

Act No. 431
Public Act of 1988
Approved by the Governor
December 24, 1988
Filed by the Secretary of State
December 27, 1988

**STATE OF MICHIGAN
84TH LEGISLATURE
REGULAR SESSION OF 1988**

Introduced by Senators Cropsey, Ehlers, J. Hart, Dillingham, Geo. Hart, Geake, Gast, Welborn, Carl and Barcia

ENROLLED SENATE BILL No. 895

AN ACT to amend section 358 of Act No. 116 of the Public Acts of 1954, entitled "An act to reorganize, consolidate and add to the election laws; to provide for election officials and prescribe their powers and duties; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to prescribe the penalties therefor; and to repeal certain acts and all other acts inconsistent herewith," as amended by Act No. 33 of the Public Acts of 1986, being section 168.358 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 358 of Act No. 116 of the Public Acts of 1954, as amended by Act No. 33 of the Public Acts of 1986, being section 168.358 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 358. (1) In every township there shall be a general November election in each even numbered year for the election of officers and the submission of propositions, as provided by law. At the 1980 general election there shall be elected by ballot the following township officers: a supervisor; a clerk; a treasurer; 2 trustees; not more than 4 constables; and, if authorized by law and after a township takes the actions provided in section 11 of Act No. 164 of the Public Acts of 1877, as amended, being section 397.211 of the Michigan Compiled Laws, 6 free public library directors; and, after a township takes the actions provided in section 1 of Act No. 271 of the Public Acts of 1931, as amended, being section 41.441 of the Michigan Compiled Laws, 6 park commission members. Except as otherwise provided in this subsection, the order of offices on the township portion of the ballots shall be the same as the order in which the officers are listed in this subsection. Free public library directors shall be listed on the nonpartisan portion of the ballot.

(2) The number of constables to be elected shall be determined by the township board not less than 6 months before the township primary election preceding the general election at which the constables are to be elected. If a determination as to the number of constables to be elected is not made by the township board, 2 constables shall be elected.

(3) In a township having a population of 5,000 or more, or having 3,000 or more qualified and registered electors, as shown by the registration records at the close of registration for the last preceding November election, there may be elected in that township 4 trustees. In other townships there shall be 2 trustees. A township shall not elect 4 trustees unless the election of additional trustees is approved by the voters at a general election or by a majority of the voters attending at an annual meeting. The township board of a township having a population of 5,000 or more, or having 3,000 or more qualified and registered electors, shall have the question of whether or not to elect additional trustees voted on by the electors at the first general election or annual meeting following the township's qualifying for additional trustees. If a majority of the electors voting on the question vote in favor of electing 4 trustees, the township shall thereafter elect 4 trustees. If a majority of the electors voting on the question do not vote in favor of electing 4 trustees, the township board may resubmit the question at a subsequent general election or annual meeting or the question shall be submitted at the first general election or annual meeting held not less than 49 days following the submission of a petition containing the signatures of not less than 10% of the registered and qualified electors of the township, as shown by the registration records at the close of registration for the last preceding November election, asking that the question be submitted.

(4) At the first general election in a township held not less than 4 months after the provisions of this section relative to additional trustees are adopted, there shall be elected the number of trustees necessary to make a total of 4 trustees. If the additional trustees are elected at a general election which is not a regular township election, the additional trustees shall hold office only until a successor is elected at the next regular township election and qualifies for office.

(5) This section does not prohibit townships now electing 4 trustees from continuing to do so.

Secretary of the Senate.

Clerk of the House of Representatives.

Approved.....

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Governor.

