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BILL ANALYSIS

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**Senate Bill 846** (Substitute S-1 as passed by the Senate)

Sponsor: Senator Phil Arthurs

Committee: Local Government and Veterans

Date Completed: 9-12-88

**RATIONALE**

Public Act 179 of 1967 permits any county, city, township, village, or combination of these local governments, to levy taxes and appropriate funds for the operation of centers opened exclusively to youths under 21 years of age and aimed at curbing juvenile delinquency within a community. To date, no such centers have been established pursuant to the Act. A group of residents, however, recently attempted to use the Act as a means for taking action to help youths in their community avoid getting into trouble. The residents reportedly encountered opposition from their county commissioners, who were reluctant to take the necessary action to place the millage question on the ballot. To prevent residents from being stymied in this way, some people believe that voters should be able to submit petitions requesting that the question on a millage for a youth center be placed on the ballot, thus gaining direct access to the ballot.

**CONTENT**

The bill would amend Public Act 179 of 1967 to:

- Permit a registered elector of a county, city, township, or village to submit petitions requesting that a unit or a combination of governmental units submit to the electors the question of levying an ad valorem property tax on taxable property within the unit or units for the operation of a youth center. The question would have to be placed before the electors of the unit or units at the next general election, in the manner provided by law.
- Require the petitions to be filed at least 120 days before the election, and specify with whom the petitions should be filed.
- Require the petitions to be signed by a number of registered electors from a county, city, township, or village or a combination of local units equal to at least 5% of the total vote cast for all candidates for Governor at the last general election at which a Governor was elected.
- Require that a tax authorized under the bill be levied and collected in the same manner and at the same time as other property taxes in the unit or units.
- Require that a determination of sufficiency or insufficiency of a petition be made no later than 60 days before the general election for which the petition was filed.
- Specify which board of canvassers would be responsible for canvassing and certifying the vote.

MCL 123.461

**FISCAL IMPACT**

Senate Bill 846 would have no fiscal impact on State government. The bill outlines procedures under which local

governments could levy a property tax to support youth services. The amount of revenue raised from such a tax would depend on the extent to which this tax was implemented.

**ARGUMENTS****Supporting Argument**

Many communities are concerned about the increase in youth violence and are looking for ways to steer youths away from illegal activities. A youth center would provide a place where kids could go to meet their peers, socialize, and participate in activities such as sports, rather than seeking an outlet on the streets. Proponents of the bill emphasize that these youth centers would not function as juvenile detention centers, but would serve as a "pro-active" response to juvenile crime. For example, these centers could sponsor substance abuse programs in an attempt to reach these youths before they started using or selling drugs.

**Supporting Argument**

People now are able to petition the government and place issues on the ballot when authorized by the State Constitution, State law, or local governmental charters. For example, petitions may be submitted to the appropriate authorities to amend the Constitution, initiate a State law, or conduct a referendum on a State statute. Various charters of local governments also provide for similar initiative and referendum activities on local ordinances by way of petitioning the local government. Under Senate Bill 846, registered electors would be granted similar authority to petition their local government on the issue of levying taxes for a youth center.

**Response:** The bill should clarify petition requirements when the millage question would involve more than one local government. As the bill currently is written, persons seeking a youth center that would service more than one locality would not have to circulate petitions in every locality where the millage question would be on the ballot. Thus, electors in one city, for example, could force the issue on the ballot even though no signatures were collected from the other localities that would be affected by the millage. The bill should require that a certain percentage of signatures be collected from each locality when the proposed youth center would be funded by millages collected in more than one municipality.

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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.

S.B. 846 (S-1) (9-12-88)