



HOUSE BILL No. 5182

December 9, 1999, Introduced by Reps. Lemmons, Switalski, Mans, Vaughn, Hansen, Neumann, Allen, Daniels, Pappageorge, Howell, Rocca, DeWeese, Rick Johnson, Bishop, Pumford, Bradstreet, Van Woerkom, Byl, Hart, DeRossett, Mortimer, Gosselin, Rivet, Kilpatrick, Sheltroun and Rison and referred to the Committee on Constitutional Law and Ethics.

A bill to amend 1909 PA 279, entitled
"The home rule city act,"
(MCL 117.1 to 117.38) by adding section 3a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3A. (1) A CITY WITH A POPULATION OF NOT LESS THAN
2 800,000 AS DETERMINED BY THE MOST RECENT FEDERAL DECENNIAL CENSUS
3 SHALL PLACE A QUESTION IN SUBSTANTIALLY THE FOLLOWING FORM ON THE
4 BALLOT AT THE GENERAL PRIMARY ELECTION HELD ON THE TUESDAY SUC-
5 CEEDING THE FIRST MONDAY IN AUGUST 2000:
6 "SHALL A PERSON BE LIMITED TO SERVING ON THE CITY COUNCIL
7 FOR A TOTAL OF 3 TERMS, WITH A PERSON APPOINTED OR ELECTED TO
8 FILL A VACANCY ON THE CITY COUNCIL FOR A PERIOD GREATER THAN 1/2
9 OF A TERM CONSIDERED TO HAVE BEEN ELECTED TO SERVE 1 TIME ON THE
10 CITY COUNCIL, AND SHALL THIS LIMITATION APPLY TO PERSONS ELECTED
11 TO THE CITY COUNCIL ON OR AFTER JANUARY 1, 1988?

1 YES (_____)

2 NO (_____)." .

3 (2) THE RESULTS OF THE VOTE SHALL BE CANVASSED BY THE LOCAL
4 BOARD OF CANVASSERS UNDER THE MICHIGAN ELECTION LAW, 1954 PA 116,
5 MCL 168.1 TO 168.992.

6 (3) IF THE QUESTION PRESENTED PURSUANT TO SUBSECTION (1) IS
7 APPROVED, A PERSON SHALL NOT BE ELECTED TO SERVE ON THE CITY
8 COUNCIL FOR MORE THAN 3 TERMS.

9 (4) TO COMPLY WITH AND IMPLEMENT THIS SECTION, THE CITY
10 CLERK SHALL PROMULGATE NECESSARY ELECTION RULES AND PROCEDURES
11 CONSISTENT WITH OTHER PROVISIONS OF THE CITY CHARTER. THE CITY
12 COUNCIL MAY AMEND THE CHARTER TO COMPLY WITH THIS SECTION IN THE
13 SAME MANNER PROVIDED BY LAW AND CHARTER FOR THE ADOPTION OF AN
14 ORDINANCE. HOWEVER, ANY CHARTER AMENDMENT TO COMPLY WITH THIS
15 SECTION SHALL TAKE EFFECT IMMEDIATELY UPON ADOPTION BY THE CITY
16 COUNCIL. THE CITY CLERK SHALL FILE A COPY OF ANY CHARTER AMEND-
17 MENT WITH THE SECRETARY OF STATE AND THE COUNTY CLERK OF THE
18 COUNTY IN WHICH THE CITY IS LOCATED. SECTIONS 21 TO 25 DO NOT
19 APPLY TO A CHARTER AMENDMENT REQUIRED UNDER THIS SECTION.