



STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

RICK SNYDER
GOVERNOR

BRIAN CALLEY
LT. GOVERNOR

March 16, 2015

Ms. Marie E. Wicks, Clerk
City of East Lansing
410 Abbott Road
East Lansing, MI 48823

Re: City of East Lansing Proposed Charter Amendment, Chapter 4, Section 8

Dear Ms. Wicks:

I am responding to the request for approval of the proposed charter amendment for the City of East Lansing. The resolution proposing the amendment was adopted by the city council at its meeting held on February 3, 2015. Based on the review by the Attorney General's Office, I am notifying you that I approve the proposed amendment pursuant to the Home Rule City Act (HRCA), 1909 PA 279, MCL 117.1 *et seq.*, for placement on the ballot May 5, 2015. Please note in the attached letter from the Attorney General, the concern in regard to the actual ballot language.

Sincerely,

A handwritten signature in black ink that reads "Rick Snyder".

Rick Snyder
Governor

Attachment

c: Attorney General's Office, State Operations Division

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



BILL SCHUETTE
ATTORNEY GENERAL

P.O. Box 30754
LANSING, MICHIGAN 48909

March 10, 2015

Honorable Rick Snyder
Governor, State of Michigan
The George Romney Building
Lansing, MI 48909

Attention: James Robert Redford, Esq.
Legal Counsel to the Governor

Re: **City of East Lansing - proposed charter amendment**

Chapter 4, Section 8 - reduces from three-fifths to a simple majority this section's provision for voter approval for: (1) sales of parkland and cemeteries; (2) the city engaging in any business enterprise requiring an investment in excess of ten cents per capita; (3) sales of real property with a value of more than \$4.00 per capita (providing that the \$4.00 per capita value shall be adjusted annually by the Consumer Price Index); (4) vacating any street or public place leading to a waterfront; and (5) sales of waterfront property.

Dear Governor Snyder:

You have referred to this office for examination a proposed charter amendment adopted by resolution of the East Lansing City Council at its meeting held on February 3, 2015.

I have reviewed the proposed amendment in light of the Home Rule City Act (HRCA), 1909 PA 279, MCL 117.1 *et seq.*, and conclude that the amendment is consistent with the HRCA.

The Attorney General has a separate responsibility to review the proposed ballot language for compliance with the requirements of Section 21 of the HRCA. I have examined the ballot language for the proposed amendment as set forth in the City's resolution. I recognize that the ballot language requests an amendment to Section 4.8 to reduce voter approval from 3/5 to a simple majority for sales of real property with a value of more than \$4.00 per capita (providing that the \$4.00 per capita value shall be adjusted annually by the Consumer Price Index). However,

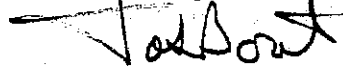
Honorable Rick Snyder

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the ballot language is inaccurate because it does not inform the voters that, regardless of whether the amendment is adopted, the current voter approval requirement in Chapter 4, Section 8, has already been reduced, as a matter of law, from three-fifths to a simple majority by operation of a 1966 amendment to Section 5(e) of the HRCA for sales of parkland and cemeteries, and the city engaging in any business enterprise requiring an investment in excess of ten cents per capita. This amendment would simply reflect that statutory change. See *Lansing v Board of Canvassers*, 380 Mich 496 (1968); MCL 117.5. In addition, the ballot language does not disclose that if this amendment is adopted, the voter approval requirement will also be reduced from three-fifths to a simple majority for vacating certain streets and public places, and sales of waterfront property.

Sincerely,



Joshua O. Booth
Assistant Attorney General
State Operations Division
(517) 373-1162

JOB/llw

Encs.

cc: Marie E. Wicks, City Clerk - w/o enc.

AG# 2015-0102561-A