

Counties; employees and officers; notary public fee paid to clerk; increase and earmark certain portion for election worker education and training.

COUNTIES: Employees and officers; COUNTIES: Financing;  
ELECTIONS: General; STATE: Funds

A bill to amend 1846 RS 14, entitled  
"Of county officers,"  
by amending section 109 (MCL 55.109), as amended by 1984 PA 301.

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

1       Sec. 109. (1) Before performing the duties of office and  
2 within 90 days after receiving notice of appointment from the  
3 county clerk, a person appointed as a notary public shall take  
4 AND SIGN, IN THE CLERK'S OFFICE, and file with the county clerk  
5 the oath prescribed by the constitution. The county clerk shall  
6 file the oath. ~~thus taken in the clerk's office and, on~~ ON the  
7 last day of December, March, June, and September in each year,  
8 THE CLERK shall transmit to the secretary of state a written list  
9 containing the names of all persons to whom, during each  
10 preceding quarter, the county clerk has delivered commissions,  
11 the date of filing their oaths and bonds, and their respective

1 addresses with the clerk's certificate that ~~such~~ THOSE persons  
2 have fully complied with the provisions of law in regard to their  
3 qualification for the discharge of the duties of the office of  
4 notary public.

5 (2) The county clerk ~~, for all services required by this~~  
6 ~~act,~~ shall be entitled to receive the sum of ~~\$1.00~~ \$2.00 from  
7 each person qualifying AS A NOTARY PUBLIC. A charter county with  
8 a population of more than 2,000,000 may impose by ordinance a fee  
9 for the county clerk's services different in amount than the fee  
10 prescribed by this subsection. A charter county shall not impose  
11 a fee ~~which~~ THAT is greater than the cost of the service for  
12 which the fee is charged. THE FEE COLLECTED UNDER THIS SUBSEC-  
13 TION SHALL BE DEPOSITED IN THE GENERAL FUND OF THE COUNTY.

14 (3) If the county clerk of any county is appointed to the  
15 office of notary public, the oath of office required by the con-  
16 stitution shall be filed with the judge of probate of that  
17 county.

18 (4) IN ADDITION TO THE FEE REQUIRED BY SUBSECTION (2), EACH  
19 PERSON RECEIVING A COMMISSION SHALL PAY A FEE OF \$4.00 TO THE  
20 COUNTY. THE COUNTY TREASURER SHALL FORWARD THIS FEE TO THE STATE  
21 TREASURER FOR DEPOSIT INTO THE ELECTION WORKER EDUCATION AND  
22 TRAINING FUND CREATED UNDER SUBSECTION (5).

23 (5) THE ELECTION WORKER EDUCATION AND TRAINING FUND IS CRE-  
24 ATED AS A SEPARATE FUND IN THE STATE TREASURY. THE STATE TREA-  
25 SURER SHALL CREDIT THE MONEY RECEIVED FROM A COUNTY TREASURER  
26 UNDER SUBSECTION (4) TO THE FUND AND MAY RECEIVE MONEY OR OTHER  
27 ASSETS FROM ANOTHER SOURCE FOR DEPOSIT INTO THE FUND. THE STATE

1 TREASURER SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE  
2 TREASURER SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM  
3 FUND INVESTMENTS. MONEY IN THE FUND AT THE CLOSE OF THE FISCAL  
4 YEAR SHALL REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL  
5 FUND. THE SECRETARY OF STATE SHALL EXPEND MONEY FROM THE FUND,  
6 UPON APPROPRIATION, ONLY FOR THE FOLLOWING PURPOSES:

7 (A) ONE-HALF OF THE MONEY IN THE FUND SHALL BE EXPENDED BY  
8 THE SECRETARY OF STATE FOR ELECTION WORKER EDUCATION AND TRAINING  
9 AND RELATED PURPOSES.

10 (B) ONE-HALF OF THE MONEY IN THE FUND SHALL BE EXPENDED BY  
11 THE SECRETARY OF STATE FOR GRANTS TO THE MICHIGAN ASSOCIATION OF  
12 COUNTY CLERKS TO BE USED FOR ELECTION WORKER EDUCATION AND TRAIN-  
13 ING AND RELATED PURPOSES.