

**RESOLUTION #2016-09**  
**City of Albion Opposition to Public Act 269**

**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 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**, 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;  
**NOW, THEREFORE, BE IT RESOLVED**, that the City of Albion calls for an immediate repeal of the new language in Section 57, subsection (3) of PA 269 of 2016; and  
**BE IT FURTHER RESOLVED**, that the City of Albion supports language in Senate Bill 571 that clarifies that allowable activities by public bodies and does not limit communications regarding a local ballot question, the date of an election, a discussion of a local ballot question during a public meeting (including meetings broadcast on public access), or the use of public facilities, and allows public officials and employees to express their personal views.  
**NOW, THEREFORE, BE IT FINALLY RESOLVED**, that a copy of this Resolution be forwarded to the City of Albion's state representatives in the Michigan House of Representatives and the Michigan Senate.

Michigan do hereby certify that the foregoing Resolution No. 2016-09 was offered by Councilperson French and supported by Councilperson Krause and same was duly passed at a regular meeting of the City Council in the City Hall, held on February 1, 2016, and this is a true copy of that resolution

Ayes   17  

Nays   0  

Absent   0  

  
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Jill Domingo, Albion City Clerk