At a regular meeting of the City Commission held Monday, January 25, 2016 at 7:00 p.m., in the City Commission Room the following action was taken:

Moved by Commissioner Gillis and supported by Commissioner Kulick to approve the following resolution regarding PA269 of 2015:

WHEREAS, Governor Snyder signed into law, with immediate effect, Public Act 269 (Senate Bill 571); and
WHEREAS, both the Michigan Senate and the Michigan House of Representatives passed Senate Bill 571 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 organization, 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, 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;
NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of Mt. Pleasant calls for an immediate repeal of the new language in Section 57, subsection (3) of PA 269 of 2015; and
NOW, THEREFORE, BE IT FINALLY RESOLVED, that a copy of this Resolution be forwarded to the city’s state representatives in the Michigan House of Representatives and the Michigan Senate.

Resolution unanimously adopted.

I, Jeremy Howard, Clerk for the City of Mt. Pleasant, Michigan, do hereby certify that the foregoing is a true and complete copy of action taken by the City Commission at a regular meeting held January 25, 2016.

Dated: January 26, 2016

Jeremy Howard, City Clerk