

PUBLIC AND LOCAL ACTS
OF
THE LEGISLATURE
OF THE
STATE OF MICHIGAN
PASSED AT THE
REGULAR SESSION OF 1947

CONTAINING JOINT RESOLUTIONS, AMENDMENTS TO
CONSTITUTION AND ABSTRACTS OF PROCEEDINGS
RELATIVE TO CHANGE OF BOUNDARIES OF TOWN-
SHIPS AND INCORPORATION, ETC., OF CITIES AND
VILLAGES.



COMPILED BY
F. M. ALGER, Jr.
SECRETARY OF STATE

FRANKLIN DE KLEINE COMPANY, STATE PRINTERS, LANSING, MICHIGAN

1947

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STATE OF MICHIGAN

election ballot. The provisions of this paragraph shall likewise apply where more than 1 candidate is to be nominated for any judicial office and there are no more candidates than there are persons to be nominated.

Resolved further, That the foregoing amendment shall be submitted to the people of the state at the next regular election. The secretary of state is hereby required to certify said proposed amendment to the clerks of the various counties of the state in the manner required by law. It shall be the duty of the board of election commissioners of each county to prepare ballots for the use of the electors when voting on said proposed amendment, which ballot, after setting forth the proposed amendment, in accordance with the provisions of section 3 of article 17 of the constitution, shall be substantially in the following form:

"Vote on amendment to section 23 of article 7 of the state constitution.

Shall section 23 of article 7 of the state constitution be amended relative to the non-partisan primary election of judicial officers in cases of no contest?

Yes ()

No ()."

It shall be the duty of the board of election commissioners in each county to deliver the ballots so prepared to the inspectors of election of the several voting precincts within their respective counties within the time ballots to be used at said election are required to be delivered to such inspectors under the general election law. All votes cast upon said amendment shall be counted, canvassed and returned in the same manner as is provided by law for counting, canvassing, and returning votes cast for state officers.

[No. 2.]

A JOINT RESOLUTION proposing an amendment to section 5 of article 12 of the state constitution to permit corporations to hold real estate, not actually occupied in the exercise of its franchises, for a period of not to exceed 30 years, in cities or villages of over 5,000 population and within an area not exceeding 2 miles of the boundary limits thereof.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to section 5 of article 12 of the state constitution to permit corporations to hold real estate, not actually occupied in the exercise of its franchises, for a period of not to exceed 30 years, in cities or villages of over 5,000 population and within an area not exceeding 2 miles of the boundary limits thereof, is hereby proposed, agreed to and submitted to the people of this state:

ARTICLE XII

Real estate, limitation as to holding by corporations in cities or villages of over 5,000 population.

Sec. 5. No corporation shall hold any real estate for a longer period than 10 years, except such real estate as shall be actually occupied by such corporation in the exercise of its franchises: *Provided*, That in cities or villages with populations in excess of 5,000 as determined by the last federal decennial census or any federal decennial census thereafter taken, and including an area not exceeding 2 miles distant from the boundary limits of such cities or villages, a corporation may hold any such real estate as shall not be actually occupied in the exercise of its franchises for a period of not to exceed 30 years.

Resolved further, That the foregoing amendment shall be submitted to the people of this state at the biennial spring election to be held in the year 1947.

The above resolution was rejected by the people April 7, 1947.

The secretary of state is hereby required to certify said proposed amendment to the clerks of the various counties of the state in the manner required by law. It shall be the duty of the board of election commissioners of each county to prepare ballots for the use of the electors when voting on said proposed amendment, which ballot, after setting forth the proposed amendment in accordance with the provisions of section 3 of article 17 of the constitution, shall be substantially in the following form:

"Vote on amendment to section 5 of article 12 of the state constitution.

Shall section 5 of article 12 of the state constitution be amended to permit corporations to hold real estate, not actually occupied in the exercise of its franchises, for a period of not to exceed 30 years, in cities or villages of over 5,000 population and within an area not exceeding 2 miles of the boundary limits thereof?

Yes ()

No ()."

It shall be the duty of the board of election commissioners in each county to deliver the ballots so prepared to the inspectors of election of the several voting precincts within their respective counties within the time ballots to be used at said election are required to be delivered to such inspectors under the general election law. All votes cast upon said amendment shall be counted, canvassed and returned in the same manner as is provided by law for counting, canvassing, and returning votes cast for state officers.

[No. 3.]

A JOINT RESOLUTION proposing an amendment to sections 16, 17 and 18 of article 6 of the state constitution relative to the order of succession in the performance of the powers and duties of the governor.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to sections 16, 17 and 18 of article 6 of the state constitution, relative to the order of succession in the performance of the powers and duties of the governor, is hereby proposed, agreed to and submitted to the people of this state:

ARTICLE VI.

Vacancy in office of governor; lieutenant governor to act; lieutenant governor-elect to act in case of death of governor-elect.

Sec. 16. In case of the impeachment of the governor, his removal from office, death, inability, resignation or absence from the state, the powers and duties of the office shall devolve upon the lieutenant governor for the residue of the term or until the disability ceases. When the governor shall be out of the state at the head of a military force thereof, he shall continue commander-in-chief of all the military force of the state.

In case of the death of the governor-elect before taking and subscribing to the constitutional oath of office, or before entering upon the duties of his office, the powers and duties of the office shall devolve upon the lieutenant governor-elect on the commencement of his term of office.

Same; line of succession.

Sec. 17. After the lieutenant governor, the line of succession and order of precedence of state officers, who shall act as governor, shall be secretary of state, attorney general, state treasurer and auditor general, and during a vacancy in the office of governor, if the lieutenant governor or any state officer or officers in this line of succession die, resign, be impeached, displaced, be