

Collaborating with MAMA on improving ballot proposals

BY JOSEPH KIMBLE

This column is reprinted (with minor edits) from the Winter 2026 issue of Municipal Legal Briefs, published by the Michigan Association of Municipal Attorneys. The column pairs with last month's column by Kristin Duffy. That column broadly covered the state and local requirements for ballot proposals in Michigan and included one real-world before-and-after example. As I mention below, Kristin deserves credit for her part in the two redrafted examples in this column, since they substantially follow the model of her January redraft. —JK

For MAMA's Annual Meeting in October, Vince Duckworth, chair of MAMA's Professionalism and Education Committee, kindly invited me to speak about improving the clarity of Michigan ballot proposals. I was representing the Kimble Center for Legal Drafting at Cooley Law School. The Center's mission is to produce and make available—to attorneys and consumers—legal documents that are clear and easily understandable. We do this as a public service.

I was glad to accept Vince's invitation, and I attended with Kristin Duffy, a summa cum laude graduate of Cooley and the Center's graduate fellow. Kristin had written an article for the *Michigan Bar Journal's* January Plain Language column. Before the meeting, we had shared a draft of the column with Vince and with Steven Mann, the outgoing president of MAMA, and were delighted that they seemed receptive to our offer to possibly collaborate.

At the meeting, we posed three questions:

- Do ballot proposals need to be in a single sentence? (The templates in the booklet *An Introduction to Township Millage Questions* all use single sentences.)
- Do proposals need to cite codified law such as the Headlee Amendment, which most voters will know little or nothing about?

- Do proposals need to show the calculations that go in the final millage amount, as opposed to just setting out the amount itself?

Kristin's research had convinced us that the answers were no, and we didn't hear any disagreement during or after our talk. In fact, several persons we spoke with afterwards seemed quite positive about our efforts.

Kristin and I listened to a few of the presentations during the meeting, including Steve's update of Headlee Amendment legal issues. He showed two slides that caught our attention—two templates for ballot proposals involving the Headlee Amendment. Kristin and I have since redrafted those proposals and sent the redrafts to Vince and Steve. Steve had two suggestions that we incorporated. We don't know yet whether there's a process for getting formal, or even informal, approval of these templates, but we stand ready to tackle any other standard ballot language that MAMA or the Michigan Townships Association might suggest. We are in the process of trying to connect with the Townships Association.

In the meantime, here are the two templates that we redrafted. Our redraft appears after each one. We welcome comments. We really do! Any inaccuracies can (we think) easily be fixed.

SAMPLE BALLOT PROPOSAL:

HEADLEE OVERRIDE BALLOT
CITY OF _____ MILLAGE RESTORATION PROPOSAL

This proposal will restore the authority of the City to levy 20 mills for general operating purposes which has been reduced by 2.8214 mills by application of the Headlee Amendment.

Shall the limitation on the amount of taxes which may be imposed on taxable property in the City of _____, County of _____,

_____, Michigan, be increased by 2.8214 mills (\$2.8214 per \$1,000 of the taxable value) [for a period of ten (10) years, from 2026 to 2035,] [in perpetuity commencing in 2026] as new additional millage in excess of the limitation imposed by Michigan Compiled Laws section 211.34d, to provide funds for general operating purposes? It is estimated that 2.8214 mills would raise approximately \$192,888 when first levied in 2026.

SUGGESTED REDRAFT:

It is proposed that the current millage levied by the City of _____ be increased by 2.8214. This increase would restore the City's authority—which was reduced by law—to levy a total of 20 mills. The additional money raised would be used for general operating purposes. This would cost you about \$2.82 for each \$1,000 of your taxable real and personal property. The charge would [apply each year from 2026 through 2035] [be permanent, beginning in 2026]. About \$193,000 would be raised in the first year. Should the proposed new additional millage be approved?

SAMPLE BALLOT PROPOSAL:

RENEWAL WITH HEADLEE OVERRIDE

SENIOR SERVICES MILLAGE RENEWAL AND RESTORATION PROPOSAL

This proposal will authorize the City of _____ to levy 0.50 mill for the purpose of funding activities and services for persons 60 years of age and older. Of the 0.50 mill, 0.4721 represents a renewal of the 0.50 mill authorization approved by the electors in 2018, which will expire with the 2025 tax levy and 0.0279 mill represents a restoration of that portion of the same authority which has been reduced by application of the Headlee Amendment.

Shall the limitation on the amount of taxes which may be imposed on taxable property in the City of _____, County of _____, Michigan be increased by 0.50 mill (\$0.50 per thousand dollars of taxable value) for a period of eight (8) years, 2026 to 2033, inclu-

sive, as a renewal of the 0.4721 mill previously authorized by the electors which expires with the 2025 levy plus new additional millage in the amount of 0.0279 mill, for the purpose of providing funds for services and programs for senior citizens pursuant to the authority provided to it under Act 39 of PA 1976, specifically MCL 400.576? It is estimated that, if levied, the 0.50 mill would raise approximately \$32,680 when first levied in 2026.

SUGGESTED REDRAFT:

It is proposed that the City of _____ levy a tax of 0.50 mill. The proposed millage includes (1) a renewal of 0.4721 mill that was previously approved by voters in 2018 and (2) an increase of 0.0279 mill as new additional millage. This renewal and increase would restore the City's authority—which was reduced by law—to levy a total of 0.50 mill. The money raised would be used to fund activities and services for people 60 and older. This would cost you about \$0.50 (50 cents) for each \$1,000 of your taxable real and personal property. The charge would apply each year from 2026 through 2033. About \$32,700 would be raised in the first year. Should the proposed renewal and increase be approved?



Joseph Kimble taught legal writing for 30 years at Cooley Law School. His fourth and latest book is *Essentials for Drafting Clear Legal Rules* (with Bryan Garner). He is a senior editor of *The Scribes Journal of Legal Writing*, editor of the Redlines column in *Judicature*, and a drafting consultant on all federal court rules. He led the work of redrafting the Federal Rules of Civil Procedure, Federal Rules of Evidence, and Michigan Rules of Evidence. In 2023, he won a Roberts P. Hudson Award from the State Bar of Michigan. In 2024, he won the Golden Pen Award from the Legal Writing Institute.



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