

SENATE BILL No. 1438

September 14, 2006, Introduced by Senator McMANUS and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 22a (MCL 168.22a), as added by 1995 PA 261.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 22a. (1) On or before the tenth day of January in an odd
2 numbered year, the state central committee of each major political
3 party shall, **SUBJECT TO THE REQUIREMENT IN SUBSECTION (4)**, submit
4 to the governor the names of 3 individuals as nominees for each
5 position that is up for reappointment that the major political
6 party is entitled to on the board of state canvassers. ~~On~~ **EXCEPT**
7 **AS OTHERWISE PROVIDED IN THIS SUBSECTION, ON** or before the
8 twentieth day of January in an odd numbered year, the governor
9 shall, **SUBJECT TO THE REQUIREMENT IN SUBSECTION (4)**, appoint 1

1 individual from the 3 individuals nominated to each position of the
2 political party on the board of state canvassers. **IF THE STATE**
3 **CENTRAL COMMITTEE OF A MAJOR POLITICAL PARTY FAILS, WHEN NECESSARY,**
4 **TO SUBMIT AT LEAST 1 NOMINEE WHO MEETS THE REQUIREMENT IN**
5 **SUBSECTION (4), THE GOVERNOR SHALL APPOINT AN INDIVIDUAL TO THE**
6 **BOARD OF STATE CANVASSERS AS PROVIDED IN SUBSECTION (3).**

7 (2) If a vacancy in the office of a member of the board of
8 state canvassers occurs other than the expiration of a term, the
9 state central committee of the appropriate major political party
10 shall, **SUBJECT TO THE REQUIREMENT IN SUBSECTION (4),** submit to the
11 governor the names of 3 individuals as nominees for the vacant
12 position on or before the tenth day following the date of the
13 vacancy. ~~On~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, ON**
14 **or before the thirtieth day following the date of the vacancy, the**
15 **governor shall, SUBJECT TO THE REQUIREMENT IN SUBSECTION (4),**
16 **appoint 1 individual from the 3 individuals nominated to the vacant**
17 **position. A member appointed to the board of state canvassers under**
18 **this subsection shall serve for the remainder of the vacant term.**
19 **IF THE STATE CENTRAL COMMITTEE OF THE MAJOR POLITICAL PARTY FAILS,**
20 **WHEN NECESSARY, TO SUBMIT AT LEAST 1 NOMINEE WHO MEETS THE**
21 **REQUIREMENT IN SUBSECTION (4), THE GOVERNOR SHALL APPOINT AN**
22 **INDIVIDUAL TO THE BOARD OF STATE CANVASSERS AS PROVIDED IN**
23 **SUBSECTION (3).**

24 (3) If the state central committee of a major political party
25 fails to submit the names of nominees within the prescribed period
26 of time in subsection (1) or (2), **OR FAILS, WHEN NECESSARY, TO**
27 **SUBMIT AT LEAST 1 NOMINEE WHO MEETS THE REQUIREMENT IN SUBSECTION**

1 (4), the governor shall, **SUBJECT TO THE REQUIREMENT IN SUBSECTION**
2 (4), appoint to the board of state canvassers an individual who was
3 formerly elected as a state officer as a member of the appropriate
4 major political party and who is currently affiliated with that
5 political party. If a person appointed by the governor under
6 subsection (1) or (2) declines to serve, the governor shall,
7 **SUBJECT TO THE REQUIREMENT IN SUBSECTION (4)**, do 1 of the
8 following:

9 (a) Appoint another individual from the 3 individuals
10 nominated by the major political party under subsection (1) or (2)
11 to that position on the board of state canvassers.

12 (b) Appoint an individual who was formerly elected as a state
13 officer as a member of the appropriate major political party and
14 who is currently affiliated with that political party to that
15 position on the board of state canvassers.

16 (4) **BEGINNING FEBRUARY 1, 2007, AT LEAST 1 INDIVIDUAL FROM**
17 **EACH MAJOR POLITICAL PARTY APPOINTED TO AND SERVING ON THE BOARD OF**
18 **STATE CANVASSERS SHALL BE A FORMER COUNTY, CITY, TOWNSHIP, OR**
19 **VILLAGE CLERK OR FORMER ELECTION OFFICIAL.**