



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4907 (Substitute H-1 as passed by the House)
House Bill 4909 (Substitute H-1 as passed by the House)
House Bill 4910 (Substitute H-1 as passed by the House)
House Bill 4911 (Substitute H-1 as passed by the House)
House Bill 4912 (Substitute H-1 as passed by the House)
Sponsor: Representative Sharon Tyler (H.B. 4907 & 4909)
Representative Cindy Denby (H.B. 4910)
Representative Ken Horn (H.B. 4911)
Representative Marty Knollenberg (H.B. 4912)

House Committee: Redistricting and Elections
Senate Committee: Local Government and Elections

Date Completed: 6-5-12

CONTENT

The bills would amend various statutes to revise filing deadlines for the inclusion of certain local, school district, and county ballot questions on the ballot. As a rule, deadlines would be changed from 70 days to the 12th Tuesday before an election.

House Bill 4907 (H-1) would amend the Michigan Election Law to change the deadlines with regard to a local, school district, or county ballot question.

House Bill 4909 (H-1) would amend the Revised Statutes of 1846 with regard to the deadline for the filing of petitions or a resolution to reestablish an annual meeting in a township other than a charter township.

House Bill 4910 (H-1) would amend Public Act 425 of 1994 (which governs community swimming pool authorities) regarding the deadline for a tax proposal to fund a community swimming pool.

House Bill 4911 (H-1) would amend Public Act 31 of 1948 (Ex Sess) (which governs building authorities) with regard to a building authority lease contract.

House Bill 4912 (H-1) would amend the Metropolitan Councils Act with regard to a tax levied by a metropolitan area council.

House Bills 4909 (H-1) through 4912 (H-1) are tie-barred to House Bill 4907.

House Bill 4907 (H-1)

Currently, a school board may submit a ballot question to the school electors on a regular election date, on a date when a city or township within the district's jurisdiction is holding an election by adopting a resolution to that effect at least 70 days before the election date,

or on a special election date. The school board must certify the ballot question language to the school district election coordinator at least 70 days before the election. The election coordinator must send a copy of the language to the county clerk at least 68 days before the election.

The bill would change the deadline for the resolution and language certification to 4 p.m. on the 12th Tuesday before the election, and require the coordinator to send a copy of the language to the clerk at least 82 days before the election.

Under the Election Law, if a local, school district, or county ballot question is to be voted on at a regular election date or special election, the ballot wording of the question must be certified to the local or county clerk at least 70 days before the election. If the wording is certified to a clerk other than the county clerk, that clerk must certify the wording to the county clerk at least 68 days before the election. The bill would change these deadlines to 4 p.m. on the 12th Tuesday before the election, and 82 days before the election, respectively.

House Bill 4909 (H-1)

Under the Revised Statutes of 1846, an annual meeting of the electors of each township may be held in the last month of each fiscal year if the township board, by resolution, elects to hold an annual meeting.

In a township other than a charter township, the township board may by resolution, or, on the filing of petitions signed by at least 5% of the township electors who voted for township supervisor at the previous election, must submit the question of the reestablishment of the annual meeting to the township electors at the next regular primary or general election. The resolution or petitions must be filed with the township clerk at least 70 days before the election. The bill would change this deadline to 4 p.m. on the 12th Tuesday before the election.

House Bill 4910 (H-1)

Public Act 425 of 1994 authorizes a community swimming pool authority to levy a tax on all of the taxable property in a participating municipality located within the district for the purposes of owning or operating a community swimming pool. The tax may be levied only upon the approval of a majority of the qualified and registered electors of the participating municipalities who reside in the district.

The election may be called by resolution of the authority board. The board secretary must file a copy of the resolution with the clerk of a participating municipality at least 70 days before the election. The bill would change this deadline to 4 p.m. on the 12th Tuesday before the election.

House Bill 4911 (H-1)

Under Public Act 31 of 1948 (Ex Sess), the governing body of an incorporating unit (i.e., a county, city, village, township, intermediate school district, or school district that incorporates a building authority) may, by a majority vote of its members, authorize the execution of a full faith and credit general obligation contract of lease with the authority.

The governing body may adopt a resolution submitting the contract to a vote of the electors. If the governing body does this, the contract does not take effect unless approved by a majority of the electors. The contract must be submitted at the next general, primary, or special election to be held at least 70 days after the date of the resolution. The bill would refer to an election held not earlier than the 12th Tuesday after the resolution date.

House Bill 4912 (H-1)

Under the Metropolitan Councils Act, a combination of two or more local governmental units may form a metropolitan area council by adopting articles of incorporation. The articles may authorize a council to propose standards, criteria, and suggested model ordinances to regulate the use and development of land and water within the council area; own, finance, or contract for specific public improvements and services; and levy an ad valorem tax of up to 0.5 mill on all taxable real and personal property within the council area.

A council may not levy a tax without approval of the electors. A proposal for a tax may not be placed on the ballot unless it is adopted by a resolution and certified by the council at least 70 days before the election to the clerk of each county in which a participating city, village, or township is located for inclusion on the ballot. Under the bill, the resolution would have to be adopted and the proposal certified to each county clerk by 4 p.m. on the 12th Tuesday before the election.

MCL 168.312 & 168.646a (H.B. 4907)
41.8 (H.B. 4909)
123.1073 (H.B. 4910)
123.958b (H.B. 4911)
124.677 (H.B. 4912)

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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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.