

LOCAL LIBRARY BOARD MEMBERS & VACANCIES

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Senate Bill 546 (Substitute S-1)

Sponsor: Sen. Dave Robertson

(Enacted as Public Act 131 of 2014)

House Committee: Elections and Ethics

Senate Committee: Local Government & Elections

Complete to 4-29-14

A SUMMARY OF SENATE BILL 546 AS REPORTED FROM HOUSE COMMITTEE

Senate Bill 546 (S-1) would amend Public Act 164 of 1877, which governs city, village, and township libraries, to revise provisions regarding library governing boards. Specifically, the bill would do the following:

- Establish four-year terms for members of library boards established by cities or villages that hold elections for local officers every four year.
- Require a candidate for city, village, or township library governing board member to be a qualified elector of that city, village, or township.
- Require a nonpartisan library governing board election to be held in conjunction with the applicable local unit's next regularly scheduled primary or general election.
- Specify conditions that would constitute a vacancy on a library governing board.
- Specify that an individual appointed to fill a vacancy on a city or village library board would serve until the next regular election, and a person appointed to fill a vacancy on a township library board would serve until the next November general election.

Under the bill, a member who was serving on the bill's effective date (assuming the bill is enacted into law) and who ceased to be a qualified elector of the city, village, or township during that term could serve the remainder of the term but could not seek another term without being a qualified elector of that local unit.

Now the statute provides that a governing board member holds office until a successor is elected and qualified. Senate Bill 546 (S-1) would create an exception to this provision, specifying that a member office would become vacant when the incumbent died, resigned, was convicted of a felony, was removed from office by the governor under the State Constitution, or ceased to be a qualified elector of the city, village, or township in which he or she was appointed or elected.

MCL 3976.202 et al.

HOUSE COMMITTEE ACTION:

The House Elections and Ethics Committee reported out the Senate-passed version of the bill without amendments.

FISCAL IMPACT:

The bill would have no fiscal impact on state and local government.

POSITIONS:

The Secretary of State supports the bill. (4-29-14)

The Michigan Association of County Clerks supports the bill. (4-29-14)

The Michigan Association of Municipal Clerks supports the bill. (4-29-14)

The Michigan Election Reform Alliance supports the bill. (4-29-14)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.