

# Final Minutes

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## Legislative Commission on Statutory Mandates Meeting

2:00 p.m. • Wednesday, January 9, 2008

Legislative Council Conference Room • Boji Tower Building

### Members Present:

Robert Daddow, Chair  
Amanda Van Dusen, Co-Chair  
Ralph "Skip" Maccarone  
Dennis Pollard  
J. Dallas Winegarden, Jr.

### Members Excused:

None

### Others Present:

Mark Bertler, Michigan Association for Local Public Health  
Susan Cavanagh, Office of the Legislative Council Administrator  
Stephanie Cepak, Gongwer News Service  
Cheryl Chapko, Muchmore Harrington Smalley & Associates  
Benjamin Frederick, Office of Senator Roger Kahn  
Thomas Hickson, Jr., Michigan Association of Counties  
Kathleen Johnston-Calati, Senate Democratic Office  
The Honorable Phil LaJoy, 21<sup>st</sup> District State Representative  
Wendy Larvick, Office of Representative LaJoy  
Eric Lupher, Citizens Research Council  
Eric Scorsone, Michigan State University  
Adam Stacey, House Republican Policy Office  
John Strand, Legislative Council Administrator  
Bill Sullivan, Office of Senator Bishop

### I. Call to Order

The Chair called the meeting to order at 2:00 p.m. and asked the clerk to take the roll as members and audience participants introduced themselves. A quorum was present.

### II. Public Comments

The Chair asked for public comment. There was none.

### III. Approval of Agenda

The Chair asked for a motion to approve the agenda. **Mr. Maccarone moved, seconded by Ms. Van Dusen, to approve the agenda. There was no further discussion. The agenda was unanimously approved by a vote of 5-0-0.**

<b>Yeas:</b>	<b>Mr. Daddow</b>	<b>Nays:</b>	<b>None</b>	<b>Pass:</b>	<b>None</b>
	<b>Ms. Van Dusen</b>				
	<b>Mr. Maccarone</b>				
	<b>Mr. Pollard</b>				
	<b>Mr. Winegarden</b>				

### IV. Discussion of Mission, Goals, and Legislation Passed Enabling the Commission

The Chair opened the floor for a discussion of the Commission's mission and goals. He called on State Representative Phil LaJoy to provide some background on the legislation that created the Commission. Ms. Van Dusen inquired if the Representative sees a connection between the work of this Commission and the work of the Legislative Commission on Government Efficiency and provided an example of a statutory mandate where there is a need for efficiency in state government and a reporting requirement at the local level. Representative LaJoy responded that he did not foresee a direct connection due to the nature of the Commissions, but he will be monitoring the activity of both Commissions and would be willing to share information between the Commissions.

### V. Discussion of Public Act 101 of 1979, as Amended

The Chair then called on Mr. Pollard to provide an explanation of Public Act 101 of 1979, as amended. Mr. Pollard shared a memo regarding the requirements created by 1979 PA 101 and noted that this legislation has been roundly ignored. He proceeded with a few instances where requirements were never implemented. Ms. Van Dusen offered two additional observations that she thought should be kept in mind: 1) there have been times when the State has agreed that an additional mandate has been imposed, but the State has merely shifted unrestricted revenues to that restricted purpose and 2) the Supreme Court has concluded that they are powerless to enforce the obligation of the legislature to appropriate funds for that purpose.



Mr. Tom Hickson from the Michigan Association Counties had submitted a report earlier and inquired if that report is sufficient. The Chair responded that he will be chatting with a number of County Commissioners at a MAC meeting later next week and hopes to get them to participate in the process and take on a more active role. Ms. Cheryl Chapko shared that she will relay the assignment to the Michigan Township Association.

#### **IX. Other Business**

Mr. Winegarden felt it would be beneficial for the information coming into the Commission be distributed to the members before the next meeting. Mr. Scorsone volunteered to standardize the information and coordinate the dissemination. The Chair suggested he send any information he would like shared to the committee clerk who will forward a copy to each member of the Commission.

The last item the Chair addressed was the members' interest in meeting with the original drafter of Public Act 101 of 1979, Peter Fisher. Mr. Pollard will make contact with Mr. Fisher and follow up on the invitation.

#### **X. Future Meeting Dates, Locations, and Times**

Future meeting dates and alternating the meeting location between Lansing and southeast Michigan were discussed. The second Wednesday of the month at 1:00 p.m. was set as the regular monthly meeting day and time with the next meeting to be at the Oakland County Executive Office Building in southeast Michigan.

#### **XI. Adjournment**

**Having no further business, Ms. Van Dusen moved, supported by Mr. Winegarden, to adjourn the meeting. Without objection, the motion was approved.** The meeting was adjourned at 3:30 p.m.

#### **NEXT MEETING DATE**

The next full Committee meeting is scheduled for **Wednesday, February 13, 2008**. A proposed agenda will be sent to members.

#### Action Items:

- The Chair to deal with requests to define the scope of work and estimate for funding studies
- Representatives of agencies to communicate back the willingness of their organization to participate
- Mr. Maccarone's motion tabled to next meeting
- Heads of House and Senate Fiscal Agencies to be invited to next meeting
- Members to review material before next meeting
- Copy of proposed minutes to be sent to members before the next meeting
- Committee clerk to forward LCSM meeting minutes to members of the Legislative Commission on Government Efficiency and send LCSM members minutes of the LCGE meetings

*(Approved at the February 13, 2008 LCSM Meeting)*