

REPRINT

SUBSTITUTE FOR
SENATE BILL NO. 336

(As Passed the Senate March 4, 1999)

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 358 (MCL 168.358), as amended by 1990 PA 7.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 358. (1) In every township, there shall be a general
2 November election in each even-numbered year for the election of
3 officers and the submission of propositions, as provided by law.
4 At the 1980 general November election, there shall be elected by
5 ballot ~~a~~ ALL OF THE FOLLOWING TOWNSHIP OFFICERS:
- 6 (A) A supervisor. ~~i a~~
7 (B) A clerk. ~~i a~~
8 (C) A treasurer. ~~i 2~~
9 (D) TWO trustees. ~~i not~~
10 (E) NOT more than 4 constables. ~~i and, if~~

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1 (F) IF authorized by law and after a township takes the
2 actions provided in section 11 of ~~Act No. 164 of the Public Acts~~
3 ~~of 1877, as amended, being section 397.211 of the Michigan~~
4 ~~Compiled Laws~~ 1877 PA 164, MCL 397.211, 6 free public library
5 directors. ~~; and, after~~

6 (G) IF a township takes the actions provided in section 1 of
7 ~~Act No. 271 of the Public Acts of 1931, as amended, being sec-~~
8 ~~tion 41.441 of the Michigan Compiled Laws~~ FORMER 1931 PA 271 OR
9 SECTION 6 OF 1905 PA 157, MCL 41.426, ~~6~~ THE NUMBER OF park com-
10 mission members PROVIDED FOR UNDER SECTION 6 OF 1905 PA 157, MCL
11 41.426.

12 (2) Except as otherwise provided in this subsection, the
13 order of offices on the township portion of the ballots shall be
14 the same as the order in which the officers are listed in ~~this~~
15 subsection (1). Free public library directors shall be listed on
16 the nonpartisan portion of the ballot.

17 (3) ~~(2)~~ Subject to the limitation in subsection (1), the
18 number of constables to be elected at the 1992 general November
19 election and each general November election at which township
20 offices are regularly to be elected after 1992 shall be deter-
21 mined by the township board by resolution not less than 6 months
22 before the township primary election preceding the general
23 NOVEMBER election. The resolution that specifies the number of
24 constables to be elected applies in that township until a subse-
25 quent resolution is adopted altering that number. If a determi-
26 nation as to the number of constables to be elected is not made
27 by the township board by the deadline under this subsection for

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1 the 1992 general election, the number of constables to be elected
2 shall be the same number that was elected in that township in the
3 1988 general November election until a resolution is adopted to
4 provide for the election of a different number of constables.

5 (4) ~~-(3)-~~ In a township having a population of 5,000 or
6 more, or having 3,000 or more qualified and registered electors
7 as shown by the registration records at the close of registration
8 for the last preceding general November election, there may be
9 elected 4 trustees. In other townships there shall be 2
10 trustees. A township shall not elect 4 trustees unless the elec-
11 tion of additional trustees is approved by the voters at a gen-
12 eral NOVEMBER election or by a majority of the voters attending
13 at an annual meeting. The township board of a township having a
14 population of 5,000 or more, or having 3,000 or more qualified
15 and registered electors, shall cause the question of electing
16 additional trustees to be voted on at the first general November
17 election or annual meeting following the township's qualifying
18 for additional trustees. If a majority of the electors voting on
19 the question vote in favor of electing 4 trustees, the township
20 shall thereafter elect 4 trustees. If a majority of the electors
21 voting on the question do not vote in favor of electing 4 trust-
22 ees, the township board may resubmit the question at a subsequent
23 general November election or annual meeting or the question shall
24 be submitted at the first general November election or annual
25 meeting held not less than 84 days following the submission of a
26 petition containing the signatures of not less than 10% of the
27 registered and qualified electors of the township, as shown by

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1 the registration records at the close of registration for the
2 last general November election, asking that the question be
3 submitted.

4 (5) ~~-(4)-~~ At the first general November election in a town-
5 ship held not less than 4 months after the provisions of this
6 section relative to additional trustees are adopted by a town-
7 ship, there shall be elected the number of trustees necessary to
8 make a total of 4 trustees. If the additional trustees are
9 elected at a general November election that is not a regular
10 township election, the additional trustees shall hold office only
11 until a successor is elected at the next regular township elec-
12 tion and qualifies for office.

13 (6) ~~-(5)-~~ This section does not prohibit townships electing
14 4 trustees as of September 13, 1958 from continuing to do so.

15 Enacting section 1. This amendatory act does not take
16 effect unless House Bill No. 4011 of the 90th Legislature is
17 enacted into law.