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BILL ANALYSIS

Senate Fiscal Agency

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Senate Bill 631 (as reported with amendment)
Sponsor: Senator Harmon Cropsey
Committee: Local Government and Veterans

Date Completed: 2-20-90

RATIONALE

Public Act 261 of 1966, which provides for the election of county boards of commissioners, requires that the term of each commissioner be concurrent with that of State representatives as specified in Article 4, Section 3 of the State Constitution. Thus, the term of office for a county commissioner is two years. Some people believe that a two-year term is becoming obsolete primarily because other county officials--such as treasurers and clerks--serve four-year terms, and because a two-year term impedes continuity in the governing of counties. Therefore, some people contend that the term for a county commissioner should be four years and run concurrently with the term of office for State senators.

CONTENT

The bill would amend Public Act 261 of 1966 to provide that the term of each county commissioner who was elected after December 31, 1993, would have to be concurrent with the terms of State senators, as specified in the State Constitution. The bill would not take effect unless it was submitted to the State's electors in the same manner as prescribed for proposed amendments to the State Constitution at the next statewide special, primary, or general election following the bill's enactment by at least 60 days and unless approved by a majority of the electors.

MCL 46.410 - 46.412

FISCAL IMPACT

The bill would have no fiscal impact on the State. The bill could result in a marginal cost savings to counties due to the fact that the ballot for two-year elections would be shorter.

ARGUMENTS**Supporting Argument**

County government is one level of government that is close to the people it serves. Yet, inconsistencies in the terms of office among county officials have resulted in incongruity in the governing of counties. For example, county clerks and treasurers have four-year terms while commissioners have two-year terms. A four-year term for commissioners would bring equity and continuity to terms of office among all county officials. Furthermore, a two-year term often results in a constant turnover of commissioners. Thus, a person no sooner is elected commissioner and becomes familiar with the responsibilities of the office, then the commissioner faces re-election. This turnover can cause delays in a long-term program, such as a road project, that takes time to develop and receive approval from the county board before it can get under way. If a project happens to be approved at the time of an election, the project's implementation may have to be delayed until after the election and the new commissioners become familiar with it. Lastly, conducting an election every two years is expensive for many counties that have

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limited funds.

Response: Elections would still have to be held every two years to elect State representatives, and counties are responsible for the costs of regularly scheduled elections.

Opposing Argument

A two-year term of office can result in greater accountability of a county commissioner to the people he or she serves. A commissioner who knows that he or she must face the electorate every two years, is more likely to stay abreast of voter sentiment.

Opposing Argument

Terms of office for county commissioners are established in State statute--not in the State Constitution. In addition, the terms of office for township officials were revised approximately 10 years ago by action of the Legislature. It is not clear why the issue of revising county commissioners' terms should be submitted to a statewide referendum, since it is not a matter of amending the State Constitution but comes within the purview of legislative activity.

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