

Approach to Convention Briefs Briefs Briefs

Changes Desired

Romney Views Possibilities

By George Romney
Republican Party Candidate
Oakland County-at-Large

The forthcoming Constitutional Convention is an opportunity and a challenge to all citizens to compose specific proposals, preferences and concentrate on identifying the vast areas of common agreement as to basic principle that exist throughout the state.

Candidates whose overriding responsibility is to all the people of Michigan, not to area, group or other special interests, have an obligation to identify basic problems and express basic convictions but to keep an open mind on specific issues, until there is an opportunity to consider them against the background of complete discussion and review of the Constitutional Convention.

THIS OBLIGATION is strengthened by the fundamental law, which is to investigate, identify, facts, discuss, to formulate viewpoints, and finally to reconcile differences in viewpoints in order to present in concrete form a constitution that is a broadly acceptable statement of fundamental law.

Disagreement is fostered and the possibility of agreement weakened by the presentation of preconceived frozen positions on specific issues by individual delegates.

Premature declarations of detailed position on specific solutions to constitutional problems can tend only to freeze the attitudes of candidates before they have had the benefit of the exchange of views and study that Constitutional Convention must rely on if it is to be fully effective.

It is like attempting to write

the final examination before the school year has begun.

CONVENTION delegates must be able to identify the areas of agreement and disagreement that exist throughout the state. Without compromising principles on which all can agree, individuals delegates can best achieve consensus by maintaining objectivity and flexibility about means and methods until one of a number of possible alternatives commands substantial unanimous support.

While identifying what I believe to be the major problem areas in the constitution as it stands, I have deliberately refrained from attempting to arrive at specific solutions for these problem areas based on my own unaided judgment.

This is not the task of the Constitutional Convention. It is the duty of elected delegates, in official convention session.

I HAVE already indicated many times publicly the constitutional areas that I believe require significant revision. The principles I would apply to these areas are:

1. Apportionment of the legislature to provide representation based both on population and on minority rights.

2. Reduction in the number of elected officials and in the size of government.

3. Simplification of the administrative branch to clarify administrative responsibility and to make it easier for voters to hold the governor and elected officials accountable for their acts.

4. Improvement in the procedure for electing the Supreme Court justices and administrative and judicial aspects of the judicial system.

REDUCTION of earmarking of certain revenues and greater discretionary control of the state budget by the legislature.

Strengthened local government, with free permissive choice provision for county home rule, particularly in metropolitan areas.

I AM COMMITTED to improvement in these areas, but am open to a meeting of other concerned delegates and to the best among alternate means of solving these problems.

Most fundamentally, I believe the result of the convention's work should be a new constitution that is clear, simple, basic, and states the principles and rules by which the people of Michigan choose their government, avoiding the kind of statutory patchwork which has become the purpose of the existing document and created the need for the forthcoming convention.

AS I SEE it, the convention's potential accomplishments faces these principle dangers:

1. Lack of sufficient public understanding and informed consent or acceptance of the unequal nature of delegate representation.
2. Public apathy and lack of faith in the ability and motivation of the delegates.
3. The possibility of a division and organization of the convention along special interest, geographical or party lines.

In last week's article I pointed up the importance of reapportioning the State Legislature on the basis of population in order that the vote of every citizen may be equal to the vote of every other citizen—no more and no less.

I emphasized that reapportioned alternatives, appointment by the governor, or appointment by a commission, are basically devices to reward a few people the historical right of the people—the right to elect those who judge them.

AGAIN this week, the six Con-Con candidates of principal interest to Birmingham-Bloomfield voters present their views on Constitutional Convention issues. They wrote the articles at the invitation of the Birmingham Eccentric. The election will be next Tuesday, with the elected delegates to convene in Lansing Oct. 3.

Comment on any other basis, no matter how well cloaked in high sounding phrases, could have only one result, and that is to deny to the people of Oakland County the representation that is their due.

IT IS often asserted in defense of the present system that it adequately protects minority rights.

Indeed it does, but it protects them only by denying them the effective legislative power to that minority.

I believe that minority rights should be protected, but not by handing over the legislature to the majority.

Some call it trite, but it was said long ago—taxation without representation is tyranny. Measure Oakland County's taxes against its representation and draw your own conclusions.

THE QUESTION of retaining or abolishing constitutional restrictions on legislative power, such as "earmarking" of funds, is tied with the question of whether the Legislature will be reasonably reappointed to represent a majority of the people, or whether the Legislature will continue to be "unbalanced" in favor of the rural up-state areas.

A majority of the present "earmarking" provisions, such as aid to schools and separate financing of roads, are the result of an aroused public rising up in anger and protest against an irresponsible Legislature.

I SUBMIT that our first task is to reappoint the State Legislature on a more responsible and representative basis, i.e. population, and restore the limitation on its original purpose by abolishing the present hypothetical practices surrounding the assessment of property.

All real estate in the State of Michigan should be assessed according to the same formula, thus eliminating the need for such bureaucratic and deceptive devices as county and state boards of equalization.

THIS WOULD ensure that each parcel of real estate would pay its fair share of the cost of government—no less, but also no more. It would also allow people to freely compare tax rates between counties, something which cannot be done now because of the confusing interrelationship of tax rate and equalized assessment.

I favor reducing the number of elected officials. I favor extending the term of all elected officials and legislators to four years. I favor increasing the power of the executive through direct appointment to office, holding one state election every four years.

I FAVOR electing the governor and lieutenant governor. The governor should appoint the secretary of state, state treasurer, attorney general, state highway commissioner and state superintendent of public instruction. The auditor general should be appointed by the State Legislature for one non-renewable term.

Why? Because the voters should give their chief executive authority to operate the government effectively and the voters should be in a position to hold him responsible for his performance in office.

As it stands now, the governor is often charged with responsibility for many functions over which he has no or very limited authority.

I FAVOR modified home-rule for such counties as adopt the same. A relatively simple non-self-executing constitutional amendment would permit counties to readjust their administrative organization to create elected county executives or appointed county administrators.

Many municipal problems today cut across many boundaries. With the present and future expansion of metropolitan areas and functions (such as water, health, fire, police, planning, etc.), Michigan could well provide for the incorporation of metropolitan government of the federated type under general law and for the delegation thereof to one or more governmental functions of member entities.

I BELIEVE the Constitutional Convention should be completely open at all times to the public and to the representation of the various communication media.

In the present State Legislature committee votes are secret. In the Constitutional Convention the people are entitled to know at all times where their delegates stand. This can be accomplished by making public all committee votes.

I realize that I have been specific in expressing my opinions. I realize that my opponent prefers to discuss the broadest of generic principles. The voters will decide between us on Sept. 12. I solicit their approval.

THE CHIEF accomplishments of the convention would be:

1. Greater unity throughout the state, based on our superior common interests.
2. Unshackling of state and local government from their unnecessary functions as the principal means of stepping back into the past and concentration of federal power.
3. Michigan citizens who are better informed on the basic principles of a free society.

THE PEOPLE of Michigan voted overwhelming support to call this Constitutional Convention. Next spring, the people will be asked to approve a document or certain sections of a proposed new constitution which the Con-Con delegates are expected to draft.

If the constitution we have is not as old as many state constitutions. Certainly, it is not as old as the federal constitution.

LET ME HASTEN to assure you that I'm most emphatically in favor of drafting a new Michigan constitution. I think that's one thing most all Con-Con candidates agree on though there are a few Farm Bureau and die-hard GOP exceptions).

But, since you have such a vital stake in this proposed new constitution, you should have an answer to the question I've posed: How do you think Michigan's constitution is, basically, better or worse than the access to do too much, to spell out, in chapter and verse written 50 years ago, how today's and tomorrow's governmental affairs are to be conducted.

TAKE THE matter of earmarking funds, for a graphic example. This is the section of the present constitution which resulted in Michigan's disastrous "gone broke" revaluation which did so much damage to the state and the credit of our state.

Michigan had surplus funds, but these funds were constitutionally earmarked for specific purposes and the legislature was powerless to divert them to meet the actual, immediate and pressing needs of the state as they existed.

And as they still exist.

THIS IS one major thing

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Revise System of Control Of State Colleges, Universities

By Henry L. Woolfenden
Republican Party Candidate
3rd District, Oakland County

Last week in this space I detailed the reasons why I will support legislative reorganization in the House of Representatives and a straight popular vote for representation in the Senate on a geographic or other basis which will adequately protect minorities from being "steam-rolled" by the majority.

I firmly believe in the basic soundness of our constitutional system and will defend it in the Constitutional Convention.

I believe in our constitutional system of checks and balances, the doctrine of the separation of powers, and believe that the Constitutional Convention has the responsibility of retaining and strengthening the constitutional guarantees for preserving the legislative, executive and judicial branches of our government as coordinate and equal.

The following are my "going-in" views on important issues which will come before the convention—in the event I am elected a delegate on Sept. 12.

EXECUTIVE: I favor gubernatorial control of the executive branch. This will make them directly responsible to the voters and directly responsible to the electorate. This will make them directly responsible to the voters and directly responsible to the electorate.

JUDICIARY: The election of judges should be removed from partisan politics and replaced by a method similar to that used so effectively in the federal judiciary.

Dramatic evidence of its superiority is the fact that the only judges south of the Mason-Dixon line who have had the courage and independence to carry out the mandate of the United States Supreme Court in recent years have been appointed federal judges who are beholden to no one but God.

REDUCTION: I favor revision of the present governmental system of control of our universities and colleges, but I am opposed to concentrating administration in any one super-agency.

I believe the three major state agencies should be treated alike, in the constitution and the other colleges should be treated alike.

LOCAL GOVERNMENT: I believe that the present amalgamated system of municipalities should be preserved and strengthened.

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of considering these problems with the lawyers and judges with whom all on the State Bar Committee on Judicial Selection and Tenure, I am not prepared to advocate drastic changes in our present system, by adopting either a completely appointive system or a completely elective system.

Another important improvement in our judicial system can result from revision of our constitutionally imposed system of justices of the peace.

FINANCE and Taxation: Michigan's 1950 fiscal crisis was the result of unrealistic constitutional limitations on the legislature's powers of taxation, borrowing and appropriation.

Over \$500,000,000 of state revenue (approximately one-half of the total) is presently earmarked for specific purposes. These limitations make it impossible for the legislature to make the wisest and most efficient use of available state funds. Except where there is a local relationship between the source of funds and the earmarked use (e.g., gas tax for highway purposes), these restrictions should be eliminated.

The constitution should permit the legislature broad taxing powers, within limits designed to spread the burden of paying for government services equitably over all the people. I do not believe that the constitution should permit graduated state income tax.

The present \$250,000 limit on general state borrowing power

Wants Simple Document Tilchin Tells What's Wrong Now

By Asher N. Tilchin
Democratic Party Candidate
3rd District, Oakland County

Now and then you may observe a married couple who are not afraid (nor have they any reason to be) to consider toward each other. In many of the so-called "little words" and acts of their relationship, they manifest a tenderness, a consideration that proves the endurance of their affections. Perhaps it seems to you as if it were "but, alas! we age so fast."

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Strengthen Local Govt. To Provide Services Desired

By Richard C. Van Dusen
Republican Party Candidate
4th District, Oakland County

The success of the Constitutional Convention depends on responsible participation by the delegates, by the press and by the individual citizens of Michigan.

Last week, in The Birmingham Eccentric, I discussed the important responsibility which the delegates have to come to the convention well-informed and prepared to give fair and careful consideration to all reasonable proposals. Here are some of the matters which the delegates will have to consider, together with my present views:

1) LEGISLATIVE Apportionment: The ultimate objective of any system of apportionment must be a legislative body which is truly representative of the state as a whole. Every segment of Michigan's citizens should be adequately represented.

To accomplish this, I believe the House should be apportioned on the basis of population, and the Senate should be apportioned on a basis which takes into account not only population but also size, geography and economic characteristics of the districts.

In this manner the numerical majority of citizens will be fully and proportionally represented, and residents of less densely populated areas will also be represented in the legislature by men who know their special regional problems and opportunities at first hand.

Advocates of straight population apportionment in both houses ignore the fact that such a system would inevitably create

many districts too large in area, to permit adequate contact between the voters and their representatives.

2) EXECUTIVE Branch: To make the executive more responsible and effective, I favor extending the term of office of the governor to four years and appointing many of the administrative board officials who are now elected.

Another important improvement is a constitutional limitation on the number of administrative departments to insure consolidation of the over 120 departments, boards and commissions which Michigan has at present.

3) JUDICIARY: The objectives of constitutional provisions dealing with the selection and tenure of judges should be (1) the initial selection of the able, well qualified men to sit as judges, (2) the retention of good judges, free from political pressures, and (3) some means for replacement of the occasional unqualified judge.

Our present system is a combination of appointment and election. Many, perhaps a majority, were originally appointed to fill vacancies and subsequently been re-elected.

The present system can and should be improved, particularly in the nomination and election of Supreme Court justices and other high judicial offices.

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It's Matter of Justice That Makes the Difference

By Thomas G. Kavanagh
Democratic Party Candidate
4th District, Oakland County

There is one overriding issue in this campaign—reapportionment—and this involves justice. Many other subjects proper for "consideration" involve procedure.

The popular election of judges; the necessity for earmarking certain funds for certain purposes, such as gasoline and highway funds; the present sales tax for education; the fiscal limitations and debt restrictions; the length of terms for constitutional officers, and many others are problems which will receive attention at this Constitutional Convention.

THE DIVERGENCE of opinion on these matters does not follow party lines. Many Democrats and Republicans are in agreement with other and in disagreement with members of their own parties on many of these questions.

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