



**House  
Legislative  
Analysis  
Section**

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**DISTRICT ELECTION OF  
UNIVERSITY GOVERNING BOARDS**

**House Bill 6483 (Substitute H-3)  
First Analysis (12-4-02)**

**Sponsor: Rep. James Koetje  
Committee: Commerce**

***THE APPARENT PROBLEM:***

The governing boards of three major research universities in Michigan are elected, the University of Michigan, Michigan State University, and Wayne State University. The boards of other state universities are appointed. Candidates for the elected university boards are nominated by political parties and then run on a statewide basis. Every two years voters select two members for each board to serve eight-year terms. Some people believe that, since all of the state's taxpayers support these universities and since students from all parts of the state attend them, the people would be better served if the university boards were elected on a district basis so that board members would represent residents from all over the state.

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

The bill would amend the Michigan Election Law to provide for the election of members of the Board of Regents of the University of Michigan, the Board of Trustees of Michigan State University, and the Board of Governors of Wayne State University on a district basis rather than statewide. The districts for the university boards would be the same as those used for the Michigan Court of Appeals, whose members are currently elected from four districts under the Revised Judicature Act. The district-based elections would begin with the general November election in 2004.

Under the bill, each district would be entitled to two members of each board, who would be elected to eight-year staggered terms. To accomplish the transition from at-large statewide elections to district based elections, the bill would specify which members would be elected through the 2012 general November election. To be eligible for election to a university board, a person would have to be a registered and qualified elector of the district on the date nominated by a political party for the office. (Candidates would continue to be nominated by the political parties.) The terms of office would begin at

noon on January 1 after the November election and would continue until a successor was elected and qualified. Vacancies would continue to be filled by the governor, who would have to appoint a registered and qualified elector from the appropriate district. The bill would also repeal several conflicting provisions of law.

At the general election in November 2004, the electors of District Two and District Four would each elect a member to the Board of Regents of the University of Michigan. The electors of District One and District Three would each elect one member to the Board of Trustees of Michigan State University. The electors of District One and District Three would each elect one member to the Board of Governors of Wayne State University. The terms would be for eight years. The at-large positions that were to expire on January 1, 2005 would terminate and would not be filled by election in 2004.

At the general election in November 2006, the electors of District One and District Three would each elect one member to the Board of Regents of the University of Michigan. The electors of District Two and District Four would each elect one member to the Board of Trustees of Michigan State University. The electors of District Two and District Four would each elect a member to the Board of Governors of Wayne State University. The at-large positions expiring on January 1, 2007 would terminate and would not be filled by election in 2006.

At the general election in November 2008, the electors of District One and District Three would each elect one member to the University of Michigan board. The electors of District Two and Four would each elect one member to the Michigan State board. The electors of District One and Three would each elect one member to the Wayne State Board. The at-large positions expiring on January 1, 2009 would terminate and would not be filled by election in 2008.

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At the 2010 election, the electors of District Two and District Four would each elect a member to the University of Michigan board. The electors of District One and District Three would each elect a member to the Michigan State board. The electors of District Two and District Four would each elect a member of the Wayne State Board. The at-large positions expiring on January 1, 2011 would terminate and would not be filled by election in 2010.

At the election in 2012 and at every subsequent even-year election, members would be elected to fill the position whose eight-year term was due to expire in January.

MCL 168.281 et al.

### ***BACKGROUND INFORMATION:***

As of March 2002, the Court of Appeals election districts are as follows. District One contains Calhoun, Hillsdale, Lenawee, Monroe, and Wayne counties. District Two contains Genesee, Macomb, Oakland, and Shiawassee counties. District Three contains Allegan, Barry, Berrien, Branch, Cass, Eaton, Ionia, Kalamazoo, Kent, Jackson, Muskegon, Newaygo, Ottawa, St. Joseph, Van Buren, and Washtenaw counties. District Four contains the remaining counties. The current Court of Appeals districts can be found on a map on the court's web site at <http://courtofappeals.mi.jud.net/court/judges/district/map032202.>]

### ***FISCAL IMPLICATIONS:***

The House Fiscal Agency reports that the bill would have no fiscal impact on the state or on local units of government. (HFA committee analysis dated 11-8-02)

### ***ARGUMENTS:***

#### ***For:***

The three major state research universities with elected boards are supported by tax dollars from all state taxpayers; students at the universities come from all over the state. All areas of the state ought to have representation on the university boards. The geographic diversity of board members will translate into a diversity of ideas about how these research institutions can best serve students and the people of Michigan generally. It should also result in diverse political viewpoints and parties being represented, and make the board candidates' prospects for election

less tied to the popularity of the candidate at the top of the ticket. Moreover, election by district will mean that candidates will no longer face the demands in cost and time of a statewide campaign. Elections on a smaller geographic level should make it easier for voters to learn about and connect with candidates for office. This, in turn, should make board members closer to and more accountable to the voters. The public might become more engaged and involved in the issues facing elected university boards. The schools might become more aware of the needs and interests of people far away from the campuses. Other institutions of government have this kind of geographic representation; it is a standard way of seeing that a variety of views, interests, and outlooks are part of the political and policy debates.

#### ***Against:***

Critics of this proposal say it is a solution in search of a problem. Have there been complaints about the statewide nature of the election of board members? Have the political parties failed to nominate candidates that fairly represent the diverse interests of the state's people? Some who complain about long ballots and the lack of information about university board candidates would rather that members be appointed. Some people might prefer that board candidates run on the nonpartisan ballot (like local school boards). There have even been proposals that the election for university boards be moved away from November to a special June school election day, along with the State Board of Education and local school boards. But has there been a movement for the election of board members by district? And, if board members are to be elected by district, why the Court of Appeals districts? Those districts may make administrative sense for the court, but do they reflect geographic diversity of the kind advocated by the bill's supporters? For example, the main offices of the four districts are located in Detroit, Southfield, Grand Rapids, and Lansing. Critics also say that the university boards in the past (at least the University of Michigan and Michigan State boards) have had board members from many parts of the state, who have seen their role (whatever their views) as serving the university as a whole and the state as a whole, not the interests of a particular region.

### ***POSITIONS:***

A representative of the Michigan Federation of Teachers and School Related Personnel testified in opposition to the bill. (12-3-02)

The Michigan Education Association has indicated its opposition to the bill. (12-3-02)

Analyst: C. Couch

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■ 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.