

Civil Service Commission Should Back Away from Granholm-Bowen Plan to Politicize Civil Service, Says Michigan Chamber of Commerce

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The Michigan Civil Service Commission should back away from a request from Governor Granholm's Director of the Office of State Employer, Scott Bowen, to adopt a new civil service rule authorizing the State of Michigan to provide payroll deduction for civil service employees to make contributions to union political action committees (PACs), says the Michigan Chamber of Commerce. Bowen's request is scheduled to go before the Commission at a meeting on December 19th.

"The four-person Civil Service Commission, appointed by the Governor, ought to back away from this ill-considered request," said Robert LaBrant, Senior Vice President of Political Affairs and General Counsel for the Michigan Chamber. "Essentially, the Granholm Administration is asking the Civil Service Commission to ignore both a 2006 Attorney General Opinion (OAG No. 7187) - which held that a state-administered PAC payroll deduction plan violates the Michigan Campaign Finance Act (OAG No. 7187) - and a 2006 Report to the Civil Service Commission by its own outside legal counsel, Michael Hodge, in order to adopt this new rule."

"The Civil Service Commission, as a state agency, is bound by law to follow an Attorney General Opinion. State agencies are not able to unilaterally decide which AG Opinions they are going to follow or ignore," said LaBrant, who noted that when Governor Granholm was Attorney General she fought vigorously to protect the authority of the Attorney General to issue opinions that are binding on state agencies, unless overturned in court.

"The Commission should say to the civil service employee unions that they are free to go into Circuit Court, on their own, and attempt to have the court invalidate the 2006 Attorney General Opinion," LaBrant continued.

"These unions and the state employer should not come to the Civil Service Commission to act as a substitute for the courts."

Legislation to overturn the current state statute (MCL 169.257), which serves as the basis for the 2006 AG Opinion, has been introduced and passed by the Democratic-controlled House of Representatives (HB 4628). However, the bill is expected to die in the Senate.

"The Civil Service Commission is not a 'super legislature' that can re-write the Michigan Campaign Finance on its own whim," observed LaBrant.

"The purpose of the civil service system is to keep partisan politics out of state classified employment. The proposed Granholm-Bowen rule change reinserts partisan politics into the on-duty operations of state government employment," added LaBrant.

"This Granholm-Bowen power grab is a sad commentary on the lengths this administration will go to politicize the civil service of the State of Michigan in order to feed its insatiable appetite to collect as much political money as possible, no matter what the means," LaBrant concluded.

The Michigan Chamber of Commerce is a statewide business advocacy organization representing over 7,000 employers, trade associations and local chambers of commerce.

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