

# HOUSE BILL No. 5239

October 9, 1991, Introduced by Rep. Gagliardi and referred to the Committee on Appropriations.

A bill to amend section 808 of Act No. 236 of the Public Acts of 1961, entitled as amended  
"Revised judicature act of 1961,"  
being section 600.808 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 808 of Act No. 236 of the Public Acts of  
2 1961, being section 600.808 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 808. (1) ~~When~~ IF each county board of commissioners  
5 of a district described in section 807 agrees by resolution to  
6 form a district, then the question of creation of the district  
7 shall be submitted to the electors of the affected counties at  
8 the next primary, general, or special election which occurs more  
9 than 49 days after the resolution is adopted. A special election  
10 for submission of the question may be called by resolution

1 adopted by each county board of commissioners in the proposed  
 2 district. THE STATE SHALL REIMBURSE TO A COUNTY, CITY, OR TOWN-  
 3 SHIP THE COSTS INCURRED BY THE COUNTY, CITY, OR TOWNSHIP IN CON-  
 4 DUCTING A SPECIAL ELECTION AUTHORIZED BY THIS SUBSECTION THAT IS  
 5 HELD NOT LATER THAN JANUARY 14, 1992. THE REIMBURSEMENT SHALL NOT  
 6 EXCEED THE VERIFIED ACCOUNT OF ACTUAL COSTS OF A SPECIAL  
 7 ELECTION. PAYMENT SHALL BE MADE UPON PRESENTATION AND APPROVAL  
 8 OF A VERIFIED ACCOUNT OF ACTUAL COSTS TO THE DEPARTMENT OF TREA-  
 9 SURY, LOCAL GOVERNMENT AUDIT DIVISION, AFTER THE DEPARTMENT OF  
 10 TREASURY AND THE SECRETARY OF STATE AGREE AS TO WHAT CONSTITUTES  
 11 VALID COSTS OF CONDUCTING A SPECIAL ELECTION. REIMBURSABLE COSTS  
 12 DO NOT INCLUDE SALARIES OF PERMANENT LOCAL OFFICIALS; THE COST OF  
 13 REUSABLE SUPPLIES AND EQUIPMENT; OR COSTS ATTRIBUTABLE TO ANY  
 14 OTHER SPECIAL ELECTIONS HELD IN CONJUNCTION WITH A SPECIAL ELEC-  
 15 TION AUTHORIZED BY THIS SUBSECTION. THE STATE SHALL DISAPPROVE  
 16 COSTS NOT IN COMPLIANCE WITH THIS SUBSECTION. TO QUALIFY FOR  
 17 REIMBURSEMENT, A COUNTY, CITY, OR TOWNSHIP SHALL SUBMIT ITS VERI-  
 18 FIED ACCOUNT OF ACTUAL COSTS NO LATER THAN 90 DAYS AFTER THE DATE  
 19 OF A SPECIAL ELECTION. NOT LATER THAN 90 DAYS AFTER THE STATE  
 20 RECEIVES A VERIFIED ACCOUNT OF ACTUAL COSTS, THE STATE SHALL PAY  
 21 OR DISAPPROVE THE VERIFIED ACCOUNT.

22 (2) The question relative to creating the district shall be  
 23 in substantially the following form:

24 "Shall this county join in a probate court district, which  
 25 will consist of the counties of \_\_\_\_\_ and  
 26 \_\_\_\_\_ if the majority of the electors voting on the  
 27 question in each affected county approve?

1 Yes ( )

2 No ( )"

3 (3) The votes on the question shall be counted, canvassed,  
4 and returned in the manner provided by law. The results shall be  
5 canvassed and certified by the board of state canvassers in the  
6 same manner as provided for state propositions under chapter 31  
7 of THE MICHIGAN ELECTION LAW, Act No. 116 of the Public Acts of  
8 1954, as amended, being sections 168.841 to 168.847 of the  
9 Michigan Compiled Laws.

10 (4) If approved by a majority of the electors voting on the  
11 question in each of the counties affected, those counties shall  
12 constitute the probate court district corresponding to the appro-  
13 priate district described in section 807, and that district shall  
14 become effective as provided in section 809 or 810 of this chap-  
15 ter, whichever section results in an earlier effective date.

16 (5) The election of the probate judge for a probate court  
17 district created under this section shall be held as provided in  
18 section 811.

19 (6) A probate judge serving on the effective date of this  
20 chapter who is not a licensed attorney of this state shall be  
21 eligible for election under this section as the probate judge in  
22 a probate court district.