

House Bill 4258

Sponsor: Rep. Ken Sikkema

Committee: Towns and Counties

Complete to 8-7-91

A SUMMARY OF HOUSE BILL 4258 AS INTRODUCED 2-13-91

House Bill 4258 would amend the Metropolitan Council Act to require local governmental units to hold an election on the question of withdrawing from a metropolitan council if petitioned to do so, and to follow certain procedures before voting on the question of joining an established metropolitan council.

Joining a Council. Currently, under the act, a local government can join an established council if a majority of the members of governmental unit's legislative body votes to adopt a resolution on the proposal; its voters approve any taxes that are levied by the council; and the council's articles are amended to reflect the addition of the unit. In addition, a local governmental unit can join if at least five percent of the registered voters sign a petition requesting a referendum on the question of joining, and a majority of the voters approve the proposal in a referendum held at the general election. House Bill 4258 would amend the act to require that the general election be held at least 60 days after the date on which the petition for the referendum was filed. Also, under the bill, if a petition were filed, then the legislative body of the local governmental unit could not vote on the question of becoming a participating local governmental unit until the clerk had determined that the required number of signatures could not be verified, or if the required number of signatures were verified, before a vote of the electors were held, whichever was the case.

Withdrawal from a Council. Currently, under the act, a local government can withdraw from membership in a council provided that a resolution requesting the withdrawal is adopted by the local government's legislative body, and payment is made regarding any obligations of the local government to the council or its creditors. Under the bill, a local governmental unit would also be required to withdraw if at least five percent of the registered voters signed a petition requesting a referendum on the question and the withdrawal was approved by the voters. The question would have to be presented to the voters at the next general election, to be held at least 60 days after the date the petition was filed, or at a special election called for that purpose and conducted according to the Michigan Election Law. However, if, before the provisions of the bill became effective, the voters in a nonparticipating local governmental unit had filed a petition requesting a referendum on the question of joining a council, and the if, on or after the date on which the petition was filed, the legislative body of that local government had voted to join the metropolitan council, and an election had not been held, the clerk would be required to submit the question of withdrawal to the electors at the next general election, to be held at least 60 days after the effective date of the bill.