



HOUSE BILL No. 4828

May 16, 1995, Introduced by Reps. Mathieu, Voorhees and Jaye and referred to the Committee on Local Government.

A bill to amend sections 10 and 12 of Act No. 261 of the Public Acts of 1966, entitled as amended

"An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; and to repeal certain acts and parts of acts,"

section 12 as amended by Act No. 504 of the Public Acts of 1982, being sections 46.410 and 46.412 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 10 and 12 of Act No. 261 of the Public
2 Acts of 1966, section 12 as amended by Act No. 504 of the Public
3 Acts of 1982, being sections 46.410 and 46.412 of the Michigan
4 Compiled Laws, are amended to read as follows:

5 Sec. 10. (1) The term of each COUNTY commissioner ELECTED
6 IN THE 1994 GENERAL NOVEMBER ELECTION shall be concurrent with

1 that of state representatives as specified in ~~article 4,~~
2 section 3 OF ARTICLE IV of the state constitution OF 1963.

3 (2) THE REGULAR ELECTION OF COUNTY COMMISSIONERS SHALL TAKE
4 PLACE AT THE GENERAL NOVEMBER ELECTION HELD IN 1996 AND EVERY 4
5 YEARS THEREAFTER. THE TERM OF EACH COUNTY COMMISSIONER ELECTED
6 AT THE REGULAR ELECTION OF COMMISSIONERS IN 1996 OR THEREAFTER
7 SHALL BE 4 YEARS AND SHALL COMMENCE ON JANUARY 1 IMMEDIATELY FOL-
8 LOWING THE COUNTY COMMISSIONER'S ELECTION.

9 (3) A PERSON IS NOT ELIGIBLE TO BE ELECTED TO THE OFFICE OF
10 COMMISSIONER IN A PARTICULAR COUNTY MORE THAN 2 TIMES. ANY
11 PERSON APPOINTED OR ELECTED TO FILL A VACANCY IN THE OFFICE OF
12 COMMISSIONER FOR A PERIOD GREATER THAN 2 YEARS SHALL BE CONSID-
13 ERED TO HAVE BEEN ELECTED TO SERVE 1 TIME IN THAT OFFICE FOR PUR-
14 POSES OF THIS SUBSECTION. THE LIMITATION ON THE NUMBER OF TIMES
15 A PERSON MAY BE ELECTED TO THE OFFICE OF COMMISSIONER SHALL APPLY
16 TO TERMS OF OFFICE BEGINNING ON OR AFTER JANUARY 1, 1997.

17 Sec. 12. (1) ~~When~~ IF a vacancy occurs in the office of
18 COUNTY commissioner by death, resignation, removal from the dis-
19 trict, or removal from office, the vacancy shall be filled by
20 appointment within 30 days by the county board of commissioners
21 of a resident and registered voter of that district. A person
22 who has been convicted of a violation of section 12a(1) of Act
23 No. 370 of the Public Acts of 1941, being section 38.412a of the
24 Michigan Compiled Laws, ~~shall not be~~ IS NOT eligible for
25 appointment to the office of county commissioner for a period of
26 20 years after conviction. ~~The~~

1 (2) A person appointed to fill a vacancy ~~which~~ THAT
2 occurred in ~~an odd numbered year~~ A YEAR THAT IS NOT A REGULAR
3 ELECTION YEAR FOR THE OFFICE OF COUNTY COMMISSIONER shall serve
4 until the vacancy is filled in a special election. ~~That~~ THE
5 special election shall be called by the county board of
6 commissioners. ~~The~~ A person appointed to fill a vacancy ~~which~~
7 ~~occurs~~ THAT OCCURRED in a year ~~which is an~~ THAT IS A REGULAR
8 election year for the office of county commissioner shall serve
9 for the remainder of the unexpired term. If the county board of
10 commissioners does not fill the vacancy by appointment within 30
11 days, that vacancy shall be filled by a special election regard-
12 less of ~~whether the year is an election year or an odd year~~
13 WHEN THE VACANCY OCCURRED.