

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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House Bill 5438 (Substitute S-1 as reported by the Committee of the Whole)

Sponsor: Representative George Mans

House Committee: Local Government

Senate Committee: Local, Urban and State Affairs

## **CONTENT**

The bill would amend the General Law Village Act to do the following:

- Permit a village council to approve by a two-thirds vote an ordinance to reduce the size of its membership from seven to five, or an ordinance providing for the appointment of a village clerk and/or treasurer.
- Require an election on the council reduction and appointment of a clerk and/or treasurer if a petition were filed by at least 10% of the village electors.
- Require village elections to be partisan, unless a council, by two-thirds of its members, approved an ordinance that provided for nonpartisan elections; and require an election on the ordinance if a petition were filed by at least 10% of the village electors.
- Require a majority vote, instead of the current two-thirds vote, of a council to take certain actions, such as creating or abolishing an office, purchasing or leasing real estate, and ordering a public improvement.
- Require a two-thirds vote of the council to increase a tax or impose a special assessment.
- Permit a council to enter into an employment contract with a village manager that extended beyond the terms of the council members, but did not exceed six years.
- Increase from 60 to 120 days the period during which a person who is injured on a public street or sidewalk in a village must notify a village of his or her intent to hold the village liable for the injury.
- Permit, instead of require, a council in a village that owned a cemetery to appoint a board of cemetery trustees, and permit a department of public works or a village manager to exercise the powers of a cemetery board.

The bill also would repeal a number of provisions of the current Act, many of which would be replaced by the bill's provisions. The bill is tie-barred to House Bill 5437.

MCL 61.1 et al.

Legislative Analyst: L. Arasim

## **FISCAL IMPACT**

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

Date Completed: 6-5-98

Fiscal Analyst: R. Ross