

I believe that Senator Meekhof was well-intended when he introduced SB 1167 back in June. At that time, the Village of Spring Lake was embroiled in an intense debate over disincorporation. A local resident circulated a petition for disincorporation that was later denied placement on the August 7, 2012 ballot by Ottawa County Circuit Court Judge VanAllsburg.

Spring Lake is Home Rule Village. Home Rule generally refers to the authority of a village under a state's constitution and laws *to draft and adopt a charter for its own governance*. Spring Lake has operated as a home rule village since the early 1900's, after the 1908 constitution gave the electors of each city or village the authority to frame and adopt a charter and "pass all laws and ordinances relating to its municipal concerns, subject to the constitution and general laws of this state." As noted by the Constitutional Convention of 1907, "each municipality is the best judge of its local needs and the best able to provide for its local necessities." This right of home rule was also incorporated into the 1963 Constitution which strengthened local control. The current Charter for the Village of Spring Lake was authorized by the voters in 1997, and approved by the Governor of the State of Michigan.

Spring Lake's Charter contains all provisions required by statute. The attorney general opined some six decades ago, that the disincorporation provisions of the **General Law Village Act (GLVA) do not apply to vacate the incorporation of a Home Rule Village (HRV)** where the home rule village's charter did not adopt such provisions. The disincorporation provisions of the General Law Village Act were certainly known at the time the Village's current charter was approved by Village residents in 1997. As the best judge of its local needs, the voters of Spring Lake made a decision not to adopt the disincorporation provisions from the General Law Act, or to incorporate such a provision into the current charter. While the Spring Lake Charter does not contain a provision outlining a procedure for disincorporation, **the HRVA does not require it**. SB 1167 mandates disincorporation language, whether or not the community wants it.

The Village of Spring Lake would like to bring it to your attention that SB 1167 was introduced by our own Senator Meekhof. We believe that this was an overreaction to the complaints of one of his constituents, which complaints were raised during a very emotional time following the contested circuit court action. Creation of laws based on such emotion, which are contrary to the home rule principles adopted in both the 1908 and 1963 Michigan Constitutions, are not in the best interests of the people of this state. I would compare this action to amputating one's arm because of a hangnail. This legislation is completely unnecessary as there are currently mechanisms in place for people to choose the form of government that best represents them. The House and Senate should allow these decisions to remain at the local level and not attempt to institute a one-size-fits all bill to fix what doesn't ail us.

I must also point out that there are a number of unintended consequences should you decide to adopt this bill in its current form. In the case of Spring Lake, we have a District Library created for the Village of Spring Lake and Spring Lake Township residents. Should the Village dissolve, the consequences and the future for our library are uncertain. How do you have a "district library" with only one jurisdiction?

Another consideration is public safety. If the Village of Spring Lake were to dissolve, what happens to our police department? We currently share our police department with the City of Ferrysburg. It is safe to assume Ferrysburg would have to pick up 100% of the tab for the department rather than the approximately 50% they currently support. Governor Snyder has embraced cooperation and consolidation, as have we. As a matter of fact, we were doing it LONG before Governor Snyder took office as our consolidated police department dates back to the mid-1980's. Dissolution at the drop of a hat, with no big-picture thinking and long-term planning (which is what this bill would allow) would be financially catastrophic for the neighbors we currently work with so well. The same could be said for our relationship with Spring Lake Township for fire protection and our relationship with Grand Haven for water and sewer service. In the case of disincorporation, those communities that we partner with would be left holding the bag in an economic climate where no community is in a financial position to do so.

The proposed legislation also fails to address how long term debt, for which the full faith and credit of the Village has been pledged, would be affected by disincorporation. The potential financial consequences to disincorporation must be carefully planned. This is further justification for leaving the decision about disincorporation to those that are in the best position to make these significant decisions – the voters of the Village and all other home rule villages in the State of Michigan.

Let me remind you of the unintended consequences of something we are all familiar with....TERM LIMITS. I'm embarrassed to admit that I voted for them, thinking it was a solution to rid the House and Senate of long-serving, short-sighted legislators that had overstayed their welcome. We all know how well that has worked out for us. We now have limited institutional memory in Lansing, but yet the likelihood of abolishing term limits is slim to none. Please....do not enact legislation without researching the far-reaching, long-term, unintended consequences of your actions. There ARE mechanisms already in place that address this issue and it's called the Home Rule Village Act.

My testimony today is based on more than just the form of government in Spring Lake Michigan. It's about allowing local decisions to remain in the hands of the LOCALS. One size does not fit all and that's certainly the case with this legislation.