



**House  
Legislative  
Analysis  
Section**

Olds Plaza Building, 10th Floor  
Lansing, Michigan 48909  
Phone: 517/373-6466

**STATE AGENCY DIRECTORS**

**House Bill 4861 (Substitute H-1)  
First Analysis (8-17-93)**

**Sponsor: Rep. Kirk A. Profit  
Committee: State Affairs**

***THE APPARENT PROBLEM:***

Some people believe that the heads of state departments, whether individual directors or (in the case of the Departments of Civil Rights and Natural Resources) commissions, should demonstrate their stake in the state by living in the state.

***THE CONTENT OF THE BILL:***

The bill would create a new act that would require that after December 31, 1993, directors of state agencies and all state board and commission members to be state residents or move into the state within four months (120 days) of their appointment or election. Members of state boards or commissions who didn't comply with the bill's requirements would be removed from office.

***FISCAL IMPLICATIONS:***

Fiscal information is not currently available. (8-3-93)

***ARGUMENTS:***

***For:***

It just seems a matter of good public policy -- not to mention common sense -- that the directors of state agencies (or members of commissions heading state agencies) live in the state. Heads of state agencies, whether individuals or commissions, set policy in the state and should, therefore, be stakeholders in the outcomes of these policies, demonstrating their stake by living in the state. Reportedly, in the past there has been at least one instance in which a member of a state agency commission moved out of state and was flown back to Michigan when the commission meetings were held. Also, apparently, questions have recently been raised about the residency status of at least one current director of a state agency. The bill would clarify residency requirements for the heads of state agencies by requiring that they live in the state or have plans to move into the state.

***Against:***

Some people believe that all state employees should live in the state. Currently, the Department of Civil Service reportedly has no residency requirements for state civil servants, requiring only U.S. citizenship. If someone gets a paycheck from the state of Michigan, it seems only fair that he or she live in the state.

***Response:***

Statutorily requiring all state employees to live within the state could infringe on collective bargaining agreements, and should be left up to the collective bargaining process.

***Against:***

The bill doesn't specify what "residency" would mean. Would it mean holding a current state driver's license? Paying property tax on a residence in the state? Residing a certain amount of time within the state? Without a definition of "residency" it could be difficult to determine whether or not a department head or commission member officially resided in the state.

***POSITIONS:***

There are no positions at present on the bill. (8-3-93)

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