



HOUSE BILL No. 4962

June 14, 1995, Introduced by Reps. Curtis, Cherry, Brewer, Clack, Goschka, Baird, Bobier and DeMars and referred to the Committee on Local Government.

A bill to amend sections 255, 257, 258, 261, 262, and 263 of Act No. 116 of the Public Acts of 1954, entitled as amended "Michigan election law," being sections 168.255, 168.257, 168.258, 168.261, 168.262, and 168.263 of the Michigan Compiled Laws; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 255, 257, 258, 261, 262, and 263 of Act
2 No. 116 of the Public Acts of 1954, being sections 168.255,
3 168.257, 168.258, 168.261, 168.262, and 168.263 of the Michigan
4 Compiled Laws, are amended to read as follows:

5 Sec. 255. ~~When any~~ IF A PERSON WHO HAS QUALIFIED AS A
6 candidate of a political party for the office of county road
7 commissioner ~~, after having qualified as a candidate, shall~~
8 ~~die,~~ DIES after the last day for qualifying, leaving ~~such~~ THE

1 party ~~without a candidate~~ WITH FEWER CANDIDATES for the office
2 of county road commissioner THAN THERE ARE OFFICES TO BE FILLED
3 IN THAT ELECTION, a candidate to fill the vacancy ~~thereby~~
4 ~~caused~~ may be selected by the members of the county committee of
5 ~~such~~ THE candidate's political party for the county. ~~and~~
6 ~~the~~ THE name of the candidate so selected shall be transmitted
7 to the county officials required by law to print and distribute
8 ballots. ~~and such~~ THOSE county officials shall cause to be
9 printed a sufficient number of gummed labels or stickers bearing
10 the name of the candidate ~~which~~ AND shall ~~be distributed~~
11 DISTRIBUTE THE LABELS OR STICKERS to the various voting precincts
12 within ~~their respective~~ THE county. ~~and a~~ THE board of
13 election inspectors of each ~~such~~ precinct shall cause 1 of
14 ~~such~~ THE stickers to be placed on each ballot over the name of
15 the candidate who has died before ~~such~~ THE ballot is handed to
16 the elector.

17 Sec. 257. If ~~for any reason~~ there ~~is no candidate~~ ARE
18 FEWER CANDIDATES of a political party for county road commis-
19 sioner ~~and a blank space~~ THAN THERE ARE PERSONS TO BE ELECTED IN
20 THAT ELECTION, THERE shall be provided on each of the official
21 primary ballots ~~which will~~ A SUFFICIENT NUMBER OF BLANK SPACES
22 TO afford every elector of ~~said~~ THAT party IN THE COUNTY an
23 opportunity to vote for ~~a candidate for such office~~ THE SAME
24 NUMBER OF CANDIDATES FOR THE OFFICE AS THERE ARE PERSONS TO BE
25 ELECTED by writing in the name of his or her selection or by the
26 use of a slip or paster.

1 Sec. 258. The ~~candidate~~ CANDIDATES of each political
2 party for the office of county road commissioner, EQUAL IN NUMBER
3 TO THE NUMBER OF PERSONS TO BE ELECTED TO THAT OFFICE IN THAT
4 ELECTION, receiving the greatest number of votes cast for candi-
5 dates for ~~said~~ THAT office, as set forth in the report of the
6 board of county canvassers, based on the returns from the various
7 election precincts, or as determined by ~~said~~ THE board as the
8 result of a recount, shall be declared the ~~nominee~~ NOMINEES of
9 that political party for ~~said~~ THAT office at the next ~~ensuing~~
10 November election, and the board of county canvassers shall
11 ~~forthwith~~ IMMEDIATELY certify ~~such nomination~~ THE NOMINATIONS
12 to the county election commission.

13 Sec. 261. ~~A county~~ COUNTY road ~~commissioner~~
14 COMMISSIONERS shall be elected at the general election. ~~to be~~
15 ~~held on the Tuesday succeeding the first Monday of November in~~
16 ~~every even numbered year.~~

17 Sec. 262. The board of county canvassers shall determine
18 ~~which candidate~~ THE CANDIDATES for county road commissioner,
19 EQUAL IN NUMBER TO THE NUMBER OF PERSONS TO BE ELECTED, WHO
20 received the greatest number of votes and shall declare ~~such~~
21 ~~candidate~~ THE CANDIDATES to be duly elected. The ~~said~~ board
22 shall ~~forthwith~~ IMMEDIATELY make and subscribe on its statement
23 of returns a certificate of ~~such~~ THE determination and deliver
24 ~~the same~~ IT to the county clerk.

25 Sec. 263. The county clerk shall file in his OR HER office
26 and preserve the original statement and determination of the
27 board of county canvassers of the results of the election and

1 shall ~~forthwith~~ IMMEDIATELY execute and cause to be delivered
2 to ~~the~~ EACH person ~~thereby~~ declared to be elected to the
3 office of county road commissioner a certificate of election,
4 certified by ~~him~~ THE CLERK under the seal of the county.

5 Section 2. Section 264 of Act No. 116 of the Public Acts of
6 1954, being section 168.264 of the Michigan Compiled Laws, is
7 repealed.

8 Section 3. This amendatory act shall not take effect unless
9 Senate Bill No. _____ or House Bill No. 4961 (request
10 no. 00746'95 *) of the 88th Legislature is enacted into law.