

HOUSE BILL No. 4292

March 1, 2017, Introduced by Rep. Kivela and referred to the Committee on Local Government.

A bill to amend 1929 PA 199, entitled

"An act to authorize and empower villages and townships of this state having a population not exceeding 10,000 inhabitants, to levy a tax for the maintenance or the purchase of lands and maintenance of property for a community center for the benefit of the public, provided the question of such purchase or maintenance, or both purchase and maintenance, as the case may be, is submitted to the duly qualified voters of such villages or townships and is adopted by a majority vote of those participating in said election; and to prescribe penalties and provide remedies,"

by amending section 3 (MCL 123.43), as amended by 2000 PA 435.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) If a village or township votes to establish a
2 community center, the governing body of the village or township
3 shall appoint 6 directors for boards established before ~~the~~
4 ~~effective date of the amendatory act that added subsection (2)~~
5 **JANUARY 9, 2001** and 7 directors for boards established on or after
6 ~~the effective date of the amendatory act that added subsection (2)~~
7 **JANUARY 9, 2001** who shall hold office until their successors are

1 elected and qualified. For boards established before ~~the effective~~
2 ~~date of the amendatory act that added subsection (2),~~ **JANUARY 9,**
3 **2001,** the governing body of the village or township shall appoint 1
4 additional director who shall hold office until his or her
5 successor is elected and qualified. At the next regular election
6 there shall be elected a community board of 7 directors, 2 for 1
7 year, 2 for 2 years, and 3 for 3 years, and then annually there
8 shall be elected the number of directors whose terms have expired,
9 who shall hold office for 3 years or until their successors are
10 elected and qualified. Alternatively, the governing body of a
11 village or township may by resolution provide that at the next
12 regular election, and then every 2 years, there shall be elected a
13 community board of 7 directors, who shall hold office for 2 years
14 or until their successors are elected and qualified.

15 (2) If a village or township initially elected directors for
16 3-year terms as described in subsection (1), its governing body may
17 subsequently adopt a resolution providing for the election every 2
18 years of directors for 2-year terms. The resolution ~~shall~~ **MUST**
19 provide for the transition of the elective terms from 3 to 2 years
20 as follows:

21 (a) The offices of those directors whose terms first expire
22 after the adoption of the resolution ~~shall~~ **MUST** be filled at the
23 next scheduled local, state, or federal election by the election of
24 that number of directors who shall hold office for 2 years, and
25 then every 2 years for 2 years or until their successors are
26 elected and qualified.

27 (b) The offices of those directors whose terms next expire

1 after the adoption of the resolution ~~shall~~**MUST** be filled in the
2 year following the election in subdivision (a) by the election of
3 that number of directors who shall hold office for 1 year, and then
4 every 2 years for 2 years or until their successors are elected and
5 qualified.

6 (c) The offices of those directors whose terms last expire
7 after the adoption of the resolution ~~shall~~**MUST** be filled as
8 described in subdivision (a).

9 (3) ~~The directors shall serve without compensation.~~ **THE**
10 **GOVERNING BODY OF THE VILLAGE OR TOWNSHIP SHALL DETERMINE BY**
11 **RESOLUTION THE COMPENSATION OF THE BOARD OF DIRECTORS.** A vacancy in
12 the board of directors occasioned by a removal, a resignation, or
13 otherwise ~~shall~~**MUST** be reported to the governing body of the
14 village or township, which shall proceed to appoint a director to
15 fill the vacancy.

16 Enacting section 1. This amendatory act takes effect 90 days
17 after the date it is enacted into law.