



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 647 (as enrolled)
 Sponsor: Senator Dave Honigman
 Senate Committee: Local, Urban and State Affairs
 House Committee: Local Government

PUBLIC ACT 407 of 1996

Date Completed: 1-3-97

RATIONALE

Public Act 87 of 1855 allows any five or more people to organize a corporation for the purpose of acquiring land for a cemetery, selling burial rights, and maintaining the cemetery. Persons who met to incorporate a cemetery corporation elected a board of trustees consisting of nine members with staggered terms of office for those first elected. At each annual meeting, three were elected and held office for three years until their successors were elected. If a corporation had trustees whose terms did not expire at the date of the next annual meeting, the board could elect only the number of trustees that increased the board to nine members. Some people felt that limiting board membership to nine persons was overly restrictive, and suggested that the size of cemetery boards incorporated under the Act be allowed to expand.

Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Public Act 87 of 1855 limited to nine members the board of a cemetery corporation. This number was arbitrary and artificially low, and prohibited the participation of persons who might have wanted to become board members. The bill allows cemetery board membership to increase by up to three persons, thus allowing new membership and greater opportunity for people to serve.

Legislative Analyst: G. Towne

CONTENT

The bill amended Public Act 87 of 1855 to provide that the board of trustees of a cemetery corporation must consist of at least nine but not more than 12 members.

FISCAL IMPACT

The bill will have no fiscal impact on State or local government.

Fiscal Analyst: M. Tyszkiewicz

The bill provides that the first trustees elected must be divided as nearly as possible into three equal groups, with one group having a one-year term, one group having a two-year term, and one group having a three-year term. Upon expiration of the terms of the members first elected, the successors will be elected for terms of three years each.

MCL 456.8

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The

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