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COUNTY COMMISSION CHAIR TWO-YEAR TERMS

House Bill 5952 as introduced First Analysis (10-3-00)

Sponsor: Rep. Rick Johnson
Committee: Local Government and Urban Policy

THE APPARENT PROBLEM:

The county commissioners in Michigan's 83 counties serve two-year terms, and they are elected in even-numbered years (as are state representatives and members of Congress). Under the law, the chairperson of a county commission is elected for a one-year term, customarily at the first meeting of the commission in the year.

According to committee testimony, the organizational meeting of the county commission can be filled with uncertainty, because the selection of a chairperson from among the commissioners is a process that can be filled with contention. Occasionally commissioners jockey for power among themselves, sometimes but not always separated by ideological or partisan points-of-view. In such circumstances, and especially when a county board has an even number of commissioners, the county boards can become deadlocked, and unable to elect a commissioner to chair their meetings. Indeed, in committee testimony it was reported that one board of commissioners was unable to elect a chair until six months after the November election. In another case, a board having nearly all of its members elected from one political party experienced such anger and bitterness in its leadership election that the board's service to the community was badly impaired.

In order to make the election of a leader less contentious, some have suggested that the number of leadership elections could be reduced, and that county boards of commissioners could have the option of electing their chairperson to a two-year term.

THE CONTENT OF THE BILL:

House Bill 5952 would amend Public Act 156 of 1851, an act that defines the powers and duties of the county boards of commissioners, to specify that the chairperson of a county board could serve two years instead of one.

Currently a county board of commissioners at its first meeting in each year chooses one member as chairperson and one member as vice-chairperson. Under the law, that chairperson presides at a meeting of the board during that year, unless absent, in which case the vice-chairperson presides.

House Bill 5952 would require that the county board of commissioners choose one member as chairperson and one member as vice-chairperson. The bill further specifies that the chairperson would be elected each odd numbered year for a two-year term, unless the county board of commissioners provided by resolution that the chair was elected annually for a one-year term. Under the bill the vice-chairperson would continue to be elected annually for a one-year term. In addition, House Bill 5952 would require that the election of a chairperson or vice-chairperson take place at the first meeting of the county board of commissioners in a year in which a chairperson or vice-chairperson, respectively, is to be elected, and the terms of office for both leaders would begin upon their elections. Finally, the bill specifies that a resolution providing for a one-year term for the chairperson would not shorten the term of office of a sitting chairperson elected to a two-year term.

The bill would take effect January 1, 2001.

MCL 46.3

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would have no fiscal impact. (9-28-00)

ARGUMENTS:

For:

In order to reduce the opportunities for contentious leadership elections among commissioners who serve

on county boards, it would be wise to give county governments the option of electing the chairperson of the county board every two years, instead of annually. Currently, the law requires a leadership election each year, an election that customarily occurs during the organizational meeting of the county board, at which time newly elected members are sworn into office. When leadership is contested during the organizational meeting, boards are sometimes left leaderless for weeks or months, impairing their ability to serve the citizens.

POSITIONS:

The Michigan Association of Counties supports the bill. (9-28-00)

Analyst: J. Hunault

#This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.