

Final Minutes

Legislative Commission on Statutory Mandates Meeting

2:00 p.m. • Wednesday, March 26, 2008
Oakland County Executive Office Building
2100 Pontiac Lake Road • Waterford, Michigan

Members Present:

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

Members Excused:

Dennis Pollard

Others Present:

Bill Anderson, Michigan Townships Association
David Bertram, Michigan Townships Association
Susan Cavanagh, Office of the Legislative Council Administrator
Mike Hansen, Michigan Community College Association
Mike Healy, Office of the Senate Majority Leader
Thomas Hickson, Jr., Michigan Association of Counties
State Representative Phil LaJoy
Wendy Larvick, Office of Representative LaJoy
Eric Luper, Citizens Research Council
Elliott Smith, Legislative Service Bureau
John Strand, Legislative Council Administrator
Heather Van Poucker, Michigan Municipal League
Several others were present, but were not identified.

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 introduced themselves. A quorum was present.

II. Public Comments

The Chair asked for public comment. There was none.

III. Approval of Minutes – February 13, 2008 Meeting

The Chair asked for a motion to approve the minutes of the last Legislative Commission on Statutory Mandates meeting. **Mr. Winegarden moved, seconded by Ms. Van Dusen, to approve the minutes of the February 13, 2008 meeting. There was no further discussion. The minutes were unanimously approved.**

IV. Status of Letters of Assistance from Various Organizations

The Chair reported that letters have been sent to the Michigan Municipal League (MML), Michigan Townships Association (MTA), Michigan Association of Counties (MAC), Michigan Community College Association (MCCA), Michigan School Business Officials (MSBO), Michigan Association of School Administrators (MASA), and the County Road Association of Michigan (CRAM) requesting their assistance to identify a list of no more than ten mandates facing the local governmental units they represent. He noted the groups have been asked to provide this list by May 16, 2008. The Chair then called on the representatives of those groups present at today's meeting to provide a status report on their progress of securing this information from their constituency base.

Bill Anderson and David Bertram, representing the Michigan Townships Association, were present. Mr. Anderson commented that one of the greatest challenges in identifying a list of mandates will be the tendency to focus on mandates that are not liked versus mandates that are more accepted. He also raised the issue of how mandates are funded and what is considered a mandated activity. Mr. Bertram reported that they are conducting a survey of their membership and will be able to respond in May as planned.

Mike Hansen from the Michigan Community College Association was present and indicated that he had not received the letter that was mailed by the Commission. The clerk will resend the letter. Mr. Hansen also noted that there are not that many big mandates put on community colleges and reporting by the May date should not be a problem.

Heather Van Poucker shared that the Michigan Municipal League is in the fact-finding stage of gathering the information needed for the request and she is sure they can work with the deadline set by the Commission.

Ms. Van Dusen noted that the school associations could not be present at today's meeting, but have advised her that the school groups have received the letters and are working on the request together.

Tom Hickson from the Michigan Association of Counties shared that they have seven or eight of the mandates with statutory references already completed and should be finished with the entire list by the second week of April. The Chair encouraged the groups to turn in any items on their lists earlier than the May 16 deadline as it would be helpful to get started on the pricing.

The Chair will contact the MML and the CRAM to make sure their organizations have no concerns with the request. Mr. Maccarone echoed Ms. Van Dusen's earlier comments that the Commission is looking for the broadest application of the definition of a mandate under the Headlee amendment and not the most restrictive.

V. Discussions with Dr. Scorsone from Michigan State University

The Chair reported that Dr. Scorsone has volunteered assistance from his staff and MSU students to assist in pricing out the mandates. In addition, on behalf of the Commission, Dr. Scorsone and the Citizens Research Council are prepared to conduct a survey of the policies and procedures in other states that prevent unfunded mandates from making their way into legislation and signed into law. The focus of the survey was discussed further.

VI. Legislative Service Bureau Response to Commission Request for Information

The Chair then called on Elliott Smith, Director of the Legislative Service Bureau, to highlight the Bureau's response to the Commission's request for information on the status of the compliance requirements of Public Act 101 of 1979. Mr. Smith summarized the Bureau's findings and directed the Commissioners to his letter for more details. Mr. Maccarone then inquired about a statement the attorney general made in 1992 regarding drafting legislation that affects local governments. Mr. Smith will confirm whether this statement was from an attorney general's opinion or just a statement made by the attorney general. A discussion of the compliance with Act 101 issue followed.

VII. Next Meeting Date

The Chair noted that the next meeting is scheduled on **Wednesday, April 9, 2008, at 2:00 p.m.** in Lansing. The Chair asked if there were any other issues to be discussed. Ms. Van Dusen reported that Doug Drake has offered to come before the Commission and will be invited to attend the next meeting. Mr. Winegarden proposed that the meeting minutes and documents be sent to the Governor's office. There were no objections.

VIII. Adjournment

Having no further business, Mr. Winegarden moved, supported by Ms. Van Dusen, to adjourn the meeting. Without objection, the motion was approved. The meeting was adjourned at 3:05 p.m.

(Approved at the April 9, 2008 Legislative Commission on Statutory Mandates meeting.)