

Legislative Analysis



UNIVERSITY GOVERNING BOARDS: MEETINGS OPEN TO PUBLIC

Phone: (517) 373-8080
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House Joint Resolution O (H-1 substitute)
Sponsor: Rep. Martin Howrylak
Committee: Oversight and Ethics
Complete to 6-15-15

Analysis available at
<http://www.legislature.mi.gov>

REVISED SUMMARY:

House Joint Resolution "O" seeks to amend Section 4 of Article VIII of the State Constitution of 1963 by adding language specifying that "meetings" (not just "formal sessions") of the governing boards of Michigan's institutions of higher education are open to the public.

Currently, Section 4 reads, in part, "...Formal sessions of governing boards of such [higher education] institutions shall be open to the public." HJR O would amend this to read, "Meetings of governing boards of these educational institutions shall be open to the public, as provided by law." [Underlined portions indicate proposed new language.]

The joint resolution also would update the formal names of institutions of higher education, which have changed since the constitution of 1963 was drafted. Although not all of Michigan's public institutions are mentioned by name in the constitution, for institutions formally chartered after the drafting of the current constitution, there is a "catch-all" provision stating that Section 4 applies to all "other institutions of higher education established by law."

If both the House and Senate approve the resolution with the support of at least two-thirds of each chamber at least 60 days before the date of a general election, it would then be placed on the ballot at that general election for voter approval or rejection. Otherwise, it would be placed on the ballot at the next general election. A general election is defined in Michigan Election Law [MCL 168.2(h)] as the November election that takes place in an even-numbered year.

If approved by a majority of those voting, it would become part of the constitution at the end of 45 days after the date of the election at which it was approved.

FISCAL IMPACT:

The joint resolution apparently would have no significant fiscal impact on public universities.

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