

A popular Government without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy; or, perhaps both.
JAMES MADISON

DON'T BLAME CANADA

Senate rumbles over rubbish

BY BRUCE EDWARD WALKER

A Democrat-sponsored amendment aimed at banning all Canadian trash from Michigan landfills was narrowly approved by the Michigan Senate on June 17. But exercising some legislative trickery and muscle, the Republican majority was able to re-introduce and then kill the amendment the following day.

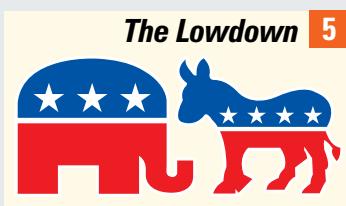
Miraculously, the Great Lakes State survived this parliamentary circus and was not subsequently buried under tons of discarded hockey sticks, Molson bottles and Gordon Lightfoot records. Like the curious fate of the amendment, much about the Canadian trash issue is not as it first seems.

Sen. Liz Brater, D-Ann Arbor, initially introduced the

See "Don't Blame Canada," Page 4



INSIDE THE ISSUE



NAMING NAMES

Cronyism easier to conceal in state capital than in Washington or Detroit

BY KENNETH M. BRAUN

Jock Friedly, founder and president of LegiStorm.com, told The Washington Post last year that his work impedes corruption on Capitol Hill by adding much-needed scrutiny to what some of "the most powerful people in Washington" are doing. Since 2006, the privately run Web site has provided the names, job titles and salaries for almost 20,000 employees of the United States Congress — including all of the staff details for each member of the Michigan congressional delegation. The free database uses public information that Congress is legally required to release, but until LegiStorm began posting that information, it was only available in hard-copy reports issued quarterly by the U.S. House

of Representatives and twice-yearly by the U.S. Senate.

A similar report is required for White House staff, and on July 1, 2009, the Obama administration announced that it would be the first in history to regularly make this information available on the Internet. Shortly thereafter, Congress announced that it, too, would provide staff salary information on an official government Web site.

This level of scrutiny is not available for those seeking the same information about the Michigan Legislature, Office of the Governor or state judiciary.

Michigan's Freedom of Information Act requires local governments, school districts and state agencies to release

See "Naming Names," Page 6

LEFT BEHIND

Worker retraining program fails to measure up

BY KENNETH M. BRAUN

"No Worker Left Behind" is a taxpayer-financed, "free" tuition program created to retrain Michigan residents who have been laid off or whose jobs have been terminated. According to a July 6, 2009, New York Times profile, NWLB is just one of many comparable programs nationwide that are being criticized by researchers as ineffective because — despite the cost to taxpayers — they fail to measurably improve the job and earnings prospects for the retrained workers. A decision by state politicians to increase funding for NWLB was the subject of "Wasteful and

See "Left Behind," Page 8

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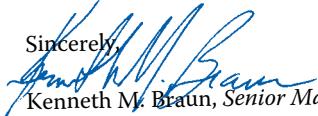
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Kenneth M. Braun, Senior Managing Editor, MICHIGAN CAPITOL CONFIDENTIAL

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Contest Winner

BY KENNETH M. BRAUN

In the words of their sponsor, saving Michigan from a "clear and present danger" of smoking in restaurants was the principle behind the very first bills ever introduced by state Rep. Paul Scott, R-Grand Blanc. House Bill 4099 proposes to make it illegal for the owner of virtually any business open to the public to allow smoking, and House Bill 4100 would put out of business any restaurant that permits patrons to smoke. The proposals were profiled in the January/February 2009 issue of Michigan Capitol Confidential. In a statement to the media, Scott noted that there would be "no exceptions" to his ban.

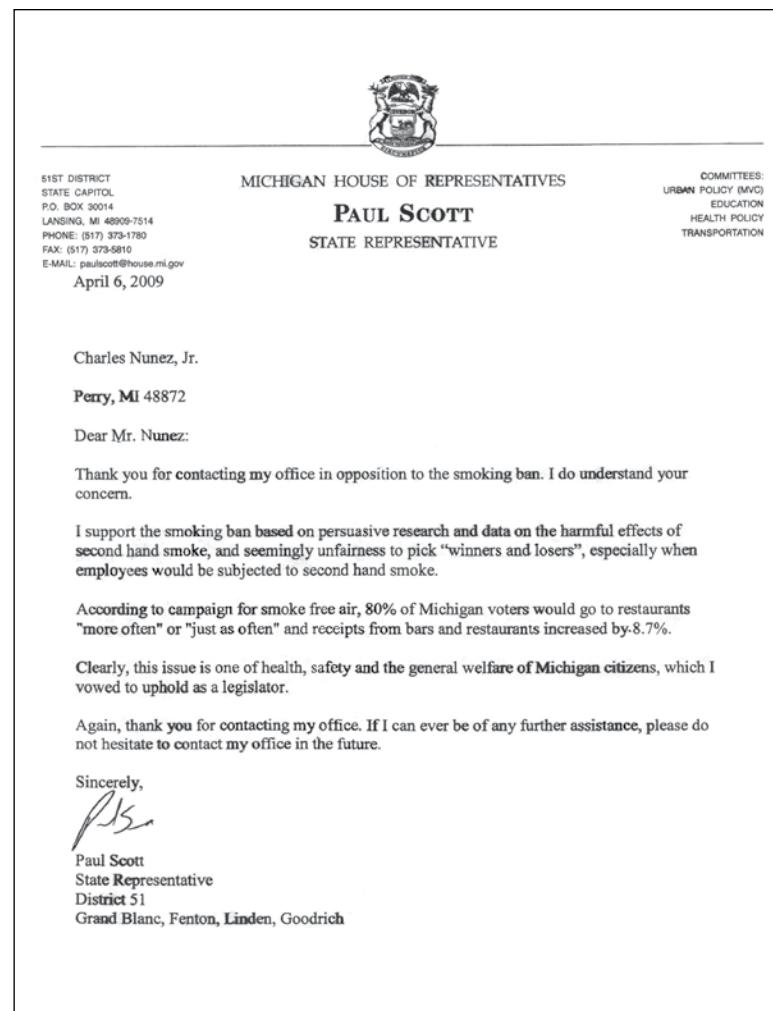
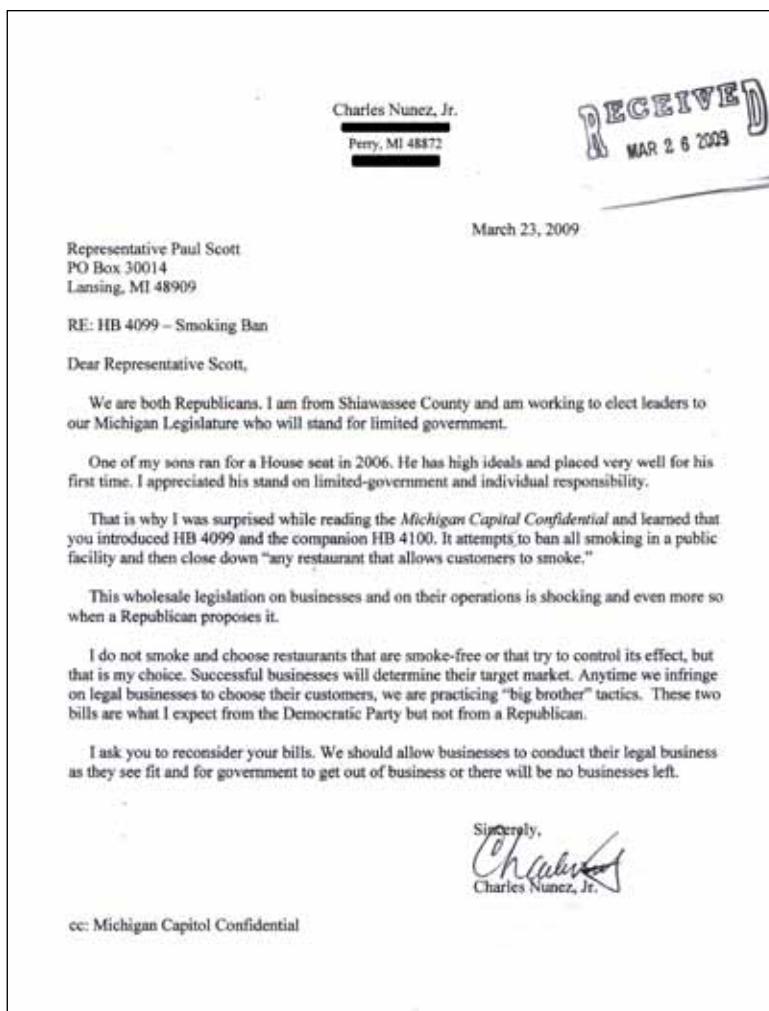
But Mr. Charles Nunez, a Michigan Capitol Confidential reader from Perry, Mich., took exception to the lawmaker's statements and wrote him a letter to express his concerns. His letter and a response from Rep. Scott are reproduced on this page. This makes Mr. Nunez yet another winner of the Michigan Capitol Confidential letter-writing contest. He will win a framed original of the cartoon from the front page of the July/August 2008 issue. Readers who mention Michigan Capitol Confidential when writing to lawmakers or newspapers are encouraged to send us their submissions.

The contest will continue with

winner announced periodically in forthcoming issues of Michigan Capitol Confidential. Entries must be either a note to a lawmaker or a published letter in a newspaper, and they must also reference Michigan Capitol Confidential.

Subscribers may submit entries to:
Michigan Capitol Confidential
c/o Contest
140 West Main Street
P.O. Box 568
Midland, MI 48640
-or- micapcon@mackinac.org

Please remember to include your own name, address and contact information with the entry. ■



CONTEST WINNER!



Mr. Nunez is a winner of the Michigan Capitol Confidential letter contest and will receive the framed original of the Dana Summers cartoon from the front page of the July/August 2008 issue. Readers who mention Michigan Capitol

Confidential when writing to lawmakers or newspapers are encouraged to send us their submissions.

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Michigan Capitol Confidential back issues, more information on this issue and opportunities to discuss these topics with others.

www.mackinac.org/10762

DON'T BLAME CANADA

from Page One

amendment to be part of Senate Bill 436, which would accelerate the timetable for environmental permits and empower applicants to hire independent engineers certified by the Department of Environmental Quality. This bill did eventually pass the Senate following the shenanigans regarding Brater's amendment.

If left in the bill and later signed into law, the ban on Canadian trash would not have passed legal muster because it violated international trade agreements, such as the North American Free Trade Agreement. Rather than a serious policy proposal, the amendment was a political stunt allowing senators to express nonbinding opinions on the issue. More political acrobatics would follow.

"We send far more hazardous material to Canada than they send to Michigan"

— *Connie Pennell, supervisor of the Michigan Department of Environmental Quality's Hazardous Waste and Materials Division*

With one vacancy in the otherwise 38-member chamber, the amendment needed 19 votes for a majority. Each of the 16 Democrats voted in favor of it and were joined by two Republicans. Because of the vacancy and the temporary absence of another GOP member, this left only 18 GOP lawmakers to vote in opposition, creating an 18-18 tie. Though this was still short of the 19 votes needed to pass, ties allow Democratic Lt. Gov. John Cherry to cast a deciding vote, and he voted in favor of the amendment.

But this victory did not survive the week. The following day, Senate Majority Floor Leader Alan Cropsey, R-Dewitt, successfully persuaded the chamber to

reconsider the Brater amendment. Then, on the re-vote, Cropsey declined to vote "no" and instead deliberately abstained. Even though this still left 18 votes in favor of the measure — and now only 17 opposed — it was no longer a tie and this denied the lieutenant governor his tie-breaking authority. Thus, the amendment failed.

Admittedly, household waste is an inconvenient and distasteful fact of life. In 2008, Michigan residents sent approximately 40 million cubic yards of solid household waste to the state's 49 landfills, down from a peak of nearly 47 million cubic yards in 2000. By contrast, Ontario sent about 11 million cubic yards to Michigan in 2008, down from a peak of 12 million in 2006. Ten other states sent Michigan nearly 6.5 million cubic yards in 2008, down from a peak of nearly 7 million in 2006.

Michigan's neighboring states (Indiana, Illinois, Ohio and Wisconsin) have struck deals for waste disposal in the Great Lakes State, as have states as far afield as Connecticut, Massachusetts, New Jersey, New York and Pennsylvania.

But before politicians clamor for Michigan to close its borders from an onslaught of foreign and domestic trash, they should take note that Michigan municipalities, counties and townships also export household trash to landfills in neighboring states.

Furthermore, Michigan ships hazardous liquid and electronic waste to Ontario and Quebec, respectively. According to Connie Pennell, supervisor of the Michigan Department of Environmental Quality's Hazardous Waste and Materials Division, Michigan exported 21,333 tons of hazardous liquid and solid waste to Canada in 2008, while at the same time accepting 11,525 tons of hazardous waste from Canada.

"We send far more hazardous material to Canada than they send to Michigan," Pennell said. "There are many reasons, but the main consideration is that Canada has

more facilities that can adequately treat and dispose of specific hazardous materials." Conversely, Michigan reciprocates by accepting the types of hazardous materials that its facilities are specifically equipped to handle.

Over the past decade, there has been a significant rise in discarded televisions and computers. Much of this material is shipped to Quebec, home to a large operation especially equipped for smelting electronics and reclaiming the metals and other recyclable substances therein.

As for household waste from Canada, Michigan landfills were intended from the beginning to be a temporary solution until Ontario permitted and developed new disposal sites. Toronto, for example, only signed contracts with Michigan landfills through 2010, since it had promised that it would cease shipments of residential trash by the end of 2010. From a peak of 140 trucks per day in 2003, metropolitan Toronto's daily shipments dropped to 80 to 90 trucks per day in 2006, with a targeted reduction to 35 trucks per day this year.

"We are on track to stop all shipments of waste from Toronto at the end of 2010," said Geoff Rathbone, general manager at City of Toronto Solid Waste Management Services. "We are currently shilling about 70-75 trucks per day, and expect this to continue to decrease in 2010.

"It is difficult to estimate if we will in fact hit the 35 truck-per-day target, but as construction of facilities, which is underway, is taking somewhat longer than expected, the original estimate may be slightly off," Rathbone said. "On Jan. 1, 2011, all waste will go to our new landfill — the Green Lane Landfill near London."

The reduction in materials coming from Ontario is partially due to the expansion of the province's waste management facilities. In 2008, Waste Management received approval for the expansion of its landfill in Sarnia, Ontario, according to Tom Horton, Waste Management's

Michigan Landfills: Annual Household Waste From Various Sources (Cubic Yards)

Fiscal Year	Michigan	Canada	Other States	Totals
FY 1996	36,505,045	2,654,575	3,035,192	42,194,812
FY 1997	37,992,630	2,504,879	3,076,513	43,574,022
FY 1998	40,944,471	2,548,815	3,186,352	46,679,638
FY 1999	45,348,317	2,342,791	4,032,094	51,723,202
FY 2000	47,688,909	4,216,814	5,216,114	57,121,837
FY 2001	47,613,432	5,894,738	5,977,769	59,485,939
FY 2002	45,330,685	6,607,856	4,886,587	56,825,128
FY 2003	46,488,424	9,433,028	6,079,367	62,000,819
FY 2004	45,674,375	11,558,899	6,580,238	63,813,512
FY 2005	45,507,303	11,878,091	6,539,722	63,925,116
FY 2006	42,824,819	12,084,907	6,950,625	61,860,351
FY 2007	40,947,324	10,982,984	6,171,854	58,102,162
FY 2008	39,913,636	10,722,164	6,484,096	57,119,896

vice president of Midwest public affairs. In 2009, the Toronto region of Durham received government approvals for the construction of a new waste-energy facility that is going to handle everything that is produced in the Durham region.

"To the extent that we're going to see a reduction of materials going forward in Ontario, I think the writing is on the wall," said Horton. "The industry has never seen the Ontario waste stream coming to Michigan as a sustainable disposal resource. We've always seen it as a temporary blip in the marketplace."

The recent economic downturn has decreased the Michigan landfill waste stream by at least 20 percent, according to Horton. He also asserts — and the latest DEQ report confirms — that Michigan landfills still maintain more than adequate capacity. In fact, the latest DEQ report estimates that at current disposal rates Michigan landfills have 21 years of remaining capacity.

Horton believes it's longer.

"If landfills were allowed to fully develop the property that they currently own in their landfill footprints," said Horton, "[then] without purchasing new property but developing property that may not be currently permitted for use but is adjacent to existing landfills, Michigan has well in excess of 50 years of capacity in landfill space."

The MichiganVotes.org vote tally for the original tie-vote on the amendment to ban the importation of trash from Canada appears to the right, on Page 5. The contact information for all senators is on Page 10. ■

Bruce Edward Walker is communications manager for the Property Rights Network at the Mackinac Center for Public Policy. He may be contacted at walker@mackinac.org. For additional information and an opportunity to comment on this issue, please see www.mackinac.org/10762.

Check MichiganVotes.org

“Don’t Blame Canada”: Lawmakers who voted TO BAN Canadian trash from Michigan landfills:

SENATE REPUBLICANS (2)

Pappageorge (R) Richardville (R)

SENATE DEMOCRATS (16) + TIE BREAKER

Anderson (D)	Clark-Coleman (D)	Jacobs (D)	Thomas (D)
Barcia (D)	(D)	Olshove (D)	Whitmer (D)
Basham (D)	Clarke (D)	Prusi (D)	Lt. Gov Cherry (D)
Brater (D)	Gleason (D)	Scott (D)	(tie breaker)
Cherry (D)	Hunter (D)	Switalski (D)	

Lawmakers who voted AGAINST the ban on Canadian trash in Michigan landfills:

SENATE REPUBLICANS (18)

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

SENATE DEMOCRATS (NONE)

Legislators who DID NOT VOTE:

Garcia (R)

2009 Senate Roll Call 257 on SB 436

THE LOWDOWN

TEA PARTIERS TAKE ON SPECIAL SENATE RACE

State Republican “insiders” speaking to the MIRS Capitol Capsule newsletter on June 26 (www.mirsnews.com – subscription required) warned that some TEA Party activists are trying to push a candidate for the state Senate “too far to the right.” They refer to former state Rep. Mike Nofs, R-Battle Creek, who is one of two Republicans seeking to fill a Michigan Senate vacancy created as a result of the previous officeholder winning a seat in the U.S. Congress last November. Republican primary voters will select either Nofs or James C. Wellman, R-Parma, in an Aug. 4 special primary election. The winner will face a Democratic opponent and Libertarian Greg Merle in a Nov. 3 special general election.

While Nofs is widely considered the favorite to win the GOP primary, one of the groups responsible for organizing a 5,000-person TEA Party at the Michigan Capitol on April 15 is actively seeking to inform GOP primary voters in the district that

the former state representative is insufficiently sensitive to the pocketbook issues that most concern the TEA Party (“Taxed Enough Already”) movement. A “Truth Squad Lit Drop” was conducted by the “New Patriot Revolution” (www.newpatriotrevolution.com) in the Senate district on June 27 for the purpose of distributing fliers about “Mike Nofs’ tax and spend record.”

The fliers are headlined: “We like Mike Nofs. We just don’t like his voting record.” They use numerous votes that were covered in past issues of Michigan Capitol Confidential while Nofs was in office. Each is portrayed as a vote contrary to what the NPR believes is in the best interests of Michigan taxpayers. Most of the votes spotlight areas where Nofs voted with the Democratic majority, while many (if not most) of his fellow Republicans voted the other way.

The “number one reason” of 10 listed concerns on the flier regarding Nofs’ legislative record was his being responsible “for \$1.1 BILLION out of \$1.4 billion of the spending created by the \$1.4 billion tax hikes of 2007.” As a point of comparison, the flier notes that four GOP state representatives then serving with Nofs voted for spending less than \$7.6 million of the “tax fueled spending,” and that many other GOP legislators stayed “well under \$200 million.” (This spending record for all

legislators was profiled in the January/February 2008 Michigan Capitol Confidential: www.mackinac.org/9270.)

The NPR flier also notes that Nofs was one of just 16 Republicans to vote for a Michigan Department of Energy, Labor and Economic Growth budget “that increased general fund spending by nearly 60 percent” (see related story, “Left Behind,” on the cover), and that he was one of three GOP representatives to vote against “allowing Terri Land to consolidate (Secretary of State) offices to save money” (www.mackinac.org/9271). The flier suggests that the vote regarding Land’s proposal “is a big one” because “faced with a (department) that WANTED to cut its spending, he [Nofs] voted to STOP it.”

Perhaps interesting in relation to one of the Democrats seeking to win the special election, the NPR recounts that Nofs was one of three Republicans to vote to keep a “special benefit

loophole” for the teacher retirement system, and one of four to vote to protect a “public school employee union’s costly health benefit plan from competition” (www.mackinac.org/9136). Though a large majority of Democrats — along with Nofs — voted to protect these programs, state Rep. Martin Griffin, D-Jackson,

is one of the few Democrats who broke ranks and voted with the Republicans in each case. This is significant because Griffin is one of two Democrats hoping to win the Aug. 4 special primary. (Sharon Renier, D-Munith, is the other Democrat seeking to win the primary.)

Michigan’s largest “public school employee union” with the “costly health benefit plan” being protected in the vote mentioned above is the Michigan Education Association. Although most of its recommendations traditionally go to Democratic candidates, Nofs claims on his campaign Web site that the union has endorsed him in past races. And tellingly, MIRS ran a story in April speculating that the union may support Nofs in the special election because it was upset with Griffin for voting against its wishes on the health insurance matter. “He can have them,” Griffin replied when confronted with this possibility.

For their part, the New Patriot Revolution has no intention of supporting any candidate for any office. “We don’t elect politicians,” says NPR spokesperson Wendy Day. “We un-elect them.” ■

For additional information and an opportunity to comment on these issues, please see www.mackinac.org/10762.



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Detroit
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Livonia
Warren
Westland
Livonia
Farmington Hills
Warren
Westland

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NAMING NAMES

from Page One

most public documents and information if requested to do so, and this generally includes the names and salaries of the employees who are paid with the public's money. When FOIA was passed in 1976, however, lawmakers carved out individual reporting exemptions for themselves, as well as the executive and judicial branches of state government. The practical effect is that while Michigan taxpayers have a right to know who has been hired on Capitol Hill and how much taxpayer money they are paid, there is no corresponding right to know the same information about the staffers hired by politicians in Lansing.



State Rep. Tom McMillin

House Bill 4613, sponsored by Rep. Pete Lund, R-Shelby Township, would remove these special exemptions and require all of Lansing's elected officials to disclose all payroll details if asked. But unlike the federal standard, this bill does not require the automatic posting of this information on a public Web site, and as of this writing, there are no bills pending in the Legislature that would make such a change.

One lawmaker, Rep. Tom McMillin, R-Rochester Hills, decided not to wait for a change in the law. In February, just over a month after the brand-new lawmaker arrived in Lansing —

and even before the introduction of HB 4613 (which he co-sponsored) — McMillin posted the names and salaries of his office staff on his official state Web site. Almost immediately thereafter, Rep. Justin Amash, R-Grand Rapids, provided similar information. Since then, they have been joined by Rep. Marty Knollenberg, R-Troy, Rep. Kevin Elsenheimer, R-Bellaire, Rep. Paul Opsommer, R-Dewitt, and Rep. Dave Agema, R-Grandville.

In May, Craig McMorris, an investigative reporter for WNEM TV-5 in Saginaw, asked McMillin about this policy. The freshman lawmaker told the reporter that if his example were the norm, it could prevent cronyism and phantom salaries by public entities. A dramatic illustration of this point arose not long after, when the new financial manager of Detroit Public Schools attempted to determine if unapproved persons were on the payroll by requiring the district's 13,880 employees to show identification and personally pick up their regular paychecks. The result was 257 potential "ghost" workers who did not show up for payday and \$208,000 worth of unclaimed checks.

In another recent controversy, the Detroit Free Press revealed last year that former Detroit Mayor Kwame Kilpatrick hired 29 close associates — including eight relatives — as part of the approximately 100 political appointees available to the city's chief executive. Several members of past mayoral staffs were quoted as saying that this was a "significant departure" from past administrations, which had far less hiring of mayor-connected confederates. The Free Press noted that the 29 "friends and family" of the mayor experienced an average salary increase of 36 percent during a five-year period when the financially compromised city laid off nearly 4,000 nonpolitical employees, including almost 1,000 police officers.

Following Kilpatrick's resignation from office on Sept. 4, 2008,

Rep. McMillin believes that all state lawmakers can and should follow his example. "It's the people's money being spent, so they ought to know where it is being spent."

Detroit City Council President Kenneth Cockrel Jr. temporarily succeeded him as mayor and, according to a Detroit News report, swiftly appointed his wife's uncle to serve as his chief of staff. As a result of this same transition, Councilmember Monica Conyers was elevated to Cockrel's old job as council president and, also according to The News, hired her aunt to work in the council's administrative offices. On June 26, 2009, Conyers pleaded guilty to conspiracy to commit bribery and also admitted in the felony plea that one of her former aides was involved.

As with Congress, when media or curious residents seek public spending data regarding Detroit politicians and their staff, FOIA gives them a powerful transparency tool to get the basic information regarding who works where and for how much. FOIA may also be used to learn the names and salaries for most of the state's 50,000-plus workforce, including personnel at the departments of Transportation, Human Services, Environmental Quality and Natural Resources, and at the offices of the Attorney General and Secretary of State.

By contrast, because of the aforementioned FOIA exemptions for the Legislature, judiciary and Office of the Governor, almost anyone seeking similar information regarding the several hundred staffers working for these politicians is at the mercy of the very people they are investigating.

Several mid-Michigan lawmakers seemed to assume that this very unique exemption was a privilege of office rather than a curious exception when WNEM's McMorris interviewed



Ex-Detroit Mayor Kwame Kilpatrick

them about replicating McMillin's voluntary disclosure. Rep. Ken Horn, R-Frankenmuth, said he would discuss names and salaries in those individual situations if "somebody from the district" called to ask, but that otherwise he would keep the information private for the protection of his staff. State Sen. John Gleason, D-Flushing, also cited privacy, offering a hypothetical example of an employee who had a legal concern such as a Friend of the Court dispute.

The chief of staff to state Sen. Tony Stamas, R-Midland, told TV-5 that his office would follow the example of what was provided by Senate Majority Leader Mike Bishop, R-Rochester. Bishop, like all members of the state Senate and the majority of House members, provides only a monthly expense report detailing single line items for such things as salaries, phone usage, postage and printing. But noting that there was no disclosure of such key details as where the calls and mail

were going to and who was getting how much in salary, McMorris judged most of the lawmaker "transparency" Web pages to be "basically useless."

Even though just a tiny number of politicians have followed his lead so far, Rep. McMillin believes that all state lawmakers can and should follow his example. "It's the people's money being spent, so they ought to know where it is being spent," he told TV-5.

To view the staff salary information for Rep. McMillin and the others now providing it, please see www.mackinac.org/10717. The contact information for all lawmakers is listed on Pages 10 and 11. ■

Kenneth M. Braun is the senior managing editor of Michigan Capitol Confidential. He may be reached at braun@mackinac.org. For additional information and an opportunity to comment on the legislation mentioned in this article, please see www.mackinac.org/10762.

"FIRST CLASS" SCHOOLS?

House votes special benefits for Detroit

BY KENNETH M. BRAUN

House Bill 4047 of 2009 would declare the Detroit Public Schools to be a "first class" school district. State law defines "first class" as a public school district with more than 100,000 pupils, effectively meaning Detroit, because the second-largest district — Utica — has fewer than 30,000 students. One of the primary "benefits" of first-class status is that it prevents the creation of additional charter public schools within the city and thus insulates DPS from competition for pupils.

While the DPS pupil count for 1999-2000 stood at 173,848, it has since sharply declined to less than the 100,000-student threshold needed to retain the special protection. HB 4047 would grandfather in a pupil count of more than 100,000 for Detroit until at least July 1, 2010, thus extending the first-class status and protecting the district from additional charter school competitors.

Adding more charters within the city has been a major source of controversy, particularly with regard to DPS' largest public employee union, the Detroit Federation of Teachers. In 2003, multimillionaire philanthropist Robert Thompson proposed to donate \$200 million for 15 brand-new charter high schools in the city, each with a 90 percent graduation rate guarantee. This proposed graduation rate would have been far higher than what was then reported by DPS high schools.

Though the Legislature, governor and mayor of Detroit were all initially on board and ready to approve an expansion of the charter cap so as to allow the Thompson gift to take place, the DFT responded with a one-day walkout from class so its members could drive to Lansing and stage a 3,000-person protest in front of the Capitol. Without classes to attend, many students came with their teachers that day, leading to one of the largest protests the Capitol had seen in years. In response, Detroit Mayor Kwame Kilpatrick withdrew his support and the deal fizzled. (Later, future Mayor Dave Bing arranged with Thompson to open one of his charter high schools within the city, and thus far it appears to be meeting its 90 percent graduation target.)

HB 4047, retaining the Detroit Public Schools' status as a "first class" district and protecting the district from additional charter school competition, was approved by the Michigan House on April 2 when five Republicans joined 66 Democrats voting in favor of the bill. There were 38 votes in opposition, all Republicans. The MichiganVotes.org vote tally is to the right.

The bill is now in the Senate Education Committee.

Kenneth M. Braun is the senior managing editor of Michigan Capitol Confidential. He may be reached at braun@mackinac.org. For additional information and an opportunity to comment on the legislation mentioned in this article, please see www.mackinac.org/10762.

Check MichiganVotes.org

"First Class" Schools?: Lawmakers who voted IN FAVOR of keeping Detroit Public Schools' "first class" status even though the district no longer meets the population standard:

HOUSE REPUBLICANS (5)

Ball (R)	DeShazor (R)	Jones, Rick (R)	Rocca (R)	Walsh (R)
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HOUSE DEMOCRATS (66)

Angerer (D)	Dillon (D)	Johnson (D)	Melton (D)	Slezak (D)
Barnett (D)	Donigan (D)	Jones, Robert (D)	Miller (D)	Smith (D)
Bauer (D)	Durhal (D)	Kandrevas (D)	Nathan (D)	Spade (D)
Bennett (D)	Ebli (D)	Kennedy (D)	Nerat (D)	Stanley (D)
Bledsoe (D)	Espinoza (D)	Lahti (D)	Neumann (D)	Switalski (D)
Brown, L. (D)	Geiss (D)	LeBlanc (D)	Polidori (D)	Tlaib (D)
Brown, T. (D)	Gonzales (D)	Leland (D)	Roberts (D)	Valentine (D)
Byrnes (D)	Gregory (D)	Lemmons (D)	Schmidt, R. (D)	Warren (D)
Byrum (D)	Griffin (D)	Lindberg (D)	Scott, B. (D)	Womack (D)
Clemente (D)	Haase (D)	Lipton (D)	Scripps (D)	Young (D)
Constan (D)	Hammel (D)	Liss (D)	Segal (D)	
Corriveau (D)	Haugh (D)	Mayes (D)	Sheltrown (D)	
Coulouris (D)	Huckleberry (D)	McDowell (D)	Simpson (D)	
Dean (D)	Jackson (D)	Meadows (D)	Slavens (D)	

Lawmakers who voted AGAINST maintaining "first class" status for Detroit Public Schools:

HOUSE REPUBLICANS (38)

Agema (R)	Daley (R)	Haveman (R)	Lund (R)	Opsommer (R)	Scott, P. (R)
Amash (R)	Denby (R)	Hildenbrand (R)	Marleau (R)	Pavlov (R)	Stamas (R)
Bolger (R)	Elsenheimer (R)	Horn (R)	McMillin (R)	Pearce (R)	Tyler (R)
Booher (R)	Genetski (R)	Knollenberg (R)	Meekhof (R)	Proos (R)	
Calley (R)	Green (R)	Kowall (R)	Meltzer (R)	Rogers (R)	
Caul (R)	Haines (R)	Kurtz (R)	Moore (R)	Schmidt, W. (R)	
Crawford (R)	Hansen (R)	Lori (R)	Moss (R)	Schuitmaker (R)	

HOUSE DEMOCRATS (NONE)

Legislators who DID NOT VOTE:

Cushingberry (D)

2009 House Roll Call 150 on HB 4047



CAPITOL CONFIDENTIAL

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CAPITOL CONFIDENTIAL

LEFT BEHIND

from Page One

Wrongheaded,” the top story in the September/October 2008 edition of Michigan Capitol Confidential (www.mackinac.org/10139). MCC noted that a 59.9 percent general fund spending increase for the 2009 Michigan Department of Energy, Labor and Economic Growth budget had been approved and signed by the governor, and that more than half of the increase was due to additional funding for NWLB.

Despite assertions by Gov. Jennifer Granholm and many Lansing politicians that state spending has been “cut to the bone,” NWLB is a relatively new spending creation, having been first proposed by the governor during her 2007 State of the State Address. Shortly thereafter, in her 2008 executive budget, the governor recommended spending \$77 million for the first year of NWLB, proposing that \$37 million would come from federal dollars and \$40 million would be taken from the state’s general fund (i.e., directly from Michigan taxpayers).

That year, the Legislature was unwilling to appropriate the \$40 million portion, leaving the program with only the \$37 million in federal spending. Through a spokesperson, Sen. Majority Leader Mike Bishop, R-Rochester, noted that creating a new program such as NWLB “just shows again that the state doesn’t have a taxing problem, it has a spending problem.” State Rep. Jack Brandenburg, R-Harrison Twp., was more direct: “I truly believe this program should be left behind.”

But after a \$1.4 billion tax hike was approved for 2008, and after passing the largest state budget in Michigan history for that same year, the Legislature became more agreeable toward NWLB when it was time to

write the 2009 state budget. The governor again requested the full \$40 million state general fund contribution, and the Legislature compromised with her and agreed to commit Michigan taxpayers to paying \$15 million as part of the aforementioned 59.9 percent general fund spending increase.

Dozens of lawmakers — 34 in the House and three in the Senate — still voted against the 2009 DELEG budget, some of them specifically because of the NWLB funding. One of them, state Rep. Jack Hoogendyk, R-Portage, called the program “wasteful and wrong-headed.” Suggesting that cutting taxes and regulatory burdens was a clearer path to prosperity than increasing government spending, he observed that funding NWLB was like “trimming the front hedges while the house is on fire.”

One woman selected job training for a field expected to experience “robust growth.” After graduating with a 3.45 grade-point average, she eventually secured part-time work — driving a school bus.

There is much to confirm Rep. Hoogendyk’s assertion in the recent New York Times article titled “Job Retraining May Fall Short of High Hopes.” The Times noted a recent study released by the U.S. Department of Labor that found the benefits of programs like NWLB were “small or nonexistent.” The newspaper did its own survey by looking at 36 laid-off Michigan workers who completed NWLB retraining at Macomb Community College between May and August of 2008. At least 60 percent “appeared to be not working or in jobs unrelated to their training.”

One, a 58-year-old laid-off auto engineer, was on his

second attempt at NWLB job retraining. The first effort, in which he completed a program for computer-aided design, failed to lead to work in that field, despite its being what the DELEG calls a “demand occupation.” Though NWLB is supposed to be offered on a “one time only” basis, the man’s wife wrote to Gov. Granholm about his continued unemployment and he was eventually re-admitted to the program for another try.

A 55-year-old woman attending the courses examined in the article selected job training for a field expected to experience “robust growth.” The Times reports that this is a requirement if a student hopes to get the \$10,000 maximum in tuition assistance from Michigan’s NWLB program. After graduating with an associate degree and a 3.45 grade-point average, she eventually secured part-time work — driving a school bus.

Training workers for fields where there may not be jobs would appear to be a too-frequent problem. The Times story says that the case workers at a career center in Michigan are often left mystified and scratching their heads over what the state’s labor market experts define as “high growth” occupations. One of the authors of the U.S. Department of Labor report mentioned above, an economist from the University of Kentucky, confirmed to the reporter that such ignorance is baked into the system: “I can’t tell you with any degree of certainty, and I’ve been doing it for 20 years, what the hot jobs are going to be.”

But in Michigan, the biggest problem is probably what Rep. Hoogendyk was getting at when he asserted that “hundreds of thousands” of jobs would be created if the state overhauled its tax and regulatory burden, rather than produced new programs to spend tax dollars on. At the time he said this,

Michigan had already lost more than 300,000 jobs during the previous decade. “Job training,” said the Times article, paraphrasing concerns expressed by several economists interviewed for the story, “is also ineffective without job creation.”

The MichiganVotes.org vote tally for the 2009 DELEG budget that included the \$15 million Michigan taxpayer subsidy for NWLB is to the right, on Page 9. This vote took place during 2008, and several lawmakers listed are no longer serving in the Michigan Legislature. Those still serving are noted in red. The contact information for all lawmakers

now serving is on Pages 10 and 11. Some of those no longer serving have moved on to other elected offices or are announced candidates for the same. Official Web sites and campaign Web sites that could be located for these politicians are provided in the box below. ■

Kenneth M. Braun is the senior managing editor of Michigan Capitol Confidential. He may be reached at braun@mackinac.org. For additional information and an opportunity to comment on the legislation mentioned in this article, please see www.mackinac.org/10762.

Available Web sites for politicians who cast a vote regarding this issue but are no longer serving in the Legislature:

Former state Rep. Judy Emmons, R-Sheridan, is running for Secretary of State: www.judyemmons.com.

Former state Rep. Joe Hune, R-Fowlerville, is running for state Senate: www.joehune.com.

Former state Rep. Bill Huizenga, R-Zeeland, is running for Congress: www.huizengaforcongress.com.

Former state Rep. Andy Meisner, D-Ferndale, is the Oakland County Treasurer: www.oakgov.com/treasurer/.

Former state Rep. John Moolenaar, R-Midland, is running for state Senate: www.moolenaarforsenate.com.

Former state Rep. Mike Nofs, R-Battle Creek, is running for state Senate: www.mikenofs.com.

Former state Sen. Mark Schauer, D-Battle Creek, is now a member of Congress: www.schauer.house.gov.

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Check MichiganVotes.org

“Left Behind”: Lawmakers who voted TO FINANCE “No Worker Left Behind” with a 59.9 percent increase in general fund spending in the 2009 DELEG budget:

SENATE REPUBLICANS (18)

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

SENATE DEMOCRATS (16)

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

HOUSE REPUBLICANS (16)

Ball (R)	Gaffney (R)	LaJoy (R)	Nofs (R)
Booher (R)	Hansen (R)	Marleau (R)	Palsrok (R)
Caul (R)	Horn (R)	Meekhof (R)	Rocca (R)
Emmons (R)	Huizenga (R)	Moore (R)	Wenke (R)

HOUSE DEMOCRATS (57)

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

Lawmakers who voted AGAINST the budget that funded “No Worker Left Behind”:

SENATE REPUBLICANS (3)

Cassis (R)	Patterson (R)	Sanborn (R)
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SENATE DEMOCRATS (NONE)

HOUSE REPUBLICANS (34)

Acciavatti (R)	Green (R)	Moss (R)	Shaffer (R)
Agema (R)	Hildenbrand (R)	Nitz (R)	Sheen (R)
Amos (R)	Hoogendyk (R)	Opsommer (R)	Stahl (R)
Brandenburg (R)	Hune (R)	Palmer (R)	Stakoe (R)
Calley (R)	Jones, Rick (R)	Pastor (R)	Steil (R)
Casperson (R)	Knollenberg (R)	Pavlov (R)	Walker (R)
Caswell (R)	Law, David (R)	Pearce (R)	Ward (R)
DeRoche (R)	Meltzer (R)	Proos (R)	
Elsenheimer (R)	Moolenaar (R)	Schuitmaker (R)	

HOUSE DEMOCRATS (NONE)

Legislators who DID NOT VOTE:

Rep. John Garfield (R)	Rep. Dave Robertson (R)
Rep. LaMar Lemmons (D)	Sen. Gretchen Whitmer (D)

This is a vote from the 2007-2008 session of the Michigan Legislature. Only those lawmakers denoted with **red** typeface have returned for the 2009-2010 session.

2008 Senate Roll Call 481 on HB 5809
2008 House Roll Call 628 on HB 5809

Dear Michigan Capitol Confidential:

I just wrote out a check for my annual summer property taxes – the majority of which is designated for education. I am very distressed/outraged at the lack of transparency by the school districts in West Michigan who will not post their check registry on line.

Oakland, Wayne and Macomb school districts post their check registry on line. Half of the twenty largest districts are now on line. Grand Rapids is the third largest district and yet they are not willing to post this information.

Why is this? We taxpayers are paying for educational services and yet we are not permitted to see how our money is spent? It would seem that there may be something that the “powers that be” do not want us to see.

Bev Overeiner, Grand Rapids

How do you use Michigan Capitol Confidential? Please write us and let us know! MICAPCON@ MACKINAC.ORG

On Jan. 16, 2009, the Farmington Public Schools wrote a check for \$362.83 to Jean's Hardware. What did they buy? What other checks did they write?

Thomas Jefferson envisioned that the finances of government should be “as clear and intelligible as a merchant's books,” allowing “any man of any mind” to “comprehend them, to investigate abuses and consequently to control them.” Because the Farmington Public Schools puts its check register online — making the district's finances an open book to anyone with a Web browser — all that is needed to make Jefferson's vision a reality is curiosity and less than five minutes of your time.

Anybody can do it, any time, without an appointment. And you don't need to ask for permission: Farmington doesn't even bother to know who is checking or why.

But to get this same information from most of Michigan's other school districts, you will need to ask them first. You might even need to know how to file a Freedom of Information Act request that tells them who you are; it might cost you money; and you may have to wait more than a week for it to arrive.

Michigan Capitol Confidential readers: The “Show Michigan the Money” project needs YOUR help!

The Michigan House Fiscal Agency reports that the state's public school districts collectively spend more

than \$17 billion of the taxpayers' money each year. The goal of the Show Michigan the Money project is to get all of the state's 551 school districts to follow Farmington's example.

Log on to check our listing of every school whose checkbook is an open book:
www.showmichiganthemoney.org/9329.

Chances are you won't see your local school district on the list. If you don't, we'd like you to contact district officials and ask them to participate.

You may do this by writing, phoning or e-mailing your superintendent or school board members. Or — better yet — attend a school board meeting and ask in person. Sometimes, all that you need to do is ask nicely: Farmington and several other districts on our list made plans to provide online check registers within just days of us making the request.

Please encourage your schools to check out our Web site and to contact project director Kenneth M. Braun (braun@mackinac.org) with questions or to let him know that they have decided to show Michigan the money! Michigan Capitol Confidential will report the results in forthcoming issues.

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FOR PUBLIC POLICY

Michigan
Transparency.org

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WHY WE GIVE PARTY AFFILIATIONS:

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.

WHO ARE YOUR LAWMAKERS?

To find out which lawmakers represent you and to view interactive legislative district maps, please point your web browser to www.mackinac.org/9313.

If you do not have Internet access, then you may obtain copies of legislative district maps by calling 989-631-0900 or by sending a written request to us at: Mackinac Center for Public Policy, c/o MiCapCon District Maps, 140 West Main Street, Midland, MI 48640

Did you know?

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

Base member annual pay: \$79,650

Additional annual expense allowance: \$12,000

Supplements are paid to the following 12 legislative officers:

- Speaker of the House: \$27,000
- 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. ■

Information appears as follows:**State House District**

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—
*HOB = House Office Building
 CB = Capitol Building*

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I'M JUST A BILL

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

To comment on these bills, please see www.mackinac.org/10762.

SENATE BILL 136

Give government subsidies to "artificial intelligence" businesses

Introduced by state Sen. Valde Garcia, R-Howell

The bill would authorize \$18 million worth of government "21st Century Jobs Fund" subsidies for "creative artificial intelligence excellence sectors," defined as private businesses or other entities engaged in developing "advanced artificial neural network technology that is capable of autonomously generating new and potentially valuable concepts or strategies."

SENATE BILL 46

Authorize state money for school solar and wind systems

Introduced by state Sen. Patricia Birkholz, R-Saugatuck

The bill would authorize state grants and interest-free loans to school districts to install solar and wind energy systems.

HOUSE BILL 4058

Require state to pay off Detroit schools deficit

Introduced by state Rep. LaMar Lemmons Jr., D-Detroit

The bill would require 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 4110

Establish official state "Scottish Tartan"

Introduced by state Rep. Richard LeBlanc, D-Westland

The bill would establish that henceforth and forever more (or at least until a future legislature and governor see fit to declare otherwise), the official Scottish tartan of the great state of Michigan shall be the one described by the Scottish hand weavers and textile designers "thread count" denoted by the phrase "BG18* W2 BG8 W2 T8 DG2 T4 DG24 DR4 DG4*," where the symbol "*" denotes 1/2 the total threads at the turning points.

SENATE BILL 662

Give "rewards" to gas stations that increase ethanol sales

Introduced by state Sen. Gerald Van Woerkom, R-Muskegon

The bill would give a subsidy to gas stations that increase ethanol sales above certain thresholds specified in the bill. The subsidy would be a refundable Michigan Business Tax credit, and the value would be between 2 cents and 6 cents per gallon of ethanol sold above the threshold. "Refundable" means that the state will send a gas station a check for the amount that the credit exceeds the owner's tax liability.

SENATE BILL 131

Mandate driver's ed recycling message

Introduced by state Sen. Cameron Brown, R-Fawn River Township

The bill would mandate that driver's education courses include state-approved material expressing a belief in "the importance of recycling," and containing information on "opportunities to support statewide recycling efforts," as well as an antilitter message.

HOUSE BILL 4433

Mandate public school African-American history teaching in all grades

Introduced by state Rep. George Cushingberry, D-Detroit

The bill would require public schools to provide instruction at all grade levels in African-American history.

SENATE BILL 468

Ban driving while using hand-held cell phone

Introduced by state Sen. Roger Kahn, R-Saginaw

The bill would prohibit the use of hand-held cell phones while driving, subject to a \$100 fine. ■