CITY OF HARTFORD 
COUNTY OF VAN BUREN 
STATE OF MICHIGAN 
RESOLUTION 2016 - 001

OPPOSING PUBLIC ACT 269

At a Regular meeting of the City of Hartford Commission, called to order by Mayor Theodore Johnson on January 25, 2016 at 7:30p.m.

The following resolution was offered:

Moved by Commissioner Burleson and supported by Commissioner Hall.

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 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 formal language in Section57, 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;
NOW THEREFORE BE IT RESOLVED, that the City Commission of the City of Hartford calls for an immediate repeal of the new language in Section 57, sub section (3) of P.A. 269 of 2016; and

ALSO BE IT FURTHER RESOLVED THAT, a copy of this Resolution be forwarded to Representative Aric Nesbitt and Senator John Proos.

YEAS: Ron Burleson; Rick Hall; Dennis Goss; John Miller; Terry Tibbs; and Ted Johnson
NAYS: None
ABSENT: Frank Dockter;

RESOLUTION DECLARED ADOPTED

DATE: January 25, 2016

I RoxAnn Rodney-Isbrecht, Clerk for the City of Hartford, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the City Commission of the City of Hartford during a meeting held on January 25, 2016.

RoxAnn Rodney-Isbrecht, City Clerk
19 West Main Street
Hartford MI 49057