

HOUSE BILL No. 4263

February 13, 1991, Introduced by Reps. Van Singel, Alley, Gagliardi, Bobier, Middaugh, Nye, Ouwinga, Brackenridge, Strand, Bodem, Dalman, Dresch, Oxender, Hickner, DeBeaussaert, Griffin, Allen, Hillegonds, Willis Bullard, DeLange, London, McNutt and Walberg and referred to the Committee on Towns and Counties.

A bill to amend section 3 of Act No. 566 of the Public Acts of 1978, entitled

"An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies,"

as amended by Act No. 72 of the Public Acts of 1984, being section 15.183 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 566 of the Public Acts of
2 1978, as amended by Act No. 72 of the Public Acts of 1984, being
3 section 15.183 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 3. (1) Section 2 shall not be construed to prohibit a
6 public officer's or public employee's appointment or election to,
7 or membership on, a governing board of an institution of higher

1 education. However, a public officer or public employee shall
 2 not be a member of more than 1 governing board of an institution
 3 of higher education simultaneously, and a public officer or
 4 public employee shall not be an employee and member of a govern-
 5 ing board of an institution of higher education simultaneously.

6 (2) Section 2 shall not be construed to prohibit a member of
 7 a school board of 1 school district from being a superintendent
 8 of schools of another school district.

9 (3) Section 2 shall not be construed to prohibit a public
 10 officer or public employee of a city, school district, community
 11 college district, or county from being appointed to and serving
 12 as a member of the board of a tax increment finance authority
 13 established pursuant to THE TAX INCREMENT FINANCE AUTHORITY ACT,
 14 Act No. 450 of the Public Acts of 1980, being sections 125.1801
 15 to ~~+25.1828-~~ 125.1830 of the Michigan Compiled Laws.

16 (4) SECTION 2 SHALL NOT BE CONSTRUED TO PROHIBIT A PUBLIC
 17 OFFICER OR PUBLIC EMPLOYEE OF A CITY, VILLAGE, TOWNSHIP, OR
 18 COUNTY, HAVING A POPULATION OF LESS THAN 25,000 FROM SERVING,
 19 WITH OR WITHOUT COMPENSATION, AS A VOLUNTEER EMERGENCY MEDICAL
 20 SERVICES PERSONNEL AS DEFINED IN SECTION 20904 OF THE PUBLIC
 21 HEALTH CODE, ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SEC-
 22 TION 333.20904 OF THE MICHIGAN COMPILED LAWS, OR A VOLUNTEER FIRE
 23 FIGHTER.

24 (5) ~~(4)~~ This section ~~shall~~ DOES not relieve a person
 25 from otherwise meeting statutory or constitutional qualifications
 26 for eligibility to, or the continued holding of, a public
 27 office.

1 (6) ~~-(5)-~~ This section ~~shall~~ DOES not apply to allow or
2 sanction activity constituting conflict of interest prohibited by
3 the constitution or laws of this state.

4 (7) ~~-(6)-~~ This section shall not be construed to allow or
5 sanction specific actions taken in the course of performance of
6 duties as a public official or as a member of a governing body of
7 an institution of higher education which would result in a breach
8 of duty as a public officer or board member.