

February 8, 2000, Introduced by Reps. Garcia, Mortimer, Richner, Jansen and Birkholz and referred to the Committee on Local Government and Urban Policy.

[A bill to amend 1959 PA 203, entitled
"Emergency interim local succession act,"
by amending sections 4 and 5 (MCL 31.104 and 31.105); and to repeal
acts and parts of acts.]

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. ~~Officers~~ AN OFFICER of ~~such~~ A political
2 ~~subdivisions~~ SUBDIVISION, except A judicial ~~officers and~~
3 ~~those~~ OFFICER OR AN OFFICER whose ~~positions are~~ POSITION IS IN
4 THE STATE classified ~~under the~~ civil service, ~~laws,~~ within 30
5 days of ~~the effective date of this act~~ MARCH 19, 1960, or in
6 the case of any officer ~~hereafter~~ elected or appointed AFTER
7 MARCH 19, 1960, within 3 days of his OR HER taking office, shall
8 designate by title ~~5~~ AN emergency interim ~~successors and spec~~
9 ~~ify their order of succession~~ SUCCESSOR. The ~~officers~~ OFFICER
10 shall file ~~a list~~ THE NAME AND TITLE of ~~such~~ HIS OR HER
11 emergency interim ~~successors, together with their order of~~

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House Bill No. 5321 as amended May 30, 2000

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1 ~~succession,~~ SUCCESSOR with the clerk or other recording officer
2 of the political subdivision and with the county clerk. The
3 officer shall review and as necessary promptly revise the desig-
4 nation of emergency interim ~~successors~~ SUCCESSOR to ~~insure~~
5 ENSURE that at all times there ~~are 5~~ IS A qualified emergency
6 interim ~~successors~~ SUCCESSOR.

7 Sec. 5. If ~~any~~ A political subdivision officer, other
8 than ~~the~~ A judicial ~~officers and those officers~~ OFFICER OR AN
9 OFFICER WHOSE POSITION IS IN THE STATE classified ~~under the~~
10 civil service, ~~laws,~~ is not able or is unavailable to exercise
11 the powers and discharge the duties of the office because of a
12 disaster in this state caused by an enemy attack upon the United
13 States, the legally authorized deputy of the officer shall exer-
14 cise the powers and discharge the duties of the office. If the

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15 deputy is not able or is unavailable to exercise the powers and
16 discharge the duties of the office because of a disaster in this
17 state caused by an enemy attack upon the United States, the
18 ~~available~~ emergency interim successor ~~, highest in order of~~
19 ~~succession,~~ shall exercise the powers and discharge the duties
20 of the office. The emergency interim successor shall exercise
21 the powers and discharge the duties until ~~such time as~~ a new
22 officer is appointed or elected and qualified or the regular
23 incumbent of the office or his OR HER deputy ~~again become~~ IS
24 available to exercise the powers and discharge the duties of
25 ~~said~~ THE office.

[Enacting section 1. The emergency interim local succession
act, 1959 PA 203, MCL 31.101 to 31.115, is repealed effective
December 31, 2000.]