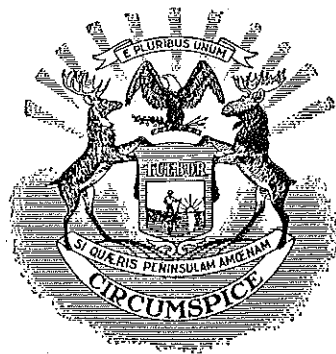


PUBLIC ACTS
OF
THE LEGISLATURE
OF THE
STATE OF MICHIGAN
PASSED AT THE
REGULAR SESSION OF 1927

CONTAINING JOINT RESOLUTIONS AND AMENDMENTS
TO THE CONSTITUTION



COMPILED BY
JOHN S. HAGGERTY
SECRETARY OF STATE

LANSING, MICHIGAN.
ROBERT SMITH CO., STATE PRINTERS,
1927.

"Vote on amendment to section nine of article five of the state constitution, fixing compensation and mileage for members of the state legislature.

Yes ()

No ()."

[No. 4.]

A JOINT RESOLUTION proposing an amendment to article thirteen of the constitution of the state of Michigan to provide for the condemnation and taking of the fee of more land and property than is needed for the acquiring, opening and widening of boulevards, streets and alleys, by municipalities of the state.

Resolved by the House of Representatives and the Senate of the State of Michigan, That the following amendment to the constitution of the state of Michigan, the same being a new section to be added to article thirteen, and to be known as section five, is hereby proposed, agreed to and submitted to the people of the state;

Resolved further, That the amendment be submitted to the people of the state of Michigan at the next general election. The secretary of state is hereby required to certify the proposed amendment to the clerks of the various counties of the state as required by law. It shall be the duty of the board of election commissioners of each county to prepare a ballot for the use of the electors in voting on said amendment and all other proposed constitutional amendments to be submitted to the electors at said election, which shall contain this amendment in full on a ballot separate from the ballot containing the names of nominees or candidates for public office; and this amendment shall be printed with the other amendment or amendments on said ballot in the following form:

"Vote on proposed amendment to the constitution relative to empowering the legislature to authorize municipalities, subject to reasonable limitations, to condemn and to take the fee to more land and property than is needed in the acquiring, opening and widening of boulevards, streets and alleys, and to make provision for the issuance of bonds to supply the funds to pay therefor.

Amendment to article thirteen of the constitution, empowering the legislature to authorize municipalities to condemn more land than is necessary for certain public purposes and to issue bonds therefor, it being proposed that said article be amended by adding thereto a new section, to be known as section five, to read as follows:

SECTION 5. In exercising the powers of eminent domain and in taking the fee of land and property that is needed for the acquiring, opening and widening of boulevards, streets and alleys, municipalities shall not be limited to the acquisition of the land to be covered by the proposed improvement, but may take such other land and property adjacent to the proposed improvement as may be appropriate to secure the greatest degree of public advantage from such improvement. After so much of the land and property has been appropriated for any such needed public

purpose, the remainder may be sold or leased with or without such restrictions as may be appropriate to the improvement made. Bonds may be issued to supply the funds to pay in whole or in part for the property so appropriated, but such bonds shall be a lien only on the property so acquired and they shall not be included in any limitation of the bonded indebtedness of such municipality.

Yes ()

No ()."

It shall be the duty of the board of election commissioners in each county to deliver the ballots so prepared to the inspectors of election of the several voting precincts within their respective counties within the time ballots to be used at said election are required to be delivered to such inspectors under the general election law. All votes cast upon said amendment shall be counted, canvassed and returned in the same manner as is provided by law for counting, canvassing and returning votes cast for state officers.

AMENDMENTS TO THE CONSTITUTION.

Amendment to the constitution relative to the terms of office of sheriffs, proposed by the legislature of 1925, and ratified by the people at the general election on Tuesday, November 2, 1926.

ARTICLE VIII.

SEC. 5. The sheriff shall hold no other office. He shall be elected at the general election for the term of two years. He may be required by law to renew his security from time to time and in default of giving such security, his office shall be deemed vacant. The county shall never be responsible for his acts.

Amendment to the constitution relative to the creation of metropolitan districts, proposed by the legislature of 1927, and ratified by the people at the biennial spring election on Monday, April 4, 1927.

ARTICLE VIII.

SEC. 31. The legislature shall by general law provide for the incorporation by any two or more cities, villages or townships, or any combination or parts of same, of metropolitan districts comprising territory within their limits, for the purpose of acquiring, owning and operating either within or without their limits as may be prescribed by law, parks or public utilities for supplying sewage disposal, drainage, water, light, power or transportation, or any combination thereof, and any such district may sell or purchase, either within or without its limits as may be prescribed by law, sewage disposal or drainage rights, water, light, power or transportation facilities. Any such districts shall have power to acquire and succeed to any or all of the rights, obligations and property

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and amend its charter upon the approval thereof by a majority vote of the electors of each city, village and township, voting on such question, and, through its regularly constituted authority, to pass all laws and ordinances relating to its municipal concerns, subject to the constitution and general laws of this state.

Amendment to the constitution relative to fixing legislative territory and districts, proposed by the legislature of 1927, and ratified by the people at the general election on Tuesday, November 6, 1928.

ARTICLE V.

SEC. 3. The house of representatives shall consist of not less than sixty-four nor more than one hundred members. Representatives shall be chosen for two years and by single districts, which shall contain as nearly as may be an equal number of inhabitants and shall consist of convenient and contiguous territory; but no township or city shall be divided in the formation of a representative district, except that when a city is composed of territory in more than one county, it may be divided at the county line or lines: And *provided*, That in the case of cities hereafter organized or created or territory annexed to an existing city, the territory thereof shall remain in its present representative district until the next apportionment. When any township or city shall contain a population which entitles it to more than one representative, then such township or city shall elect by general ticket the number of representatives to which it is entitled. Each county, with such territory as may be attached thereto, shall be entitled to a separate representative when it has attained a population equal to a moiety of the ratio of representation. In every county entitled to more than one representative, the board of supervisors shall assemble at such time and place as shall be prescribed by law, divide the same into representative districts equal to the number of representatives to which such county is entitled by law, and shall cause to be filed in the offices of the secretary of state and clerk of such county a description of such representative districts, specifying the number of each district and population thereof according to the last preceding enumeration.

Amendment to the constitution relative to condemnation of excess property for boulevards, etc., proposed by the legislature of 1927, and ratified by the people at the general election on Tuesday, November 6, 1928.

ARTICLE XIII.

SEC. 5. In exercising the powers of eminent domain and in taking the fee of land and property that is needed for the acquiring, opening and widening of boulevards, streets and alleys, municipalities shall not be limited to the acquisition of the land to be covered by the proposed improvement, but may take such other land and property adjacent to the proposed improvement as may be appropriate to secure the greatest

degree of public advantage from such improvement. After so much of the land and property has been appropriated for any such needed public purpose, the remainder may be sold or leased with or without such restrictions as may be appropriate to the improvement made. Bonds may be issued to supply the funds to pay in whole or in part for the property so appropriated, but such bonds shall be a lien only on the property so acquired and they shall not be included in any limitation of the bonded indebtedness of such municipality.

Amendment to the constitution relative to compensation of members of the state legislature, proposed by the legislature of 1927, and ratified by the people at the general election on Tuesday, November 6, 1928.

ARTICLE V.

SEC. 9. The compensation of the members of the legislature shall be three dollars per diem during the term for which they are elected, and they shall receive no further compensation than as specified in this section for service when the legislature is convened in extra session. Members shall be entitled to ten cents per mile and no more for one round trip to each regular and special session of the legislature by the usually traveled route. Each member shall be entitled to one copy of the laws, journals and documents of the legislature of which he is a member, but shall not receive, at the expense of the state, books, newspapers or perquisites of the office not expressly authorized by this constitution.