



CRC Notes

LOCAL BALLOT ISSUES IN THE 2002 GENERAL ELECTION

From time to time attention is given to the length of the Michigan ballot. This issue was a central theme most recently in consideration of Proposal 02-01 on the November 2002 election, which asked whether straight-ticket voting should be prohibited in Michigan. The concern with the long ballot is that potential voters will choose not to vote due to unfamiliarity and uncertainty with the candidates and issues. While the number of elected officials is the primary cause of lengthy ballots, ballot issues are often numerous as well. For instance, the 2002 election resulted in 13 officials elected to statewide positions, 163 senators and representatives elected to Congress and the legislature, as well as the election of 253 judges and 1,379 local officials. At the same time, voters were asked to decide 4 statewide ballot issues and 412 ballot issues in various counties, cities, townships, and authorities.

Using a list of state and local ballot issues compiled by the Michigan Department of State and Publius.org to create the *Michigan Electronic Voter Guide*, CRC analyzed the 412 ballot issues – 45 county, 84 city, 269 township, and 14 special authority – to create the following summary of the issues voted on in the 2002 general election. Because this election constitutes only a snap shot of voter sentiment on local ballot issues, no attempt is made here to draw long-term conclusions.

Tax Issues

Three-quarters of the 412 local ballot issues presented to electors in the November 2002 general election were tax issues. Local governments placed tax issues on the ballots for several reasons. (See **Table 1**.)

Tax Increases. At the November 1978 general election, voters ratified a state constitutional amendment that limited state and local government revenues and required voter approval of new taxes. The “Headlee Amendment,” added Sections 25 through 33 to Article IX of the state Constitution and amended Section 6 of Article IX. Section 31 of Article IX provides in part as follows:

Units of Local Government are hereby prohibited from levying any tax not authorized by law or charter when this section

is ratified or from increasing the rate of an existing tax above that rate authorized by law or charter when this section is ratified, without the approval of a majority of the qualified electors of that unit of Local Government voting thereon....

Ballot issues requesting voter approval for tax increases appeared on the ballot in several forms.

- Several units simply asked for authority to levy new taxes or to increase the rate of existing taxes.
- In lieu of state laws or locally-adopted charters establishing tax limitations, non-charter units of government – generally, counties, general law townships, and intermediate school districts – either are subject to tax limitations through a process that allows a county allocation board to allocate up to 15 mills for their opera-

Table 1
Tax-Related Local Ballot Issues on the November 2002 General Election

	— Counties —		— Cities —		— Townships —		— Authorities —		— Total —	
	Issues	Approvals	Issues	Approvals	Issues	Approvals	Issues	Approvals	Issues	Approvals
Tax Increases	35	12	10	4	132	44	10	1	187	61
Headlee Overrides	4	0	6	0	7	2	0	0	17	2
Tax Renewals	5	5	4	4	81	77	2	2	92	88
Bond Issues	1	0	8	7	5	2	0	0	14	9
Total	45	17	28	15	225	125	12	3	310	160

Note: There were actually 306 tax-related ballot issues. The issues proposed by 4 townships are counted twice because they were seeking millage renewals along with new taxes or Headlee overrides.

CRC Memorandum

tions or have fixed tax limitations adopted by the electors in each county. About half of the proposed tax increases were local units – primarily counties and general law townships – requesting authority to increase the applicable tax limitations that apply under these 15 and 18-mill tax limitations.

- Cities and villages, up against the limits established in their charters, requested approval of charter amendments to tax at higher rates.
- Similarly, the Charter Township Act authorizes the levy of 5 mills by action of the township trustees and permits the levy of up to 5 additional mills if voters approve higher limits in a referendum.
- Although voter approval is not required for special assessments, 5 townships asked voter approval as a good faith measure and to be consistent with the requirements of other taxes.
- Finally, 9 of 14 ballot issues were approved authorizing local units to sell bonds to finance capital improvements, with an increase in property taxes to repay the principal and interest.

Tax rate increases accounted for 60 percent of the tax issues electors voted on in the 2002 general election. Only about one-third of these issues received voter approval.

Headlee Overrides. Section 31 of Article IX also requires that if the existing property tax base in a unit of local government increases faster than the rate of inflation, the maximum authorized rate must be reduced or “rolled back” by a commensurate amount so as to produce the same property tax levy as would have been obtained from the old base. The limits set in Section 31 are designed to prevent the property tax

revenues of local governments from growing more rapidly than the inflation rate unless voters explicitly endorse such growth. While hundreds of units had millage rollbacks in 2002, only 17 units requested voter approval for overrides. The requested millage restoration in these units would have increased tax rates by an average of 0.9071 mills (91 cents per \$1,000 of taxable value).

Requested Override of Headlee Millage Rollbacks

	Number of Units	Average Override
Counties	4	0.3469
Cities	5	1.9161
Townships	8	0.5565
Total	17	0.9071

Only two townships received voter approval for Headlee overrides, with an average millage increase of

0.0302, far below the average proposed override.

Millage Renewals. The other major category of tax issues was millage renewals. The General Property Tax Act requires local units proposing the issuance of bonds, imposing a new millage, or increasing or renewing existing millages to specify the millage rate, the estimated amount of revenue that will be collected in the first year levied, a statement of the purpose for the millage, and *the duration of the millage in years*. At the end of that duration, the local units may let the millage expire or request voter approval for renewal of the millage.

At the 2002 general election, local government experienced wholesale voter approval for millage renewals. Only 4 millage renewals were rejected, while 88 units received voter approval for their renewal requests.

**Table 2
Purpose of Local Government Millage Requests at the 2002 General Election**

<u>Purpose</u>	<u>Millage Requests</u>	<u>Issues Receiving Voter Approval</u>	
		<u>Number</u>	<u>Percent</u>
Public Safety	113	77	68.1
Roads	66	28	42.4
General Operations/Personnel	32	3	9.4
Libraries	24	12	50.0
Parks and Recreation	24	9	37.5
Senior Citizens	7	4	57.1
Refuse/Trash Collection	5	4	80.0
Cemeteries	5	4	80.0
Mosquito/Gypsy Moth Control	5	4	80.0
County Jail/Juvenile Housing	5	1	20.0
Hospitals	4	4	100.0
Conservation	3	1	33.3
Drain/Storm Water	2	2	100.0
Acquire Property	2	2	100.0
Establish Separate Tax Limitations	2	2	0.0
MSU Extension	1	1	100.0
Airport Operations & Maintenance	1	1	100.0
Animal Control	1	1	100.0
Mass Transit	1	0	0.0
ADA Compliance	1	0	0.0
Street Lights	1	0	0.0
Court Employee Retirement	1	0	0.0
Total	306	158	51.6

Millage Purposes. Local units of government in Michigan and the electors showed a preference for taxes in which the resulting revenues are dedicated to specific purposes. Only 32 tax issues—10.5 percent of all tax-related ballot issues—sought voter approval for the levy of taxes for the general operations of local units. Only 3 of those millage requests received voter approval. All other millage requests proposed to dedicate the millages to specific purposes. (See **Table 2.**)

By far, the most common purpose for which local governments sought approval was public safety—police, fire, emergency medical service

(EMS)/ambulance, 9-1-1 dispatch services, and communications equipment for these functions. The units seeking approval for these millages had some success, with 68.1 percent of the issues approved.

The next most frequent purposes for which millages were proposed were for road improvements and parks and recreation projects. Neither purpose received widespread support with road millages approved only 42.4 percent of the time and parks and recreation millages approved only 37.5 percent of the time.

Libraries were the subject of 24 millage requests. Interestingly, two-

thirds of the 15 library millages proposed by single townships were approved, while approval was given to only 2 of the 9 library millages proposed to be levied on a multi-jurisdictional basis – by counties or special library districts.

Four issues in 3 counties proposed dedicated millages for hospitals, with all 4 issues receiving voter approval.

Summary. Overall, electors were willing to continue the levy of taxes that were previously authorized, but approved the authorization to collect new taxes, increase tax rates, or override Headlee rollbacks on only about one-third of the ballot issues.

Governance Issues

Out of the 412 local ballot issues on general election ballots, 107 asked for the input of the electors on matters of governance. While all of the governance issues may have been important to the units that placed them on the ballots, the issues varied in relative significance statewide from adoption of new forms of government to advisory questions on the value residents place on certain government services.

Altering the Form of Government. Electors in the Village of Holly were asked whether the village should become a home rule city. Electors in Hartford Township were asked whether the township should incorporate as a charter township. In both cases, the electors rejected the proposals, opting to maintain the status quo.

Charter Amendments. The electors in the cities of Hamtramck and Roosevelt Park each opted to convene

charter commissions for a general revision of their city charters. While these actions began the charter revision process, the charter revision process was ending in other cities. The electors in Beaverton City voted to adopt the new charter proposed by their charter commission, and the electors in the City of Wyandotte rejected a proposed charter.

Seven cities presented multiple charter amendments to their electors dealing with many different issues:

- The City of Tecumseh placed 10 charter amendments on the ballot to alter or clarify matters of tax collec-

tion. The electors approved all 10 amendments.

- Electors in Reed City approved 5 of 6 charter amendments to remove sections from the current charter and to broaden the spending powers of the City Manager.
- Electors in Trenton adopted 4 of 5 proposed charter amendments to lengthen the term of office for the Mayor, Clerk, Clerk of the Treasurer, and fill vacancies for unfilled mayoral terms.
- Electors in Mt. Pleasant adopted 3 charter amendments to create a local officers compensation commis-

Although 4 of every 5 governance issues were placed on the ballots by cities, this does not imply anything about the different levels of government. Generally, electors are asked for input on governance issues only by home rule units of government. County governments in Michigan are organized as general law counties for 80 of the 83 counties and only Wayne County has a charter that may be amended by the voters. Similarly, all but 128 of the 1,242 townships are organized as general law townships and the “charter” for a charter township is found in state law – beyond the reach of local voters. This leaves most units little opportunity to place governance issues on the ballots for input by electors.

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sion, correct clerical errors in the current charter, and to address the issue of unpaid charges owed to the city.

- Electors in Ishpeming adopted 2 charter amendments to alter employment policies and to annex the Al Quaal Recreation Area.
- Electors in Port Huron adopted 2 charter amendments to authorize the lease and development of certain properties.
- Electors in Traverse City adopted 2 charter amendments requiring the city to have police and fire departments.

Approved charter amendments in other cities authorized filling of vacancies on the Auburn Hills city council by the highest vote getter in the previous general election that was not elected and a shift of powers from the Southfield civil service commission to the employees retirement board.

Defeated charter amendments included efforts to:

- Expand the powers of the Mayor of Grand Rapids and the City Manager of Reed City;
- Allow for the appointment

rather than election of the Lake City Treasurer and Clerk and the Trenton Assessor;

- Change the length of terms for the Mayor and City Council in Leslie;
- Broaden taxing powers in the cities of Saginaw and Lathrup Village;
- Remove term limits in Southgate;
- Create a local officers compensation commission in Montague;
- Allow employee bonuses in West Branch; and,
- Prohibit laws based on sexual orientation in Ypsilanti.

Township Trustees. Since 1958, townships with populations of 5,000 or more, or with 3,000 or more qualified and registered electors may increase the number of elected trustees from 2 to 4 (Michigan Election Law, MCL 168.358). An increase in the number of trustees must be approved by the voters at a general November election or by a majority of the voters attending an annual meeting. The township officers are required to place a question on the ballot at the first general November election after a township has met

those population/elector thresholds. The 2002 general election being the first such election after release of the results of the 2000 Census, referenda were placed on the ballots in 20 townships, with electors in 15 townships approving increases in the number of trustees.

The remaining governance issues included failed efforts to recall the township Supervisor and Clerk in Star Township; referenda on planning and zoning ordinances that passed in only 5 of 13 instances; approval of 4 of 5 measures to eliminate eyesores caused by failure to remove trash from properties; confirmation of the grant of an electric franchise to the Presque Isle Electric & Gas Co-op; the conversion of the LakeView Community Hospital Authority to a non-profit organization; and Detroit voters expressing the desire that the city continue to maintain and operate the Belle Isle Zoo.

Summary. The electors were willing to approve most changes presented in governance issues, approving 68 of the 107 governance issues presented to them.

The Citizens Research Council of Michigan wishes to express its appreciation to the staff of Publius.org for compiling the list of local government ballot issues and its support of our efforts in putting this report together.