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# Michigan Residents Sue Over Emergency Manager Law

By **MONICA DAVEY**

More than two dozen residents of Michigan filed a lawsuit on Wednesday against top officials in the state contending that a new law broadly expanding the powers of emergency managers in the most financially troubled cities violates Michigan's Constitution.

The [lawsuit](#), filed in Ingham County Circuit Court, contends that the law approved by Michigan lawmakers this year improperly allows the state to place new costs on municipalities without paying for them and, in essence, bars local residents from picking their own elected representatives.

In March, leaders in Lansing — which has, since last fall's election, been controlled by Republicans in both chambers of the Legislature and in the governor's office — approved the [measure](#) granting more control to those sent into local governments and school districts by the state to avoid allowing such places to go bankrupt or fail entirely.

Leaders of labor unions, in particular, were outraged by the provision because it allows such state-appointed emergency managers to, in some cases, undo provisions of the contracts that towns and cities had already agreed to. Some appeared for rallies in opposition in Lansing this spring. But others had broader complaints; how, they asked, could a state-assigned official simply step into the role of an elected local leader and do whatever he or she wished?

“What you're saying is that an emergency manager now controls all, including the right to enact or repeal local ordinances,” said John Philo, the legal director of the Sugar Law Center in Detroit, one of several groups, including the New York-based Center for Constitutional Rights, that is representing the plaintiffs in the suit. “What you're saying is that one individual now without any sort of legislative process gets to enact a law.”

Gov. Rick Snyder, a Republican who is named as a defendant along with the state's treasurer in the suit, has strongly defended elements of the law in the past. The point is not to take over cities, he said in an interview this spring, but to spare the state more financial distress and gauge fiscal distress in cities before they wind up in need of emergency manager.

The increased control by an appointed manager would make rehabilitation of the most miserable

places possible, without the crushing, ratings-lowering possibility of bankruptcy.

“It’s not an assault on collective bargaining, the way I viewed it,” Mr. Snyder said in the interview. “It’s about helping communities and municipalities do the best they can to survive during difficult economic times.”

The notion of an emergency manager is not uncommon. States have tried a variety of approaches, including appointed receivers, to stepping in to spare cities from default, and the results have been mixed.

Only four places in Michigan — including Detroit’s public school system — are now considered in such grave financial shape as to require oversight by emergency managers. But those numbers are expected to grow, as local budgets shrink further.

Earlier, Detroit’s pension funds had filed suit, challenging the measure that they say presents emergency managers with “czarlike powers,” and more suits have been threatened.

In the suit filed on Wednesday, 28 Michigan residents, including some community activists, expressed dismay, even astonishment, over the reach of the new law.

“We have the right to vote and elect people and hold them accountable,” said Edith Lee-Payne, a plaintiff who is 59 and an activist who has grandchildren in Detroit’s public school system. “We don’t have that right with an emergency manager.”