

Legislative Analysis



FOUR-YEAR TERMS AND TERM LIMITS FOR UNIVERSITY GOVERNING BOARDS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5533 as introduced
Sponsor: Rep. Beau Matthew LaFave

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

House Joint Resolution EE as introduced
Sponsor: Rep. Aaron Miller

Committee: Elections and Ethics
Complete to 2-14-18

SUMMARY:

House Joint Resolution EE would amend Section 5 of Article VIII of the Michigan Constitution of 1963 to institute four-year terms of service and a term limit of two terms for members of the University of Michigan, Michigan State University, and Wayne State University governing boards, beginning at the 2020 general election. Service of greater than one-half of a term would be considered a term for the purposes of the limit. The HJR would be self-executing, meaning that it would require no additional action in order to take effect once approved by the electorate. If any part of the term limit provision were found invalid or unconstitutional, the remaining parts would remain in full force and effect. (Const 1963, art 8, §5 and proposed §5a)

House Bill 5533 would mirror those changes in the Michigan Election Law. It would also provide that party conventions would continue to nominate two candidates for each of the university governing boards until December 31, 2022, and begin nominating four candidates for each of the governing boards beginning January 1, 2023. The bill is tie-barred to HJR EE, and would not take effect unless HJR EE amends the Constitution. (MCL 168.282 et al.)

In order to amend the Constitution, a joint resolution must be passed by a 2/3 majority of both houses of the legislature, and then approved by the electorate at the next general election after the adoption of the resolution. General elections are held in November of even-numbered years. (Joint resolutions are not considered by the governor.) To take effect for the 2020 general election, the measure would need to be approved by the electorate at the November 2018 general election.

Finally, the bill would repeal Public Act 23 of the Second Extra Session of 1963, which governs the boards of control of state institutions of higher education (MCL 390.691 to 390.693).

Proposed timeline

2018 2 elected to each governing board; 8-year terms	2020 2 elected to each governing board; 4-year terms	2022 2 elected to each governing board; 4-year terms	2024 4 elected to each governing board; 4-year terms	2026 4 elected to each governing board; 4-year terms

FISCAL IMPACT:

House Bill 5533 and HJR EE would have no fiscal impact on the state, local units of government, or the University of Michigan, Michigan State University, or Wayne State University.

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