

**MINUTES OF THE COMMITTEE
ON
APPROPRIATIONS**

Tuesday, April 26, 2011

9:30 a.m.

Room 352, State Capitol

The House Committee on Appropriations was called to order by the Chairman, Representative Chuck Moss.

Members present: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton and McCann.

Members absent/excused: Representative Tlaib.

Representative Durhal moved to excuse all absent members.

There being no objection, the motion prevailed by unanimous consent.

Representative Haveman moved to approve the minutes of April 13, 2011.

There being no objection, the motion prevailed by unanimous consent.

The Chair laid before the committee HB 4523.

HB 4523 Moss Appropriations; zero budget; omnibus budget appropriations bill; provide for. Includes budgets for Corrections, Michigan State Police, Military & Veteran's Affairs and Judiciary

Representative Haveman moved to adopt the substitute H-1 Draft (1) to HB 4523.

The motion prevailed by a vote of 25-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg and Lipton.

Nays: None

Pass: None

Bob Snyder, House Fiscal Agency Analyst, explained and answered questions regarding the substitute.

Ben Gielezyk, House Fiscal Agency Analyst, explained and answered questions regarding the substitute.

Barry Whitman, Department of Corrections, explained and answered questions regarding the substitute.

Jan Wisniewski, House Fiscal Agency Analyst, explained and answered questions regarding the substitute.

Shawn Sible, Michigan State Police, answered questions regarding the substitute.

Joel Wortley, Department of Military and Veterans Affairs, answered questions regarding the substitute.

Representative MacMaster moved to adopt the following amendment to H-1 Draft (1) to HB 4523:

1. Amend page 41, following line 9, by inserting:

"Sec.239. On or before March 1, 2012, the department shall solicit and evaluate proposals for services related to the audit of vendor and contract payments, and the recovery of improper payments. The period covered by the proposed audit shall be not less than three prior fiscal years. On or before September 1, 2012, the department shall provide to the house and senate committees on appropriations and the house and senate fiscal agencies a complete report on the results of the proposal solicitation, and findings and amounts recovered from subsequent recovery audits."

The motion prevailed by a vote of 24-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg and Lipton.

Nays: None.

Pass: None.

Representative Cotter moved to adopt the following amendment to H-1 Draft (1) to HB 4523:

1. Amend page 106, following line 20, by inserting

"(5) If United States department of transportation, national highway traffic safety administration federal funding is awarded to the judiciary for the support of drug treatment courts in an amount that exceeds the amount appropriated in part 1, the judiciary may receive and expend the funds in

an amount not exceeding \$450,000 above the amount appropriated in part 1 for the support of drug treatment courts."

The motion prevailed by a vote of 25-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg and Lipton.

Nays: None.

Pass: None.

Representative Jenkins moved to adopt the following amendments to H-1 Draft (1) to HB 4523:

1. Amend page 109, line 9, by striking "2,015,700" and inserting "2,220,200" and adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 110, line 3, by striking "4,364,300" and inserting "4,568,800" and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 121, line 23, by striking "2,015,700" and inserting "2,220,200" and adjusting the subtotals, totals, and section 201 accordingly.
4. Amend page 122, line 2, by striking "4,364,300" and inserting "4,568,800" and adjusting the subtotals, totals, and section 201 accordingly.

The motion prevailed by a vote of 25-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg and Lipton.

Nays: None.

Pass: None.

Representative Jenkins moved to adopt the following amendments to H-1 Draft (1) to HB 4523:

1. Amend page 116, line 8, by striking "44,474,600" and inserting "44,974,600" and adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 116, line 23, by striking "136,684,400" and inserting "137,184,400" and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 125, line 14, by striking "44,474,600" and inserting "44,974,600" and adjusting the subtotals, totals, and section 201 accordingly.
4. Amend page 125, line 23, by striking "133,384,400" and inserting "133,884,400" and adjusting the subtotals, totals, and section 201 accordingly.

The motion prevailed by a vote of 25-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg and Lipton.

Nays: None.

Pass: None.

Representative LeBlanc moved to adopt the following amendment to H-1 Draft (1) to HB 4523:

1. Amend page 170 following line 10 by inserting "Sec. 605. Current employees of the Grand Rapids veterans' home that are to be privatized shall have first right of refusal for employment before any new employees may be hired by the private entity contracted to provide services."

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative LeBlanc moved to adopt the following amendments to H-1 Draft (1) to HB 4523:

1. Amend page 145 by striking all of line 8 and inserting "Adjutant general.... \$179,400
Assistant adjutant general- Army....158,400
Assistant Adjutant general- Air.....158,400
Veterans affairs director....115,500" and by adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 150 by striking all of line 18 and inserting "Adjutant general.....\$179,400
Assistant adjutant general- Army.....158,400
Assistant adjutant general- Air....158,400
Veterans affairs director....115,500" and by adjusting the subtotals, totals, and section 201 accordingly.

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative LeBlanc moved to adopt the following amendments to H-1 Draft (1) to HB 4523:

1. Amend page 109 by striking all of line 7 and inserting
"Director..... \$138,000
MCOLES executive secretary102,200"
And by adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 121 by striking all of line 21 and inserting
"Director.....\$138,000
MCOLES executive secretary....102,200"
and by adjusting the subtotals, totals, and section 201 accordingly.

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative LeBlanc moved to adopt the following amendments to H-1 Draft (1) to HB 4523:

1. Amend page 116, line 8, by striking "44,474,600" and inserting "44,474,600" and inserting "44,974,600" and adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 116, line 23, by striking "136,684,400" and inserting "137,184,400" and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 125, line 14, by striking "44,474,600" and inserting "44,974,600" and adjusting the subtotals, totals, and section 201 accordingly.
4. Amend page 125, line 23, striking "133,384,400" and inserting "133,884,400" and adjusting the subtotals, totals, and section 201 accordingly.

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative Durhal moved to adopt the following amendments to H-1 Draft (1) to HB 4523:

1. Amend page 6, line 10, by striking out "176.0 FTE positions".
2. Amend page 6, line 10, by striking out "(49,068,500)" and inserting "(63,076,500)".
3. Amend page 6, line 11, by striking out "(1,375)" and inserting "(1,970)".
4. Amend page 11, line 6, by striking out "70.9" and inserting "283.4".
5. Amend page 11, line 7, by striking out "6,502,600" and inserting "26,010,600".
6. Amend page 11, line 8, by striking out "266" and inserting "1,062".

3. Amend page 87, following line 26, by inserting:

"Sec. 937. As a condition for expending funds appropriated in part 1, the department shall not close any state correctional facility unless it has provided at least 60 days' notice to the legislature of its intentions to do so. The notice shall name the facility to be closed and shall include the rationale as to why the facility chosen for closure is the optimal facility to close."

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative Lindberg moved to adopt the following amendment to H-1 Draft (1) to HB 4523:

1. Amend page 37, following line 7, by inserting:

"Sec.226. At least 90 days before beginning any effort to privatize, except for the current effort to privatize and contract for prisoner mental health services that is necessitated by the critical need for prisoner mental health treatment staff, the department shall submit a complete project plan to the appropriate senate and house appropriations subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house appropriations subcommittees and the senate and house fiscal agencies within 30 months. In the case of the current effort to privatize and contract for prisoner mental health services, the department shall submit a complete project plan to the appropriate senate and house appropriations committee chairs and appropriate senate and house appropriations subcommittee chairs as well as the senate and house fiscal agencies and state budget office 10 days prior to beginning the effort."

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative Lindberg moved to adopt the following amendment to H-1 Draft (1) to HB 4523:

1. Amend page 53, following line 25, by inserting:

"(6) By May 1, 2012, the subcommittee chair of the chamber that sponsored the current fiscal year budget act for the department shall convene a reimbursement committee consisting of the chairs of the senate and house appropriations subcommittees on corrections, 1 representative from the department of corrections, the state budget office, the Michigan association of counties, and the Michigan sheriffs association for the purpose of reviewing payment of all eligible and properly documented reimbursement requests that comply with the reimbursement criteria in subsection (2)(b) for counties that elected that eligibility and reimbursement costs, the state budget office shall request a legislative transfer from other appropriation line items in the department budget to the county jail reimbursement program line item to cover the additional costs."

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative Lindberg moved to adopt the following amendment to H-1 Draft (1) to HB 4523:

1. Amend page 83, following line 14, by inserting:

"Sec. 919. (1) As a condition of expending funds appropriated in part 1 for prison food service, the department shall comply with the provision of section 207, including, but not limited to, all of the following criteria:

- (a) Providing a complete project plan at least 90 days prior to issuing a request for proposals or an invitation to bid for all or a substantial portion of food service, including a contract for food procurement.
- (b) Conducting a pre-privatization cost-benefit analysis as described by section 207a.
- (c) Providing a copy of the cost-benefit analysis to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director before the earliest of the following:
 - (i) Issuance of a request for proposals or invitation to bid.
 - (ii) Filing a contract change request with the state administrative board.
 - (iii) Entering into a contract for all or a substantial portion of prison food service.
- (2) As a condition of expending funds appropriated in part 1 for prison food service, any contract for prison food service or prison food procurement shall identify all of the following:
 - (a) How savings equivalent to the savings specified in civil service rules for personal services outside the civil service would be realized.
 - (b) How the department will comply with the requirements of section 209.
 - (c) How food quality will be maintained in conjunction with any cost savings.
 - (d) The impact on local vendors, growers, and processors, identified by facility or region, as appropriate, compared to prior-year purchases."

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative Lindberg moved to adopt the following amendment to H-1 Draft (1) to HB 4523:

1. Amend page 37, following line 7, by inserting:

"Sec. 227. (1) Before privatizing any services or activities currently provided by state employees in the department, except for the privatization of prisoner mental health services that is necessitated by a critical shortage of mental health professional staff, the department shall submit to the senate and house appropriations committees a pre-privatization cost-benefit analysis. This analysis shall utilize accurate, reliable, and objective data. Included in this analysis shall a comparative estimate of the costs that will be incurred by this state over the life of the contract if 1 or both of the following occur:

- (a) The service or activity continues to be provided by state employees.
- (b) The service or activity is privatized. The costs of privatizing these services shall include the costs of all necessary monitoring and oversight of the private entity by this state."

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative Lindberg moved to adopt the following amendments to H-1 Draft (1) to HB 4523:

1. Amend page 6, line 8, by striking out the line.
2. Amend page 6, line 9, by striking out the line.
3. Amend page 6, line 10, by striking out "(49,068,500)" and inserting "8,419,100".
4. Amend page 6, line 11, by striking out "(1,375)" and inserting "375".
5. Amend page 87, line 17, by striking out all of section 936 and inserting:
"Sec. 936. By February 15, 2012, the department shall submit a report to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director on strategies utilized by the department to ensure that all prisoners are housed in the most cost-effective manner possible."

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative Lindberg moved to adopt the following amendment to H-1 Draft (1) to HB 4523:

1. Amend page 37, following line 7, by inserting:
"Sec. 228. The department shall conduct a study of the potential costs, benefits, and savings from privatizing the special alternative incarceration facility at Camp Cassidy Lake. The study shall evaluate the potential financial costs and savings that would be derived from privatizing the facility, and the potential impact on the number of prison diversions achieved and the program outcomes achieved for offenders. No funds appropriated in part 1 shall be expended on privatized services for this purpose until 90 days after the required report is completed and submitted to the legislature."

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative Dillon moved to adopt the following amendment to H-1 Draft (1) to HB 4523:

1. Amend page 170 following line 10 by inserting "Sec. 606. The department shall direct a third party study concerning patient care as a result of privatization of services at the Grand Rapids veterans' home."

The motion did not prevail by a vote of 8-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.

Pass: None

Representative LeBlanc moved to adopt the following amendments to H-1 Draft (1) to HB 4523:

1. Amend page 2, line 27, by striking out all of the line and inserting:

"Director--1.0 FTE positions.....\$133,400

Legislative liaison--1.0 FTE positions.....69,000

Parole board members--10.0 FTE positions.....826,400"

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

2. Amend page 13, line 14, by striking out all of the line and inserting:

"Director--1.0 FTE positions.....\$ 133,400

Legislative liaison--1.0 FTE positions....69,000

Parole board members--10.0 FTE positions.....826,400"

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

The motion did not prevail by a vote of 8-16-1.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, and Lipton,

Nays: Representatives Moss, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin.
Pass: Representative Haveman.

Representative Haveman moved to report HB 4523 (H-1) Draft 1 as amended, as substitute (H-1) with recommendation.

The motion prevailed by a vote of 17-8-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin
Nays: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg and Lipton
Pass: None

The committee went at ease at the call of the Chair, the time being 12:00 p.m.

The committee was called back to order by the Chair, the time being 3:15 p.m.

The Chair laid before the committee HB 4524.

HB 4524 Moss Appropriations; zero budget; omnibus budget appropriations bill; provide for. Includes budgets for DNR, DEQ & Agriculture and Rural Development.

Representative Potvin moved to adopt the substitute H-1 Draft (1) to HB 4524:

The motion prevailed by a vote of 24-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton and McCann.
Nays: None
Pass: None

Bill Hamilton, House Fiscal Agency Analyst, explained and answered questions regarding the substitute H-1.

Viola Wild, House Fiscal Agency Analyst, explained and answered questions regarding the substitute H-1.

Sharon Schaeffer, Department of Natural Resources, explained and answered questions regarding the substitute H-1.

Representative Kowall moved to adopt the following amendment to H-1 Draft (1) to HB 4524:

1. Amend page 90, following line 22, by inserting:

"RESOURCE MANAGEMENT DIVISION

Sec. 601. (1) The department shall develop a report that addresses implementation of the state's solid waste policy. At a minimum, the report shall do both of the following:

(a) Identify options for long-term funding for the solid waste management program. For each option, the report shall take into account the extent to which additional activities or materials, or both, such as recycling, composting, and beneficial reuse would impact the long-term funding of the solid waste management program.

(b) Assess the feasibility of contracting out landfill inspections.

(2) The department shall provide the report prepared under subsection (1) to the state budget director, the house and senate appropriations subcommittees on environmental quality, and the house and senate fiscal agencies by June 30, 2012."

The motion prevailed by a vote of 17-4-5.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin

Nays: Representatives Ananich, Durhal, Jackson and Lipton

Pass: Representatives LeBlanc, Bauer, Dillon, Lindberg and McCann

Representative Kowall moved to adopt the following amendments to H-1 Draft (1) to HB 4524:

1. Amend page 39, line 7, by striking out line 7 and inserting:

"Executive direction--17.0 FTE positions..... \$ 1,850,300"
and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 39, line 13, by striking out all of lines 13 through 17 and inserting:

"Environmental response fund..... 140,500
Oil and gas regulatory fund..... 231,900
Refined petroleum fund 414,500
Settlement funds..... 58,100
State general fund/general purpose..... \$ 1,216,000"

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

3. Amend page 42, line 14, by striking out line 14 and inserting:

"Office of Environmental Assistance--38.0 FTE positions..\$ 5,055,300"
and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 42, line 24, by striking out lines 24 through 26 and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 43, line 4, following "purpose", by striking out "72,300" and inserting "0" and adjusting the subtotals, totals, and section 201 accordingly.

6. Amend page 46, line 15, following "Sec. 110.", by striking out "ENVIRONMENTAL".

7. Amend page 46, line 24, following "positions" by striking out "324,300" and inserting "199,300" and adjusting the subtotals, totals, and section 201 accordingly.

8. Amend page 47, line 7, following "MDSP" by striking out "854,600" and inserting "979,600" and adjusting the subtotals, totals, and section 201 accordingly.

9. Amend page 46, line 27, following "positions" by striking out "1,170,300" and inserting "1,295,300" and adjusting the subtotals, totals, and section 201 accordingly.

10. Amend page 47, line 22, following "assessments" by striking out "324,300" and inserting "199,300" and adjusting the subtotals, totals, and section 201 accordingly.

11. Amend page 47, line 2, following "positions" by striking out "11,326,500" and inserting "11,176,500" and adjusting the subtotals, totals, and section 201 accordingly.

12. Amend page 47, line 9, following "funds" by striking out "15,943,400" and inserting "15,793,400" and adjusting the subtotals, totals, and section 201 accordingly.

13. Amend page 49, line 20, following "grants" by striking out "2,000,000" and inserting "1,750,000" and adjusting the subtotals, totals, and section 201 accordingly.

14. Amend page 50, line 11, following "funds" by striking out "82,163,000" and inserting "81,913,000" and adjusting the subtotals, totals, and section 201 accordingly.

15. Amend page 43, line 8, following "positions" by striking out "14,468,600" and inserting "14,736,600" and adjusting the subtotals, totals, and section 201 accordingly.

16. Amend page 43, line 22, following "funds" by striking out "14,048,800" and inserting "14,298,800" and adjusting the subtotals, totals, and section 201 accordingly.

17. Amend page 44, line 2, following "fees" by striking out "5,233,400" and inserting "5,251,400" and adjusting the subtotals, totals, and section 201 accordingly.

18. Amend page 56, line 14, by striking out line 14 and inserting:
"Executive direction--17.0 FTE positions..... \$ 1,850,300"
and adjusting the subtotals, totals, and section 201 accordingly.

19. Amend page 56, line 20, by striking out all of lines 20 through 24 and inserting:
"Environmental response fund..... 140,500
Oil and gas regulatory fund..... 231,900
Refined petroleum fund 414,500
Settlement funds..... 58,100

State general fund/general purpose..... \$ 1,216,000"
and adjusting the subtotals, totals, and section 201 accordingly.

20. Amend page 59, line 25, by striking out line 25 and inserting:
"Office of Environmental Assistance--38.0 FTE positions..\$ 5,055,300"
and adjusting the subtotals, totals, and section 201 accordingly.

21. Amend page 60, line 8, by striking out lines 8 through 10 and adjusting the subtotals, totals,
and section 201 accordingly.

22. Amend page 60, line 15, following "purpose", by striking out
"72,300" and inserting "0" and adjusting the subtotals, totals, and section 201 accordingly.

23. Amend page 63, line 26, following "Sec. 160.", by striking out "ENVIRONMENTAL.".

24. Amend page 64, line 8, following "positions" by striking out
"324,300" and inserting "199,300" and adjusting the subtotals, totals, and section 201
accordingly.

25. Amend page 64, line 18, following "MDSP" by striking out "854,600" and inserting
"979,600" and adjusting the subtotals, totals, and section 201 accordingly.

26. Amend page 64, line 11, following "positions" by striking out
"1,170,300" and inserting "1,295,300" and adjusting the subtotals, totals, and section 201
accordingly.

27. Amend page 65, line 6, following "assessments" by striking out
"324,300" and inserting "199,300" and adjusting the subtotals, totals, and section 201
accordingly.

28. Amend page 64, line 13, following "positions" by striking out
"11,326,500" and inserting "11,176,500" and adjusting the subtotals, totals, and section 201
accordingly.

29. Amend page 64, line 20, following "funds" by striking out
"15,943,400" and inserting "15,793,400" and adjusting the subtotals, totals, and section 201
accordingly.

30. Amend page 67, line 4, following "grants" by striking out
"2,000,000" and inserting "1,750,000" and adjusting the subtotals, totals, and section 201
accordingly.

31. Amend page 67, line 22, following "funds" by striking out
"82,163,000" and inserting "81,913,000"
and adjusting the subtotals, totals, and section 201 accordingly.

32. Amend page 60, line 19, following "positions" by striking out
"14,468,600" and inserting "14,736,600"
and adjusting the subtotals, totals, and section 201 accordingly.

33. Amend page 61, line 6, following "funds" by striking out
"14,048,800" and inserting "14,298,800"
and adjusting the subtotals, totals, and section 201 accordingly.

34. Amend page 61, line 13, following "fees" by striking out
"5,233,400" and inserting "5,251,400"
and adjusting the subtotals, totals, and section 201 accordingly.

The motion prevailed by a vote of 26-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton and McCann

Nays: None

Pass: None

Representative Kowall moved to adopt the following amendments to H-1 Draft (1) to HB 4524:

1. Amend page 48, following line 23, by inserting:

"Brownfield grants and loans program \$ 5,500,000
Environmental bond site reclamation program \$ 1,452,500"
and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 49, following line 17, by inserting:

"Environmental protection bond \$ 1,452,500
Clean Michigan initiative \$ 5,500,000"
and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 66, following line 7, by inserting:

"Brownfield grants and loans program \$ 5,500,000
Environmental bond site reclamation program \$ 1,452,500"
and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 67, following line 1, by inserting:

"Environmental protection bond \$ 1,452,500
Clean Michigan initiative \$ 5,500,000"
and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 90, following line 4, by inserting:

"Sec. 309. The funds appropriated in part 1 for the brownfield grants and loans program are considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is \$5,500,000.00.
- (d) The tentative completion date is September 30, 2016.

Sec. 310. The funds appropriated in part 1 for the environmental bond site reclamation program are considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is \$1,452,500.00.
- (d) The tentative completion date is September 30, 2016."

The motion prevailed by a vote of 26-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton and McCann

Nays: None

Pass: None

Representative Bumstead moved to adopt the following amendment to HB 4524 (H-1):

1. Amend page 133, following line 10, by inserting " Section 502. As a condition of expenditure of fisheries management appropriations under part 1, the department of natural resources shall not impede the certification process for water control structures on Michigan waterways. The department of natural resources shall fund from funds appropriated in part 1 all non-water-quality studies or requirements that the department requests of either of the following:

a) The department of environmental quality as a condition for issuance of a certification under the federal water pollution control act, 33 USC 1341.

(b) The federal energy regulatory commission as a condition of licensing under the federal power act, 16 USC 791a to 825r."

The motion prevailed by a vote of 19-4-2.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc and Ananich

Nays: Representatives Bauer, Durhal, Jackson and Lipton

Pass: Representatives Dillon and McCann

Representative Agema moved to adopt the following amendment to H-1 Draft (1) to HB 4524:

1. Amend page 137, following line 3, by inserting:

"Sec. 710. Of the funds appropriated in part 1 for forest management, the department shall reduce the number of department-owned aircraft by one plane less than the number of planes operated in the program in FY 2010-2011."

The motion did not prevail by a vote of 12-14-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives Haveman, Agema, Genetski, Lori, Rogers, Forlini, Goike, Jenkins, MacGregor, MacMaster, Dillon and Jackson

Nays: Representatives Moss, Kowall, Bumstead, Cotter, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Durhal, Lindberg, Lipton and McCann

Pass: None

Representative Ananich moved to adopt the following amendments to H-1 Draft (1) to HB 4524:

1. Amend page 39, line 6, by striking out line 6 and inserting:

"Director.....	\$	133,400
Legislative liaison	\$	72,600
Communications director.....	\$	69,000"

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

2. Amend page 39, line 13, by striking out all of lines 13 through 17, and inserting:

"Environmental response fund.....		131,900
Oil and gas regulatory fund.....		221,500
Refined petroleum fund		387,400
Settlement funds.....		58,100
State general fund/general purpose.....	\$	1,139,700"

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

3. Amend page 56, line 13, by striking out line 13 and inserting:

"Director.....	\$	133,400
Legislative liaison	\$	72,600
Communications director.....	\$	69,000"

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

4. Amend page 56, line 20, by striking out all of lines 20 - 24, and inserting:

"Environmental response fund.....		131,900
Oil and gas regulatory fund.....		221,500
Refined petroleum fund		387,400
Settlement funds.....		58,100
State general fund/general purpose.....	\$	1,139,700"

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

5. Amend page 94, line 3, by striking out line 3 and inserting:

"Director.....	\$	128,800
Legislative liaison	\$	55,200
Public information officer.....	\$	80,100"

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

6. Amend page 94, line 10, by striking out all of lines 10 through 27, and amend page 95, line

1, by striking out line 1 and inserting:

Special revenue funds:

Forest development fund	297,800
Forest land user charges.....	5,600
Forest recreation account.....	9,500
Game and fish protection fund.....	752,500
Game and fish protection fund - deer habitat reserve.....	23,400
Game and fish protection fund - turkey permit fees	8,800
Game and fish protection fund - waterfowl fees.....	700
Game and fish - wildlife resource protection fund	8,800
Land exchange facilitation fund	15,700
Marine safety fund.....	17,200

Michigan natural resources trust fund	1,000
Michigan state parks endowment fund	143,100
Michigan state waterways fund	129,700
Nongame wildlife fund	3,200
Off-road vehicle trail improvement fund.....	35,100
Park improvement fund	318,500
Recreation improvement account	2,800
Snowmobile registration fee revenue	5,900
Snowmobile trail improvement fund	18,600"

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

7. Amend page 109, line 24, by striking out line 24 and inserting:

"Director.....	\$	128,800
Legislative liaison	\$	55,200
Public information officer.....	\$	80,100"

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

8. Amend page 110, line 4, by striking out all of lines 4 through 22, and inserting:

Special revenue funds:

Forest development fund	297,800
Forest land user charges.....	5,600
Forest recreation account.....	9,500
Game and fish protection fund.....	752,500
Game and fish protection fund - deer habitat reserve.....	23,400
Game and fish protection fund - turkey permit fees	8,800
Game and fish protection fund - waterfowl fees.....	700
Game and fish - wildlife resource protection fund	8,800
Land exchange facilitation fund	15,700
Marine safety fund	17,200
Michigan natural resources trust fund	1,000
Michigan state parks endowment fund	143,100
Michigan state waterways fund	129,700
Nongame wildlife fund	3,200
Off-road vehicle trail improvement fund.....	35,100
Park improvement fund	318,500
Recreation improvement account	2,800
Snowmobile registration fee revenue	5,900
Snowmobile trail improvement fund	18,600"

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

The motion did not prevail by a vote of 9-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton and Tlaib

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin

Pass: None

Representative LeBlanc moved to adopt the following amendments to H-1 Draft (1) to HB 4524:

1. Amend page 3, line 27, by striking "Unclassified positions...213,300" and inserting:
:Department director-1.0 FTE position...\$64,400".
2. Amend page 12, line 17, by striking "Unclassified positions...213,300" and inserting:
:Department director-1.0 FTE position...\$128,000 Governmental affairs director-1.0 FTE
position...\$64,400". And adjusting the totals, subtotals, and section 201 accordingly.

The motion did not prevail by a vote of 9-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg,
Lipton and Tlaib

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers,
Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin

Pass: None

Representative Ananich moved to adopt the following amendments to H-1 Draft (1) to HB 4524:

1. Amend page 5, line 18, by striking "2,437,900" and inserting "\$3,037,900".
2. Amend page 5, line 20, by striking "12,369,500" and inserting "12,969,500".
3. Amend page 6, line 1, by striking "8,386,200" and inserting "8,986,500".
4. Amend page 14, line 13, by striking "2,437,900" and inserting "\$3,037,900".
5. Amend page 14, line 14, by striking "12,369,500" and inserting "12,969,500".
6. Amend page 14, line 22, by striking "8,386,200" and inserting "8,986,500". and amending the
subtotals, totals, and section 201 accordingly.

The motion did not prevail by a vote of 9-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg,
Lipton and Tlaib

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers,
Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin

Pass: None

Representative Lindberg moved to adopt the following amendments to H-1 Draft (1) to HB
4524:

1. Amend page 97, line 2, following "commission", by striking out "100" and inserting
"22,500"
and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 98, line 3, by striking out "3,606,700" and inserting "3,629,100" and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 112, following line 25, by inserting "Freedom trail commission \$ 22,500" and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 113, line 25, by striking out "3,606,600" and inserting "3,629,100" and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 131, following line 27, by inserting "Sec. 307. From the funds appropriated in part 1 for freedom trail commission, \$22,500.00 shall be allocated to support the operations of the Michigan freedom trail commission as specified in section 4 of the Michigan freedom trail commission act, 1998 PA 409, MCL 399.84. These funds shall be used to reimburse commission members, to pay for necessary contractual services of the commission, and to hire not more than 1.0 FTE position in the Michigan historical center to support commission operations."

The motion did not prevail by a vote of 10-16-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton and Tlaib

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski and Pscholka

Pass: None

Representative Lindberg moved to adopt the following amendments to H-1 Draft (1) to HB 4524:

1. Amend page 134, line 12, following "treatment on", by striking "95,000" and inserting "63,000".

2. Amend page 134, line 13, following "less than", by striking "77,000" and inserting "58,000".

The motion did not prevail by a vote of 9-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton and Tlaib

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin

Pass: None

Representative Lindberg moved to adopt the following amendments to H-1 Draft (1) to HB 4524:

1. Amend page 134, line 12, following "treatment on", by striking "95,000" and inserting "63,000".
2. Amend page 134, line 13, following "less than", by striking "77,000" and inserting "58,000".

The motion did not prevail by a vote of 9-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton and Tlaib

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin

Pass: None

Representative Lindberg moved to adopt the following amendment to H-1 Draft (1) to HB 4524:

1. Amend page 130, following line 8, by inserting:
"Sec. 236 Not later than January 1, 2012, the department shall submit to the senate and house appropriations subcommittees on natural resources a report detailing the compliance status with the Americans with Disabilities Act for departmental facilities that are publically accessible. The report shall also detail the department's remediation plan should it determine that any of the department's facilities are not in compliance with Americans with Disabilities Act."

The motion did not prevail by a vote of 9-17-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton and Tlaib

Nays: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin

Pass: None

Representative Lindberg moved to adopt the following amendments to H-1 Draft (1) to HB 4524:

1. Amend page 106, following line 11, by inserting
"Grand Marais, Alger County \$ 100"
and adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 106, line 15, following "funds", by striking "3,750,000" and inserting "3,750,100"
and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 140, following line 5, by inserting
"Sec. 1004. It is the intent of the legislature that the department shall fund a capital outlay project to restore the breakwall at the Grand Marais harbor according to a plan to be prepared by the department. The project has an estimated completion cost of \$7,000,000.00 and an estimated completion date of September 30, 2016."

The motion prevailed by a vote of 25-0-1.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton and McCann

Nays: None

Pass: Representative Genetski

Representative Haveman moved to report HB 4524 (H-1) Draft 1 as amended as substitute (H-1) with recommendation.

The motion prevailed by a vote of 17-9-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin

Nays: Representatives LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton and McCann

Pass: None

There being no further business before the committee and seeing no objection, the Chair adjourned the meeting, the time being 4:35 p.m.

Representative Chuck Moss, Chairman _____

Ben Williams Jr., Committee Clerk, (517) 373-1988

3 Hours. and 50 Minutes