

HOUSE BILL No. 4119

January 30, 2003, Introduced by Rep. Koetje and referred to the Committee on Government Operations.

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.

8 (2) A person who has been convicted of a violation of section

1 12a(1) of 1941 PA 370, MCL 38.412a, ~~shall not be eligible to is~~
2 **not eligible for** membership on ~~any of the boards enumerated in~~
3 ~~this section~~ **the state board of education** for a period of 20
4 years after conviction.

5 **Sec. 281a. (1) Beginning with the general November election**
6 **in 2004, the state is divided into 4 districts for the election**
7 **of members of the board of regents of the University of Michigan,**
8 **the board of trustees of Michigan State University and the board**
9 **of governors of Wayne State University. The districts are**
10 **numbered the same and constituted of the same counties as the 4**
11 **judicial districts for the election of judges of the court of**
12 **appeals set forth in section 302 of the revised judicature act of**
13 **1961, 1961 PA 236, MCL 600.302.**

14 (2) Subject to subsection (3), beginning with the general
15 November election in 2004, each district described in subsection
16 (1) is entitled to 2 members of the board of regents of the
17 University of Michigan, 2 members of the board of trustees of
18 Michigan State University and 2 members of the board of governors
19 of Wayne State University, elected by the electors of that
20 district for 8-year staggered terms as provided in this section.

21 (3) To accomplish the transition from at-large election of
22 the members of the board of regents of the University of
23 Michigan, the board of trustees of Michigan State University, and
24 the board of governors of Wayne State University to district
25 election of those members, the following special provisions
26 apply:

27 (a) At the general November election in 2004, the at-large

1 positions of the 2 members of the board of regents of the
2 University of Michigan, the board of trustees of Michigan State
3 University, and the board of governors of Wayne State University
4 whose 8-year terms expire on January 1, 2005 shall terminate and
5 shall not be filled by election in 2004. At the general November
6 election in 2004, district 3 and district 4 shall each elect 1
7 member to the board of regents of the University of Michigan, the
8 board of trustees of Michigan State University, and the board of
9 governors of Wayne State University for an 8-year term.

10 (b) At the general November election in 2006, the at-large
11 positions of the 2 members of the board of regents of the
12 University of Michigan, the board of trustees of Michigan State
13 University, and the board of governors of Wayne State University
14 whose 8-year terms expire on January 1, 2007 shall terminate and
15 shall not be filled by election in 2006. At the general November
16 election in 2006, district 3 and district 4 shall each elect 1
17 member to the board of regents of the University of Michigan, the
18 board of trustees of Michigan State University, and the board of
19 governors of Wayne State University for an 8-year term.

20 (c) At the general November election in 2008, the at-large
21 positions of the 2 members of the board of regents of the
22 University of Michigan, the board of trustees of Michigan State
23 University, and the board of governors of Wayne State University
24 whose 8-year terms expire on January 1, 2009 shall terminate and
25 shall not be filled by election in 2008. At the general November
26 election in 2008, district 1 and district 2 shall each elect 1
27 member to the board of regents of the University of Michigan, the

1 board of trustees of Michigan State University, and the board of
2 governors of Wayne State University for an 8-year term.

3 (d) At the general November election in 2010, the at-large
4 positions of the 2 members of the board of regents of the
5 University of Michigan, the board of trustees of Michigan State
6 University, and the board of governors of Wayne State University
7 whose 8-year terms expire on January 1, 2011 shall terminate and
8 shall not be filled by election in 2010. At the general November
9 election in 2010, district 1 and district 2 shall each elect 1
10 member to the board of regents of the University of Michigan, the
11 board of trustees of Michigan State University, and the board of
12 governors of Wayne State University for an 8-year term.

13 (e) At the general November election in 2012 and every
14 subsequent even-year general November election, a district that
15 has previously elected a member of the board of regents of the
16 University of Michigan, the board of trustees of Michigan State
17 University, and the board of governors of Wayne State University,
18 whose 8-year term expires on the January 1 following that general
19 November election, shall elect a member to the board of regents
20 of the University of Michigan, the board of trustees of Michigan
21 State University, and the board of governors of Wayne State
22 University for an 8-year term.

23 (4) The term of office of a member of a board described in
24 this section begins at 12 noon on the first January 1 after his
25 or her election and continues until a successor is elected and
26 qualified.

27 (5) A person is not eligible for election to a board

1 described in this section from a district if the person is not a
2 registered and qualified elector of that district on the date the
3 person is nominated for the office.

4 (6) A person who has been convicted of a violation of
5 section 12a(1) of 1941 PA 370, MCL 38.412a, is not eligible for
6 membership on a board described in this section for a period of
7 20 years after conviction.

8 Sec. 282. (1) Subsection (2) applies until the general
9 November election in 2004. Subsection (3) applies to the general
10 November election in 2004 and thereafter.

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

21 (3) At its fall state convention preceding a general November
22 election in which a district described in section 281a is
23 entitled to elect an individual to the office of member of the
24 board of regents of the University of Michigan, the board of
25 trustees of Michigan State University, and the board of governors
26 of Wayne State University, each political party may nominate 1
27 registered and qualified elector of that district as a candidate

1 for that office.

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

10 Sec. 294. (1) ~~Whenever~~ **Subject to subsection (2), if a**
11 vacancy ~~shall occur~~ **occurs** on the state board of education, the
12 board of regents of the University of Michigan, the board of
13 trustees of Michigan State University, or the board of governors
14 of Wayne State University, the governor shall appoint a successor
15 to fill ~~such~~ **that** vacancy, and the person ~~so~~ appointed shall
16 take the oath of office and shall hold office for the remainder
17 of the unexpired term and until his **or her** successor is elected
18 and qualified. ~~A~~ **The** candidate receiving the highest number of
19 votes for membership on any of ~~said boards~~ **the boards described**
20 **in this subsection** and who has subscribed to the constitutional
21 oath ~~shall be deemed to be~~ **is** elected and qualified even
22 ~~though~~ **if** a vacancy occurs prior to the time he ~~shall have~~ **or**
23 **she has** entered upon the duties of his **or her** office.

24 (2) **After the general November election in 2004, if a vacancy**
25 **described in subsection (1) occurs on the board of regents of the**
26 **University of Michigan, the board of trustees of Michigan State**
27 **University, or the board of governors of Wayne State University,**

1 and the previous holder of that office was elected from a
2 district under section 281a, the governor shall appoint a
3 registered and qualified elector of that district to fill the
4 vacancy.

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

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