



**House
Legislative
Analysis
Section**

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TOWNSHIP MINUTES: PUBLICATION

**House Bill 4971 as enrolled
Public Act 465 of 1996
Second Analysis (12-17-96)**

**Sponsor: Rep. John Llewellyn
House Committee: Local Government
Senate Committee: Government
Operations**

THE APPARENT PROBLEM:

Under Chapter 16 of the Revised Statutes of 1846, which deals with the powers and duties of townships, a township board in a township with a state equalized valuation (SEV) of \$25 million or more must publish the proceedings of any meeting in a newspaper of general circulation in the township not more than 21 days after the meeting. (The act says a synopsis of the proceedings prepared by the clerk and approved by the supervisor, showing the substance of each separate proceeding of the board, is sufficient.) This SEV requirement has not changed since 1951, and property has increased in value enormously since that time. This means some very small townships are forced to face the burden and cost of meeting the publishing requirement. The intent of the SEV limit originally was to exempt these smaller townships from the requirement. To recapture this intent, legislation has been introduced to raise the limit in the act.

THE CONTENT OF THE BILL:

House Bill 4971 would require a township with a taxable value of \$50 million or more to publish the proceedings of any meeting in a newspaper of general circulation in the township not more than 21 days after the meeting. (The SEV limit is currently \$25 million. The term "taxable value" is now used in property tax statutes to reflect the new constitutional cap on the increase in assessments for tax purposes. Generally speaking, taxable value is SEV adjusted downwards to fit under the cap on how fast assessments can increase.) The \$50 million figure would be adjusted annually beginning January 1, 1998, based on changes in the Detroit consumer price index. The determination would be made by the Department of Treasury, and the figure would be rounded to the nearest \$1 million.

MCL 41.72a

FISCAL IMPLICATIONS:

The House Fiscal Agency notes that there would be no impact on state costs or revenues. There would be an indeterminate cost reduction for townships that no longer would have to publish accounts of their meetings and chose not to do so. (Fiscal Note dated 10-23-95)

ARGUMENTS:

For:

The bill simply restores the original intent of the exemption for small townships from the requirement that they publish an account of their meetings in a locally circulated newspaper. The exemption is based on the total value of property in the township, and the threshold amount has not been changed since 1951.

Against:

Isn't the publication of official accounts of township board meetings a beneficial public service no matter how small the community?

Analyst: C. Couch

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

House Bill 4971 (12-17-96)