

HOUSE JOINT RESOLUTION NO. HJ0004

Emergency financial managers' powers.

Sponsored by: Representative(s) Byrd

A Bill

for

1 A JOINT RESOLUTION expressing disapproval of Michigan's
2 Local Government and School District Fiscal Accountability
3 Act and supporting a referendum for the repeal of that act.

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5 WHEREAS, the Legislature of the State of Michigan enacted
6 Public Act 4 of 2011, the Local Government and School
7 District Fiscal Accountability Act; and

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9 WHEREAS, Public Act 4 is purportedly "an act to safeguard
10 and assure the fiscal accountability of units of local
11 government"; and

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13 WHEREAS, Public Act 4 was effective March 16, 2011 and
14 vastly expanded the powers granted to emergency financial
15 managers under state law; and

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1 WHEREAS, Public Act 4 authorizes the governor to
2 unilaterally declare a financial emergency in any unit of
3 local government, including school districts; and

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5 WHEREAS, Public Act 4 also authorized the Michigan state
6 treasurer to appoint emergency financial managers; and

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8 WHEREAS, Public Act 4 gives emergency financial managers
9 broad and complete authority in the designated local
10 government jurisdiction, without transparency or
11 accountability, allowing the managers to sell public
12 property, enter into contracts, void all or selected
13 contracts, remove elected officials from office, dissolve
14 political structures such as councils and commissions, void
15 collective bargaining agreements, merge services and
16 political entities, borrow money on the public purse and
17 other dictatorial powers without seeking authority or
18 approval from any elected body, from the affected persons
19 or from the electorate; and

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21 WHEREAS, Public Act 4 conflicts in a most profound way with
22 deeply held democratic principles on which our nation and
23 our state were founded, and on which the people rely for
24 the security of their lives, liberty and property; and

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2 WHEREAS, Michigan's emergency manager law is one of the
3 most draconian of its kind in the United States, giving
4 emergency financial managers virtually dictatorial powers;
5 and

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7 WHEREAS, emergency financial managers are currently in
8 control of the cities of Flint, Benton Harbor, Ecorse and
9 Pontiac, as well as in the Detroit Public Schools, and the
10 Highland Park School District and the city of Detroit are
11 being reviewed for appointment of emergency financial
12 managers; and

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14 WHEREAS, it is inconsistent with American values to force
15 local governments to submit to a politically appointed
16 manager with vast powers over the public purse, property,
17 services, elected officials and structure of the local
18 government; and

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20 WHEREAS, a referendum is currently under way in Michigan to
21 repeal Public Act 4.

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23 *NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE*
24 *LEGISLATURE OF THE STATE OF WYOMING:*

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2 **Section 1.** The Legislature of the State of Wyoming
3 supports the referendum and the repeal of Public Act 4 of
4 2011.

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6 **Section 2.** The Legislature of the State of Wyoming
7 urges local elected officials, elected State
8 representatives and senators, and the people of the State
9 of Michigan to support the repeal of the "Local Government
10 and School District Fiscal Accountability Act."

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12 **Section 3.** That the Secretary of State of Wyoming
13 transmit copies of this resolution to the Legislature of
14 the State of Michigan, the City of Detroit and the members
15 of the Wyoming and Michigan congressional delegations.

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(END)