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# Good-bye sunshine? County caucuses may be closed

By MICHAEL MATUSZEWSKI

Unless Gov. William Milliken vetoes an amendment to the state open meetings law, county-level party caucuses may be closed to the public. These meetings had not been exempted from the law passed last spring.

The amendment would allow Wayne and Oakland County commissioners, along with county commissioners across the state, to conduct any kind of business and discuss any topic at private party caucus meetings.

Only state legislative party caucus meetings have been exempt from the law. But last month, the state senate, by a 28-4 vote, passed a set of amendments to a more specific version of the open meetings law which included exempting county caucuses.

The house concurred and only a Milliken veto would prevent the law from taking effect next March.

Those voting for the senate amendments included: Sens. Donald Bishop (R-Rochester), Daniel Cooper (D-Oak Park), William Faust (D-Westland), Bill Huffman (D-Madison Heights)

and Robert Geake (R-Northville). In the house the bill, as amended, was approved 56-45, even though that body had originally said county party caucus meetings should be open.

Those voting to exempt the county caucuses included: Reps. Robert Law (R-Livonia), Roy Smith (R-Ypsilanti), Wilbur Brotherton (R-Farmington), James DeFoeigh (R-Birmingham), Joseph Forbes (D-Oak Park), Richard Fessler (R-Union Lake) and Ruth McNamee (R-Birmingham).

Voting against exemption were: Reps. John Bennett (D-Redford), Thomas Brown (D-Westland), William Keith (D-Garden City) and Sal Rocca (D-Sterling Heights).

Rep. Jack Kirksey (R-Livonia) did not vote.

Supporters of the measure said county-level caucuses should follow the same policy as the already exempted state-level caucuses. The rationale was that only party and organizational matters are discussed in the caucuses.

Those opposing the bill said that while party and organizational mat-

ters might be the only things discussed by the state caucuses; policy matters were discussed and often decided in county caucuses.

Forbes, the house Democratic floor leader, an exemption supporter, said the two parties needed someplace out of the public eye where they could decide strategy.

"Party caucuses are not devious," he said. "It's not the smoke-filled type room. But we might drive it back to the smoke-filled rooms if we keep the caucuses open."

"What can possibly be discussed in an open caucus?" he asked. "Some- where we've got to plan our (party) strategy."

In Oakland County, Commissioner John McDonald (R-Farmington Hills), chairman of the Republican majority caucus, said that no decisions have been made. He said he would go back to confer with the caucus should Gov. Milliken fail to veto the amendment.

"I have a feeling that on certain items they'd want the meeting closed," McDonald said, such as organizational and party matters.

However, he recognized that at the county level many policy measures were hashed out in caucus. Closing the meeting "would depend on just how delicate the policy matter was," he said.

"It's a situation where if it's not an open caucus, it looks as though we're trying to hide something. It leaves a bad taste in everybody's mouth."

"People have a tendency to hold back if the meetings are public," he said.

Commissioner Lawrence Pernick (D-Southfield), who heads Oakland County's Democratic caucus, said a return to the closed caucus would mean a return to the days when elected officials would come to a meeting and "browbeat" commissioners into decisions.

Referring to the Republican caucus before the open meeting law was in force, he said, "People were browbeaten into accepting a party line. There's no question about it in my mind."

"They would sit in committee and vote one way and come out of their caucuses and vote in a way that was 180 degrees from their position in committee."

"People intimidated, browbeat and otherwise influenced commissioners to change the position their conscience dictated," Daniel T. Murphy (Oakland County executive), the prosecutor (L. Brooks Patterson) and other elected officials, when they didn't get what they wanted from the board of commissioners, went into caucus and got it," Pernick charged.

However, Pernick agreed that the caucus could legitimately be closed when the party was discussing organizational matters such as deciding who would be appointed to certain committees.

The debate of closing the county caucuses may be far from over, though.

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**Group opposes new building**

The Oakland County Association for Retarded Citizens (OCARC), in response to the actions of the county's intermediate school board, opposes construction of a new facility for the severely mentally impaired in Waterford Township.

OCARC called the proposed \$2.4 million facility "outdated, isolated and segregated," and one that "will not provide the least restrictive educational environment that is needed by the severely mentally impaired population in Oakland County."

The Oakland County association contended that those who are severely mentally impaired should not be closed away from the rest of the population. It said they should be educated along with non-handicapped students and that interactions between the two groups should be promoted outside the classroom.

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