



SENATE BILL No. 1134

April 28, 1994, Introduced by Senators GOUGEON, CISKY
and DEGROW and referred to the Committee on Local
Government and Urban Development

A bill to amend section 321 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 168 321 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 321 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 168 321 of the Michigan Compiled Laws, is amended to read
4 as follows

5 Sec 321 (1) Except as provided in SUBSECTION (3) AND sec-
6 tion 327 the qualifications, nomination election, appointment,
7 term of office and removal from office of any city officer shall
8 be in accordance with the charter provisions governing the city

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

6 (3) IF THE MEMBERSHIP OF THE LEGISLATIVE BODY OF A CITY GOV-
7 ERNED BY THE HOME RULE CITY ACT, ACT NO 279 OF THE PUBLIC ACTS
8 OF 1909, BEING SECTIONS 117 1 TO 117 38 OF THE MICHIGAN COMPILED
9 LAWS, IS REDUCED TO LESS THAN A QUORUM, UNLESS ANOTHER METHOD OF
10 APPOINTING MEMBERS OF THE LEGISLATIVE BODY IS PROVIDED BY THE
11 CITY CHARTER, MEMBERS OF THE LEGISLATIVE BODY SHALL BE APPOINTED
12 AS PROVIDED IN THIS SUBSECTION THE BOARD OF COUNTY ELECTION
13 COMMISSIONERS OF THE COUNTY IN WHICH THE LARGEST PORTION OF THE
14 POPULATION OF THE CITY RESIDES AS REPORTED BY THE LAST DECENNIAL
15 CENSUS SHALL APPOINT THE NUMBER OF MEMBERS OF THE LEGISLATIVE
16 BODY REQUIRED TO CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSI-
17 NESS BY THE VILLAGE COUNCIL A MEMBER OF THE LEGISLATIVE BODY
18 APPOINTED UNDER THIS SUBSECTION SHALL HOLD THE OFFICE ONLY UNTIL
19 THE MEMBER'S SUCCESSOR IS ELECTED AND QUALIFIED AT A REGULAR OR
20 SPECIAL ELECTION AS PROVIDED BY CHARTER A MEMBER WHO IS
21 APPOINTED UNDER THIS SUBSECTION SHALL NOT VOTE ON THE APPOINTMENT
22 OF HIMSELF OR HERSELF TO AN ELECTIVE OR APPOINTIVE CITY OFFICE
23 NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR CHARTER TO THE CON-
24 TRARY, AN APPOINTMENT TO AN ELECTIVE OR APPOINTIVE CITY OFFICE
25 MADE BY A QUORUM CONSTITUTED BY APPOINTMENTS UNDER THIS SUBSEC-
26 TION SHALL EXPIRE UPON THE ELECTION AND QUALIFICATION OF A

1 SUFFICIENT NUMBER OF MEMBERS OF THE LEGISLATIVE BODY SO THAT THE
2 ELECTED MEMBERS CONSTITUTE A QUORUM