

## Engler's court packing scheme should be rejected

You've got to hand it to Gov. John Engler. Especially when he's trying to pull a fast one in the dark of night, his Machiavellian skills and sheer chutzpah just take your breath away.

The idea this time around is to sweeten up retirement pensions of long sitting judges so they'll decide to retire. This lets Engler appoint a bunch of new judges to the bench. And — guess what! — when the new appointees run for confirmation in office this November, they'll have the word "incumbent" after their names on the ballot. Who is going to vote against an "incumbent" judge? Nobody.

Intended result: Engler succeeds in packing Michigan's courts, wholesale.

What a neat plot for a very partisan outgoing governor who wants to lead the judiciary with his ideological soul mates! Moreover, Engler clearly realizes that Lt. Gov. Dick Posthumus, the officially anointed Republican nominee for governor, doesn't stand much chance at getting elected in November, so he might as well make the appointments himself.

Don't laugh. This plot was set in motion last week when the Republicans in the state Senate slipped into an inoffensive early retirement bill a provision letting sitting judges retire at 80 percent of their current salary if they have served at least 24 years. The existing retirement plan lets judges with 16 years of service retire at 60 percent of their salary.

As judges make \$100,000 and up, the proposed change in judicial pensions is worth more than \$20,000 a year. Even slightly dodgy judges — who wouldn't be, after 24 years on the bench? — can do the math and conclude this is too good a deal to pass up.

There's only one hitch to this scheme. To get new appointees on the bench in time for them to get their names on the November ballot as incumbents, the bill has to have immediate effect. This normally requires a two-thirds majority in both houses of the legislature. But the Democrats — a minority in both houses, but more than one third — are not about to let that

happen.

So the hot rumor in Lansing is that Engler is going to set in motion a complicated parliamentary maneuver that involves letting the legislature adjourn and then calling the lawmakers back for a special session to pass the budget and — surprise! — give immediate effect by simple majority vote to the court packing scheme.

Democratic candidate for governor, Attorney General Jennifer Granholm, blasted the plan as a "political play." According to Granholm, "The governor is clearly seeking to thwart the state's constitutional provision requiring an elected judiciary when he would be able to appoint close to one third of the state's judges at one time. ... The only justification for this one last power move by Governor Engler is to take care of his political friends at the expense of good government. It is also a way to cement the right wing partisanship of the judiciary in Michigan for decades to come."

There is also a serious financial issue buried inside all the political rhetoric.

The stated purpose of offering early retirement to state employees is to save up to \$50 million during the current budget crisis, as the state plans on replacing only a quarter of the retirees and new state employees will be paid less than the high seniority ones retiring. However, the savings evaporate in the case of judges, because no reduction is planned in the number of courts and new judges will be paid at the same rate as those who are retiring. If the Engler plan passes, nearly 200 judges would be eligible for early retirement, including more than one third of the state's appellate judges. At \$20,000 per year per retired judge, some experts are wondering whether the state's pension fund can withstand such a big payout.

When in 1933, President Franklin D. Roosevelt found the United States Supreme Court standing in the way of some cherished initiatives, he proposed adding justices to the Court. Roosevelt was widely and justly criticized for trying to "pack the Court." Eventually he backed down.

Gov. Engler is trying to do no less. His court-packing plan should be exposed for what it is, widely criticized and then rejected by the legislature.

**Phil Power is chairman of HomeTown Communications Network Inc., the company that owns this newspaper. He welcomes your comments, either by voice mail at (734) 953-2047, ext. 1880, or by e-mail at ppower@homecomm.net.**



Mark Slavens



Judy Mardigan

## Summit is place to have your say on school funding

Many feel that they can't make an impact when it comes to the future funding of their children's education or their community's schools. But on Monday, March 25 you can make a difference.

The Third Statewide Summit on School Funding will be held 7-9 p.m. at the Plymouth Salem High School Cafeteria, 46181 Joy Road in Canton. This statewide event is being hosted by the Michigan Citizens for Fairness in Public School Funding. The Summit will be a powerful venue for learning, and voicing your opinion on the equity of school funding in Michigan.

This event is being held in an important election year when there will be a new governor and many new senators because of term limits. It's important to know where our current and future lawmakers stand on the issue of school funding equity. All the gubernatorial candidates have been invited, as have State senators and representatives throughout Michigan.

Four of the gubernatorial candidates, former Gov. James Blanchard, U.S. Rep. David Bonior (D-Mount Clemens), state Sen. Alma Wheeler-Smith (D-Salem Township), and Douglas Campbell will share their views and answer questions from the audience. Twelve state legislators, including local Reps. Glen Anderson (D-Westland), Bruce Patterson (R-Canton Township), and John Stewart (R-Plymouth) will participate on the panel. State Superintendent for Public Education, Tom Watkins will be the keynote speaker. David N. Plant, Ph.D., director of the Education Policy Center at Michigan State University will moderate the program.

In 1994, Michigan Law was changed to reduce property tax and dramatically change the method of funding with the intent of equalizing funding across the state. In fact, the original enacting statute passed in 1994, paragraph 16, stated:

"The legislature shall continue to work toward greater equity among districts' foundation allowances."

In 1995, the Michigan Legislature deleted this language.

Although there are certain portions of Proposal A that are working, several others aren't and need to be fine-tuned.

Under Proposal A, the state mandates the amount of money each school district receives per pupil. In the case of Plymouth-Canton Schools, the state orders that Plymouth-Canton Schools shall receive \$6,825 per pupil while other school districts have up to \$11,755 per student. Ann Arbor, Dearborn and Livonia are at \$9,035 and \$8,394 and \$7,905 respectively. This results in major differences in school funding levels. For example, Dearborn Public School District has approximately the same number of students and has approximately \$25 million more per year than Plymouth-Canton does.

Unfortunately the state has also ordered that there is nothing that we, as citizens, can do to close this disparity in per-pupil funding. Based on current projections, in 100 years, Plymouth-Canton will still lag behind these districts that receive more funding. This means that our great-great-grandchildren will still receive less than their contemporaries in the highest funded school districts.

How will districts with less funding possibly be able to retain the best teachers, updated text books and achieve small class size when competing with districts that receive more money from the state? Further, if our schools are viewed as second class, property values will soon follow.

This is your chance to make clear to a new governor, senators and representatives your positions on public school funding.

If you have any questions or comments please feel free to contact Mark Slavens at (734) 421-5210 or Board Trustee Judy Mardigan at (734) 451-2230. We look forward to seeing and hearing from you at the Summit.

**Mark T. Slavens is vice president of the Plymouth-Canton Board of Education and chairman of Michigan Citizens for Fairness in Public School Funding. Judy Mardigan is a trustee on the Plymouth-Canton Board of Education.**

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