



**House  
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Washington Square Building, Suite 1025  
Lansing, Michigan 48909  
Phone 517/373-6466

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House Bill 4651

Sponsor: Rep. Margaret O'Connor

Committee: Corrections

Mich. State Law Library

Complete to 9-19-88

**A SUMMARY OF HOUSE BILL 4651 AS INTRODUCED 5-18-87**

At present, the Department of Corrections act requires that the Department of Corrections, when establishing a state correctional facility, follow certain procedures in the site selection process, including responding to community concerns, before submitting the selection to the corrections commission for final approval. The commission is then required to transmit its finding and notice of a final site selection, in writing, to the local advisory board and to local and legislative officials. The bill would amend the act to require the department to act in cooperation with the Department of Management and Budget during the site selection process, and to allow the selection of a final site to be decided by the voters in the community.

Under the bill, the commission would be required to have its finding and notice of a site determination published in a newspaper in the city, village, or township in which the selected site was located. Within 30 days after transmittal of the notice of final site selection, the bill would allow a petition to be submitted to the county clerk of the county in which the selected site was located, requesting that the question of approving the final site selection be submitted for voter approval. A petition would have to be signed by not less than 15 percent of voters in the most recent gubernatorial election. If a petition for a referendum was filed, the department would not be able to proceed with the establishment of a correctional facility at the final selected site until the selection of the site was approved by a majority of the voters.

Under the bill, the county clerk -- after determining that the petition was valid -- would be required to order a referendum on the question of approving the final site selection. The bill would require that the referendum be held at the first primary or general election held in the city, village, or township, or at a special election held pursuant to the Michigan Election Law. Options to lease, purchase, or use property for a correctional facility could be obtained, but could not be exercised by the state until the above requirements had been satisfied.

MCL 791.216

House Bill 4651 (9-19-88)