



## Legislation Text

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**File #:** 12-0101, **Version:** 1

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Resolution Opposing Public Act 297 and Supporting Actions to Preserve Equal Benefits  
Whereas, The City of Ann Arbor adopted on September 19, 2011 a "Resolution Supporting Equal Benefits and Opposing HB 4770 and 4771;"

Whereas, On December 22, 2011, Governor Snyder signed House Bill 4770 into law as Public Act 297 which prohibits public employers from providing certain benefits to public employees and will eliminate benefits for Other Qualified Adults;

Whereas, The City of Ann Arbor has always been a leader in human rights;

Whereas, The City of Ann Arbor was the first city in the State of Michigan to establish a Non-Discrimination Ordinance, and also the first to add protection for sexual orientation;

Whereas, The City of Ann Arbor provides for benefits for "Other Qualified Adults;"

Whereas, Many public entities provide health care benefits for domestic partners of either gender as "Other Qualified Adults," including the State of Michigan, at least 10 public universities, at least five city and county governments, and numerous public school districts;

Whereas, Major employers in Michigan and across the country recognize that extending health care benefits eligibility to domestic partners is crucial to attracting and keeping talent. A 1999 survey by the Society for Human Resource Management (SHRM) found such benefits were the Number One recruitment incentive for executives and the third most effective for managers and line workers;

Whereas, The City of Ann Arbor, the University of Michigan, the State of Michigan, and other public employers in our state must be able to compete with the private sector and with public employers in other states to attract the best and brightest talent to our workforce;

Whereas, The American Civil Liberties Union filed on January 5, 2012 a lawsuit in federal court, case 2:12-cv-10038, Bassett et al v Richard Snyder, alleging that Public Act 297 violates fundamental constitutional protections, including equal protection of the law and substantive due process;

Whereas, This federal lawsuit requests a permanent injunction against enforcement of Public Act 297;

Whereas, Such a permanent injunction against the enforcement of Public Act 297 is in the interest of the City of Ann Arbor and the State of Michigan;

**RESOLVED**, The City of Ann Arbor opposes Public Act 297 and reaffirms its commitment to providing benefits to "Other Qualified Adults";

RESOLVED, The City Council directs the City Administrator and the City Attorney to assist the ACLU in the federal lawsuit seeking to enjoin the enforcement of Public Act 297 in any way that is useful to that case, by amicus brief or otherwise; and

RESOLVED, The City Council directs the City Administrator and the City Attorney to take other appropriate actions to protect the legality of the City's provision of benefits to "Other Qualified Adults."

Sponsored by: Councilmembers Smith, Derezinski, and Taylor