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SFA**BILL ANALYSIS**

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House Bills 5138 (H-1) through 5165 (as reported without amendment)

Sponsor: Representative Robert Brackenridge (H.B. 5138-5149)

Representative Agnes Dobronski (H.B. 5150-5155)

Representative Lingg Brewer (H.B. 5156-5161)

Representative George Mans (H.B. 5162-5165)

House Committee: Local Government

Senate Committee: Government Operations

CONTENT

House Bill 5138 (H-1) would add Section 488 to the Michigan Election Law to specify that Section 544c would apply to a nominating petition for an office in a political subdivision under a statute that referred to Section 488, and to the circulation and signing of the petition. (Section 544c prescribes the size, form, content, and handling of nominating petitions; provides for violations of petition requirements; and prescribes penalties for violations.) Section 488 also provides that portions of Section 482 of the Election Law would apply to a petition to place a question on the ballot before the electorate of a political subdivision under a statute that referred to Section 488, and to the circulation and signing of the petitions. (Section 482 prescribes the form, content, and handling of petitions for initiative or referendum.) The bill states that a person who violated provisions of the Election Law regarding a petition described in Section 488, would be subject to penalties prescribed in the Election Law.

The rest of the bills would amend various acts to provide that petitions, as well as the circulation and signing of petitions, under those acts would be subject to the provisions and penalties prescribed in Section 488 of the Michigan Election Law (as added by House Bill 5138 (H-1)). The bills would apply to nominating petitions in primary elections, and to petitions to put questions before the voters in various elections, with two exceptions. The exceptions involve the annexation or transfer of property between local units of government. House Bill 5144 (H-1) and House Bill 5146 (H-1) specify that Section 488 would not apply under circumstances in which there were not enough, or no, qualified electors that resided in an area to be transferred or annexed. All of the bills are tie-barred to House Bill 5138.

The bills would amend the following Acts:

- House Bill 5139 -- Chapter 16 of the Revised Statutes of 1846, which prescribes the powers and duties of townships.
- House Bill 5140 (H-1) -- The Charter Township Act.
- House Bill 5141 (H-1) -- The General Law Village Act.
- House Bill 5142 (H-1) -- Public Act 156 of 1851, which prescribes the powers and duties of county boards of commissioners.
- House Bill 5143 -- Public Act 293 of 1966, which provides for the establishment of charter counties.
- House Bill 5144 (H-1) -- The Home Rule Village Act.
- House Bill 5145 (H-1) -- The Fourth Class City Act.
- House Bill 5146 (H-1) -- The Home Rule City Act.

- House Bill 5147 -- The County Zoning Act.
- House Bill 5148 -- The Township Zoning Act.
- House Bill 5149 -- Public Act 168 of 1959, which provides for the creation of township planning commissions.
- House Bill 5150 -- Public Act 107 of 1941, which authorizes township water supply and sewage disposal services and facilities.
- House Bill 5151 -- The Revenue Bond Act.
- House Bill 5152 -- Public Act 50 of 1921, which authorizes townships to erect and finance memorials to soldiers.
- House Bill 5153 -- Public Act 246 of 1965, which provides for township civil service systems.
- House Bill 5154 -- The police and fire civil service Act.
- House Bill 5155 -- The Fire Fighters and Police Officers Retirement Act.
- House Bill 5156 (H-1) -- Public Act 139 of 1973, which provides for various forms of county government.
- House Bill 5157 -- The County Public Improvement Act.
- House Bill 5158 -- Public Act 261 of 1966, which provides for the apportionment and election of county board of commissioners.
- House Bill 5159 (H-1) -- Public Act 298 of 1966, which provides for the establishment of a county sheriffs' civil service board of commissioners.
- House Bill 5160 -- Public Act 378 of 1921, which provides for the establishment and maintenance by counties of a system of abstracts of land titles.
- House Bill 5161 -- The City Income Tax Act.
- House Bill 5162 -- Public Act 144 of 1921, which provides for a primary election system for the nomination of village officers.
- House Bill 5163 -- Public Act 485 of 1978, which permits the creation of a county officers compensation commission.
- House Bill 5164 (H-1) -- The Township and Village Public Improvement and Public Service Act.
- House Bill 5165 -- Public Act 157 of 1905, which provides for the acquisition and management of township parks.

MCL 168.482 et al. (H.B. 5138)
 Proposed MCL 41.9 (H.B. 5139)
 Proposed MCL 42.2a (H.B. 5140)
 Proposed MCL 63.14 (H.B. 5141)
 Proposed MCL 46.10c (H.B. 5142)
 Proposed MCL 45.502a (H.B. 5143)
 Proposed MCL 78.2a (H.B. 5144)
 MCL 81.3 et al. (H.B. 5145)
 Proposed MCL 117.25a (H.B. 5146)
 Proposed MCL 125.212a (H.B. 5147)
 Proposed MCL 125.282a (H.B. 5148)
 Proposed MCL 125.323a (H.B. 5149)
 Proposed MCL 41.350u (H.B. 5150)
 Proposed MCL 141.133b (H.B. 5151)

Proposed MCL 35.865 (H.B. 5152)
 Proposed MCL 38.451a (H.B. 5153)
 Proposed MCL 38.517b (H.B. 5154)
 Proposed MCL 38.561a (H.B. 5155)
 MCL 45.573 et al. (H.B. 5156)
 Proposed MCL 46.174a (H.B. 5157)
 Proposed MCL 46.411b (H.B. 5158)
 MCL 51.366 (H.B. 5159)
 Proposed MCL 53.152 (H.B. 5160)
 Proposed MCL 141.503d (H.B. 5161)
 Proposed MCL 200.61a (H.B. 5162)
 Proposed MCL 45.476a (H.B. 5163)
 MCL 41.413a (H.B. 5164)
 Proposed MCL 41.425a (H.B. 5165)

Legislative Analyst: G. Towne

FISCAL IMPACT

The bills would have no fiscal impact on State government.

There could be some minimal increases in administrative costs for local units to implement some of these changes. However, there are currently no data to indicate how much costs could increase.

Date Completed: 5-21-98

Fiscal Analyst: E. Limbs

FLOOR\HB5138

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.