

# **FINAL**

## **MINUTES OF OPEN SESSION**

### **LEGISLATIVE COUNCIL MEETING**

**Wednesday, December 4, 1996**

**1:00 p.m.**

**State Capitol Building - Room 425-426**

#### **ATTENDANCE**

##### **Present were:**

Speaker Paul Hillegonds, Chair  
Senator Dick Posthumus, Alternate Chair  
Representative Tom Alley, Member  
Senator John D. Cherry Jr., Member  
Senator Dan L. DeGrow, Member  
Representative Frank M. Fitzgerald, Member  
Representative Pat Gagliardi, Member  
Senator John J. H. Schwarz, Member  
Senator Virgil Clark Smith, Member  
Senator Glenn Steil, Member  
Senator Jon A. Cisky, Alternate Member  
Representative Jan C. Dolan, Alternate Member

Dianne M. Odrobina, Legislative Council Administrator  
Lisa-Ann Acquario, Secretary to the Council Administrator  
Nancy Childs, Legislative Assistant, Office of Representative Gagliardi  
Helen Freeman, Chief of Staff and Legislative Coordinator, Office of Senator Steil  
Alan Canady, Senate Democratic Counsel  
David E. Oppliger, Legal Counsel, Office of Democratic Leader,  
House of Representatives  
Shelly Edgerton, Asst. Majority Counsel, Senate Majority Policy Office  
Caryl Holland, Senate Information Systems Director  
Clayton Burch, Legislative Corrections Ombudsman  
Doug Miller, JCAR Administrator  
George Needham, State Librarian  
Jeff Johnson, Deputy State Librarian  
Joan Groening, Director of Federal Programs, Library of Michigan  
Robin VanAlstine, Director of Human Resources, Library of Michigan

##### **Present were (Continued):**

Janet Laverty, Director of Internal Operations, Library of Michigan  
Paul Groll, Director of Network and Information Systems, Library of Michigan  
Tina Deitrich, Administrative Assistant, Library of Michigan  
Elliott Smith, Director of the Legislative Service Bureau

Traci Kanillopoulos, Administrative Secretary to the Director, Legislative Service Bureau  
Marcia Cornell, Human Resources Director, Legislative Service Bureau  
Carol Cousineau, Director of Legal Division, Legislative Service Bureau  
Jerry Lawler, Director of Facilities for the Legislative Council  
Carlo P. Ginotti, Attorney/Administrator of the Sentencing Guidelines Commission  
Margaret-Mary Chiara, Administrator of the Trial Court Assessment Commission

A number of other individuals were present, but did not identify themselves.

**Members Excused:**

Representative Kenneth R. Sikkema, Member  
Representative Timothy L. Walberg, Member  
Representative William Byl, Alternate Member  
Representative Curtis Hertel, Alternate Member  
Senator Michael J. O'Brien, Alternate Member  
Senator Bill Schuette, Alternate Member

**ITEM 1.      *Convening of the Meeting***

Council Chair, Speaker Hillegonds, called the meeting to order at 1:08 p.m. and announced that a quorum was present.

**The Chair asked for a motion to excuse the absent members.**

**Representative Dolan moved, supported by Representative Alley, to excuse the absent members of the Council. The motion was unanimously approved.**

**ITEM 2.      *Approval of the Minutes of the May 30, 1996, Legislative Council Meeting***

The Chair asked for a motion to adopt the minutes of the May 30, 1996, open meeting of the Legislative Council.

**Representative Dolan moved, supported by Senator Steil, to adopt the minutes of the May 30, 1996, meeting. The Chair asked for discussion of the motion. There was no discussion.**

**The minutes were unanimously adopted.**

**ITEM 3.      *Report of the Legislative Council Services and Administration Subcommittee—  
Senator Dick Posthumus, Chair, and Speaker Paul Hillegonds, Alternate Chair***

Speaker Hillegonds asked Ms. Odrobina to present the report. Ms. Odrobina first reviewed the Personnel section of the report. She asked the Council members if they had any questions regarding the Personnel section. The members had no questions. Ms. Odrobina asked if the Chair would like to present the addenda for the Personnel section of the report. Speaker Hillegonds agreed to present the following addenda: the placement of Cynthia B. Johnson, secretary for the Sentencing Guidelines Commission, on the Legislative Council Salary Schedule; the hiring of Margaret-Mary Chiara for the Trial Court Assessment

Commission Administrator; and the reappointment of Richard McLellan to the Michigan Law Revision Commission and his redesignation as Chairman of the Commission. (The addenda are made part of the minutes by this reference.) Speaker Hillegonds asked the Council members if they had any questions regarding the addenda.

Senator Smith asked Ms. Chiara if she had terminated her position as the Cass County Prosecuting Attorney. At this point in the meeting, Speaker Hillegonds asked Ms. Chiara to present herself to the Council. Ms. Chiara stated that based on the Council's approval, she will resign from her position as the Prosecuting Attorney for Cass County. Speaker Hillegonds asked if there were any questions. There were no questions.

Representative Alley stated that the Council may want to wait until the first of the year to reappoint Richard McLellan as Chair, so that the new House members would have an opportunity for input. Senator Smith stated that although he understood Representative Alley's concern, based on his experience on the Commission, he felt Richard McLellan did a wonderful job and supported reappointing Richard McLellan as the Chair of the Law Revision Commission. There was no further discussion.

Representative Gagliardi asked why the addenda were not discussed at the Subcommittee meeting prior to the Council meeting. Ms. Odrobina explained that the offer to Ms. Chiara and her acceptance as well as Ms. Johnson's evaluation occurred after the Subcommittee meeting. She felt it was preferable to present the addenda at today's meeting rather than wait until the next Subcommittee meeting. Speaker Hillegonds asked if there were any other questions regarding the addenda to the Personnel section of the Services and Administration Subcommittee report. There were no further questions.

**Representative Dolan moved, supported by Representative Gagliardi, to adopt the addenda regarding the salary increase for the Michigan Sentencing Guidelines Commission's Secretary, the hiring of the Administrator for the Trial Court Assessment Commission, and the reappointment of Richard McLellan as Chair of the Michigan Law Revision Commission. The addenda were unanimously adopted.**

There was some discussion regarding the allotment of maps for Senators and Representatives. It was decided that the quadrant leaders would meet to discuss this issue. The decision about map allotments was postponed until the next meeting.

Ms. Odrobina updated the members as to the new commissions that will be housed under the Legislative Council, the Trial Court Assessment Commission (TCAC) and the State Court Information Management Commission. Ms. Odrobina then presented a request for structural changes in the Michigan Library and Historical Center and informed the Council members that the Subcommittee recommended that the Council approve the structural changes. Ms. Odrobina then referred the members to the portion of the Subcommittee report regarding the proposed legislation that would impact the Legislative Council. There were no new bills since the last Legislative Council meeting.

The Chair asked for discussion of the Services and Administration Subcommittee report. None followed. (The Services and Administration Subcommittee report is made a part of the minutes by this reference.)

**Representative Fitzgerald moved, supported by Senator Steil, to adopt the report. The Services and Administration Subcommittee report was unanimously adopted.**

**ITEM 4.      *Report of the Legislative Council Agencies Subcommittee–  
Representative Frank M. Fitzgerald, Chair, and Senator Dan L.  
DeGrow, Alternate Chair***

Representative Fitzgerald reviewed the Legislative Council Agencies Subcommittee report. He directed the members to the Legislative Corrections Ombudsman's annual report. He stated that the report is a very comprehensive report. He suggested that next year the Council may want to review the finances for staffing the Legislative Corrections Ombudsman's office because the amount of cases that pass through the office cannot be properly handled by the current size of the staff.

Representative Fitzgerald stated that the Library of Michigan's report was approved by the Subcommittee, and he recommended the Council to adopt the report. He reminded the Council that at the last meeting, George Needham was appointed as State Librarian. He also stated that he has heard many positive comments from around the State about Mr. Needham.

Representative Fitzgerald requested that the Council members approve the report of the Legislative Council Agencies Subcommittee. Speaker Hillegonds asked if there were questions for Representative Fitzgerald. There were no questions. (The Agencies Subcommittee report is made a part of the minutes by this reference.)

**Senator Schwarz moved, supported by Senator Steil, to adopt the Legislative Council Agencies Subcommittee report. The report of the Legislative Council Agencies Subcommittee was unanimously adopted.**

**ITEM 5.      *Old Business***

Speaker Hillegonds asked if there was any old business. There was none.

**ITEM 6.      *New Business***

Ms. Odrobina, on behalf of the Legislative Council employees, thanked the Council members for their participation on the Legislative Council, recognizing all the other demands on their time. She also stated that those members who may decide not to participate or return next year will be missed. She identified Speaker Hillegonds and Representative Dolan who have announced their retirements from the Legislature.

Ms. Odrobina extended a special thank you to Speaker Hillegonds and gave to him a memento for his role as Chair of the Council. Ms. Odrobina explained that the memento, an original brick from the Capitol, is part of the foundation of the Capitol just as Speaker Hillegonds is a part of the foundation of the Michigan Legislature.

Ms. Odrobina concluded by wishing all the members happy holidays and the best in their future endeavors.

Speaker Hillegonds offered thanks to the members and to the entire staff of the Legislative Council for all their work.

**ITEM 7.      *Public Participation***

The Chair asked if anyone in the audience wished to address the Council. No one responded.

**ITEM 8.      *Time, Date, and Place of the Next Legislative Council Meeting***

Ms. Odrobina informed the members that according to Part I, section 1, of the Legislative Council rules, the first Council meeting in odd-numbered years shall be set within fourteen days after the membership to the Council has been named by the Senate and House of Representatives.

**ADJOURNMENT**

The Chair adjourned the meeting at 1:28 p.m.

Respectfully submitted,

Dianne M. Odrobina  
Secretary

DMO:la

*(Minutes approved at the February 13, 1997 Legislative Council meeting.)*