



SENATE BILL No. 638

May 12, 1993, Introduced by Senators CHERRY and CONROY
and referred to the Committee on Local Government and
Urban Development.

A bill to amend sections 255, 257, 258, 261, 262, 263, and
264 of Act No. 116 of the Public Acts of 1954, entitled
"Michigan election law,"
being sections 168.255, 168.257, 168.258, 168.261, 168.262,
168.263, and 168.264 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 255, 257, 258, 261, 262, 263, and 264
2 of Act No. 116 of the Public Acts of 1954, being sections
3 168.255, 168.257, 168.258, 168.261, 168.262, 168.263, and 168.264
4 of the Michigan 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 com-
7 missioner ~~, after having qualified as a candidate, shall die,~~
8 DIES after the last day for qualifying, leaving ~~such~~ THE party
9 ~~without a candidate~~ WITH FEWER CANDIDATES for the office of

1 county road commissioner THAN THERE ARE OFFICES TO BE FILLED IN
 2 THAT ELECTION, a candidate to fill the vacancy ~~thereby caused~~
 3 may be selected by the members of the county committee of ~~such~~
 4 THE candidate's political party for the county. ~~, and the~~ THE
 5 name of the candidate so selected shall be transmitted to the
 6 county officials required by law to print and distribute ballots.
 7 ~~, and such~~ THOSE county officials shall cause to be printed a
 8 sufficient number of gummed labels or stickers bearing the name
 9 of the candidate ~~which~~ AND shall ~~be distributed~~ DISTRIBUTE
 10 THE LABELS OR STICKERS to the various voting precincts within
 11 ~~their respective~~ THE county. ~~, and a~~ THE board of election
 12 inspectors of each ~~such~~ precinct shall cause 1 of ~~such~~ THE
 13 stickers to be placed on each ballot over the name of the candi-
 14 date who has died before ~~such~~ THE ballot is handed to the
 15 elector.

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

26 Sec. 258. The ~~candidate~~ CANDIDATES of each political
 27 party for the office of county road commissioner, EQUAL IN NUMBER

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

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

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

23 Sec. 263. The county clerk shall file in his OR HER office
24 and preserve the original statement and determination of the
25 board of county canvassers of the results of the election and
26 shall ~~forthwith~~ IMMEDIATELY execute and cause to be delivered
27 to ~~the~~ EACH person ~~thereby~~ declared to be elected to the

1 office of county road commissioner a certificate of election,
2 certified by ~~him~~ THE CLERK under the seal of the county.

3 Sec. 264. The term of office for county road ~~commissioner~~
4 COMMISSIONERS ELECTED BEFORE THE 1994 GENERAL NOVEMBER ELECTION
5 shall be 6 years. ~~, beginning~~ THE TERM OF OFFICE FOR COUNTY
6 ROAD COMMISSIONERS ELECTED AFTER THE 1992 GENERAL NOVEMBER ELEC-
7 TION SHALL BE 4 YEARS. THE TERM OF OFFICE OF A COUNTY ROAD COM-
8 MISSIONER SHALL BEGIN on the first day of January next following
9 his OR HER election, and shall continue until a successor ~~shall~~
10 ~~have been~~ IS elected and qualified.

11 Section 2. This amendatory act shall not take effect unless
12 Senate Bill No. 637
13 of the 87th Legislature is enacted into law.