

**MINUTES OF THE COMMITTEE  
ON  
APPROPRIATIONS**

Wednesday, June 24, 2009

10:00 a.m.

Room 352, State Capitol

The House Standing Committee on Appropriations was called to order by the Chair, Representative George Cushingberry, Jr.

The invocation was offered by Reverend Robert Dean, Superintendent of the Church of God in Christ.

Members present: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

Members absent/excused: None.

Chairman proceeded to SB 254:

SB 254 (Hardiman) Appropriations; zero budget; department of transportation; provide for fiscal year 2009-2010.

Representative Gonzales was recognized for opening remarks to the bill.

Bill Hamilton, Analyst for the House Fiscal Agency, was recognized to answer questions.

Chairman Cushingberry recognized Ed Timpf, Budget Director for the Michigan Department of Transportation, and Troy Hagon from the Michigan Department of Transportation for further explanation.

Representative Gonzales moved to adopt a substitute H-1 Draft 1 to SB 254.

Representative Smith supported the motion.

The motion prevailed by a vote 29-0-0.

**FAVORABLE ROLL CALL:**

**YEAS:** Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, LeBlanc, McDowell, Miller, Smith, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

**NAYS:** None.

**PASS:** None.

Representative Agema moved to amend SB 254 H-1 Draft 1 as follows:

1. Amend page 29, following line 16, by inserting:

"Sec. 385. (1) In order to match all available federal transportation funds, department shall work with all public and private toll facilities in this state to maximize use of toll credits as the non-federal match for federal program funds authorized under 23 USC.

(2) Notwithstanding subsection (1), the department is prohibited from using toll credits as the non-federal match for the purpose of constructing a crossing of the Detroit River between Detroit Michigan and Windsor Ontario Canada, or for related right of way, design engineering, utility planning and relocation."

Representative Moss supported the motion.

The motion failed by a vote of 14-15-1.

**UNFAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Miller, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: Representatives Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Smith, Switalski.

PASS: Representative Spade.

Representative Agema moved to amend SB 254 H-1 Draft 1 as follows:

1. Amend page 8, line 21, by striking "794,418,800" and inserting "\$796,251,300".

2. Amend page 9, line 1, by striking "1,992,220,000" and inserting "\$1,994,052,700".

3. Amend page 9, line 10, by striking "50,098,900" and inserting "\$51,931,400"

4. Amend page 13, following line 9, by inserting:

**" Sec. 115. Budgetary savings**

Renegotiate state employee pay increase.....	\$	(1,832,500)
GROSS APPROPRIATION .....	\$	(1,832,500)
Appropriated from:		
Special revenue funds:		
State trunkline fund.....	\$	(\$1,832,500)

and amending the subtotals, totals, and section 201 accordingly.

Representative Moss supported the motion.

The motion failed by a vote of 12-18-0.

**UNFAVORABLE ROLL CALL:**

YEAS: Representatives Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib.

PASS: None.

Representative Agema moved to amend SB 254 H-1 Draft 1 as follows:

1. Amend page 26 following line 24, by inserting:

"Sec. 325. There is appropriated from funds made available to the state of Michigan under the American Recovery and Reinvestment Act of 2009 (ARRA), \$100,000,000.00 for credit to the Michigan transportation fund for distribution in accordance with Section 10(1)(j) of 1951 PA 51 (MCL 247.660 (1) (j) .".

Representative Moss supported the motion.

The motion failed by a vote of 12-18-0.

**UNFAVORABLE ROLL CALL:**

YEAS: Representatives Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib.

PASS: None.

Representative Agema moved to amend SB 254 H-1 Draft 1 as follows:

1. Amend page 24, line19, following "this section." by inserting:

"(2) A contractor's prequalification rating shall not be reduced or restricted until all administrative appeals have been completed.".

Representative Moss supported the motion.

The motion prevailed by a vote of 17-13-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Dean, Durhal, Gregory, Jackson, Moss, Agema, Booher,

Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker.  
NAYS: Representatives Hammel, Bauer, Bennett, Terry Brown, Espinoza, Gonzales, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib.  
PASS: None.

Representative Booher moved to amend SB 254 H-1 Draft 1 as follows:

1. Amend page 27, following line 18 by inserting:

"Sec. 358. On a bimonthly basis, the department shall report on the number of FTEs in pay status by civil service classification to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies.".

Representative Moss supported the motion.

The motion prevailed by a vote of 30-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.  
NAYS: None.  
PASS: None.

Representative Moss moved to amend SB 254 H-1 Draft 1 as follows:

1. Amend page 18, following line 13, by inserting:

"Sec. 212. (1) From the funds appropriated in part 1, the department shall develop, post, and maintain on a user friendly and publicly accessible internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. Funds appropriated in part 1 from the federal American Recovery and Reinvestment Act shall also be included on a publicly accessible website maintained by the Michigan economic recovery office. The department shall not provide financial information on its website under this section if doing so would violate a federal or state law, rule, regulation, or guideline that establishes privacy or security standards applicable to that section.".

Representative Booher supported the motion.

The motion failed by a vote of 12-19-0.

**UNFAVORABLE ROLL CALL:**

YEAS: Representatives Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib.

PASS: None.

Representative Gonzales moved to amend SB 254 H-1 Draft 1 as follows:

1. Amend page 21, following line 7, by inserting:

“ Sec. 265. From the funds appropriated in part 1, the department shall use an amount not to exceed \$10,000 to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. The department shall not be required to hire additional employees to comply with this section.”.

Representative Brown supported the motion.

The motion prevailed by a vote of 31-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

Representative Gonzales moved to report SB 258 with recommendation as substituted H-1 Draft 1 as substituted H-1.

Representative Gregory supported the motion.

The motion prevailed by a vote of 31-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

Chairman Cushingberry proceeded to SB 249:

SB 249 (Cropsey) Appropriations; zero budget; judiciary; provide for fiscal year 2009-2010.

Chairman Cushingberry recognized Representative Tlaib for opening remarks to the bill.

Ben Gielczyk, Analyst for the House Fiscal Agency was recognized for further questions to the bill.

Chief Justice of the Supreme Court, Marilyn Kelly, was recognized to answer further questions on the bill.

Deputy State Court Administrator, Dawn Munk was also called to the table.

Representative Tlaib moved to adopt a substitute H-1 Draft 1 to SB 249.

Representative Miller supported the motion.

The motion prevailed by a vote 31-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

Representative Tlaib moved to amend SB 249 H-1 Draft 1 as follows:

1. Amend page 3, line 5, after "project", by striking out "100" and inserting "200".
2. Amend page 3, line 21, after "revenues", by striking out "275,100" and inserting "275,200" and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 16, line 6, by striking out all of Sec. 319 and inserting:

"Sec. 319. (1) The funds appropriated in part 1 for the juvenile training pilot project shall be used for the purpose of training criminal defense attorneys who accept court-appointed cases concerning juvenile delinquency, abuse, neglect, and protective services. The judiciary shall contact with the state appellate defender office's criminal defense resource center, which provides training to court-assigned criminal defense attorneys at appellate and trial levels.

(2) Training shall include, but not be limited to, identification of potential trainees, collection of information about the services they provide to court-assigned clients, collection of resources for web access, hosting of direct training events, creation of new training network, and creation of new resources including practice manuals."

Representative Terry Brown supported the motion.

The motion prevailed by a vote 31-0-0.

**FAVORABLE ROLL CALL:**

**YEAS:** Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

**NAYS:** None.

**PASS:** None.

Representative Tlaib moved to amend SB 249 H-1 Draft 1 as follows:

1. Amend page 3, line 4, after "programs", by striking out "100" and inserting "200" and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 3, line 3, after "courts", by striking out "5,178,800" and inserting "5,178,700" and adjusting the subtotals, totals, and section 201 accordingly..

Representative Gregory supported the motion.

The motion prevailed by a vote 31-0-0.

**FAVORABLE ROLL CALL:**

**YEAS:** Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

**NAYS:** None.

**PASS:** None.

Representative Tlaib moved to amend SB 249 H-1 Draft 1 as follows:

1. Amend page 11, after line 27, by inserting:

"Sec. 221. From the funds appropriated in part 1, the department shall use an amount not to exceed \$10,000 to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. The department shall not be required to hire additional employees to comply with this section."

Representative Gonzales supported the motion.

The motion prevailed by a vote 31-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

Representative Tlaib moved to report SB 249 with recommendation as substituted H-1 Draft 1 as substituted H-1.

Representative Smith supported the motion.

The motion prevailed by a vote of 31-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

SB 596 (Prusi) Property; conveyances; Upper Peninsula state fairgrounds; provide for conveyance.

Chairman Cushingberry recognized Representative Lahti for opening remarks on the bill.

Robin Risko, Fiscal Analyst from the House Fiscal Agency, was recognized for questions on the bill.

Mack Kurta, Deputy Chief of Staff, from Senators Michael Prusi's Office was also recognized to answer further questions on the bill.

Bob Burns, representing the Department of Management and Budget, submitted testimony in support of the bill not wishing to speak.

Representative Lahti moved to report SB 596 with recommendation .

Representative McDowell supported the motion.

The motion prevailed by a vote of 28-2-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Booher, Caul, Green, Haines, Lori, Proos, Rogers, Schuitmaker.  
NAYS: Representatives Agema and Genetski.  
PASS: None.

The committee recessed at 1:10 p.m.

The committee reconvened at 4:55 p.m.

Chairman Cushingberry proceeded to SB 247:

SB 247 (George) Appropriations; zero budget; department of history, arts, and libraries; provide for fiscal year 2009-2010.

Chairman Cushingberry recognized Representative Jackson for opening remarks on the bill.

Robin Risko, Analyst from the House Fiscal Agency, was recognized to answer questions on the bill.

Representative Jackson moved to adopt a substitute H-1 Draft 2 to SB 247.

Representative Dean supported the motion.

The motion prevailed by a vote 30-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Lori, Proos, Rogers, Schuitmaker.  
NAYS: None.  
PASS: None.

Representative Booher moved to amend SB 247 H-1 Draft 2 as follows:

1. Amend page 18, following line 19, by inserting  
"Sec. 233. On a bimonthly basis, the department shall report on the number of FTEs in pay status by civil service classification to the senate and house of representatives standing committees on appropriations subcommittees on history, arts, and libraries and the senate and house fiscal agencies.".

Representative Moss supported the motion.

The motion prevailed by a vote 30-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

Representative Genetski moved to amend SB 247 H-1 Draft 2 as follows:

1. Amend page 4, line 21, by striking out “1,374,200” and inserting “819,700”.
2. Amend page 5, line 22, by striking out “4,177,200” and inserting “3,622,700” and adjusting subtotals, totals, and section 201 accordingly.

Representative Moss supported the motion.

The motion failed by a vote of 12-19-0.

**UNFAVORABLE ROLL CALL:**

YEAS: Representatives Miller, Moss, Agema, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Smith, Spade, Switalski, Tlaib, Booher.

PASS: None.

Representative Genetski moved to amend SB 247 H-1 Draft 2 as follows:

1. Amend page 4, line 18, by striking out “69.0” and inserting “64.0”.
2. Amend page 4, line 19, by striking out “4,175,100” and inserting “3,717.200”.
3. Amend page 5, line 22, by striking out “4,177,200” and inserting “3,719,300” and adjusting subtotals, totals, and section 201 accordingly.

Representative Moss supported the motion.

The motion failed by a vote of 11-20-0.

**UNFAVORABLE ROLL CALL:**

YEAS: Representatives Moss, Agema, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Booher.

PASS: None.

Representative Moss moved to amend SB 247 H-1 Draft 2 as follows:

1. Amend page 18, following line 12, by striking out all of Sec. 232. and inserting

"SEC 232. (1) From the funds appropriated in part 1, the department shall develop, post, and maintain on a user friendly and publicly accessible internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.

(2) Funds appropriated in part 1 from the federal American Recovery and Reinvestment Act shall also be included on a publicly accessible website maintained by the Michigan economic recovery office. The department shall not provide financial information on its website under this section if doing so would violate a federal or state law, rule, regulation, or guideline that establishes privacy or security standards applicable to that section."

Representative Booher supported the motion.

The motion failed by a vote of 11-19-0.

**UNFAVORABLE ROLL CALL:**

YEAS: Representatives Moss, Agema, Booher, Caul, Genetski, Green, Haines, Lori, Proos, Rogers, Schuitmaker.

NAYS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib.

PASS: None.

Representative Jackson moved to report SB 247 with recommendation as substituted H-1 Draft 2 as substituted H-1.

Representative Dean supported the motion.

The motion prevailed by a vote of 31-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

Chairman Cushingberry proceeded to SB 245:

SB 245 (Pappageorge) Appropriations; zero budget; general government; provide

for fiscal year 2009-2010.

Rep. Durhal was recognized for opening remarks on the bill.

Viola Wild, Analyst from the House Fiscal Agency, was called to the table.

Representative Durhal moved to adopt a substitute H-1 Draft 1 to SB 245.

Representative Lahti supported the motion.

The motion prevailed by a vote 30-0-0.

**FAVORABLE ROLL CALL:**

**YEAS:** Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand Lori, Proos, Rogers, Schuitmaker.

**NAYS:** None.

**PASS:** None.

Representative Booher moved to amend SB 245 H-1 Draft 1 as follows:

1. Amend page 45, following line 20, by inserting:

"Sec. 231. On a bimonthly basis, the department shall report on the number of FTEs in pay status by civil service classification to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies.".

Representative Moss supported the motion.

The motion prevailed by a vote 30-0-0.

**FAVORABLE ROLL CALL:**

**YEAS:** Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenrand, Lori, Proos, Rogers, Schuitmaker.

**NAYS:** None.

**PASS:** None.

Representative Moss moved to amend SB 245 H-1 Draft 2 as follows:

1. Amend page 45, following line 20, by inserting:

"Sec. 232. (1) From the funds appropriated in part 1, the executive departments and state agencies shall develop, post, and maintain on a user friendly and publicly accessible Internet site, all expenditures made by the departments and agencies within a fiscal year. The posting must include the purpose for which each expenditure is made. Funds appropriated in part 1 from the

federal American recovery and reinvestment act shall also be included on a publicly accessible website maintained by the Michigan economic recovery office. The departments and agencies shall not provide financial information on their websites under this section if doing so would violate an applicable federal or state law, rule, regulation, or guideline that establishes privacy or security standards."

Representative Booher supported the motion.

The motion failed by a vote of 12-19-0.

**UNFAVORABLE ROLL CALL:**

YEAS: Representatives Miller, Moss, Agema, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Smith, Spade, Switalski, Tlaib, Booher.

PASS: None.

Representative Durhal offered the following amendment to SB 245 H-1 Draft 1.

1. Amend page 14, line 10, by striking out "19,100" and inserting "7,500".
2. Amend page 14, line 23, by striking out "11,231,800" and inserting "11,243,400" and adjusting the subtotals, totals, and section 201 accordingly.

Representative Espinoza supported the motion.

The motion prevailed by a vote of 31-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

Representative Durhal offered the following amendment to SB 245 H-1 Draft 1.

1. Amend page 13, line 17, by striking out "14,259,700" and inserting "14,587,900".
2. Amend page 14, line 23, by striking out "11,231,800" and inserting "11,560,000" and adjusting the subtotals, totals, and section 201 accordingly.

Representative Jackson supported the motion.

The motion prevailed by a vote of 31-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

Representative Durhal offered the following amendment to SB 245 H-1 Draft 1.

1. Amend page 121, following line 16 by striking out all of subsection (2) and inserting:

"2) To be eligible for a payment from the funds appropriated in part 1 for statutory revenue sharing, a city, village, or township must have received statutory revenue sharing payments during the 2008-09 state fiscal year under section 950 of 2008 PA 261 and levy a local millage rate in excess of the statewide average millage rate. The funds appropriated in part 1 for statutory revenue sharing shall be distributed by the department to cities, villages, and townships so that the combined distribution, under section 10 of article IX of the state constitution of 1963, and statutory revenue sharing, as set forth in this subsection, shall be the lesser of 87.6421%, or the percentage determined under this subsection, of the total combined distribution under section 10 of article IX of the state constitution of 1963 during the 2008-2009 state fiscal year, and the statutory distribution received under section 950 of 2008 PA 261, as amended by Executive Order 2009-22 and any subsequent legislation, during the 2008-2009 state fiscal year. The percentage under this subsection shall be determined by dividing the sum of all payments under section 10 of article IX of the state constitution of 1963 for the 2009-2010 state fiscal year and \$298,002,800.00 by \$920,139,700.00 and then subtracting 0.123579. Undistributed funds shall lapse to the general fund."

Representative Dean supported the motion.

The amendment was withdrawn.

Representative Durhal offered the following amendment to SB 245 H-1 Draft 1.

1. Amend page 45, following line 20, by inserting

"Sec. 229. From the funds appropriated in part 1, each executive department and state agency shall use an amount not to exceed \$10,000.00 to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the departments and agencies within a fiscal year. The posting shall include the purpose for which each expenditure is made. The departments and agencies are not required to hire additional employees in order to comply with this section."

Representative Spade supported the motion.

The motion prevailed by a vote of 31-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

Representative Durhal offered the following amendment to SB 245 H-1 Draft 1.

- 1. Amend page 30 , following line 24, by inserting

"Office of history, arts, and libraries.....100"

and adjusting the subtotals, totals, and section 201 accordingly.

Representative Jackson supported the motion.

The motion prevailed by a vote of 30-0-1.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Agema, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: Representative Booher.

Representative Durhal offered the following amendment to SB 245 H-1 Draft 1.

- 1. Amend page 32, following line 1, by inserting

"State aid to libraries.....100"

and adjusting the subtotals, totals, and section 201 accordingly.

Representative Jackson supported the motion.

The motion prevailed by a vote of 31-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

Representative Lahti offered the following amendment to SB 245 H-1 Draft 1.

1. Amend page 33, line 6, by striking out "2,130,000" and inserting "2,662,600".
2. Amend page 33, line 7, by striking out "4,210,000" and inserting "4,650,000".
3. Amend page 33, line 8, by striking out "5,661,100" and inserting "7,076,500".

and adjusting the subtotals, totals, and section 201 accordingly.

Representative Durhal supported the motion.

The motion prevailed by a vote of 22-9-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Booher, Caul, Green.

NAYS: Representatives Moss, Agema, Genetski, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

PASS: None.

Representative Hildenbrand offered the following amendment to SB 245 H-1 Draft 1.

1. Amend page 121, following line 4, by inserting :  
"Sec. 949. The department shall explore the possibility of partnering with private entities to allow private entities to obtain machinery for applying tobacco tax stamps and to produce tobacco tax stamps. Any tobacco tax stamps purchased or otherwise acquired by the department from a partnership with a private entity shall contain a unique nonrepeating alphanumeric code that can be printed on demand and read by a scanner or similar device and that identifies the taxed product. The coded information shall be embedded in each stamp and shall be protected by encryption. Each code shall contain the name and address of the wholesaler or the entity affixing the stamp, the date the department approved the stamp order, the stamp jurisdiction, the number of cigarettes in the pack, and the denominated value of the stamp. The department shall provide a report on possible partnerships with private entities as set forth in this section to the senate and house fiscal agencies and to the senate and house appropriations subcommittees on general

government appropriations by October 1, 2009. The department shall give partnering preference to Michigan based companies."

Representative Moss supported the motion

The motion prevailed by a vote of 31-0-0.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: None.

PASS: None.

Representative Durhal offered the following amendment to SB 245 H-1 Draft 1.

1. Amend page 33, line 23, by striking out "53,000,000" and inserting "62,000,000".
2. Amend page 34 , line 13, by striking out "53,000,000" and inserting "62,000,000".

and adjusting the subtotals, totals, and section 201 accordingly.

Representative Gonzales supported the motion.

The motion prevailed by a vote of 19-11-0

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib.

NAYS: Representatives Moss, Agema, Booher, Caul, Genetski, Green, Haines, Lori, Proos, Rogers, Schuitmaker.

PASS: None.

Representative Rogers moved to amend SB 245 H-1 Draft 2 as follows:

1. Amend page 44, following line 18, by inserting:

"Sec. 220. Funds appropriated in part 1 shall not be used to establish, operate, or administer a payroll deduction plan that enables classified state employees to make contributions to either a committee, as defined in section 3 of the Michigan campaign finance act, 1976 PA 388, MCL 169.203, or a political organization, as defined in section 527 of the internal revenue code, 26 USC 527."

Representative Moss supported the motion.

The motion failed by a vote of 12-19-0.

**UNFAVORABLE ROLL CALL:**

YEAS: Representatives Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib.

PASS: None.

Representative Rogers moved to amend SB 245 H-1 Draft 2 as follows:

1. Amend page 50, line 18, by striking out all of section 313.
2. Amend page 52, line 20, by striking out all of section 314.
3. Amend page 52, line 24, by striking out all of section 315.
4. Amend page 53, line 3, by striking out all of section 316.

Representative Moss supported the motion.

The motion failed by a vote of 12-19-0.

**UNFAVORABLE ROLL CALL:**

YEAS: Representatives Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

NAYS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib.

PASS: None.

Representative Durhal offered the following amendment to SB 245 H-1 Draft 1.

1. Amend page 34, line 18, by striking out "298,002,800" and inserting "383,002,800".
2. Amend page 34, line 19, by striking out "65,526,100" and inserting "64,526,100".
3. Amend page 34, line 23, by striking out "985,665,800" and inserting "1,069,665,800".

and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 121, following line 4 by striking out all of section 950 and inserting

"Sec. 950. (1) The funds appropriated in part 1 for constitutional revenue sharing shall be distributed by the department to cities, villages, and townships, as required under section 10 of article IX of the state constitution of 1963. Revenue collected in accordance with section 10 of article IX of the state constitution of 1963 in excess of the amount appropriated in part 1 for constitutional revenue sharing is appropriated for distribution to cities, villages, and townships, on a population basis as required under section 10 of article IX of the state constitution of 1963.

(2) The funds appropriated in part 1 for statutory revenue sharing shall be distributed by the department to cities, villages, and townships so that the combined distribution, under section 10 of article IX of the state constitution of 1963, and statutory revenue sharing, as set forth in this subsection, shall be the lesser of 96.421111%, or the percentage determined under this subsection, of the total combined distribution under section 10 of article IX of the state constitution of 1963 during the 2008-2009 state fiscal year, and the statutory distribution received under section 950 of 2008 PA 261, as amended by Executive Order 2009-22 and any subsequent legislation, during the 2008-2009 state fiscal year. The percentage under this subsection shall be determined by dividing the sum of all payments under section 10 of article IX of the state constitution of 1963 for the 2009-2010 state fiscal year and \$383,002,800.00 by \$1,005,139,700.00 and then subtracting 0.03578889. Undistributed funds shall lapse to the general fund."

5. Amend page 122, following line 4 by striking out all of Section 955 and inserting

"Sec. 955. (1) The funds appropriated in part 1 for county revenue sharing shall be distributed by the department to eligible counties as provided by law.

(2) The department of treasury shall annually certify to the state budget director the amount each county is authorized to expend from its revenue sharing reserve fund."

Representative Smith supported the motion.

The motion prevailed by a vote of 18-0-12

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski.

NAYS: None.

PASS: Representatives Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

Representative Durhal moved to report SB 245 with recommendation as substituted H-1 Draft 1

as substituted H-1.

Representative Miller supported the motion.

The motion prevailed by a vote of 18-12-1.

**FAVORABLE ROLL CALL:**

YEAS: Representatives Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Gonzales, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Smith, Switalski, Tlaib.

NAYS: Representatives Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers, Schuitmaker.

PASS: Representative Espinoza.

There being no further business before the committee, seeing no objection the committee meeting adjourned the time being 6:15 p.m.

**Representative George Cushingberry, Jr. Chair** \_\_\_\_\_  
Darlene Moore, Committee Clerk, (517) 373-2994