

# HOUSE BILL No. 4595

April 17, 2001, Introduced by Reps. Ruth Johnson, Toy, Julian, Raczkowski, Pappageorge, Voorhees, Shulman, Rocca, Gosselin and Bishop and referred to the Committee on Redistricting and Elections.

A bill to amend 1966 PA 293, entitled

"An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies,"

by amending sections 3 and 16 (MCL 45.503 and 45.516), section 3 as amended by 1980 PA 7.

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

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1       Sec. 3. The resolution shall provide that the question  
2 shall be submitted to the qualified electors at the next regular  
3 primary, presidential primary, or general election occurring not  
4 less than 60 days after the adoption of the resolution. ~~If  
5 there is not to be a regular primary, presidential primary, or  
6 general election in the county within 180 days, the county board~~

1 ~~of commissioners shall provide in the resolution for a special~~  
2 ~~election on the question.~~

3       Sec. 16. (1) The charter shall be submitted to the governor  
4 for approval within 30 days after its completion. The charter  
5 may be approved by the governor upon written recommendation of  
6 the attorney general that it conforms to the provisions of the  
7 constitution and the statutes of this state. The governor either  
8 shall approve or reject the charter within 30 days of its  
9 submission. If the governor rejects the charter, he OR SHE shall  
10 return it to the charter commission together with a copy of his  
11 OR HER reasons ~~therefor~~ FOR REJECTING THE CHARTER. Upon the  
12 return of the unapproved charter, the commission shall reconvene,  
13 consider the reasons for rejection, revise the proposed charter,  
14 and submit the revised charter to the governor within a period of  
15 45 days. Upon resubmission, the governor either shall approve or  
16 reject the charter within 30 days of its resubmission. If the  
17 governor rejects the charter, he OR SHE shall notify the commis-  
18 sion of his OR HER action and his OR HER reasons ~~therefor~~ FOR  
19 REJECTING THE CHARTER. Upon the second rejection of the charter,  
20 the commission, within 30 days, either shall reconvene and revise  
21 the charter to comply with the governor's objections or it shall  
22 take all steps necessary to obtain a judicial interpretation to  
23 determine whether the charter conforms to the provisions of the  
24 constitution and statutes of this state.

25       (2) Upon approval of the charter by the governor or upon a  
26 final favorable judicial interpretation, the commission, within  
27 10 days, shall fix the date, by resolution, for the submission of

1 the proposed charter to the electorate for its adoption. The  
 2 submission shall be at the time of the next regular primary elec-  
 3 tion ~~occurring not less than 60 days from the adoption of the~~  
 4 ~~resolution~~ OR GENERAL ELECTION. ~~If there is not to be a regu-~~  
 5 ~~lar primary election within 180 days, the charter commission may~~  
 6 ~~provide in the resolution for a special election on the question~~  
 7 ~~of the adoption or rejection of the charter.~~ The resolution  
 8 shall also establish the date for a primary and general election  
 9 of officers for the newly created elective offices, whose first  
 10 term shall be for a period ending at the same time as that of the  
 11 incumbent governor. Thereafter, they shall be elected for 4-year  
 12 terms concurrent with the terms of the governor. The ~~manner of~~  
 13 nomination and election of home rule county officers shall be in  
 14 ~~all respects~~ the same MANNER as that ~~heretofore~~ established  
 15 for regular county officers. If the charter is submitted to the  
 16 electors for approval or rejection ~~at any time prior to~~ BEFORE  
 17 the regular primary election ~~,~~ at which ~~time such~~ THE elec-  
 18 tive county officers ~~as there shall be in the county~~ are regu-  
 19 larly nominated, ~~prior to the effective date of this act,~~ then  
 20 ~~all~~ AN incumbent elective county ~~officers~~ OFFICER whose  
 21 ~~offices are~~ OFFICE IS retained in the charter shall continue in  
 22 office until the expiration of the term for which ~~they were~~ HE  
 23 OR SHE WAS last elected. ~~, respectively.~~

24 Enacting section 1. This amendatory act does not take  
 25 effect unless Senate Bill No. \_\_\_\_\_ or House Bill No. 4592  
 26 (request no. 00271'01) of the 91st Legislature is enacted into  
 27 law.