

# THE REGULATORS

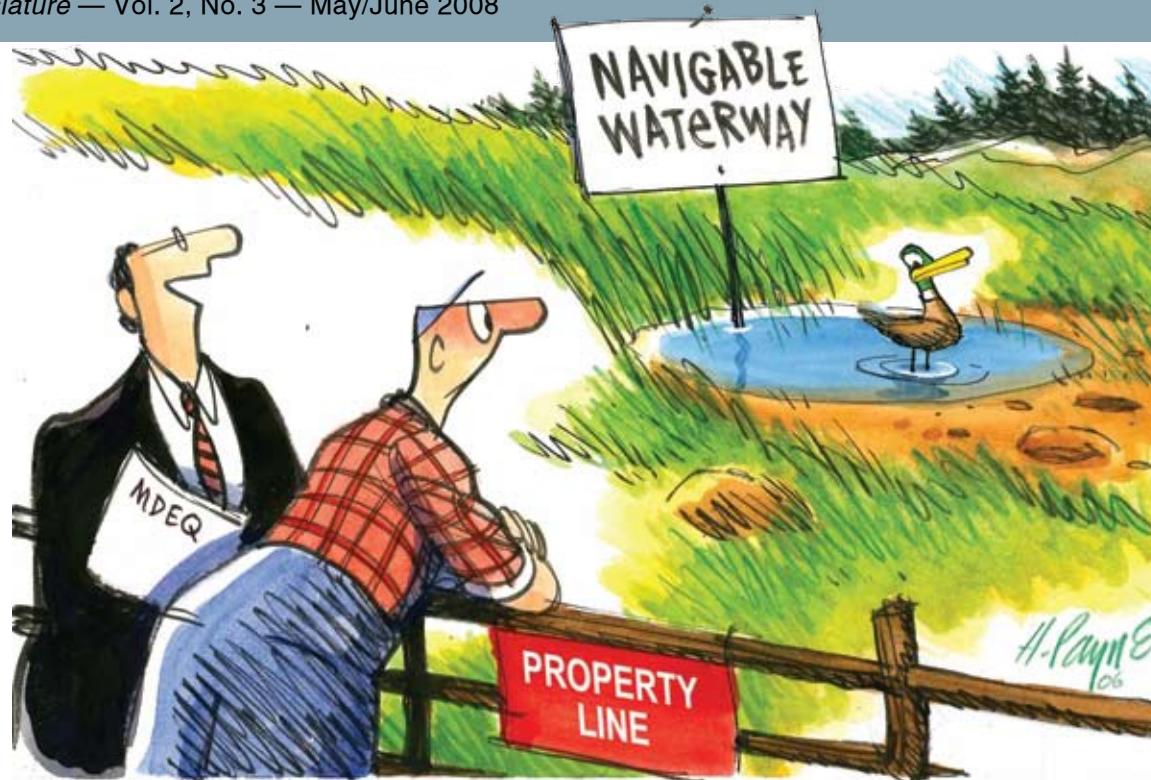
## Bills would wrest wetlands oversight away from DEQ

Michigan's regulatory environment could become less burdensome and its cost to taxpayers reduced under either of two proposed laws recently introduced in the Michigan Legislature. Senate Bill 1112, sponsored by Sen. Roger Kahn, R-Saginaw, and House Bill 4901, sponsored by Rep. John Moolenaar, R-Midland, would strip the Michigan Department of Environmental Quality of its authority to authorize building

permits near wetlands. The practical effect of both bills would be to return oversight of Michigan wetlands to the U.S. Army Corps of Engineers.

Federal rather than state oversight is the norm in all but Michigan and New Jersey, according to Russ Harding, director of the Mackinac Center for Public Policy's Property Rights Network and a former director of the Michigan DEQ. Harding as-

See "Regulators," Page 4

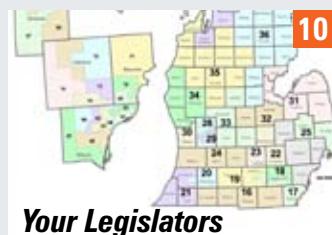


"Yessir, state regulations say no one can build, drive or walk on your property ... but otherwise, do what you like! It's a free country!"

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### INSIDE THE ISSUE



## EXTRA CREDIT

2008 budget battle ends, new spending plots continue

With gross spending approved at \$42.8 billion, the fiscal 2008 state budget is the largest in Michigan government history (see "The Year of Living Expensively," January/February, 2008 Michigan Capitol Confidential.) But a sample of recent legislative actions indicates that lawmakers are poised to break this record yet again.

Left unfinished in the fiscal 2008 budget completed last fall was the allocation of mostly federal dollars to infrastructure improvements at dozens of airports across the state. An attempt to tie up this last loose end and steer federal dollars to

the construction sites in time for the spring building season was written into Senate Bill 511 and unanimously approved by the Michigan Senate on March 20, 2008.

But before that happened, the airport improvement financing became the subject of controversy when Sen. Mickey Switalski, D-Roseville, sponsored an amendment that would have added pre-approval for an additional \$1 billion in spending for state university and community college construction projects. This additional spending was supported by the governor, and Switalski argued that it would stimulate Michigan's fragile economy by creating construction jobs.

This was disputed by some Republican senators who countered that a "broke state government" should not be making the problem worse by borrowing the extra money necessary to

See "Extra Credit," Page 6

### SPECIAL INTERESTS

## Wage Fairness Commission Heads to Senate

House ratifies government board that would decide private pay

Under a bill approved by the Michigan House of Representatives on Feb. 12, 2008, a government commission would be created and empowered to devise a system of standards for "pay equity" between different occupations. This system would determine — to use just one of limitless examples — whether the work produced by a plumber is worth more or less than that

See "Wage Fairness," Page 9

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Sincerely,



Kenneth M. Braun, Senior Managing Editor, MICHIGAN CAPITOL CONFIDENTIAL

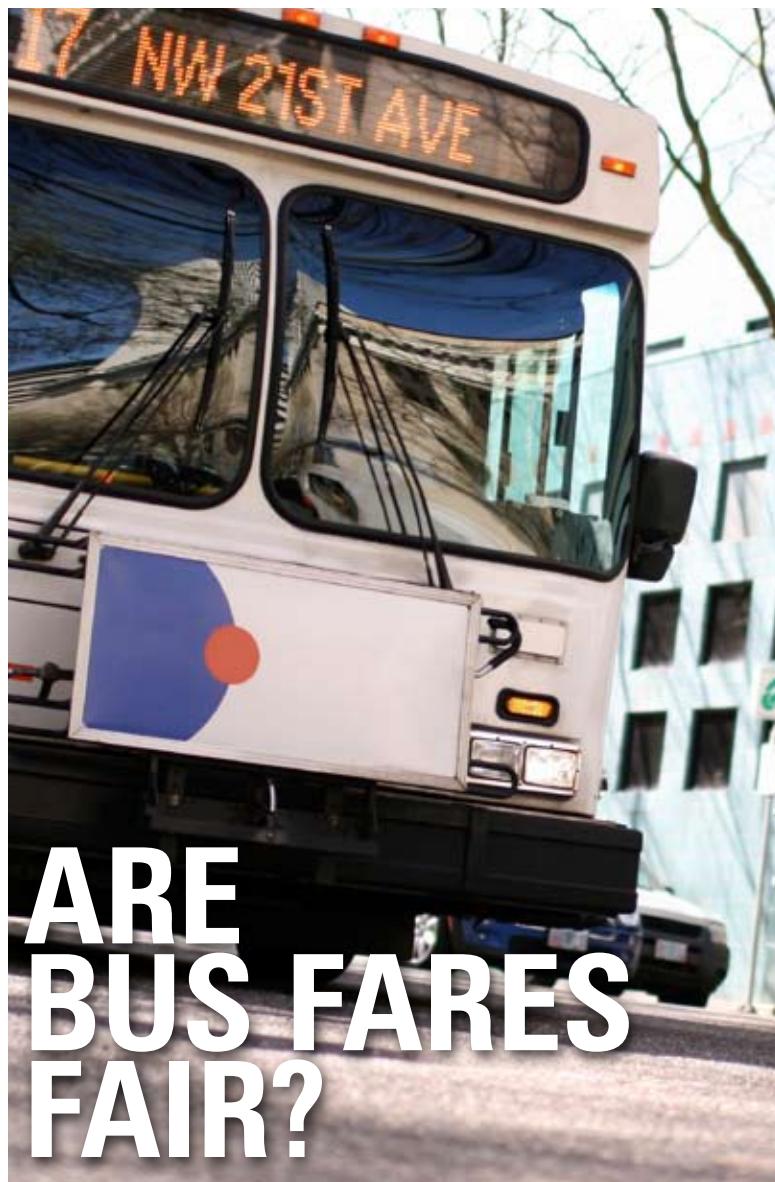
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By **Kenneth M. Braun**

Michigan State Rep. David Agema, R-Grandville, has introduced legislation that would require local bus systems subsidized by state road tax dollars to generate at least 20 percent of their operating expenses from fares paid by riders. Given that few taxpayers know much about the finances of Michigan's public bus systems, most might consider this proposal, House Bill 4928, to be a paltry and superfluous requirement. "Surely," they may think, "Michigan's public transit users pay that much and more of their own way, right?"

Wrong.

As of 2005, the latest year that reports are available from the

Federal Transit Administration for Michigan's largest urban bus systems, not one of them raised as much as 20 percent of their operating expenses from fare revenues. The largest systems, those responsible for carrying the majority of Michigan's public bus passengers, fell well short.

For example, fares as a share of operating expenses for SMART, the system for the Detroit suburbs, and DDOT, the city of Detroit's system, were less than 12 percent. The figure for the Lansing area's Capital Area Transportation Authority was less than 15 percent. "The Rapid," serving Grand Rapids, was less than 15 percent; the Flint Mass Transportation Authority

See "Bus Fare," Page 8

#### NOTES ON STATESMANSHIP

# Grab Bag Government

By **Lawrence W. Reed**

... A wise and frugal government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government ...

—Thomas Jefferson, First Inaugural Address, March 1801

Oh, what a difference a couple hundred years can make! I wonder what Jefferson would think of the 2,306 earmarks (totaling more than \$2 billion) that Congress approved last year just within spending bills for colleges and universities. According to the Chronicle of Higher Education, those dollars went for pet projects from "research" centers named for sitting members of Congress to a study on odors from swine and poultry. Is there anything these days that is not a function of government?

Lest you think the problem is restricted to Washington, visit [www.michiganvotes.org](http://www.michiganvotes.org) and browse through the 2,500 bills introduced in the full-time Michigan Legislature last year. Mercifully, they didn't all pass, but about a third of them did — adding hundreds of new laws in one year alone (and almost none were repealed). Somehow I don't feel better governed. (Kentucky managed with just a third as many laws passed by its part-time Legislature, by the way.)

The pattern here isn't pretty. The sad fact is that today, many legislators and lots of citizens just don't see government as Jefferson did. It's not an impartial enforcer of peace assigned a few important duties and confined to "the people's business." No, the busi-

ness of lawmakers is all too often the dispensing of special breaks and favors to certain persons and entities instead of all people. They also spend a lot of time in frivolous matters, memorializing this or commemorating that, and otherwise cooking up things for government to say or do because it'll make somebody happy somewhere or get their name attached to a law. I call this "government by grab bag."

**Senate Bill 1208 and House Bill 5904 each prescribe an "official Scottish tartan" for Michigan. Good thing our Legislature is one of the few "full-time" ones in the country.**

Here's a representative sample of recent goodies from the Michigan Legislature's grab bag:

House Bill 5866 authorizes tens of millions of dollars in new state debt to subsidize the state's tourism industry. Didn't we just get whacked with a \$1.4 billion tax hike last fall? Are we now going to tax the children of tomorrow for the recreation of today's adults?

Senate Bill 1208 and House Bill 5904 each prescribe an "official Scottish tartan" for Michigan. Good thing our Legislature is one of the few "full-time" ones in the country, otherwise our lawmakers might not have time for this.

House Bill 4772 would impose licensure and regulation on interior designers. The fact that in Michigan, "anyone can claim to be an interior designer without any education or qualifications," according to the top interior design lobbyist in Lansing, "puts the public at risk." Most people hate ugly wallpaper, but is this the antidote?

A legislator from Warren introduced a resolution to urge those in high-rises to switch their lights off at night to deter bird crashes. Arguing that it wasn't a frivolous thing, she noted that lawmakers have also entertained the notions of declaring a Michigan cookie and a Michigan soup. I can't tell whether the birds lobbied for this one or if the legislator just had a little time on her hands.

Ominously, the grab baggers seem intent on offering "refundable" tax credits if people do certain things or if it would help somebody's bottom line. "Refundable" means that if the credit exceeds the recipient's tax liability, the state will cut them a check. Just since January, bills have been introduced to enact such credits for photovoltaic energy, ethanol, movie production, hybrid vehicle purchases and installing biomass-burning heaters.

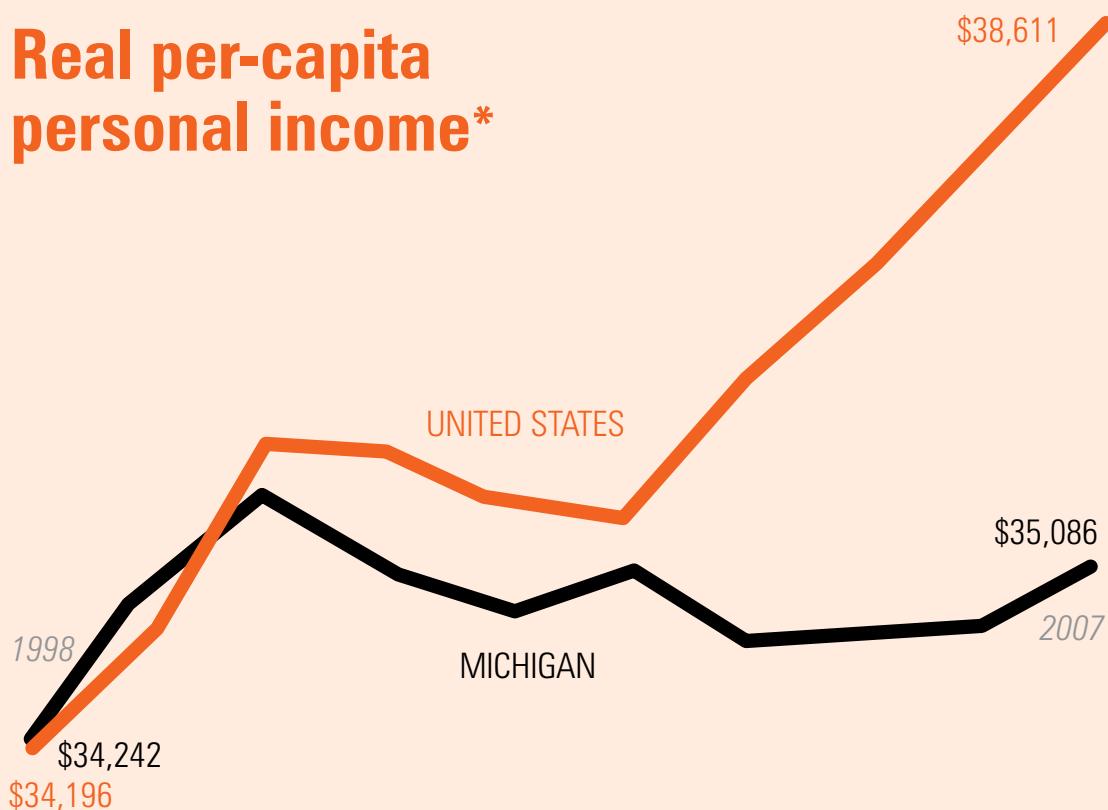
Maybe it's time that we as taxpayers and voters query candidates for public office less on what they will do if elected and more on what they won't do. We need candidates who make promises like this:

"I am not running to be Santa Claus. I will not support policies that favor the well-connected if they do not truly serve the public interest, too. I will not trivialize your trust by behaving as though your government has something to say or do about everything. I will not engage in the corrupting business of higher taxes for all and special breaks for a few. If it's not in the Constitution, it's not my job."

Until we elect legislators who have the courage to speak and act that way, a part-time Legislature seems like a good idea. ■

*Lawrence W. Reed is president of the Mackinac Center for Public Policy.*

## Real per-capita personal income\*



# A TAXING QUESTION

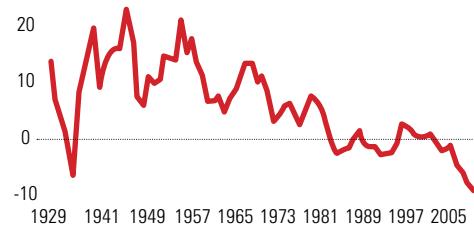
by David Littmann and Michael D. LaFaive

Per-Capita Personal Income is arguably the finest measure of material well-being of a population. The indicator below shows that Michigan's income levels have been below the U.S. average (the "0" line) for seven consecutive years. In 2007, Michigan's per-capita personal income was 9 percent below the national average. This year, 2008, will mark the eighth year in a row of Michigan's relative poverty — an economic status that is unprecedented in the 75 years since the Great Depression.

These income numbers alone are enough to make a person despair over Michigan's economic future.

### Michigan per-capita personal income as a percent of U.S. PCPI

1929-2007



Source: Author's calculations based on data from the Bureau of Economic Analysis and Bureau of Labor Statistics

Unfortunately, they are not the only ones that paint a picture of a state in decline. Michigan's per-capita state Gross Domestic Product (the value of all goods and services produced within our borders) has tanked, our unemployment is the highest in the nation and, not surprisingly, from July 2006 to July 2007, Michigan was one of only two states in the nation to lose population in net terms.

While Michigan has many positive attributes, the following rhetorical question must be asked:

Does anyone outside of Lansing really believe that these metrics will improve because of last year's \$1.4 billion tax hike and new sundry fees and regulations?

Raising the cost of anything only reduces the quantity demanded of it. Raising the cost of living, working and investing in Michigan will only do the same. ■

David Littmann is senior economist and Michael D. LaFaive is director of the Morey Fiscal Policy Initiative at the Mackinac Center for Public Policy.

\*Source: Author's calculations based on data from the Bureau of Economic Analysis and Bureau of Labor Statistics

## REGULATORS

from Page One

serts that adopting federal oversight would put Michigan on an "even footing" with the rest of the nation and allow the state to implement a more streamlined federal standard that most investors better understand.



Russ Harding, former director Michigan DEQ

As an added bonus, Harding estimates an annual taxpayer savings of \$1 million to \$2 million if the state ceases its redundant wetlands regulatory regime. This is just one of four substantial environmental policy changes Harding recommends for lowering the regulatory hurdles to doing business in Michigan while maintaining protections of our state's natural resources. Together, his suggestions could save taxpayers an estimated \$8.9 million to \$9.9 million per year.

A spokesperson for the DEQ disagrees that the federal regime is more flexible, telling one Oakland County community newspaper that in other states it "takes too long to get permits to build on wetlands." He said that the DEQ also provides a higher level of environmental protection because there are issues of "local expertise" involving wetlands which the federal government "just can't have."



State Rep. Chuck Moss, R-Birmingham

Rep. Chuck Moss, R-Birmingham, whose district includes part of a region in Oakland County that is rich with lake-front property, disagrees. He told the newspaper that

the DEQ wetlands bureaucracy is "obstructionist," "difficult to deal with" and "hostile to any kind of human activity." He asserted that the federal alternative could not possibly be worse and that New Jersey — the only other state to run its own wetlands program — is probably not an example of en-

**State Rep. Chuck Moss accused the DEQ wetlands bureaucracy of being "obstructionist" and "hostile to any kind of human activity."**

vironmental protection that Michigan should continue to emulate.



State Rep. David Law, R-Commerce

Rep. David Law, R-Commerce, whose neighboring district also contains a substantial number of lakes, supports keeping the DEQ wetlands regime in place. "I don't trust the federal government to come in and tell us what to do," he said. "I don't think that's right."



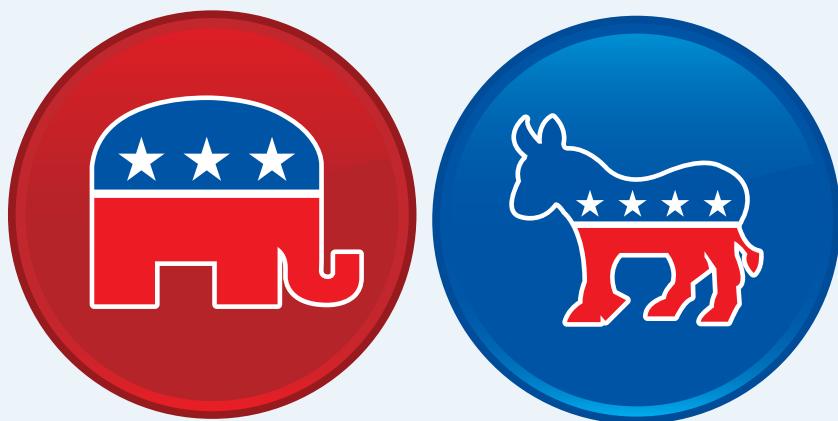
State Rep. John Moolenaar, R-Midland

But Moolenaar believes it is the DEQ that is giving too many "heavy-handed" orders and that his bill will be a remedy. "The draconian nature of some of their actions has stopped businesses from expanding and creating jobs," he said. "The federal government has much more experience in the wetlands permitting process and will properly balance the protection of our natural resources with the inherent need for economic development."

House Bill 4901 has been referred to the House Commerce Committee, which is chaired by Rep. Andy Meisner, D-Ferndale. Senate Bill 1112 has been referred to the Senate Natural Resources and Environmental Affairs Committee, which is chaired by Sen. Patricia Birkholz, R-Saugatuck. ■

For additional information regarding this issue, please see [www.mackinac.org/9448](http://www.mackinac.org/9448).

# THE LOWDOWN



## RANKING PARTISANS

Using 35 roll call votes selected from the MichiganVotes.org website, the MIRS Capitol Capsule newsletter ([www.mirsnews.com](http://www.mirsnews.com) – subscription required) ranked members of the Michigan House of Representatives according to what MIRS characterizes as “most conservative” to “most liberal.” Claiming the top conservative slot for 2007 was Rep. Brian Palmer, R-Romeo, who voted on what MIRS considered the conservative side 97.06 percent of the time. The most liberal tag went to Rep. Steve Lindberg, D-Marquette, whose conservative score was just 2.86 percent.

A wide variety of issues were covered, such as tax increases, banning smoking in private businesses and privatization of prison mental health services.

MIRS judged Rep. Ed Gaffney, R-Grosse Pointe, as having cast the most liberal votes of any member of the Republican caucus based on a conservative vote percentage of 31.43. Rep. Martin Griffin, D-Jackson, with a score of 33.33, sided with the conservative opinion more often than any of his fellow Democrats.



## DEPT. OF DISCRIMINATION?

Advocates for a Women’s Studies instructor at the University of Michigan are charging the school’s College of Literature, Science and the Arts with “discrimination against women of color.” The instructor, Andrea Smith, is of Cherokee descent and also teaches in the college’s American Culture department. She was denied tenure by an LS&A panel on Feb. 22, 2008, according to the Michigan Daily, the campus’ student newspaper.

The denial followed a letter to the LS&A college, signed by 30 faculty members in the Women’s Studies department, which alleged a “concerning pattern” of “negative decisions” by LS&A regarding tenure cases involving women of color. But ironically, it was members of the Women’s Studies department who declined to offer tenure to Smith. The panel deciding her case was a mixture

of the two departments where she teaches, and the American Culture representatives voted in her favor.

Smith’s proponents point to her strong record as an academic and to her “feminist activism” as points in her favor. The newspaper notes that this is not the first instance of trouble over tenure at the Women’s Studies department, saying that “third party organizational consultants” were brought in this January to “alleviate the hostility.”

## EARMARKINGS

Taxpayers for Common Sense ([www.taxpayer.net](http://www.taxpayer.net)), a national budget watchdog organization in Washington, D.C., reports that 12,881 earmarks worth \$18.3 billion were inserted into the fiscal 2008 federal budget. According to TCS, \$14.8 billion of this total carried the name of the sponsors requesting the earmarks.

Asserting that earmarks are an “element of pay-to-play corruption in Washington,” TCS has created online spreadsheets detailing the dollar amount of earmarks that each federal lawmaker is known to have requested alone or with other lawmakers. Then-U.S. Rep. Roger Wicker, R-MS, led the pack in the House of Representatives with earmark requests of nearly \$178 million. Wicker has since become a member of the U.S. Senate. The earmark cham-

pion from that chamber was also a Mississippi Republican: Sen. Thad Cochran, whose special spending requests totaled more than \$837 million.

Not all federal legislators asked for earmarks in the fiscal 2008 budget. A bipartisan list of at least eight representatives and five senators — including one presidential candidate — requested no earmarks at all.

Below is a listing of the fiscal 2008 earmark requests that TCS credits to each member of the Michigan congressional delegation and also for each of the members of Congress who ran as presidential candidates in 2008.

## Michigan Members of Congress

Rep. Dave Camp (R) – \$6,269,970  
 Rep. John Conyers (D) – \$25,686,900  
 Rep. John Dingell (D) – \$33,039,100  
 Rep. Vern Ehlers (R) – \$9,099,300



Rep. Pete Hoekstra (R) -- \$10,786,500  
 Rep. Dale Kildee (R) – \$15,813,750  
 Rep. Carolyn Cheeks Kilpatrick (D) – \$13,174,740  
 Rep. Sander Levin (D) – \$16,394,420  
 Sen. Carl Levin (D) – \$324,128,580  
 Rep. Thad McCotter (R) – \$2,763,000  
 Rep. Candice Miller (R) – \$5,470,500  
 Rep. Mike Rogers (R) – \$22,532,140  
 Sen. Debbie Stabenow (D) – \$302,988,080  
 Rep. Bart Stupak (D) – \$33,746,900  
 Rep. Fred Upton (R) – \$15,822,600  
 Rep. Tim Walberg (R) – \$16,645,000

## 2008 Presidential Candidates from Congress

Sen. Joe Biden (D-DE) – \$85,597,205  
 Sen. Sam Brownback (R-KS) – \$87,133,151  
 Sen. Hillary Clinton (D-NY) – \$342,403,455  
 Sen. Chris Dodd (D-CT) – \$172,481,242  
 Rep. Duncan Hunter (R-CA) – \$27,074,500  
 Rep. Dennis Kucinich (D-OH) – \$8,102,560  
 Sen. John McCain (R-AZ) – \$0  
 Sen. Barack Obama (D-IL) – \$98,648,720  
 Rep. Ron Paul (R-TX) – \$27,066,000  
 Rep. Tom Tancredo (R-CO) – \$17,558,700 ■

*For additional information regarding this issue, please see [www.mackinac.org/9448](http://www.mackinac.org/9448).*

**EXTRA CREDIT***from Page One*

finance new projects. Two GOP senators voted with 15 Democrats in support of Switalski's amendment, but it was narrowly defeated by 19 Republican votes in opposition.

Deficit spending was the subject of another proposal that was considered this March. House Bills 5865-5867 would authorize spending \$60 million in borrowed money to establish the "Michigan Promotion Program," a multiyear tourism marketing and business development plan to be run by state workers.

Michigan already has a government-financed tourism promotion program. This marks the second attempt within a year at increasing its cost. The Senate rejected an amendment submitted in August 2007 that would have ramped up spending an additional \$10 million (see "Extra Tourism Subsidies Defeated in State Senate," November/December, 2007 Michigan Capitol Confidential.)

**Michigan already has a government-financed tourism promotion program. This marks the second attempt within a year at increasing its cost.**

But this new attempt to increase state spending for tourism promotion has fared much better, in large measure because Gov. Jennifer Granholm specifically requested it in her 2008 State of the State message. Each of the bills passed with overwhelming bipartisan majorities this spring. Only 11 of the 110 state representatives voted consistently against all three bills.

"We have to stop mortgaging the state's future to deal with the short term," noted state Rep. Fulton Sheen, R-Plainwell, who cast one of the dissenting votes. "They should cut spending now, not have to cut twice as much later."

**"We have to stop mortgaging the state's future to deal with the short term," noted state Rep. Fulton Sheen, R-Plainwell**

The following week, the Michigan Senate voted to unanimously approve Senate Bills 1223-1225, a \$50 million version of the Michigan Promotion Program. Upon its return from a spring break, the full Legislature is expected to reconcile the minor differences between the two proposals and send bills to the governor for an anticipated signature.

Legislative activity in March also included early votes toward assembling the fiscal 2009 budget. The first version of House Bill 5804, which would fund the Department of History, Arts and Libraries, is just one example of future spending inclinations. The initial draft was approved by the House of Representatives on March 19. It would appropriate a gross spending level that is 8.1 percent higher than what the governor requested and 15.3 percent higher than the spending level for fiscal 2008.

State Rep. Dan Acciavatti, R-Chesterfield, the ranking GOP member of the House Appropriations Committee, characterized the first draft of the HAL budget as leading state government "down a path of structural budget deficits and devastating tax increases like last year."

**Rep. Aldo Vagnozzi, D-Farmington Hills, countered that higher arts spending helps the economy.**

The chairman of the subcommittee that wrote the HAL budget draft, Rep. Aldo Vagnozzi, D-Farmington Hills, countered that higher arts spending helps the economy.

**Check MichiganVotes.org**

Legislators who voted IN FAVOR of a budget for the Department of History, Arts and Libraries that is 15.1 percent higher than fiscal 2008 and 8.1 percent higher than the governor's recommendation :

**House roll call vote 201 on House Bill 5804**

*HOUSE REPUBLICANS (1)*

Stakoe (R)

*HOUSE DEMOCRATS (58)*

Accavitti (D)	Clemente (D)	Espinoza (D)	Johnson (D)	Meadows (D)	Smith, Virgil (D)
Angerer (D)	Condino (D)	Farrar (D)	Jones, Robert (D)	Meisner (D)	Spade (D)
Bauer (D)	Constan (D)	Gillard (D)	Lahti (D)	Melton (D)	Tobocman (D)
Bennett (D)	Corriveau (D)	Gonzales (D)	Law, Kathleen (D)	Miller (D)	Vagnozzi (D)
Bieda (D)	Coulouris (D)	Griffin (D)	LeBlanc (D)	Polidori (D)	Valentine (D)
Brown (D)	Cushingberry (D)	Hammel (D)	Leland (D)	Sak (D)	Warren (D)
Byrnes (D)	Dean (D)	Hammon (D)	Lemmons (D)	Scott (D)	Wojno (D)
Byrum (D)	Dillon (D)	Hood (D)	Lindberg (D)	Sheltrown (D)	Young (D)
Cheeks (D)	Donigan (D)	Hopgood (D)	Mayes (D)	Simpson (D)	
Clack (D)	Ebli (D)	Jackson (D)	McDowell (D)	Smith, Alma (D)	

Legislators who voted AGAINST the higher spending HAL budget:

**House roll call vote 201 on House Bill 5804**

*HOUSE REPUBLICANS (49)*

Acciavatti (R)	DeRoche (R)	Horn (R)	Meltzer (R)	Pavlov (R)	Steil (R)
Agema (R)	Elsenheimer (R)	Huizenga (R)	Moolenaar (R)	Pearce (R)	Walker (R)
Amos (R)	Emmons (R)	Hune (R)	Moore (R)	Proos (R)	Ward (R)
Booher (R)	Gaffney (R)	Jones, Rick (R)	Moss (R)	Robertson (R)	Wenke (R)
Brandenburg (R)	Garfield (R)	Knollenberg (R)	Nitz (R)	Rocca (R)	
Calley (R)	Green (R)	LaJoy (R)	Nofs (R)	Schuitmaker (R)	
Casperson (R)	Hansen (R)	Law, David (R)	Opsommer (R)	Shaffer (R)	
Caswell (R)	Hildenbrand (R)	Marleau (R)	Palmer (R)	Sheen (R)	
Caul (R)	Hoogendyk (R)	Meekhof (R)	Palsrok (R)	Stahl (R)	

*HOUSE DEMOCRATS (NONE)*

Legislators who DID NOT VOTE:

Ball (R)

Pastor (R)

One GOP state representative joined 58 Democrats voting in favor of this proposed HAL budget, which passed over the objections of 49 other lawmakers — all Republicans. The bill was referred to the Senate for further deliberations.

The Michiganvotes.org vote tallies for all of these legislative actions begin above.

*For more information regarding these issues, please see [www.mackinac.org/9448](http://www.mackinac.org/9448).*

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## Check MichiganVotes.org

Legislators who voted IN FAVOR of one or more bills that would pay for tourism promotion with debt:

### Senate roll call vote 219,220 & 225 on Senate Bills 1223-1225

#### SENATE REPUBLICANS (21)

Allen (R)	Cropsey (R)	Jansen (R)	Pappageorge (R)	Van Woerkom (R)
Birkholz (R)	Garcia (R)	Jelinek (R)	Patterson (R)	
Bishop (R)	George (R)	Kahn (R)	Richardville (R)	
Brown (R)	Gilbert (R)	Kuipers (R)	Sanborn (R)	
Cassis (R)	Hardiman (R)	McManus (R)	Stamas (R)	

#### SENATE DEMOCRATS (16)

Anderson (D)	Clark-Coleman (D)	Jacobs (D)	Scott (D)
Barcia (D)	Clarke (D)	Olshove (D)	Switalski (D)
Basham (D)	Gleason (D)	Prusi (D)	Thomas (D)
Cherry (D)	Hunter (D)	Schauer (D)	Whitmer (D)

### House roll call vote 190, 193 & 194 on House Bills 5865-5867

#### HOUSE REPUBLICANS (40)

Acciavatti (R)	Emmons (R)	Jones, Rick (R)	Moss (R)	Rocca (R)
Amos (R)	Gaffney (R)	Knollenberg (R)	Nitz (R)	Schuitmaker (R)
Ball (R)	Green (R)	LaJoy (R)	Nofs (R)	Shaffer (R)
Booher (R)	Hansen (R)	Marleau (R)	Opsommer (R)	Stahl (R)
Calley (R)	Hildenbrand (R)	Meekhof (R)	Palsrok (R)	Stakoe (R)
Casperson (R)	Horn (R)	Meltzer (R)	Pavlov (R)	Walker (R)
Caul (R)	Huizenga (R)	Moolenaar (R)	Proos (R)	Ward (R)
Eisenheimer (R)	Hune (R)	Moore (R)	Robertson (R)	Wenke (R)

#### HOUSE DEMOCRATS (57)

Accavitti (D)	Constan (D)	Griffin (D)	Lemmons (D)	Simpson (D)
Angerer (D)	Corriveau (D)	Hammel (D)	Lindberg (D)	Smith, Virgil (D)
Bauer (D)	Coulouris (D)	Hammon (D)	Mayes (D)	Spade (D)
Bennett (D)	Cushingberry (D)	Hood (D)	McDowell (D)	Tobocman (D)
Bieda (D)	Dean (D)	Hopgood (D)	Meadows (D)	Vagnozzi (D)
Brown (D)	Dillon (D)	Jackson (D)	Meisner (D)	Valentine (D)
Byrnes (D)	Donigan (D)	Johnson (D)	Melton (D)	Warren (D)
Byrum (D)	Ebli (D)	Jones, Robert (D)	Miller (D)	Wojno (D)
Cheeks (D)	Espinoza (D)	Lahti (D)	Polidori (D)	Young (D)
Clack (D)	Farrah (D)	Law, Kathleen (D)	Sak (D)	
Clemente (D)	Gillard (D)	LeBlanc (D)	Scott (D)	
Condino (D)	Gonzales (D)	Leland (D)	Sheltrown (D)	

Legislators who voted AGAINST all of the bills that would pay for tourism promotion with debt:

### Senate roll call vote 219,220 & 225 on Senate Bills 1223-1225

#### SENATE REPUBLICANS (NONE)

#### SENATE DEMOCRATS (NONE)

### House roll call vote 190, 193 & 194 on House Bills 5865-5867

#### HOUSE REPUBLICANS (11)

Agema (R)	Caswell (R)	Garfield (R)	Palmer (R)	Pearce (R)	Steil (R)
Brandenburg (R)	DeRoche (R)	Hoogendyk (R)	Pastor (R)	Sheen (R)	

#### HOUSE DEMOCRATS (NONE)

Legislators who DID NOT VOTE:

Rep. David Law (R)	Rep. Alma Smith (D)	Sen. Liz Brater (D)
--------------------	---------------------	---------------------

## Check MichiganVotes.org

Legislators who voted IN FAVOR of providing spending authorization for some \$1 billion in construction projects at state universities and colleges and \$100 million in state building and facility projects:

### Senate roll call vote 175 on Senate Bill 511

#### SENATE REPUBLICANS (2)

Kahn (R)	Richardville (R)
----------	------------------

#### SENATE DEMOCRATS (15)

Anderson (D)	Clark-Coleman (D)	Prusi (D)
Barcia (D)	Clarke (D)	Schauer (D)
Basham (D)	Gleason (D)	Scott (D)
Brater (D)	Jacobs (D)	Switalski (D)
Cherry (D)	Olshove (D)	Whitmer (D)

Legislators who voted AGAINST providing the spending authorization:

### Senate roll call vote 175 on Senate Bill 511

#### SENATE REPUBLICANS (19)

Allen (R)	Cropsey (R)	Jansen (R)	Patterson (R)
Birkholz (R)	Garcia (R)	Jelinek (R)	Sanborn (R)
Bishop (R)	George (R)	Kuipers (R)	Stamas (R)
Brown (R)	Gilbert (R)	McManus (R)	Van Woerkom (R)
Cassis (R)	Hardiman (R)	Pappageorge (R)	

#### SENATE DEMOCRATS (NONE)

Legislators who DID NOT VOTE:

Hunter (D)	Thomas (D)
------------	------------

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**We look forward to hearing from you!**

## BUS FARE

from Page 3

was less than 16 percent; and the Ann Arbor Transportation Authority was less than 14 percent.

If riders pay less than 20 percent of the operating costs, then who pays the rest? Ahem — got a mirror?

About one-third of these total public bus operating expenses came from the state's Comprehensive Transportation Fund — a mass transit subsidy carved out of the state's annual road budget. Like the rest of this budget, nearly all CTF funding comes from federal and state motor fuel taxes and state vehicle registration fees. The money for the CTF that's taken from this pool of transportation dollars is a redistribution of wealth from the state's car and truck drivers to its transit agencies. Vehicle owners and drivers pay substantially more for rides they may never take on public buses than do the riders themselves.

The state constitution caps this diversion at no more than 10 percent, meaning that at least 90 percent of annual transportation revenues must be spent on roads. But even with this restriction, Michigan lawmakers in Fiscal Year 2005 allocated more than \$161 million for local bus operating subsidies, \$16.3 million for bus capital improvements, \$7.2 million for passenger train subsidies, and more for various other public bus and transportation-related spending.

It is also noteworthy that FTA reports indicate that virtually all

of the fare revenue for Michigan's largest fixed route bus systems is dedicated for operating expenses only. The overwhelming majority of the operating costs, and virtually all of the capital costs, come from a combination of the CTF revenue diversion, local tax revenue and federal grants. (The requirements of House Bill 4928 and the calculations above apply only to fixed-route bus systems and not dial-a-ride or other "on demand" public transit service.)

Notwithstanding the figures cited above, the 20 percent requirement of HB 4928 is not beyond the reach of public bus agencies. DDOT, by far the state's largest public transit service, covered more than 20 percent of its fixed-route operating costs with fares as recently as 1999. Elsewhere, in New York City's massive bus system, operating costs were 42.4 percent fare-supported in 2005; Chicago riders covered 34.2 percent; Toledo's paid 20.7 percent; and Indianapolis patrons contributed 22.2 percent.

It's neither unreasonable nor unprecedented to expect the people using the service to pay more of the cost.

Yet testifying in favor of more taxpayer support, the executive director of The Rapid in 2007 told state legislators that his system covered only 18 percent of its 2006 operating costs with fares. He said increasing fares would mean a loss of customers. His remark reveals a skewed perception in the collective mind of Michigan's mass transit chiefs: The people forking over the vast majority of the money are not considered the real customers, while those considered the customers are expected to pay very little of the cost.

House Bill 4928 represents a helpful turn toward clearing up this confusion. ■

*Kenneth M. Braun is the senior managing editor of Michigan Capitol Confidential. A version of this commentary was originally published on Oct. 5, 2007.*



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## Dear Michigan Capitol Confidential

Thank you for your insightful and helpful publication. I am wondering if it is possible to include bills that will be coming up for a vote so we readers may contact [legislators] to let them know our views.

I am particularly interested in HB5100. I know it has gone through the House, but is there still time to contact the Senate before they take it up for a vote? Has it already been voted on?

Thank you,  
Karen Kruske  
-----

Ms. Kruske:

Thank you for your kind words and your questions.

As of May 2, 2008, the state Senate had not yet taken up House Bill 5100. So, in that instance, there was still time to let members of the Senate know your thoughts about the bill before they voted on it.

But be advised that while we publish every two months, either chamber of the Legislature can move many bills from inactive to final passage within hours. If you have an opinion on a bill that you wish to share, then my advice as a former legislative staff person would be that you not be deterred from contacting your lawmaker merely because the legislation has already been voted on. There will doubtlessly be other bills on similar subjects in the future, and it is helpful for your lawmakers to know whether you agree or disagree with their decisions.

Always remember: They work for YOU!

To get timely information about the status of all bills before the state Legislature, I strongly recommend checking out our free Web site, [www.MichiganVotes.org](http://www.MichiganVotes.org).

Finally, we provide in every issue the office contact information for all 148 state legislators (located on pages 10-11 of this issue).

Thank you for your interest in Michigan Capitol Confidential.

Ken Braun  
Senior Managing Editor

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## WAGE FAIRNESS

from Page One

of a nurse, and would also create a comparable wage for each type of job based on those findings. After devising such a system, the commission would then be required to report to the Legislature recommendations for laws that would impose its findings on Michigan employers.

House Bill 4627, the legislation that would create the commission, does not specify a limitation on its scope. Much of the committee testimony both for and against the bill implicitly assumed that the commission could and would (or should) devise a pay equity standard with jurisdiction over both public- and private-sector employers.

### The Michigan Farm Bureau opposed the legislation on the basis that it would “have serious negative implications for agricultural producers.”

This was one of three pay equity bills written about in the November/December, 2007 Michigan Capitol Confidential: “Bills Would Put the State in Charge of Setting Private Salaries.” Because the bills collectively have 49 co-sponsors and need only 56 votes to pass, the article rightly observed that the full House of Representatives might attempt to ratify some version of the pay equity concept.

As it happened, House Bill 4627 narrowly passed when one GOP lawmaker joined 56 Democrats in support, while 50 lawmakers — all Republicans — voted “no.” The legislation has been sent to the Senate Commerce and Tourism Committee, chaired by Sen. Jason Allen, R- Traverse City.

If it is ultimately ratified by the full Senate and signed by the governor, the “Commission on Pay Equity” will be comprised of 10 members, with one each from

the Michigan Department of Civil Rights, the Michigan Economic Development Corporation, the Michigan Women’s Commission, the Michigan Chamber of Commerce, The Michigan Farm Bureau, the AFL-CIO union, the United Auto Workers union, the Michigan Small Business Association, the National Organization for Women and the Michigan Women’s Studies Association. The chair of the committee must be the representative from the Department of Civil Rights.

One of these organizations — the Michigan Farm Bureau — submitted a letter of opposition to the bill and the entire concept of pay equity. In the same sentence that acknowledged support for including the Bureau on the commission, the organization stated that this would not “alter our fundamental opposition with the legislation.” That opposition was rooted in the Bureau’s belief that “a system that seeks to establish comparable value between different types of work will have serious negative implications for agricultural producers.”

Likewise, the National Federation of Independent Businesses and the Detroit Regional Chamber of Commerce — business organizations that would not get a seat on the commission — also opposed the bill.

Several of the organizations that would get a seat on the commission submitted letters of support for the bill.

“Workers in female dominated jobs,” according to the AFL-CIO endorsement letter, “are paid less than similar workers in jobs not dominated by women.”

A letter of support from the National Organization for Women cited sex stereotyping and undervaluing of women as two of many reasons why women working in different jobs than men are paid differently. Attempting to counter the accusation that a government commission is ill-suited to determine the correct market wage for vastly dissimilar occupations, NOW suggested a point system that the organization

## Check MichiganVotes.org

Legislators who voted IN FAVOR of mandating a government pay equity commission:

### House roll call vote 21 on House Bill 4627

#### HOUSE REPUBLICANS (1)

Brandenburg (R)

#### HOUSE DEMOCRATS (56)

Accavitti (D)	Clemente (D)	Espinoza (D)	Jones, Robert (D)	Meisner (D)	Tobocman (D)
Angerer (D)	Condino (D)	Gillard (D)	Lahti (D)	Melton (D)	Vagnozzi (D)
Bauer (D)	Constan (D)	Gonzales (D)	Law, Kathleen (D)	Miller (D)	Valentine (D)
Bennett (D)	Corriveau (D)	Griffin (D)	LeBlanc (D)	Polidori (D)	Warren (D)
Bieda (D)	Coulouris (D)	Hammel (D)	Leland (D)	Sak (D)	Wojno (D)
Brown (D)	Cushingberry (D)	Hammon (D)	Lemmons (D)	Sheltrown (D)	Young (D)
Byrnes (D)	Dean (D)	Hood (D)	Lindberg (D)	Simpson (D)	
Byrum (D)	Dillon (D)	Hopgood (D)	Mayes (D)	Smith, Alma (D)	
Cheeks (D)	Donigan (D)	Jackson (D)	McDowell (D)	Smith, Virgil (D)	
Clack (D)	Ebli (D)	Johnson (D)	Meadows (D)	Spade (D)	

Legislators who voted AGAINST mandating a government pay equity commission:

### House roll call vote 21 on House Bill 4627

#### HOUSE REPUBLICANS (50)

Acciavatti (R)	DeRoche (R)	Horn (R)	Meltzer (R)	Pastor (R)	Stahl (R)
Agema (R)	Elsenheimer (R)	Huizenga (R)	Moolenaar (R)	Pavlov (R)	Stakoe (R)
Amos (R)	Emmons (R)	Hune (R)	Moore (R)	Pearce (R)	Steil (R)
Ball (R)	Gaffney (R)	Jones, Rick (R)	Moss (R)	Proos (R)	Walker (R)
Booher (R)	Garfield (R)	Knollenberg (R)	Nitz (R)	Robertson (R)	Wenke (R)
Calley (R)	Green (R)	LaJoy (R)	Nofs (R)	Rocca (R)	
Casperson (R)	Hansen (R)	Law, David (R)	Opsommer (R)	Schuitmaker (R)	
Caswell (R)	Hildenbrand (R)	Marleau (R)	Palmer (R)	Shaffer (R)	
Caul (R)	Hoogendyk (R)	Meekhof (R)	Palsrok (R)	Sheen (R)	

#### HOUSE DEMOCRATS (NONE)

Legislators who DID NOT VOTE:

Farrah (D)

Scott (D)

Ward (R)

### The National Organization for Women believes a point system could be used to value every job as objectively as one might when comparing apples to oranges by weighing them, counting calories and adding up nutritional value.

believes could be used to value every job as objectively as when a shopper compares apples to oranges by weighing them, counting calories and adding up nutritional value.

The NOW example suggests assigning scores based upon

how much each job requires of a worker in five categories: skill, responsibility, effort, education/training and working conditions. These are the same criteria that House Bill 4627 instructs the proposed pay equity commission to use. Using the NOW example, crafting a point system for each job category would be followed by the commission suggesting laws that would assure that jobs scoring the same would pay the same.

Writing in 2001 about a Minnesota law that imposed a pay equity system only on municipal government workers, Lawrence W. Reed, president of the Mackinac Center for Public Policy, critiqued its impact on the city of St. Paul: “\$32 million in additional salary expense between 1985 and 1992, endless disputes

about who is comparable to whom, and lingering uncertainty as to whether the city is in compliance with the law.” He cites a University of Virginia study which found that the ensuing disruptions in the Minnesota labor market artificially cut wages for computer specialists and nurses, creating shortages in both fields. Reed pointed out that the outcome from imposing such a standard on both public and private employers would be to “arbitrarily and effectively abolish the role of supply and demand in the labor market.”

The Michiganvotes.org vote tally for House Bill 4627 is above. ■

For more information regarding these issues, please see [www.mackinac.org/9448](http://www.mackinac.org/9448).

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*The Legislature is managed as a partisan institution. Lawmakers segregate themselves by party in matters from daily meetings to seating. They have separate and taxpayer-financed policy staffs to provide them with research and advice from differing perspectives. As such, gaining a full understanding of the vote of an individual lawmaker requires knowing his or her partisan affiliation.*

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**Members of the Michigan House and Senate are the second highest-paid state legislators in the United States, behind California.**

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- Majority leader in the Senate: \$26,000
- Minority leaders in both House and Senate: \$22,000
- Majority floor leaders in both House and Senate: \$12,000
- Minority floor leaders in both House and Senate: \$10,000
- Chair of Appropriations Committee in both House and Senate: \$7,000
- House speaker pro tempore and Senate president pro tempore: \$5,513

In more than 30 states, the position of state legislator is a part-time job with a salary of \$30,000 or less. Texas — the second most populous state and second largest geographically — pays lawmakers \$7,200 per year.

Some pay much less: New Hampshire legislators are paid a salary of \$200 for a two-year term of office, Alabama pays \$10 per day and New Mexico offers no salary at all — just expenses. ■

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# I'M JUST A BILL

**Michigan**<sup>✓</sup>**votes.org**

A sampling of proposed state laws, as described on MichiganVotes.org

**HOUSE BILL 5622**  
(Declare blueberry as the official state fruit)

*Introduced by state Rep. Tonya Schuitmaker, R – Lawton*

Establishes in law that henceforth the blueberry (*Vaccinium Cyanococcus*) shall be designated as the official State of Michigan fruit. Note: At present, Michigan does not have an official state fruit. Past bills have proposed designating the cherry as the official state fruit and apple cider as the official state beverage.

**HOUSE BILL 4040**  
(Require state to pay off Detroit schools deficit)

*Introduced by state Rep. LaMar Lemmons Jr., D – Detroit*

Requires the state to assume the deficit incurred by the Detroit School District during the period prior to 2006 when it was under the control of a state-imposed reform school board. In 2004 the district had a \$122 million deficit.

**HOUSE BILL 5563**  
(Establish in law official state “Bo Schembechler Day”)

*Introduced by state Rep. Rebekah Warren, D – Ann Arbor*

Establishes in law that henceforth the day upon which the first University of Michigan home football game occurs each year shall be designated as the official State of Michigan “Bo Schembechler Day.”

**HOUSE BILL 5885**  
(Exempt seniors from “driver responsibility fees”)

*Introduced by state Rep. Edward Gaffney, R – Grosse Pointe*

Exempts individuals age 62 or older from the “driver responsibility fees” (“bad driver fees”) that are assessed for various violations. These very expensive fees were originally adopted in 2003 to raise revenue so as to avoid spending cuts in that year’s and subsequent state government budgets.

**HOUSE BILL 4771**  
(Impose licensure on interior designers)

*Introduced by state Rep. Andy Meisner, D – Ferndale*

Imposes licensure and regulation on interior designers, with \$70 annual license fees. The bill is part of a legislative package comprised of House Bills 4770 to 4772; this bill establishes the fee.

**HOUSE BILL 4133**  
(Ban implanting microchip in a person without consent)

*Introduced by state Rep. Tom Pearce, R – Rockford*

Prohibit and provide penalties for implanting a radio frequency identification (RFID) microchip in another person without their consent.

**SENATE BILL 943**  
(Rename portion of M-72)

*Introduced by state Sen. Tony Stamas, R – Midland*

Rename a certain portion of M-72 as the “Hazen Shirley ‘Kiki’ Cuyler Memorial Highway.”

**HOUSE BILL 5207**  
(Authorize specialty plates for Grand Rapids sports teams)

*Introduced by state Rep. Michael Sak, D – Grand Rapids*

Authorize specialty license plates for the Grand Rapids Griffins, Grand Rapids Rampage and West Michigan Whitecaps professional sports teams. Proceeds from the sale of the plates for the first two teams would go to the Grand Rapids Griffins youth foundation and from the third team to the YMCA intercity youth baseball and softball programs.