

# HOUSE BILL No. 6483

November 7, 2002, Introduced by Rep. Koetje and referred to the Committee on Commerce.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 281, 282, 289, and 294 (MCL 168.281,  
168.282, 168.289, and 168.294), section 281 as amended by 1999  
PA 218, and by adding section 281a; and to repeal acts and parts  
of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 281. (1) A person ~~shall not be eligible to~~ IS NOT  
2 ELIGIBLE FOR membership on the state board of education ~~, the~~  
3 ~~board of regents of the university of Michigan, the board of~~  
4 ~~trustees of Michigan state university, or the board of governors~~  
5 ~~of Wayne state university~~ if the person is not a registered and  
6 qualified elector of this state on the date the person is  
7 nominated for the office.

1 (2) A person who has been convicted of a violation of  
2 section 12a(1) of 1941 PA 370, MCL 38.412a, ~~shall not be~~  
3 ~~eligible to~~ IS NOT ELIGIBLE FOR membership on ~~any of the boards~~  
4 ~~enumerated in this section~~ THE STATE BOARD OF EDUCATION for a  
5 period of 20 years after conviction.

6 SEC. 281A. (1) BEGINNING WITH THE GENERAL NOVEMBER ELECTION  
7 IN 2004, THE STATE IS DIVIDED INTO 4 DISTRICTS FOR THE ELECTION  
8 OF MEMBERS OF THE BOARD OF REGENTS OF THE UNIVERSITY OF MICHIGAN,  
9 THE BOARD OF TRUSTEES OF MICHIGAN STATE UNIVERSITY AND THE BOARD  
10 OF GOVERNORS OF WAYNE STATE UNIVERSITY. THE DISTRICTS ARE NUM-  
11 BERED THE SAME AND CONSTITUTED OF THE SAME COUNTIES AS THE 4  
12 JUDICIAL DISTRICTS FOR THE ELECTION OF JUDGES OF THE COURT OF  
13 APPEALS SET FORTH IN SECTION 302 OF THE REVISED JUDICATURE ACT OF  
14 1961, 1961 PA 236, MCL 600.302.

15 (2) SUBJECT TO SUBSECTION (3), BEGINNING WITH THE GENERAL  
16 NOVEMBER ELECTION IN 2004, EACH DISTRICT DESCRIBED IN SUBSECTION  
17 (1) IS ENTITLED TO 2 MEMBERS OF THE BOARD OF REGENTS OF THE  
18 UNIVERSITY OF MICHIGAN, 2 MEMBERS OF THE BOARD OF TRUSTEES OF  
19 MICHIGAN STATE UNIVERSITY AND 2 MEMBERS OF THE BOARD OF GOVERNORS  
20 OF WAYNE STATE UNIVERSITY, ELECTED BY THE ELECTORS OF THAT DIS-  
21 TRICT FOR 8-YEAR STAGGERED TERMS AS PROVIDED IN THIS SECTION.

22 (3) TO ACCOMPLISH THE TRANSITION FROM AT-LARGE ELECTION OF  
23 THE MEMBERS OF THE BOARD OF REGENTS OF THE UNIVERSITY OF  
24 MICHIGAN, THE BOARD OF TRUSTEES OF MICHIGAN STATE UNIVERSITY, AND  
25 THE BOARD OF GOVERNORS OF WAYNE STATE UNIVERSITY TO DISTRICT  
26 ELECTION OF THOSE MEMBERS, THE FOLLOWING SPECIAL PROVISIONS  
27 APPLY:

1           (A) AT THE GENERAL NOVEMBER ELECTION IN 2004, THE AT-LARGE  
2 POSITIONS OF THE 2 MEMBERS OF THE BOARD OF REGENTS OF THE  
3 UNIVERSITY OF MICHIGAN, THE BOARD OF TRUSTEES OF MICHIGAN STATE  
4 UNIVERSITY, AND THE BOARD OF GOVERNORS OF WAYNE STATE UNIVERSITY  
5 WHOSE 8-YEAR TERMS EXPIRE ON JANUARY 1, 2005 SHALL TERMINATE AND  
6 SHALL NOT BE FILLED BY ELECTION IN 2004. AT THE GENERAL NOVEMBER  
7 ELECTION IN 2004, DISTRICT 3 AND DISTRICT 4 SHALL EACH ELECT 1  
8 MEMBER TO THE BOARD OF REGENTS OF THE UNIVERSITY OF MICHIGAN, THE  
9 BOARD OF TRUSTEES OF MICHIGAN STATE UNIVERSITY, AND THE BOARD OF  
10 GOVERNORS OF WAYNE STATE UNIVERSITY FOR AN 8-YEAR TERM.

11           (B) AT THE GENERAL NOVEMBER ELECTION IN 2006, THE AT-LARGE  
12 POSITIONS OF THE 2 MEMBERS OF THE BOARD OF REGENTS OF THE  
13 UNIVERSITY OF MICHIGAN, THE BOARD OF TRUSTEES OF MICHIGAN STATE  
14 UNIVERSITY, AND THE BOARD OF GOVERNORS OF WAYNE STATE UNIVERSITY  
15 WHOSE 8-YEAR TERMS EXPIRE ON JANUARY 1, 2007 SHALL TERMINATE AND  
16 SHALL NOT BE FILLED BY ELECTION IN 2006. AT THE GENERAL NOVEMBER  
17 ELECTION IN 2006, DISTRICT 3 AND DISTRICT 4 SHALL EACH ELECT 1  
18 MEMBER TO THE BOARD OF REGENTS OF THE UNIVERSITY OF MICHIGAN, THE  
19 BOARD OF TRUSTEES OF MICHIGAN STATE UNIVERSITY, AND THE BOARD OF  
20 GOVERNORS OF WAYNE STATE UNIVERSITY FOR AN 8-YEAR TERM.

21           (C) AT THE GENERAL NOVEMBER ELECTION IN 2008, THE AT-LARGE  
22 POSITIONS OF THE 2 MEMBERS OF THE BOARD OF REGENTS OF THE  
23 UNIVERSITY OF MICHIGAN, THE BOARD OF TRUSTEES OF MICHIGAN STATE  
24 UNIVERSITY, AND THE BOARD OF GOVERNORS OF WAYNE STATE UNIVERSITY  
25 WHOSE 8-YEAR TERMS EXPIRE ON JANUARY 1, 2009 SHALL TERMINATE AND  
26 SHALL NOT BE FILLED BY ELECTION IN 2008. AT THE GENERAL NOVEMBER  
27 ELECTION IN 2008, DISTRICT 1 AND DISTRICT 2 SHALL EACH ELECT 1

1 MEMBER TO THE BOARD OF REGENTS OF THE UNIVERSITY OF MICHIGAN, THE  
2 BOARD OF TRUSTEES OF MICHIGAN STATE UNIVERSITY, AND THE BOARD OF  
3 GOVERNORS OF WAYNE STATE UNIVERSITY FOR AN 8-YEAR TERM.

4 (D) AT THE GENERAL NOVEMBER ELECTION IN 2010, THE AT-LARGE  
5 POSITIONS OF THE 2 MEMBERS OF THE BOARD OF REGENTS OF THE  
6 UNIVERSITY OF MICHIGAN, THE BOARD OF TRUSTEES OF MICHIGAN STATE  
7 UNIVERSITY, AND THE BOARD OF GOVERNORS OF WAYNE STATE UNIVERSITY  
8 WHOSE 8-YEAR TERMS EXPIRE ON JANUARY 1, 2011 SHALL TERMINATE AND  
9 SHALL NOT BE FILLED BY ELECTION IN 2010. AT THE GENERAL NOVEMBER  
10 ELECTION IN 2010, DISTRICT 1 AND DISTRICT 2 SHALL EACH ELECT 1  
11 MEMBER TO THE BOARD OF REGENTS OF THE UNIVERSITY OF MICHIGAN, THE  
12 BOARD OF TRUSTEES OF MICHIGAN STATE UNIVERSITY, AND THE BOARD OF  
13 GOVERNORS OF WAYNE STATE UNIVERSITY FOR AN 8-YEAR TERM.

14 (E) AT THE GENERAL NOVEMBER ELECTION IN 2012 AND EVERY SUB-  
15 SEQUENT EVEN-YEAR GENERAL NOVEMBER ELECTION, A DISTRICT THAT HAS  
16 PREVIOUSLY ELECTED A MEMBER OF THE BOARD OF REGENTS OF THE  
17 UNIVERSITY OF MICHIGAN, THE BOARD OF TRUSTEES OF MICHIGAN STATE  
18 UNIVERSITY, AND THE BOARD OF GOVERNORS OF WAYNE STATE UNIVERSITY,  
19 WHOSE 8-YEAR TERM EXPIRES ON THE JANUARY 1 FOLLOWING THAT GENERAL  
20 NOVEMBER ELECTION, SHALL ELECT A MEMBER TO THE BOARD OF REGENTS  
21 OF THE UNIVERSITY OF MICHIGAN, THE BOARD OF TRUSTEES OF MICHIGAN  
22 STATE UNIVERSITY, AND THE BOARD OF GOVERNORS OF WAYNE STATE  
23 UNIVERSITY FOR AN 8-YEAR TERM.

24 (4) THE TERM OF OFFICE OF A MEMBER OF A BOARD DESCRIBED IN  
25 THIS SECTION BEGINS AT 12 NOON ON THE FIRST JANUARY 1 AFTER HIS  
26 OR HER ELECTION AND CONTINUES UNTIL A SUCCESSOR IS ELECTED AND  
27 QUALIFIED.

1 (5) A PERSON IS NOT ELIGIBLE FOR ELECTION TO A BOARD  
2 DESCRIBED IN THIS SECTION FROM A DISTRICT IF THE PERSON IS NOT A  
3 REGISTERED AND QUALIFIED ELECTOR OF THAT DISTRICT ON THE DATE THE  
4 PERSON IS NOMINATED FOR THE OFFICE.

5 (6) A PERSON WHO HAS BEEN CONVICTED OF A VIOLATION OF SEC-  
6 TION 12A(1) OF 1941 PA 370, MCL 38.412A, IS NOT ELIGIBLE FOR MEM-  
7 BERSHIP ON A BOARD DESCRIBED IN THIS SECTION FOR A PERIOD OF 20  
8 YEARS AFTER CONVICTION.

9 Sec. 282. (1) SUBSECTION (2) APPLIES UNTIL THE GENERAL  
10 NOVEMBER ELECTION IN 2004. SUBSECTION (3) APPLIES TO THE GENERAL  
11 NOVEMBER ELECTION IN 2004 AND THEREAFTER.

12 (2) At its fall state convention each political party may  
13 nominate 2 candidates for membership on the board of regents of  
14 the University of Michigan, 2 candidates for membership on the  
15 board of trustees of Michigan State University and 2 candidates  
16 for membership on the board of governors of Wayne State  
17 University. Nomination to membership on the board of regents of  
18 the University of Michigan shall occur in 1966 and every second  
19 year thereafter. Nomination to the board of trustees of Michigan  
20 State University and to the board of governors of Wayne State  
21 University shall occur in 1964 and every second year thereafter.

22 (3) AT ITS FALL STATE CONVENTION PRECEDING A GENERAL  
23 NOVEMBER ELECTION IN WHICH A DISTRICT DESCRIBED IN SECTION 281A  
24 IS ENTITLED TO ELECT AN INDIVIDUAL TO THE OFFICE OF MEMBER OF THE  
25 BOARD OF REGENTS OF THE UNIVERSITY OF MICHIGAN, THE BOARD OF  
26 TRUSTEES OF MICHIGAN STATE UNIVERSITY, AND THE BOARD OF GOVERNORS  
27 OF WAYNE STATE UNIVERSITY, EACH POLITICAL PARTY MAY NOMINATE 1

1 REGISTERED AND QUALIFIED ELECTOR OF THAT DISTRICT AS A CANDIDATE  
2 FOR THAT OFFICE.

3       Sec. 289. Subject to section 286a, the term of office of  
4 members of the state board of education ~~, the board of regents~~  
5 ~~of the University of Michigan, the board of trustees of Michigan~~  
6 ~~State University, and the board of governors of Wayne State~~  
7 ~~University shall be~~ IS 8 years and shall begin at 12 noon on  
8 January 1 next following their election. ~~The terms of office of~~  
9 ~~members of said boards shall continue until a successor is~~  
10 ~~elected and qualified.~~

11       Sec. 294. (1) ~~Whenever~~ SUBJECT TO SUBSECTION (2), IF a  
12 vacancy ~~shall occur~~ OCCURS on the state board of education, the  
13 board of regents of the University of Michigan, the board of  
14 trustees of Michigan State University, or the board of governors  
15 of Wayne State University, the governor shall appoint a successor  
16 to fill ~~such~~ THAT vacancy, and the person ~~so~~ appointed shall  
17 take the oath of office and shall hold office for the remainder  
18 of the unexpired term and until his OR HER successor is elected  
19 and qualified. ~~A~~ THE candidate receiving the highest number of  
20 votes for membership on any of ~~said boards~~ THE BOARDS DESCRIBED  
21 IN THIS SUBSECTION and who has subscribed to the constitutional  
22 oath ~~shall be deemed to be~~ IS elected and qualified even  
23 ~~though~~ IF a vacancy occurs prior to the time he ~~shall have~~ OR  
24 SHE HAS entered upon the duties of his OR HER office.

25       (2) AFTER THE GENERAL NOVEMBER ELECTION IN 2004, IF A  
26 VACANCY DESCRIBED IN SUBSECTION (1) OCCURS ON THE BOARD OF  
27 REGENTS OF THE UNIVERSITY OF MICHIGAN, THE BOARD OF TRUSTEES OF

1 MICHIGAN STATE UNIVERSITY, OR THE BOARD OF GOVERNORS OF WAYNE  
2 STATE UNIVERSITY, AND THE PREVIOUS HOLDER OF THAT OFFICE WAS  
3 ELECTED FROM A DISTRICT UNDER SECTION 281A, THE GOVERNOR SHALL  
4 APPOINT A REGISTERED AND QUALIFIED ELECTOR OF THAT DISTRICT TO  
5 FILL THE VACANCY.

6 Enacting section 1. Section 286 of the Michigan election  
7 law, 1954 PA 116, MCL 168.286, is repealed.

8 Enacting section 2. 1963 (2nd Ex Sess) PA 23, MCL 390.691  
9 to 390.693, is repealed.