

PUBLIC AND LOCAL ACTS
OF
THE LEGISLATURE
OF THE
STATE OF MICHIGAN

PASSED AT THE
REGULAR SESSION OF 1943

CONTAINING JOINT RESOLUTIONS, AMENDMENTS TO
CONSTITUTION AND ABSTRACTS OF PROCEEDINGS
RELATIVE TO CHANGE OF BOUNDARIES OF TOWN-
SHIPS AND INCORPORATION, ETC., OF CITIES AND
VILLAGES.



COMPILED BY
HERMAN H. DIGNAN
SECRETARY OF STATE

FRANKLIN DEKLEINE COMPANY
PRINTERS — LITHOGRAPHERS — BOOKBINDERS
LANSING — 1943



[No. 3.]

A JOINT RESOLUTION proposing an amendment to section 23 of article 8 of the state constitution, relative to changing the restriction of furnishing water by any city or village to an amount not to exceed 25 per cent of that furnished by it within its corporate limits.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to section 23 of article 8 of the state constitution, relative to changing the restriction of furnishing water by any city or village to an amount not to exceed 25 per cent of that furnished by it within its corporate limits, is hereby proposed, agreed to and submitted to the people of this state:

ARTICLE VIII.

Public utilities; power to own and operate.

Sec. 23. Subject to the provisions of this constitution, any city or village may acquire, own and operate, either within or without its corporate limits, public utilities for supplying water, light, heat, power and transportation to the municipality and the inhabitants thereof; and may also sell and deliver heat, power and light without its corporate limits to an amount not to exceed 25 per cent of that furnished by it within the corporate limits, and may also sell and deliver water outside of its corporate limits in such amount as may be determined by the legislative body of the city or village; and may operate transportation lines without the municipality within such limits as may be prescribed by law: *Provided*, That the right to own or operate transportation facilities shall not extend to any city or village of less than 25,000 inhabitants.

Resolved further, That the foregoing amendment shall be submitted to the people of the state at the next regular election. The secretary of state is hereby required to certify said proposed amendment to the clerks of the various counties of the state in the manner required by law. It shall be the duty of the board of election commissioners of each county to prepare ballots for the use of the electors when voting on said proposed amendment, which ballot, after setting forth the proposed amendment, in accordance with the provisions of section 3 of article 17 of the constitution, shall be substantially in the following form:

"Vote on amendment to section 23 of article 8 of the state constitution, relative to changing the restriction of furnishing water by any city or village to an amount not to exceed 25 per cent of that furnished by it within its corporate limits.

Shall section 23 of article 8 of the state constitution be amended to remove the restriction of furnishing water by any city or village to an amount not to exceed 25 per cent of that furnished by it within its corporate limits?

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.

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AMENDMENTS TO THE CONSTITUTION.

Proposal No. 1.

Amendment to the constitution relative to "changing restriction of furnishing water by any city or village", proposed by joint resolution, and ratified by the people at the general election, November 7, 1944.

ARTICLE VIII.

Sec. 23. Subject to the provisions of this constitution, any city or village may acquire, own and operate, either within or without its corporate limits, public utilities for supplying water, light, heat, power and transportation to the municipality and the inhabitants thereof; and may also sell and deliver heat, power and light without its corporate limits to an amount not to exceed 25 per cent of that furnished by it within the corporate limits, and may also sell and deliver water outside of its corporate limits in such amount as may be determined by the legislative body of the city or village; and may operate transportation lines without the municipality within such limits as may be prescribed by law: Provided, That the right to own or operate transportation facilities shall not extend to any city or village of less than 25,000 inhabitants.

Proposal No. 2.

Amendment to the constitution relative to "authorizing the state to control, improve, etc., rivers, streams and water levels for certain purposes", proposed by joint resolution, and ratified by the people at the biennial spring election, April 2, 1945.

ARTICLE X.

Sec. 14. The state shall not be a party to, nor be interested in any work of internal improvement, nor engage in carrying on any such work, except in the improvement of or aiding in the improvement and control of public roads, rivers, streams and water levels, for purposes of drainage, public health, control of flood waters and soil erosion, in the reforestation and protection of lands owned by the state and in the expenditure of grants to the state of land or other property.