



**House
Legislative
Analysis
Section**

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FILL TOWNSHIP VACANCIES

**House Bill 5195 (Substitute H-1)
First Analysis (2-21-90)**

**Sponsor: Rep. Alvin Hoekman
Committee: Elections**

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H.B. 5195 (2-21-90)

THE APPARENT PROBLEM:

In at least two townships in the state, recall elections have left township boards without enough members for quorums and thus unable to conduct township business, including the appointment of replacements. Some people believe a quick alternative method of replacing township officials is needed in such circumstances rather than waiting for new elections.

THE CONTENT OF THE BILL:

The bill would amend the Michigan Election Law so that a board of county election commissioners could make temporary appointments to a township board if one or more vacancies in an elective township office had reduced the number of people serving to less than the number needed to constitute a quorum for the transaction of business. The election commissioners would appoint only enough officers to make a quorum possible. An official appointed in this way would serve until a successor was elected or appointed and qualified. An official who received a temporary appointment could not vote on his or her own appointment to a township office. (The board of county election commissioners comprises the chief judge of probate, the county clerk, and the county treasurer.) MCL 168.370

FISCAL IMPLICATIONS:

There is no information at present.

ARGUMENTS:

For:

The bill provides a practical, expeditious method of appointing members to a township board so that a quorum for the transaction of business exists. In some townships, reportedly, enough board members have been recalled to prevent the board from conducting any business until new members are elected. Obviously, this kind of delay in the conduct of a township's everyday affairs is impractical. The bill leaves matters of appointment in the hands of the local county officials.

Against:

Some people might argue that township matters should be left in township hands and not become the province of county officials.

POSITIONS:

The Department of State supports the bill. (2-15-90)

The Michigan Townships Association supports the bill. (2-15-90)

The United County Officers Association supports the bill. (2-15-90)