



## Legislation Text

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**File #:** 16-0055, **Version:** 1

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Resolution Opposing Public Act 269 and Requesting Appeal of the New Language in Section 57 of the Act

Whereas, Governor Snyder signed into law, with immediate, effect Public Act 269 (Senate Bill 571) despite wide spread calls for a veto of this bill, including from members of his own party; and

Whereas, Both the Michigan Senate and the Michigan House of Representatives passed Senate Bill 571 late into the night of December 16, 2015, just prior to recessing for the year; and

Whereas, One of the last minute amendments made to Senate Bill 571, without the knowledge of the Michigan Municipal League or other local government organizations, and approved without any public testimony or awareness, was the new language inserted into Section 57, subsection (3); and

Whereas, This new law prohibits a public body, or a person acting for a public body, from using public funds or resources for the purpose of communicating any information to the electorate regarding a local ballot question that is to appear on the ballot, within 60 days of an election, and

Whereas, This law places an immediate gag order on entities with ballot questions on the March 8 ballot and every election thereafter; and

Whereas, Municipal elected and appointed officials have a civic and legal duty to the residents of their communities to fully inform them regarding the issues placed before them, upon which they may exercise their constitutional right to vote; and

Whereas,, Existing laws, including the former language in Section 57, and decades of guidance from the Michigan Secretary of State, already prohibit the use of public funds to advocate for or against ballot issues; and

Whereas, Existing laws already provided for an allowance for elected and appointed officials to express their views without fear of violating the act; and

Whereas, Because the new law bans only communication on local ballot issues, it creates inconsistent treatment of statewide ballot questions versus local initiatives; and

Whereas, There are substantial questions regarding the constitutionality and legality of the new law, including a possible ban on freedom of speech;

RESOLVED, The Ann Arbor City Council calls for an immediate repeal of the new language in Section 57, subsection (3) of PA 269 of 2016; and

RESOLVED, That a copy of this Resolution be forwarded to State Senator Rebekah Warren and State Representatives Jeff Irwin and Adam Zemke and direction given to the City's lobbyist to

continue working on behalf of the City for a repeal of of the new language in Section 57, subsection (3) of PA 269 of 2016.

Sponsored by: Council Members Smith, Briere, Grand, Ackerman and Mayor Taylor