



February 9, 2022



The Honorable Julie Calley, Chair
Members of the House Local Government
and Municipal Finance Committee
P.O. Box 30014
Lansing, MI 48909



Dear Chair Calley and Committee Members:



michigan municipal league

Re: House Bill 4885

We are supportive of amending the Michigan election law to provide clear timelines and clarification on the procedure for the removal of a local official from elected office when warranted. However, we believe that vesting a single individual with the ability to trigger that removal could likely result in an excess number of thinly supported charges against locally elected officials. Removal of an elected official is a serious matter not to be undertaken lightly. Historically, the governor rarely invokes this procedure since recalls and elections themselves also serve a similar purpose.

The existing provision of election law is unclear regarding who can start this process. The proposed legislation before the committee clarifies that it is an “individual making the charges” who submits “any supporting evidence and by the affidavit of the individual making the charges verifying that the individual believes the charges to be true.” *See proposed Section 207(2)(a)*. However, as indicated, allowing any single “individual” to trigger the process is a very low threshold to initiate such a serious process. Unfortunately, a single individual may have an inaccurate view of the facts and circumstances surrounding the conduct of the elected official. Under House Bill 4885, any individual could petition for the removal of a locally elected official — and trigger mandatory obligations by the governor — simply upon signing an affidavit they believe to be true.

The proposed process can be enhanced by incorporating a threshold to initiate the removal procedure. We would suggest a form of consensus be required prior to triggering the mandatory review by the governor. This can be easily attained by two possible methods: 1) a resolution adopted by the local governing body (county board of commissioners, township board, city or

village council or commission) or 2) by a petition signed by a specified number of the electors within that jurisdiction.

Supporting evidence should still be required as required in House Bill 4885. Further, an affidavit from an individual member of the board or a member of the public for a citizen petition also should be required to preserve individual action and responsibility.

With additional standards and a higher threshold for initiating the process, we look forward to working with you on House Bill 4885 to provide a fair process with clear timelines.

Respectfully,

Deena Bosworth
Director of Governmental Affairs
MI Association of Counties

Brian Wendling
President
MI Association of County Drain Commissioners

Judith Allen
Director of Government Relations
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