

HOUSE BILL No. 5169

October 11, 1989, Introduced by Reps. Emmons, Munsell, Trim, Wallace, Keith, Barns, Camp, Bryant, Randall, Banks, Hoekman, London, Walberg, O'Connor, Bender, Stupak, Kosteva, DeBeaussaert, Joe Young, Jr., DeMars and Saunders and referred to the Committee on Education.

A bill to amend section 3 of Act No. 566 of the Public Acts of 1978, entitled

"An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies,"

as amended by Act No. 72 of the Public Acts of 1984, being section 15.183 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 566 of the Public Acts of
2 1978, as amended by Act No. 72 of the Public Acts of 1984, being
3 section 15.183 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 3. (1) Section 2 shall not be construed to prohibit a
6 public officer's or public employee's appointment or election to,
7 or membership on, a governing board of an institution of higher

1 education. However, a public officer or public employee shall
2 not be a member of more than 1 governing board of an institution
3 of higher education simultaneously, and a public officer or
4 public employee shall not be an employee and member of a govern-
5 ing board of an institution of higher education simultaneously.

6 (2) Section 2 shall not be construed to prohibit a member of
7 a school board of 1 school district from being a superintendent
8 of schools of another school district.

9 (3) SECTION 2 SHALL NOT BE CONSTRUED TO PROHIBIT A MEMBER OF
10 A SCHOOL BOARD OF A SCHOOL DISTRICT OF 2,500 OR FEWER STUDENTS
11 FROM BEING EMPLOYED BY THE SCHOOL DISTRICT AS A COACH OF AN
12 INTERSCHOLASTIC ATHLETIC ACTIVITY IF THE MEMBER IS PAID NOT MORE
13 THAN \$100.00 PER SCHOOL YEAR AS SALARY FOR COACHING THAT
14 ACTIVITY.

15 (4) ~~(3)~~ Section 2 shall not be construed to prohibit a
16 public officer or public employee of a city, school district,
17 community college district, or county from being appointed to and
18 serving as a member of the board of a tax increment finance
19 authority established pursuant to THE TAX INCREMENT FINANCE
20 AUTHORITY ACT, Act No. 450 of the Public Acts of 1980, being sec-
21 tions 125.1801 to ~~+25.1828~~ 125.1830 of the Michigan Compiled
22 Laws.

23 (5) ~~(4)~~ This section ~~shall~~ DOES not relieve a person
24 from otherwise meeting statutory or constitutional qualifications
25 for eligibility to, or the continued holding of, a public
26 office.

1 (6) ~~(5)~~ This section ~~shall~~ DOES not apply to allow or
2 sanction activity constituting conflict of interest prohibited by
3 the constitution or laws of this state.

4 (7) ~~(6)~~ This section shall not be construed to allow or
5 sanction specific actions taken in the course of performance of
6 duties as a public official or as a member of a governing body of
7 an institution of higher education which would result in a breach
8 of duty as a public officer or board member.