

Ousted racing commissioner plans appeal

By Dennis Coffman
staff writer

William Cahalan, the recently installed Michigan racing commissioner, has yet to make an appearance at his Plymouth office.

Cahalan's right to hold the office was upheld Monday by the Michigan Court of Appeals.

The court also ruled that William Ballenger, who served as commissioner since he replaced Frederick Van Tiem, who died before his four-year term of office expired, was not entitled to the office.

But Ballenger Tuesday filed motions

with the Michigan Supreme Court in an attempt to overrule the lower court order and retain his job.

Ballenger claimed he was entitled to serve a full four-year term of his own, but Attorney General Frank Kelley ruled in November 1984 that Ballenger's term was to expire Dec. 31, 1984.

Michigan Gov. James Blanchard permitted Ballenger to continue his term beyond the expiration date, as defined by Kelley, but on Sept. 1 appointed former Wayne County Prosecutor Cahalan to the racing post for a term to expire in December 1988.

But Ballenger vowed to take his case

to the Michigan Supreme Court and he filed with the court late Tuesday.

Cahalan, meanwhile, avoided making an appearance at his Plymouth office, even though Ballenger did not appear there Tuesday, either.

Cahalan apparently spent most of Tuesday at Blanchard's downtown Detroit office. A secretary at the office said Cahalan would spend Wednesday in Lansing.

CAHALAN AND Kelley Tuesday lauded the appeals court's decision, but Ballenger, through his attorney Theodore Swift, vowed to appeal the lower court's decision to the Michigan Supreme Court.

The Court of Appeals ruling was needed quickly, because horse racing dates were at issue.

Ballenger issued a set of racing dates not considered agreeable to Herbert Tyner and Bernard Hartman, the owners of Hazel Park Raceway, only days before Blanchard appointed a new racing commissioner.

Earlier, Ballenger presided over the divestiture of the Detroit Race Course (DRC) by Hartman and Tyner, to the

new owners, Ladbroke Racing Corp., a British firm.

Cahalan, if and when he takes office, will have to address the racing date issue — whether he allows Ballenger's dates to stand or releases dates of his own.

Despite the administrative chaos at the Plymouth office, the day-to-day work of the commissioner's office goes on, performed by the commissioner's deputies.

All of the players in the unfolding drama are split along party lines. Cahalan, a Democrat, was appointed by Blanchard, a Democrat, with the blessing of Kelley, a Democrat.

Ballenger, a Republican, was appointed by former Michigan Gov. William Milliken, a Republican.

The Supreme Court decision, too, could be split along party lines, as could the Michigan Senate confirmation of the governor's appointee.

State jobless rate at 10.2%

Michigan's unemployment rate for August declined by more than half a percent to 10.2 percent from July's rate of 10.9 percent.

Richard Simmons Jr., director of the Michigan Employment Security Commission, said the number of workers without jobs dropped by 19,000 in August to 445,000, compared with 464,000 in July.

A year ago, August 1984, Michigan's seasonally adjusted jobless rate was 10.9 percent with 477,000 out of work.

NON-MANUFACTURING industries reported employment gains during August, Simmons said.

Construction, service industries and retail trade all showed improvement during the month. Government employment was down while the number of jobs in the auto industry remained basically unchanged.

Michigan's labor force increased by

74,000 in August, climbing to 4,342,000. Simmons reported that a large number of women entered the labor force in August and most apparently found jobs. Total employment also rose, growing by 83,000 to 3,897,000.

MICHIGAN'S economy has remained fairly stable over the past several months, Simmons. Except for July's jobless rate of 10.9 percent, unemployment in the state has been in the low 10 percent range since April.



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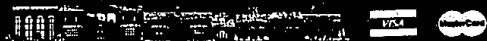
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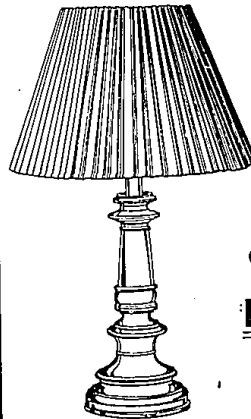
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