duties,
functions, and responsibilities of a participating county not
otherwise transferred to and vested in the sheriff, treasurer,
clerk/register, or the prosecuting attorney of the metropolitan
government under this section, and all of the executive powers,
duties, functions, and responsibilities of the participating city
are vested in the chief executive officer of the metropolitan
government.

(7) On the effective date, the city council of the
participating city is abolished, the office of mayor of the
participating city is abolished, all other elected offices of the
participating city are abolished.

(8) Termination or abolition of an office under this act shall
take effect whether or not it coincides with the end of a term of
office or appointment.

(9) On and after the effective date, a participating county is
organized as a county under this act and is not organized as a
general law county, an optional unified form of county government
under 1973 PA 139, MCL 45.551 to 45.573, or a charter county under
1966 PA 293, MCL 45.501. The metropolitan government shall be the
county government for the participating county and the successor to
the county government of the county as organized prior to effective
date.

(10) Notwithstanding the transfer of powers, duties,
functions, and responsibilities of a participating city to a
metropolitan government under this act, a participating city
continues to exist and is not abolished as a result of the transfer
of the power, duties, functions, or responsibilities under this
section. Except as otherwise prohibited under this act, as deemed
necessary or appropriate by the metropolitan government, the
metropolitan government may act on behalf of, or in the place or
stead of, the participating city and may take all actions that the
participating city could have otherwise taken, and may execute
conveyances, assignments, continuations, and transfers, or take
other action as may be necessary or appropriate to implement the
transfers under this section.

Sec. 403. (1) Not later than 180 days after the effective
date, the metropolitan commission shall enact an ordinance
allocating the executive power, duties, functions, and
responsibilities of the metropolitan government in a manner 
consistent with section 401 and chapter 6.

(2) If the metropolitan commission fails to enact the 
ordinance required under subsection (1) within 180 days of the 
effective date, the chief executive shall within 90 days issue and 
submit to the metropolitan commission an executive order allocating 
the executive powers, duties, functions, and responsibilities of 
the metropolitan government in a manner consistent with section 401 
and chapter 6. An executive order issued under this subsection 
shall have the force and effect of an enacted ordinance of the 
metropolitan government if not rejected by a two-thirds vote of the 
metropolitan commission within 45 days of submission.

(3) The initial allocation of metropolitan government under 
subsection (1) or (2) may consolidate, abolish, or transfer the 
functions of boards, offices, agencies, departments, commissions, 
and authorities of a participating county and participating city 
eexisting prior to the effective date.

Sec. 405. To assure the orderly transition to a metropolitan 
government, the following temporary provisions are effective for a 
period as required to facilitate the establishment and operation of 
the metropolitan government:

(1) A metropolitan commission or chief executive may request 
that the attorney general recommend as soon as practicable 
ordinances or executive orders necessary to implement the 
establishment of the metropolitan government for a participating 
county and participating city. The attorney general may also 
recommend to the legislature changes in other state laws to 
facilitate the effective and efficient operation of a metropolitan 
government.

(2) All writs, actions, suits, proceedings, civil or criminal 
liabilities, prosecutions, judgments, sentences, orders, decrees, 
appeals, causes of action, contracts, claims, demands, titles and 
rights existing on an effective date shall continue unaffected
notwithstanding the adoption of a metropolitan government under this act except as modified in accordance with the provisions of this act. The establishment of a metropolitan government shall not abate any civil or criminal action commenced prior to the effective date.

(3) When a metropolitan government is established under this act, all ordinances previously enacted by the participating city, or resolutions previously adopted by the participating county, and not repealed or rescinded, remain in full force and effect unless inconsistent with this act. After the establishment of a metropolitan government, an ordinance previously enacted by the participating city or resolution previously adopted by the participating county that is inconsistent with this act is void and without force or effect. A metropolitan commission may repeal ordinances enacted or resolutions adopted prior to the effective date by a participating city or participating county.

(4) When a metropolitan government is established under this act, rights secured for employees of a participating county or participating city by a civil service or merit system of the participating county or participating city continue in full force and effect unless modified under this act.

(5) When a metropolitan government is established under this act, all vested retirement and pension rights of the employees of a participating county or participating city vested as of the effective date remain in full force and effect.

(6) Title to all property, real or personal, previously held in the name of any officer, board, commission, authority that is abolished under this act shall be held in the name of the metropolitan government. To the extent deemed necessary by the metropolitan government, the metropolitan government may hold property on behalf of a participating city.

(7) Except as otherwise provided in this act, all officers filling any office of a participating county or participating city
by election or appointment shall continue to exercise their powers
and duties until their offices are abolished or their successors
selected and qualified under this act.

(8) The term of office of any elected or appointed office
abolished under this act shall expire upon the abolition of the
office.

(9) The contractual obligations of a participating county and
participating city incurred before, and remaining on, the effective
date shall be assumed by the metropolitan government. On the
effective date, interests belonging to or due to the participating
county or the participating city, and the rights, privileges,
immunities, and franchises of the participating county and the
participating city are transferred to and vested in the
metropolitan government without further action. After the earlier
of the effective date of this act or the date upon which a
qualified city becomes a qualified city or a qualified county
becomes a qualified county, a qualified city or qualified county
may not act to inhibit the formation of a metropolitan government
or legally bind the metropolitan government without the consent of
the metropolitan government. After the effective date, the
metropolitan government is responsible and liable for the
liabilities and obligations of the participating city and the
participating county consistent with the provisions of this act.

(10) Bonds, notes and any and all evidences of indebtedness
issued by a participating county before the effective date shall be
automatically and without further action assumed by, and become
payable by, the metropolitan government as of the effective date.
Bonds, notes and any and all evidences of indebtedness issued by a
participating city before the effective date shall continue to be
obligations of the participating city, but the metropolitan
commission shall automatically and without further action be
responsible for any and all appropriation and payment
responsibilities of the city council of the participating city that
existed with respect to such bonds and notes before the effective
date. Bonds, notes and any and all evidences of indebtedness issued
by a participating county or participating city before the
effective date shall continue to be payable from and secured by the
sources of revenue that were pledged to those bonds, notes or
evidences of indebtedness or liability under the ordinance,
resolution or other proceedings of the participating county or the
participating city. The metropolitan government may make payments
necessary to satisfy the obligations of a participating city. The
metropolitan commission may appropriate sufficient funds from
authorized sources necessary to make principal and interest
payments on the obligations of a participating city.

CHAPTER 5

Sec. 501. (1) Except as otherwise provided in this act, the
legislative power of a metropolitan government, including, but not
limited to, the legislative power of the participating county and a
participating city, is vested in a metropolitan commission.

(2) In addition to exercising the general legislative powers
vested in the metropolitan commission, the metropolitan commission
may do all of the following:

(a) Adopt ordinances and rules not explicitly prohibited by
state law for the conduct of the business of the metropolitan
government and exercise all other legislative powers authorized by
this act or other law.

(b) Adopt a budget for the metropolitan government following
presentation of an executive budget by the chief executive in
compliance with the uniform budget and accounting act, 1968 PA 2,
MCL 141.241 to 141.440a.

(c) Adopt ordinances appropriating funds of the metropolitan
government consistent with the requirements of this act.

(d) Levy taxes, but only to the extent a participating county,
participating city, or city, village, or township transferring
powers duties, and functions to the metropolitan government under
chapter 8 may levy taxes. This act does not authorize a
metropolitan government to levy any taxes other than taxes that a
participating county may levy in the participating county, a
participating city may levy in the participating city, or that a
city, village, or township transferring powers, duties, and
functions to the metropolitan government under chapter 8 may levy
in the city, village, or township.
(e) Incur indebtedness in the manner authorized by law for the
carrying out of the powers, duties, functions, and responsibilities
granted or imposed upon the metropolitan government, the
participating county, the participating city, or a city, village,
or township transferring powers, duties, and functions to the
metropolitan government under chapter 8.
(f) Establish salaries for elected officials and the heads of
principal departments of the metropolitan government.
(g) Adopt personnel rules governing employment by the
metropolitan government and operation of a merit system if adopted
as provided by law, including, but not limited to, a classification
and pay plan for positions in the service of the metropolitan
government, providing for uniform compensation for like service.
(h) Appoint staff or consultants to assist the metropolitan
commission in the performance of its duties, including the
performance of post audits of the financial transactions and
accounts of the metropolitan government. The metropolitan
commission may contract with independent accounting firms or legal
counsel and may make investigations pertinent to the conduct of
post audits.
(i) Adopt and revise a comprehensive plan for development
within the participating county and adopt planning and zoning
ordinance applicable within the participating city and each city,
village, or township transferring powers, duties, and functions to
the metropolitan government under chapter 8.
(j) Enter into agreements with other governmental entities for
the joint performance of services or the transfer of functions. To
be effective, agreements under this subdivision must be approved by
the chief executive and the governing body of each participating
governmental entity and be filed with the clerk of each
participating governmental entity.

(k) Accept gifts and grants-in-aid from a governmental or
private source.

(l) Adopt rules applicable to the metropolitan commission
governing the conduct of the business of the metropolitan
commission.

(m) Do all other acts and things necessary or convenient to
exercise the legislative powers, duties, functions, and
resibilities of the metropolitan government consistent with
this act.

Sec. 503. The metropolitan commission shall consist of 25
members elected at the November general election from single member
electoral districts. After the initial terms under chapter 3, the
term of office of a member of a metropolitan commission shall begin
at noon on the first day of January immediately following the
election of the member and shall be for a period of 4 years.

Sec. 505. Each member of the metropolitan commission must be a
citizen of the United States and a registered and qualified elector
of the district the member represents. The failure of a member to
maintain residency within the electoral district shall create a
vacancy in office and the vacancy shall be filled as provided in
this act.

Sec. 507. (1) No person elected to the metropolitan commission
shall be eligible for any appointment to a public office within the
metropolitan area from the chief executive during the term of
office for which the member of the metropolitan commission was
elected.
(2) Members of the commission are public servants subject to
1968 PA 317, MCL 15.321 to 15.330, and are subject to any other
applicable law with respect to conflicts of interest. The
metropolitan commission shall establish policies and procedures
requiring periodic disclosure of relationships that may give rise
to conflicts of interest. The metropolitan commission shall require
that a commission member with a direct interest in any matter
before the metropolitan commission disclose the member’s interest
and any reasons reasonably known to the member why the transaction
may not be in the best interest of the public or the metropolitan
government before the metropolitan commission takes any action with
respect to the matter. The disclosure shall become part of the
record of the metropolitan commission.

(3) The metropolitan commission shall adopt an ethics
ordinance governing the conduct of metropolitan government
business. The ordinance shall establish policies that are no less
stringent than those provided for public officers and employees by
1973 PA 196, MCL 15.341 to 15.348.

Sec. 509. (1) The metropolitan commission shall choose its own
officers and determine the rules of its proceedings consistent with
the requirements of the open meetings act, 1976 PA 267, MCL 15.261
to 15.275.

(2) The metropolitan commission may establish committees
necessary for the efficient conduct of its business.

(3) Money generated under the city income tax act, 1964 PA
284, MCL 141.501 to 141.787, by a tax imposed within a
participating city or a city with functions transferred to a
metropolitan government under chapter 8 may be expended by the
metropolitan government for the benefit of the residents of the
participating city or city. To assure compliance with this
subsection, the metropolitan commission may establish a service
area for the participating city or city, or both.
Sec. 511. (1) Except as otherwise provided in this act, legislation of the metropolitan government shall be by ordinance and shall originate in the metropolitan commission. The style of all ordinances shall be: "The People of the Metropolitan Government of [name of qualified city] and [name of qualified county] do ordain".

(2) Except as otherwise provided in this act, no ordinance may be enacted without the concurrence of a majority of the elected and serving members of the metropolitan commission.

(3) No ordinance of the metropolitan government shall be repealed, altered, or suspended except by an ordinance passed in the same manner as an enacting ordinance.

(4) On all actions on resolutions and ordinances, the votes of members of the metropolitan commission shall be recorded and made available for public inspection. All selections of officers and all votes on appointments submitted to the metropolitan commission for advice and consent shall be recorded and made available for public inspection. The records and writings of the metropolitan commission are subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. This subsection does not apply to employment of individuals within a civil service or merit system established by the metropolitan government.

(5) No ordinance may embrace more than one object, which shall be expressed in its title. No ordinance shall be altered or amended on its passage through the metropolitan commission so as to change its original purpose as determined by its total content and not alone by its title.

(6) No ordinance shall be revised, altered, or amended by reference to its title only. The section or sections of an ordinance amended shall be reenacted and published at length.

Sec. 513. The assent of two-thirds of the members elected to and serving in the metropolitan commission shall be required for
the appropriation of public money or property for a private
purposes.

Sec. 515. Every proposed ordinance passed by the metropolitan
commission shall be presented to the chief executive before it
becomes an ordinance, and the chief executive shall have 10 days
measured in hours and minutes from the time of presentation to
consider the proposed ordinance. If the chief executive approves,
the chief executive shall within the 10-day period sign and file
the proposed ordinance with the clerk/register and it shall become
law. If the chief executive does not approve, the chief executive
shall return the proposed ordinance with objections within the 10-
day period to the metropolitan commission. The metropolitan
commission may re-consider the proposed ordinance. If within 10
days of the return, two-thirds of the members elected to and
serving in the metropolitan commission pass the proposed ordinance,
notwithstanding the objections of the chief executive, the proposed
ordinance shall be filed with the clerk/register and shall become
an ordinance. The votes of the metropolitan commission shall be
recorded and made available to the public. If any proposed
ordinance is not returned by the chief executive within the 10-day
period, it shall become an ordinance as if the chief executive had
signed.

CHAPTER 6

Sec. 601. (1) Except as otherwise provided in this act, the
executive power of a metropolitan government is vested in a chief
executive officer.

(2) After the initial term under chapter 3, the chief
executive shall be elected at a November general election by the
electors of the participating county for a term of 4 years. The
term of office of the chief executive shall begin at noon on the
first day of January immediately following the election of the
chief executive. The chief executive must be a citizen of the
United States and a registered and qualified elector of the participating county.

(3) Except as otherwise provided in this act, each principal department of the metropolitan government shall be under the supervision of the chief executive. The budgeting, procurement, and related management functions of the metropolitan government are subject to direction and supervision by the chief executive. The chief executive shall take care that the ordinances of the metropolitan government are faithfully executed. The chief executive shall transact all necessary business with the officers of the metropolitan government and may require information in writing from all executive and administrative officers of the metropolitan government, elective and appointive, upon any subject relating to the duties of their respective offices. The chief executive shall coordinate the executive functions of the metropolitan government and unify the management of its affairs.

(4) The chief executive may initiate court proceedings in the name of the metropolitan government to enforce compliance with any provision of this act or ordinance of the metropolitan government, or to restrain violations of any power, duty, or right by any officer, office, or agency of the metropolitan government. This authority shall not be construed to authorize court proceedings against the metropolitan commission.

(5) The chief executive shall fill a vacancy in an office of the metropolitan government by appointment, with the advice and consent of the metropolitan commission. Appointment with the advice and consent of the metropolitan commission when used in this act or ordinances of a metropolitan government means appointment subject to disapproval by a majority vote of the members of the metropolitan commission elected to and serving in the metropolitan commission if the appointment is disapproved within 45 days of the appointment. Any appointment not disapproved with 45 days of submission by the chief executive shall stand confirmed.
(6) The chief executive may convene the metropolitan commission on extraordinary occasions. The chief executive shall communicate by message to the metropolitan commission by not later than February 15 of each year and may at other times present to the metropolitan commission information regarding metropolitan government affairs the chief executive considers necessary or desirable.

(7) The chief executive shall appoint a chief deputy executive to assist the chief executive in the professional administration and management of the executive branch of the metropolitan government. The chief executive also may appoint additional deputy executives the chief executive considers necessary to assist in the performance of the powers, duties, functions, and responsibilities of the chief executive. In the event of a vacancy in the office of chief executive, the chief deputy executive shall take the constitutional oath of office and serve as the chief executive until a successor chief executive is elected at a special election and qualified. After a vacancy in the office of chief executive arises, the clerk/register shall schedule a special election held at the earliest possible date allowed by law. A new chief executive elected at a special election shall serve as chief executive for the balance of the term of the prior elected chief executive. If a chief executive is unable to perform the duties of his or her office, the chief deputy executive shall perform the duties of the chief executive until such time that the elected chief executive can resume the duties of his or her office.

Sec. 603. (1) All executive and administrative offices, agencies, and instrumentalities the metropolitan government, and their respective functions, powers, and duties, except for the office of chief executive, shall be allocated by, among, and within principal departments. The metropolitan commission shall establish a maximum number of principal departments. The principal departments shall be grouped as far as practicable according to
major purposes. After the initial allocation under section 403, the chief executive, subject to the requirements of this act, may make changes in the organization of the executive functions or in the assignment of functions among its units that the chief executive considers necessary for efficient administration. Changes requiring the force of an ordinance shall be set forth in executive orders and submitted to the metropolitan commission. After submission, the metropolitan commission shall have 45 days to disapprove an executive order by a two-thirds vote of the members elected to and serving in the metropolitan commission. Unless disapproved by the metropolitan commission, each executive order shall become effective at a subsequent date designated by the chief executive.

(2) Temporary commissions or agencies for special purposes with a life of no more than two years may be established by ordinance or executive order and need not be allocated within a principal department of the metropolitan government.

(3) The single executives heading principal departments of the metropolitan government shall include the sheriff, the treasurer, the clerk/register, and the prosecuting attorney. When a single executive is the head of a principal department, unless elected as otherwise provided in this act, the principal department executive shall be appointed by the chief executive with the advice and consent of the metropolitan commission and shall serve at the pleasure of the chief executive.

(4) The head of each principal department of the metropolitan government may appoint 1 deputy. The head of each principal department and appointed deputy shall be exempt from any civil service system for the metropolitan government.

Sec. 605. (1) The sheriff shall serve as the sheriff for the metropolitan government and within the metropolitan area.

(2) After the transitional period under chapter 3, the sheriff shall be elected by the electors of the participating county at the same time as the chief executive at a November general for a term
of 4 years. The term of office of the sheriff shall begin at noon
on the first day of January immediately after the election of the
sheriff. The sheriff must be a citizen of the United States and a
registered and qualified elector of the participating county.

(3) On and after the effective date, the sheriff shall
exercise the powers, duties, functions, and responsibilities vested
in the sheriff under this act and other applicable law.

Sec. 607. (1) The treasurer shall be the treasurer for the
metropolitan government.

(2) After the transitional period under chapter 3, the
treasurer shall be elected by the electors of the participating
county at the same time as the chief executive at a November
general election for a term of 4 years. The term of office of the
treasurer shall begin at noon on the first day of January
immediately after the election of the treasurer. The treasurer must
be a citizen of the United States and a registered and qualified
elector of the participating county.

(3) On and after the effective date, the treasurer shall
exercise the powers, duties, functions, and responsibilities vested
in the treasurer under this act and other applicable law.

Sec. 609. (1) The clerk/register shall be the chief officer of
elections of the metropolitan government and the custodian of the
records of the metropolitan government other than financial records
maintained by the treasurer.

(2) After the transitional period under chapter 3, the
clerk/register shall be elected by the electors at the same time as
the chief executive at a November general election by the electors
of the participating county for a term of 4 years. The term of
office of the clerk/register shall begin at noon on the first day
of January immediately after the election of the clerk/register.
The clerk/register must be a citizen of the United States and a
registered and qualified elector of the participating county.
(3) On and after the effective date, the clerk/register shall exercise the powers, duties, functions, and responsibilities vested in the clerk/register under this act and other applicable law.

Sec. 611. (1) The prosecuting attorney shall be the prosecutor for the metropolitan government.

(2) After the transitional period under chapter 3, the prosecuting attorney shall be elected by the electors at the same time as the chief executive at a November general election by the electors of the participating county for a term of 4 years. The term of office of the prosecuting attorney shall begin at noon on the first day of January immediately after the election of the prosecuting attorney. The prosecuting attorney must be a citizen of the United States, admitted to practice law in this state for at least 5 years at the time of election, and a registered and qualified elector of the participating county.

(3) On and after the effective date, the prosecuting attorney shall exercise the powers, duties, functions, and responsibilities vested in the prosecuting attorney under this act and other applicable law.

Sec. 613. A 4-member board of canvassers for the metropolitan government is established. All of the powers granted to and duties required by law to be performed within the metropolitan area by a board of canvassers established by law, other than the board of state canvassers, are granted to and required to be performed by the board of canvassers for the metropolitan government. Members of the board of canvassers for the metropolitan canvassers shall be appointed for terms of 4 years beginning on November 1 following their appointment. Of the members first appointed, 1 member of each of the political parties represented on the board of canvassers for the metropolitan government shall be appointed for a term of 4 years and 1 for a term of 2 years. The clerk for the metropolitan government shall notify members of the board of canvassers for the metropolitan government of their appointment within 5 days of being
appointed. Members of the board of canvassers for a metropolitan
government shall be selected in the same manner as the members of a
board of county canvassers under section 24c of the Michigan
election law, 1954 PA 116, MCL 168.24c.

CHAPTER 7

Sec. 701. (1) The registration of voters, nominations, and
elections for offices of a metropolitan government shall be held in
accordance with the general laws of this state except as otherwise
provided in this act.

(2) Nothing in the laws of the state applying to political
party registration, enrollment or any other political party
procedure shall apply to registrations, nominations, or elections
for officers of a metropolitan government. Members of the
metropolitan commission, the chief executive, sheriff, treasurer,
clerk/register, and the prosecuting attorney shall be elected on a
[nonpartisan] basis in the manner provided in section 703. [If
elections are held on a partisan basis, the elections shall be held
in the same manner as elections for county offices under provisions
of chapter X of the Michigan election law, 1954 PA 116, MCL 168.191
to 168.210 not inconsistent with this act.].

(3) A person is ineligible for election to an office of a
metropolitan government if, within the immediately preceding 20
years, the person was convicted of a felony involving dishonesty,
deceit, fraud, or a breach of the public trust and the conviction
was related to the person's official capacity while the person was
holding any elective office or position of employment in local,
state, or federal government.

Sec. 703. (1) After the completion of the initial terms and
transition periods under chapter 3, a regular primary election for
candidates for the office of member of the metropolitan commission,
chief executive, sheriff, treasurer, clerk/register, and
prosecuting attorney shall be held in the metropolitan area on the
Tuesday succeeding the first Monday in August preceding the general
November election at which the officers are to be elected. At the
August primary election, the qualified and registered electors of
the participating county may vote for party candidates for the
offices.

(2) To obtain the printing of the name of a person as a
candidate for an office named in subsection (1), there shall be
filed with the clerk/register nominating petitions signed by a
number of qualified and registered electors residing within the
county as determined under section 544f of the Michigan election
law, 1954 PA 116, MCL 168.544f. Nominating petitions shall be in
the form prescribed in section 544c of the Michigan election law,
1954 PA 116, MCL 168.544c. The clerk/register shall receive
nominating petitions up to 4 p.m. on the twelfth Tuesday preceding
the August primary.

(3) After the filing of a nominating petition by or on behalf
of a proposed candidate for any of the offices named in subsection
(1), a proposed candidate shall not be permitted to withdraw as a
candidate unless a written notice of withdrawal is served on the
clerk/register or the clerk/register’s duly authorized agent not
later than 4 p.m. on the third day after the last day for filing a
nominating petition, unless the third day falls on a Saturday,
Sunday, or legal holiday, in which case the notice of withdrawal
may be served on the clerk/register up to 4 p.m. on the next
business day.

(4) If for any reason the number of candidates for an office
named in subsection (1) at the August primary election is less than
2, a blank space or spaces shall be provided on each of the
official primary ballots to afford every elector an opportunity to
write in the name of his or her selection.

(5) The two candidates for the offices named in subsection (1)
receiving the greatest number of votes cast for each office at the
August primary election shall be declared the candidates for the
office at the ensuing November general election.
(6) The board of canvassers for the metropolitan government shall determine which candidates for each of the offices named in subsection (1) received the greatest number of votes at the November general election and shall declare the candidates to be duly elected. The board shall transmit a statement of returns and a certificate of election to the clerk/register for each individual elected to an office of the metropolitan government within 14 days after the election.

(7) The clerk/register shall file in his or her office and preserve the original statement and determination of the board of canvassers of the results of the election and shall immediately execute and cause to be delivered to the individuals declared elected to the offices named in subsection (1) a properly certified certificate of election, certified by the clerk/register under the seal of the metropolitan government.

Sec. 705. Every person elected to an office named in section 703(1) of this act, before entering upon the duties of the office, shall take and subscribe to the constitutional oath of office provided in section 1 of article 11 of the state constitution of 1963 and, with the exception of the prosecuting attorney, give a bond in the amount and manner prescribed by law. The oath shall be filed with the clerk/register and any required bond shall be filed with treasurer. Any bond required of the treasurer shall be filed with the clerk/register.

Sec. 707. Any person duly elected to any of the offices named in section 703(1) seeking to resign from office shall file a written notice containing the effective date of the resignation with the clerk/register. If the clerk/register seeks to resign, the notice of resignation also shall be filed with the chief executive.

Sec. 709. The votes cast for any candidate for any of the offices named in section 703(1) at any election shall be subject to recount as provided in chapter 33 of the Michigan election law, 1954 PA 116, MCL 168.861 to 168.894.
Sec. 711. A person elected to an office named in section 703(1) shall be subject to recall as provided in chapter 36 of the Michigan election law 1954 PA 116, MCL 168.951 to 168.976.

Sec. 713. Not later than the first day of November in each year ending with a 1, the metropolitan commission shall adopt a metropolitan commission electoral district plan that complies with section 715 for use in electing members of the metropolitan commission at subsequent primary elections and general elections.

Sec. 715. The primary guidelines for establishing metropolitan commission electoral districts shall be used in the following order of priority:

(a) Each metropolitan commission electoral district shall achieve mathematical equality of population in each district as is reasonably possible.

(b) Both of the following guidelines in no order of priority:

(i) Each metropolitan commission electoral district shall be entitled to elect a single member of the metropolitan commission.


(c) The following secondary guidelines in order of priority:

(i) Each metropolitan commission electoral district shall consist of areas of convenient territory contiguous by land. Areas that meet only at points of adjoining corners are not contiguous.

(ii) The lines of a metropolitan commission electoral district shall break as few city, village, or township boundaries as is reasonably possible.

(iii) If necessary to break city, village, or township lines to achieve equality of population between metropolitan commission electoral districts as provided in subdivision (a), the number of people necessary to achieve population equality shall be shifted between the 2 electoral districts affected by the shift.
(iv) Within a city, village, or township to which there is
apportioned more than 1 metropolitan commission electoral district,
district lines shall be drawn to achieve the maximum compactness
possible.

(v) Compactness shall be determined by circumscribing each
electoral district within a circle of minimum radius and measuring
the area inside the circle but not inside the district.

(vi) If a discontiguous township island exists within an
incorporated city or discontiguous portions of townships are split
by an incorporated city, the splitting of the township shall not be
considered a split if any of the following circumstances exist:

(A) The city must be split to achieve equality of population
between electoral districts as provided in subdivision (a) and it
is practicable to keep the township together within 1 district.

(B) A township island is contained within a whole city and a
split of the city would be required to keep the township intact.

(C) The discontiguous portion of a township cannot be included
in the same electoral district with another portion of the same
township without creating a noncontiguous district.

(vii) Each metropolitan commission electoral district shall be
numbered in a regular series, beginning with electoral district 1
in the northwest corner of the participating county and ending with
the highest numbered district in the southeast corner of the
participating county.

Sec. 717. Elected officers of a metropolitan government may be
removed from office by the governor for gross neglect of duty or
for corrupt conduct in office, or for any other misfeasance or
malfeasance in office. The governor shall report to the legislature
the reasons for the removal of an elected officer of a metropolitan
government.

CHAPTER 8

Sec. 801. (1) A metropolitan government may enter into an
intergovernmental agreement with a city other than a participating
city, village, or township, within the metropolitan area for the
exercise of functions by, or transfer of functions to, the
metropolitan government.

(2) To be effective, an intergovernmental agreement under
subsection (1) must be approved by the chief executive and the
governing body of each participating governmental entity and be
filed with the clerk/register and the clerk of each village,
township, or city participating in the intergovernmental agreement.

Sec. 803. A city other than a qualified city, a village, or a
township within a metropolitan area may transfer the powers,
duties, and functions of the city, village, or township to the
metropolitan government if the electors of the city, village, or
township approve the transfer as provided in sections 805 or 807
and the metropolitan government adopts a resolution approving the
transfer.

Sec. 805. (1) The governing body of a city other than a
qualified city, a village, or a township within a metropolitan area
may place before the electors of the city, village, or township the
question of joining the metropolitan government and transferring
the powers, duties, and functions of the city, village, or township
to the metropolitan government by adopting a resolution submitting
the question to the electors.

(2) If the governing body of a city, village, or township
adopts a resolution under subsection (1), the clerk of the city,
village, or township shall place before electors of the city,
village, or township the question in the form provided in section
809 at the next November general election held not less than 60
days after the adoption of the resolution.

Sec. 807. (1) If the electors of a city other than a qualified
city, a village, or a township within a metropolitan area submit to
the clerk of the city, village, or township petitions signed by a
number of registered and qualified electors of the city, village,
or township equal to not less than [10%] of the total number of
votes cast for the office of governor in city, village, or township in the last previous election at which a governor was elected, the clerk of the city, village, or township shall place before the electors of the city, village, or township the question in the form provided in section 809 at the next November general election held not less than 120 days after the submission of sufficient signatures to the clerk.

(2) A petition under subsection (1) shall comply with all of the following:

(a) Be in the form of a ballot question petition under the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, and as prescribed by the secretary of state.

(b) Be printed.

(c) State clearly the question provided for in Section 809. Sec. 809. The question submitted to the electors of a city, village, or township within a metropolitan area under this chapter shall be: "Shall a metropolitan government for [name of city, village, or township] be adopted and the governmental functions of the [name of city, village, or township] be transferred to the metropolitan government for the [name of qualified city] the county of [name of qualified county] and the city of [name of qualified city]? [ ] YES [ ] No".

Sec. 811. (1) If a majority of the electors of a city, village, or township approve the question under section 809 at an election authorized under section 805 or 807, the clerk of the city, village, or township shall the report the approval to the clerk of the metropolitan government.

(2) If the clerk of the metropolitan government receives a report of approval under subsection (1), the clerk shall transmit the report to the metropolitan commission. The metropolitan commission shall within [120 days] consider a resolution approving the transfer of the functions of the city, village, or township to the metropolitan government. If a majority of the members of the
metropolitan commission adopt a resolution approving the transfer,
the clerk of the metropolitan government shall notify the clerk of
the city, village, or township and the secretary of state of the
approval of the transfer by the metropolitan commission and the
functions of the city, village, or township shall be transferred to
the metropolitan government effective at noon on the first day of
January after approval of the transfer by the metropolitan
commission.

(3) On the transfer date, the powers, duties, functions, and
responsibilities of the governing body of the city, village, or
township are transferred to and vested in the metropolitan
government. On the transfer date, the governing body of the city,
village, or township is abolished, all other elected offices of the
city, village, or township are abolished, and other offices of the
city, village, or township established by state law or established
or appointed by the governing body of the city, village, or
township are abolished. Termination or abolition of an office under
this chapter shall take effect whether or not it coincides with the
end of a term of office or appointment.

(4) The metropolitan government shall be the government for
the city, village, or township on and after the transfer date and
the successor to the city, village, or township as organized prior
to the transfer date.

(5) Notwithstanding the transfer of powers, duties, functions,
and responsibilities of a city, village, or township to a
metropolitan government under this act, the city, village, or
township continues to exist and is not abolished as a result of the
transfer of the power, duties, functions, or responsibilities under
this chapter. Except as otherwise prohibited under this act, as
deemed necessary or appropriate by the metropolitan government, the
metropolitan government may act on behalf of, or in the place or
stead of, the city, village, or township and may take all actions
that the city, village, or township could have otherwise taken, and
may execute conveyances, assignments, continuations, and transfers, or take other action as may be necessary or appropriate to implement the transfers under this section.

(6) Not later than 90 days after the transfer date, the metropolitan commission shall enact an ordinance allocating the executive power, duties, functions, and responsibilities of the city, village, or township in a manner consistent with section 401 and chapter 6.

(7) If the metropolitan commission fails to enact the ordinance required under subsection (6) within 90 days of the transfer date, the chief executive shall within 60 days issue and submit to the metropolitan commission an executive order allocating the executive powers, duties, functions, and responsibilities of the city, village, or township within the metropolitan government in a manner consistent with section 401 and chapter 6. An executive order issued under this subsection shall have the force and effect of an enacted ordinance of the metropolitan government if not rejected by a two-thirds vote of the metropolitan commission within 45 days of submission.

(8) The initial allocation of the functions of the city, village, or township within the metropolitan government under subsection (6) or (7) may consolidate, abolish, or transfer the functions of boards, offices, agencies, departments, commissions, and authorities of the city, village, or township existing prior to the transfer date.

(9) To assure the orderly transition to a metropolitan government, the following temporary provisions are effective for a period as required to facilitate the transfer of the functions to a city, village, or township to a metropolitan government:

(a) A metropolitan commission or chief executive may request that the attorney general recommend as soon as practicable ordinances or executive orders necessary to implement the transfer of functions to the metropolitan government. The attorney general
also may recommend to the legislature changes in other state laws
to facilitate the transfer of functions of a city, village, or
township to a metropolitan government.

(b) All writs, actions, suits, proceedings, civil or criminal
liabilities, prosecutions, judgments, sentences, orders, decrees,
appeals, causes of action, contracts, claims, demands, titles and
rights existing on an transfer date shall continue unaffected
notwithstanding a transfer to a metropolitan government under this
chapter, except as modified in accordance with the provisions of
this act. The transfer to a metropolitan government under this
chapter shall not abate any civil or criminal action commenced
prior to the transfer date.

(10) When functions are transferred to a metropolitan
government under this chapter, all ordinances previously enacted by
the city, village, or township prior to the transfer date, and not
repealed, remain in full force and effect unless inconsistent with
this act. After the transfer of functions, an ordinance previously
enacted by the city, village, or township that is inconsistent with
this act is void and without force or effect. A metropolitan
commission may repeal ordinances enacted prior to the transfer date
by the city, village, or township.

(11) When functions are transferred to a metropolitan
government under this chapter, rights secured for employees of the
city, village, or township by a civil service or merit system of
the city, village, or township continue in full force and effect
unless modified under this act.

(12) When functions are transferred to a metropolitan
government under this chapter, all vested retirement and pension
rights of the employees of the city, village, or township vested as
of the transfer date remain in full force and effect.

(13) Title to all property, real or personal, previously held
in the name of any officer, board, commission, authority, or office
of the city, village, or township with functions transferred to a
metropolitan government under this act shall be held in the name of
the metropolitan government. To the extent deemed necessary by the
metropolitan government, the metropolitan government may hold
property on behalf of the city, village, or township.

(14) Except as otherwise provided in this act, all officers
filling any office of a city, village, or township with functions
transferred to a metropolitan government under this chapter by
election or appointment shall continue to exercise their powers and
duties until their offices are abolished or their successors
selected and qualified under this act.

(15) The term of office of any elected or appointed office
abolished under this chapter shall expire upon the abolition of the
office.

(16) The contractual obligations of a city, village, or
township with functions transferred to a metropolitan government
under this chapter incurred before, and remaining on, the transfer
date shall be assumed by the metropolitan government. On the
transfer date, interests belonging to or due to the city, village,
or township, and the rights, privileges, immunities, and franchises
of the city, village, or township are transferred to and vested in
the metropolitan government without further action. After the
transfer date, the metropolitan government is responsible and
liable for the liabilities and obligations of the city, village, or
township with functions transferred to the metropolitan government
under this chapter, consistent with the provisions of this act.

(17) Bonds, notes and any and all evidences of indebtedness
issued by a city, village, or township with functions transferred
to a metropolitan government under this chapter before the transfer
date shall be automatically and without further action assumed by,
and become payable by, the metropolitan government as of the
transfer date. Bonds, notes, and any and all evidences of
indebtedness issued by the city, village, or township before the
transfer date shall continue to be obligations of the city,
village, or township, but the metropolitan commission shall
automatically and without further action be responsible for any and
all appropriation and payment responsibilities of the city,
village, or township that existed with respect to such bonds and
notes before the transfer date. Bonds, notes, and any and all
evidences of indebtedness issued by the city, village, or township
before the transfer date shall continue to be payable from and
secured by the sources of revenue that were pledged to those bonds,
notes or evidences of indebtedness or liability under the
ordinance, resolution or other proceedings of the city, village, or
township. The metropolitan government may make payments necessary
to satisfy the obligations of the city, village, or township. The
metropolitan commission may appropriate sufficient funds from
authorized sources necessary to make principal and interest
payments on the obligations of the city, village, or township.

(19) As used in this section, "transfer date" means the date
on which the functions of a city, village, or township are
transferred to a metropolitan government under section 809.

Enacting section 1. This act is effective January 1, 2012.

Enacting section 2. After enactment of this bill, the
secretary of the senate and the clerk of the house of
representatives are directed to transmit to the state supreme court
on behalf of the senate and house of representatives a copy of this
legislation as enacted seeking the opinion of the state supreme
court as to the constitutionality of this legislation, as
authorized by section 8 of article 3 of the state constitution of
1963.