

# SENATE BILL No. 262

April 11, 1991, Introduced by Senators MCMANUS, ARTHURHULTZ, GAST, GEAKE, POSTHUMUS, CISKY, EHLERS, CARL, EMMONS, SCHWARZ, KOIVISTO, KELLY, CONROY and BERRYMAN and referred to the Committee on Government Operations.

A bill to amend sections 10, 11, and 12 of Act No. 261 of the Public Acts of 1966, entitled as amended

"An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; and to repeal certain acts and parts of acts,"

sections 11 and 12 as amended by Act No. 504 of the Public Acts of 1982, being sections 46.410, 46.411, and 46.412 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 10, 11, and 12 of Act No. 261 of the  
2 Public Acts of 1966, sections 11 and 12 as amended by Act No. 504  
3 of the Public Acts of 1982, being sections 46.410, 46.411, and  
4 46.412 of the Michigan Compiled Laws, are amended to read as  
5 follows:

1       Sec. 10. The term of each commissioner ELECTED AFTER  
2 DECEMBER 31, 1990 shall be concurrent with that of state  
3 ~~representatives~~ SENATORS as specified in SECTION 2 OF article  
4 IV ~~4, section 3~~ of the state constitution OF 1963.

5       Sec. 11. ~~Candidates~~ A CANDIDATE for the office of COUNTY  
6 commissioner shall be ~~residents~~ A RESIDENT and A registered  
7 ~~voters~~ VOTER of the district ~~which they seek~~ THAT THE CANDI-  
8 DATE SEEKS to represent and shall remain so to hold ~~their~~  
9 office, if elected. ~~Nominations and elections for~~ THE NOMINA-  
10 TION AND ELECTION OF commissioners shall be by partisan  
11 ~~elections~~ ELECTION. To obtain the printing of the name of  
12 ~~any~~ A person as a candidate for nomination for the office of  
13 commissioner upon the official primary ballot OF A PARTY, there  
14 shall be filed with the county clerk ~~of each county~~ a filing  
15 fee of \$100.00 or nomination petitions signed by a number of  
16 qualified and registered electors residing within the district  
17 ~~—~~ equal to not less than 1% ~~nor~~ OR more than 4% of the number  
18 of votes cast in the district ~~by such party~~ FOR THAT PARTY'S  
19 CANDIDATE for the office of secretary of state at the last gen-  
20 eral election in which a secretary of state was elected. The  
21 deadline for filing nomination petitions or A filing ~~fees shall~~  
22 ~~be~~ FEE IS the same as FOR candidates for state ~~representative~~  
23 SENATOR. A person ~~who has been~~ convicted of a violation of  
24 section 12a(1) of Act No. 370 of the Public Acts of 1941, being  
25 section 38.412a of the Michigan Compiled Laws, ~~shall not be~~ IS  
26 NOT eligible for election to the office of county commissioner  
27 for a period of 20 years after conviction.

1       Sec. 12. ~~When~~ IF a vacancy occurs in the office of COUNTY  
2 commissioner by death, resignation, removal from the district, or  
3 removal from office, the vacancy shall be filled by appointment  
4 within 30 days by the county board of commissioners of a resident  
5 and registered voter of that district. A person ~~who has been~~  
6 convicted of a violation of section 12a(1) of Act No. 370 of the  
7 Public Acts of 1941, being section 38.412a of the Michigan  
8 Compiled Laws, ~~shall not be~~ IS NOT eligible for appointment to  
9 the office of ~~county~~ commissioner for a period of 20 years  
10 after conviction. The person appointed to fill a vacancy ~~which~~  
11 ~~occurred in an odd numbered~~ THAT OCCURS IN A year THAT IS NOT AN  
12 ELECTION YEAR FOR THE OFFICE OF COMMISSIONER shall serve until  
13 the vacancy is filled in a special election. That special elec-  
14 tion shall be called by the county board of commissioners. The  
15 person appointed to fill a vacancy ~~which~~ THAT occurs in a year  
16 ~~which~~ THAT is an election year for the office of county commis-  
17 sioner shall serve for the remainder of the unexpired term. If  
18 the county board of commissioners does not fill the vacancy by  
19 appointment within 30 days, that vacancy shall be filled by a  
20 special election regardless of whether the year is OR IS NOT an  
21 election year ~~or an odd year~~ FOR THE OFFICE OF COUNTY  
22 COMMISSIONER.

23       Section 2. This amendatory act shall not take effect unless  
24 submitted to the qualified electors of the state in the same  
25 manner as provided by law for proposed amendments to the state  
26 constitution of 1963 at the next statewide special, primary, or  
27 general election following the enactment of this amendatory act

1 by not less than 60 days and unless approved by a majority of the  
2 electors voting on the question.