

HOUSE BILL No. 6028

July 22, 1992, Introduced by Rep. Alley and referred to the Committee on Towns and Counties.

A bill to amend sections 255, 257, 258, 261, 262, 263, and 264 of Act No. 116 of the Public Acts of 1954, entitled "Michigan election law," being sections 168.255, 168.257, 168.258, 168.261, 168.262, 168.263, and 168.264 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 255, 257, 258, 261, 262, 263, and 264
2 of Act No. 116 of the Public Acts of 1954, being sections
3 168.255, 168.257, 168.258, 168.261, 168.262, 168.263, and 168.264
4 of the Michigan Compiled Laws, are amended to read as follows:

5 Sec. 255. ~~When any~~ IF A QUALIFIED candidate of a politi-
6 cal party for the office of county road commissioner ~~after~~
7 ~~having qualified as a candidate, shall die,~~ DIES after the last
8 day for qualifying, leaving ~~such~~ THE party ~~without a~~
9 ~~candidate~~ WITH FEWER CANDIDATES for the office of county road

1 commissioner THAN THERE ARE PERSONS TO BE ELECTED IN THAT
 2 ELECTION, a candidate to fill the vacancy ~~thereby caused~~ may be
 3 selected by the members of the county committee of ~~such~~ THE
 4 candidate's political party. ~~for the county, and the~~ THE name
 5 of the candidate so selected shall be transmitted to the county
 6 officials required by law to print and distribute ballots, and
 7 ~~such~~ THOSE county officials shall cause to be printed a suffi-
 8 cient number of gummed labels or stickers bearing the name of the
 9 candidate, which shall be distributed to the various voting pre-
 10 cincts within ~~their respective~~ THE county. ~~, and a~~ BEFORE A
 11 BALLOT IS HANDED TO AN ELECTOR IN A PRECINCT, THE board of elec-
 12 tion inspectors of ~~each such~~ THE precinct shall cause 1 of
 13 ~~such~~ THE LABELS OR stickers to be placed on ~~each~~ THE ballot
 14 over the name of the candidate who ~~has~~ died. ~~before such~~
 15 ~~ballot is handed to the elector.~~

16 Sec. 257. If ~~for any reason~~ there ~~is no candidate~~ ARE
 17 FEWER CANDIDATES of a political party for county road commis-
 18 sioner ~~, a blank space~~ THAN THERE ARE PERSONS TO BE ELECTED IN
 19 THAT ELECTION, THERE shall be provided on each of the official
 20 primary ballots ~~which will~~ A SUFFICIENT NUMBER OF BLANK SPACES
 21 TO afford every elector of ~~said~~ THAT party IN THE COUNTY an
 22 opportunity to vote for ~~a candidate for such office~~ THE SAME
 23 NUMBER OF CANDIDATES FOR THE OFFICE AS THERE ARE PERSONS TO BE
 24 ELECTED by writing in the name of his or her selection or by the
 25 use of a slip or paster.

26 Sec. 258. The ~~candidate~~ CANDIDATES of each political
 27 party for the office of county road commissioner, EQUAL IN NUMBER

1 TO THE NUMBER OF PERSONS TO BE ELECTED TO THAT OFFICE IN THAT
 2 ELECTION, receiving the greatest number of votes cast for candi-
 3 dates for ~~said~~ THAT office, as set forth in the report of the
 4 board of county canvassers, based on the returns from the various
 5 election precincts, or as determined by ~~said~~ THE board as the
 6 result of a recount, shall be declared the ~~nominee~~ NOMINEES of
 7 that political party for ~~said~~ THAT office at the next ensuing
 8 GENERAL November election, and the board of county canvassers
 9 shall ~~forthwith~~ IMMEDIATELY certify ~~such nomination~~ THE
 10 NOMINATIONS to the county election commission.

11 Sec. 261. ~~A county~~ COUNTY road ~~commissioner~~
 12 COMMISSIONERS shall be elected at the general NOVEMBER election.
 13 ~~to be held on the Tuesday succeeding the first Monday of~~
 14 ~~November in every even numbered year.~~

15 Sec. 262. The board of county canvassers shall determine
 16 ~~which candidate~~ THE CANDIDATES for county road commissioner,
 17 EQUAL IN NUMBER TO THE NUMBER OF PERSONS TO BE ELECTED, WHO
 18 received the greatest number of votes and shall declare ~~such~~
 19 ~~candidate~~ THE CANDIDATES to be duly elected. The ~~said~~ board
 20 shall ~~forthwith~~ IMMEDIATELY make and subscribe on its statement
 21 of returns a certificate of ~~such~~ THE determination and deliver
 22 ~~the same~~ THE STATEMENT AND DETERMINATION to the county clerk.

23 Sec. 263. The county clerk shall file in his OR HER office
 24 and preserve the original statement and determination of the
 25 board of county canvassers of the results of the election and
 26 shall ~~forthwith~~ IMMEDIATELY execute and cause to be delivered
 27 to ~~the~~ EACH person ~~thereby~~ declared to be elected to the

1 office of county road commissioner a certificate of election,
2 certified by ~~him~~ THE CLERK under the seal of the county.

3 Sec. 264. ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN SECTIONS 6
4 AND 7 OF CHAPTER IV OF ACT NO. 283 OF THE PUBLIC ACTS OF 1909,
5 BEING SECTIONS 224.6 AND 224.7 OF THE MICHIGAN COMPILED LAWS, THE
6 term of office ~~for~~ OF A county road commissioner shall be 6
7 years. ~~beginning~~ THE TERM OF OFFICE OF A COUNTY ROAD COMMIS-
8 SIONER SHALL BEGIN on the first day of January ~~next~~ following
9 his OR HER election, and shall continue until a successor ~~shall~~
10 ~~have been~~ IS elected and qualified.

11 Section 2. This amendatory act shall not take effect unless
12 Senate Bill No. _____ or House Bill No. ⁶⁰²⁷_____ (request
13 no. 03245'91) of the 86th Legislature is enacted into law.