

# HOUSE BILL No. 4728

April 18, 1991, Introduced by Rep. Gilmer and referred to the Committee on Elections.

A bill to amend section 381 of Act No. 116 of the Public Acts of 1954, entitled

"Michigan election law,"

as amended by Act No. 505 of the Public Acts of 1982, being section 168.381 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 381 of Act No. 116 of the Public Acts of  
2 1954, as amended by Act No. 505 of the Public Acts of 1982, being  
3 section 168.381 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5       Sec. 381. (1) Except as provided in SUBSECTION (3) AND  
6 section 383, the qualifications, nomination, election, appoint-  
7 ment, term of office, and removal from office of a village  
8 officer shall be pursuant to the charter provisions governing the  
9 village.

1       (2) Within 3 days after the last day on which a candidate  
2 for a village office may withdraw, the village clerk shall  
3 deliver to the county clerk of the county in which the village is  
4 located, a list setting forth the name and address of each candi-  
5 date for a village office.

6       (3) IF THE MEMBERSHIP OF THE VILLAGE COUNCIL IS REDUCED TO  
7 LESS THAN A QUORUM OF 4, A SPECIAL ELECTION FOR THE PURPOSE OF  
8 FILLING ALL VACANCIES IN THE OFFICE OF TRUSTEE AS PROVIDED BY LAW  
9 OR CHARTER IS CALLED, AND THE CHARTER PROVISIONS GOVERNING THE  
10 VILLAGE DO NOT PROVIDE FOR TEMPORARY APPOINTMENTS OF TRUSTEES TO  
11 ESTABLISH A QUORUM, THEN TEMPORARY APPOINTMENTS OF TRUSTEES SHALL  
12 BE MADE AS PROVIDED IN THIS SUBSECTION. THE BOARD OF COUNTY  
13 ELECTION COMMISSIONERS OF THE COUNTY IN WHICH THE LARGEST PORTION  
14 OF THE POPULATION OF THE VILLAGE IS SITUATED AS REPORTED BY THE  
15 LAST DECENNIAL CENSUS SHALL MAKE TEMPORARY APPOINTMENT OF THE  
16 NUMBER OF TRUSTEES REQUIRED TO CONSTITUTE A QUORUM FOR THE TRANS-  
17 ACTION OF BUSINESS BY THE VILLAGE COUNCIL. A TRUSTEE APPOINTED  
18 UNDER THIS SUBSECTION SHALL HOLD THE OFFICE ONLY UNTIL THE  
19 TRUSTEE'S SUCCESSOR IS ELECTED AND QUALIFIED. A TRUSTEE WHO IS  
20 TEMPORARILY APPOINTED UNDER THIS SUBSECTION SHALL NOT VOTE ON THE  
21 APPOINTMENT OF HIMSELF OR HERSELF TO AN ELECTIVE OR APPOINTIVE  
22 VILLAGE OFFICE.