



HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS

REP. SHANE HERNANDEZ

CHAIR

COMMITTEE MEETING MINUTES

Wednesday, June 17, 2020 9:00 AM Room 352, House Appropriations, State Capitol Building

The House Committee on Appropriations was called to order by Chair Hernandez.

The Chair requested attendance be called:

Present: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Absent: Rep. Love.

Excused: Rep. Love.

Representative Whiteford moved to adopt the meeting minutes from June 3, 2020. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 5761 and HB 5810 before the committee:

HB 5761 (Rep. Lower) A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding sections 44e and 78t.

HB 5810 (Rep. Lower) A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78a (MCL 211.78a), as amended by 2014 PA 499, and by adding section 44e.

Representative Lower gave a presentation on HB 5761 and HB 5810. Questions and discussion followed.

Mary Balkama, representing the Kalamazoo County Treasurer, testified in support of HB 5761 and HB 5810. Questions and discussion followed.

Rachel Richards, representing the Michigan Department of Treasury, testified in opposition to HB 5761 and HB 5810.

Dan Papineau, representing the Michigan Chamber of Commerce, testified in support of HB 5761 and HB 5810.

The following person submitted a card with a neutral position on HB 5761 and HB 5810, but did not wish to speak:

Deena Bosworth, representing the Michigan Association of Counties.

The following people submitted a card in support of HB 5761 and HB 5810, but did not wish to speak:

John Lindley, representing the Michigan Association of CPAs.

Tim Sowton, representing the Business Leaders for Michigan.

John MacNamara, representing the Michigan Restaurant and Lodging Association.

Brad Ward, representing the Michigan Realtors.

Micah Babcock, representing the Small Business Association of Michigan.

Joshua Lunger, representing the Grand Rapids Chamber of Commerce.

The Chair laid HB 5843 before the committee:

HB 5843 (Rep. Glenn)	A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.
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Representative Glenn testified on HB 5843.

Representative Brixie offered the following amendments to HB 5843:

1. Amend page 2, following line 14, by inserting:

“ Sec. 102. DEPARTMENT OF ATTORNEY GENERAL

(1) APPROPRIATION SUMMARY

Full-time equated classified positions.....	1.0	
GROSS APPROPRIATION.....		\$ 250,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		
ADJUSTED GROSS APPROPRIATION.....		\$ 250,000
Federal revenues:		
Total federal revenues.....		
Special revenue funds:		
Total local revenues.....		
Total private revenues.....		
Total other state restricted revenues.....		
State general fund/general purpose.....		\$ 250,000
(2) ONE-TIME APPROPRIATIONS		
Edenville dam investigation--1.0 FTE positions.....		\$ 250,000
GROSS APPROPRIATION.....		\$ 250,000

Appropriated from:

State general fund/general purpose..... \$ 250,000

**Sec. 103. DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
(1) APPROPRIATION SUMMARY**

Full-time equated classified positions.....3.0

GROSS APPROPRIATION..... \$ 350,000

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental transfers.....

ADJUSTED GROSS APPROPRIATION..... \$ 350,000

Federal revenues:

Total federal revenues.....

Special revenue funds:

Total local revenues.....

Total private revenues.....

Total other state restricted revenues.....

State general fund/general purpose..... \$ 350,000

(2) ONE-TIME APPROPRIATIONS

Land and water interface permit programs --3.0 FTE positions.....

\$350,000

GROSS APPROPRIATION..... \$ 350,000

Appropriated from:

State general fund/general purpose..... \$ 350,000”

adjusting the subtotals, totals, and section 201 accordingly, and renumbering the remaining sections.

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

“DEPARTMENT OF ATTORNEY GENERAL

Sec. 301. Funds appropriated in part 1 for Edenville dam investigation shall be used to support costs related to investigating events leading to the Edenville dam failure, determining the party, or parties, responsible for the failure, and supporting efforts to recoup expenses from damages caused by the dam failure from the party, or parties, responsible for the failure.

DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

Sec. 401. Funds appropriated in part 1 for land and water interface permit programs shall be used by the department of environment, Great Lakes, and energy to review dam inspection policies, support ongoing dam investigations, and provide recommendations to the legislature about needed dam inspection policies and funding within 90 days.” and renumbering the remaining sections.

Representative Brixie moved to adopt the amendments to HB 5843. The motion did not prevail 11-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom.

Pass: None.

Representative Anthony offered the following amendments to HB 5843:

1. Amend page 2, following line 14, by inserting:

“ **Sec. 102. DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY**

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION..... \$
10,000,000

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental
transfers.....

ADJUSTED GROSS APPROPRIATION..... \$
10,000,000

Federal revenues:

Total federal revenues.....

Special revenue funds:

Total local revenues.....

Total private revenues.....

Total other state restricted revenues.....

State general fund/general purpose..... \$
10,000,000

(2) ONE-TIME APPROPRIATIONS

Dam repairs..... \$
10,000,000

GROSS APPROPRIATION..... \$
10,000,000

Appropriated from:

State general fund/general purpose..... \$
10,000,000”

adjusting the subtotals, totals, and section 201 accordingly, and renumbering the remaining sections.

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

“DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

Sec. 301. Funds appropriated in part 1 for dam repairs, in addition to any unencumbered and unobligated funds the department has for dam repairs, shall be used by the department to pursue repairs to dams that are in most immediate need and dams deemed by the department to be highly hazardous. Funds may be used to pursue enforcement measures and to inform the public of potential high hazard dam failures at privately-owned dams.” and renumbering the remaining sections.

Representative Anthony moved to adopt the amendments to HB 5843. The motion did not prevail 12-16-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Glenn, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom.

Pass: None.

Representative Hoadley offered the following amendment to HB 5843:

1. Amend page 4, following line 11, by inserting:

"Sec. 302. The department shall seek reimbursement for flood-related expenditures made from the appropriation in part 1 from the disaster and emergency contingency fund in the event that any party is found to be criminally or civilly liable for the failure of either the Edenville dam or the Sanford dam."

Representative Hoadley moved to adopt the amendment to HB 5843. The motion prevailed 28-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: None.

Pass: None.

Representative Cherry offered the following amendment to HB 5843:

1. Amend page 4, following line 11, by inserting:

"Sec. 302. By September 30, 2020, the department shall submit a report to the senate and house appropriations committees and the senate and house fiscal agencies that includes all of the following information:

(a) The name and location of any entity that received funding from the disaster and emergency contingency fund for costs related to the Edenville and Sanford dam incidents.

(b) The purpose and use of each expenditure that was made.

(c) The amount of federal funding that was provided for flood response related to the Edenville and Sanford dam incidents and an itemization of any expenses covered by the disaster and emergency contingency fund related to these incidents that are eligible for reimbursement.

(d) The status of any programs that received support from the disaster and emergency contingency fund due to the Edenville and Sanford dam incidents.

(e) The job titles and number of state full-time equated positions, broken down by department, that were engaged in responding to the Edenville and Sanford dam incidents.

(f) A listing of all local and county units that applied for disaster and emergency contingency fund assistance grants and the determination that was made on each of these applications."

Representative Cherry moved to adopt the amendment to HB 5843. The motion prevailed 28-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: None.

Pass: None.

Representative Sabo offered the following amendment to HB 5843:

1. Amend page 4, following line 11, by inserting:

"Sec. 302. Assistance grants may be made from the funding appropriated in part 1 to local units that declared a state of emergency related to excessive rainfall and resulting flooding that occurred during May 2020. These grants are subject to amount restrictions established in section 19 of the emergency management act, 1976 PA 390, being MCL 30.419.".

Representative Sabo moved to adopt the amendment to HB 5843. The motion did not prevail 11-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom.

Pass: None.

Representative Tate offered the following amendment to HB 5843:

1. Amend page 3, following line 28, by striking out all of section 301 and inserting:

"Sec. 301. (1) Funds appropriated in part 1 from the disaster and emergency contingency fund shall be allocated to a county with a population of more than 80,000 and less than 85,000, to a county with a population of more than 200,000 and less than 205,000, to a county with a population of more than 15,000 and less than 16,000, to a county with a population of more than 25,600 and less than 25,700, to a county with a population of more than 25,800 and less than 25,900, and to a city with a population of more than 35,000 located in a county with a population of more than 80,000 and less than 85,000, according to the most recent federal decennial census. Funding shall be used to reimburse project restoration costs and expenses caused by the federally declared disaster impacting those counties. Restoration projects include, but are not limited to, debris removal, emergency protective measures such as road blockades, sheltering, and evacuations, chemical contamination clean-up efforts, and the repair of real estate and personal property.

(2) Funding appropriated in part 1 for grants to counties or municipalities must be made in accordance with section 19 of the emergency management act, 1976 PA 390, being MCL 30.419.".

Representative Tate moved to adopt the amendment to HB 5843. The motion prevailed 28-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: None.

Pass: None.

Representative Hood offered the following amendment to HB 5843:

1. Amend page 3, following line 28, by striking out all of section 301 and inserting:

"Sec. 301. (1) Funds appropriated in part 1 from the disaster and emergency contingency fund shall be allocated to a county with a population of more than 80,000 and less than 85,000 and to a city with a population of more than 35,000 located in a county with a population of more than 80,000 and less than 85,000, according to the most recent federal decennial census. Funding shall be used to reimburse project restoration costs and expenses caused by the federally declared disaster in that county. Restoration projects include, but are not limited to, debris removal, emergency protective measures such as road blockades, sheltering, and evacuations, chemical contamination clean-up efforts, and the repaid of real estate and personal property. Expenditures for chemical contamination clean-up efforts must not be made on projects where existing parties are responsible for monitoring and remediating contaminated properties.

(2) Funds must be allocated with priority given to supporting housing assistance costs for individuals displaced from their residence."

Representative Hood moved to adopt the amendment to HB 5843. The motion prevailed 28-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: None.

Pass: None.

The following person submitted a card in support of HB 5843, but did not wish to speak:
Meghann Keit, representing the Michigan Association of Counties.

Representative Glenn moved to report House Bill No. 5843 as amended, as substitute (H-1). The motion prevailed 28-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: None.

Pass: None.

The Chair returned to HB 5761 and HB 5810.

Representative Sheppard moved to adopt substitute (H-2) to HB 5761. The motion did not prevail 0-28-0:

UNFAVORABLE ROLL CALL

Yeas: None.

Nays: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom,

Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Pass: None.

Representative Albert moved to adopt substitute (H-3) to HB 5761. The motion prevailed 27-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: None.

Pass: Rep. Yaroch.

Representative Albert offered the following amendment to HB 5761 (H-3):

1. Amend page 2, line 1, after "**to**" by striking "**any interest, penalty, or late charge or fee of any kind**" and inserting "**penalties or interest**".

Representative Albert moved to adopt the amendment to HB 5761 (H-3). The motion prevailed 28-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: None.

Pass: None.

Representative Huizenga moved to report HB 5761 as amended, as substitute (H-4). The motion prevailed 27-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: None.

Pass: Rep. Yaroch.

Representative Sheppard moved to adopt substitute (H-1) to HB 5810. The motion did not prevail 0-28-0:

UNFAVORABLE ROLL CALL

Yeas: None.

Nays: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Pass: None.

Representative Albert moved to adopt substitute (H-2) to HB 5810. The motion prevailed 27-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: None.

Pass: Rep. Yaroch.

Representative Albert offered the following amendment to HB 5810 (H-2):

1. Amend page 2, line 24, after "**(b).**" by inserting "**Funds necessary to support the short-term state financing under this subdivision may be obtained from any appropriate source, including, but not limited to, notes or bonds issued by the Michigan finance authority created by Executive Reorganization Order No. 2010-2, MCL 12.194.**".

Representative Albert moved to adopt the amendment to HB 5810 (H-2). The motion prevailed 28-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: None.

Pass: None.

Representative Hoadley gave remarks on HB 5761 and HB 5810.

Representative Allor moved to report HB 5810 as amended, as substitute (H-3). The motion prevailed 27-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

Nays: None.

Pass: Rep. Yaroch.

Representative Hoadley moved to excuse Representative Love from the meeting. There being no objection the motion prevailed by unanimous consent.

There being no further business before the committee, Rep. Shane Hernandez adjourned the meeting at 10:01 AM.

Representative Shane Hernandez, Chair

Matt Carnagie
Committee Clerk
mcarnagie@house.mi.gov