

No. 31
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
96th Legislature
REGULAR SESSION OF 2011

House Chamber, Lansing, Tuesday, April 12, 2011.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Agema—present	Gilbert—present	Lipton—present	Pscholka—present
Ananich—present	Glardon—present	Liss—present	Rendon—present
Barnett—present	Goike—present	Lori—present	Rogers—present
Bauer—present	Haines—present	Lund—present	Rutledge—present
Bledsoe—present	Hammel—present	Lyons—present	Santana—present
Bolger—present	Haugh—present	MacGregor—present	Schmidt, R.—present
Brown—present	Haveman—present	MacMaster—present	Schmidt, W.—present
Brunner—present	Heise—present	McBroom—present	Scott—present
Bumstead—present	Hobbs—present	McCann—present	Segal—present
Byrum—present	Hooker—present	McMillin—present	Shaughnessy—present
Callton—present	Horn—present	Meadows—present	Shirkey—present
Cavanagh—present	Hovey-Wright—present	Melton—present	Slavens—present
Clemente—present	Howze—excused	Moss—present	Smiley—present
Constan—present	Hughes—present	Muxlow—present	Somerville—present
Cotter—present	Huuki—present	Nathan—present	Stallworth—present
Crawford—present	Irwin—present	Nesbitt—present	Stamas—present
Daley—present	Jackson—excused	O’Brien—present	Stanley—present
Damrow—present	Jacobsen—present	Oakes—present	Stapleton—present
Darany—present	Jenkins—present	Olson—present	Switalski—present
Denby—present	Johnson—present	Olumba—present	Talabi—present
Dillon—present	Kandrevas—present	Opsommer—present	Tlaib—present
Durhal—present	Knollenberg—present	Ouimet—present	Townsend—present
Farrington—present	Kowall—present	Outman—present	Tyler—present
Forlini—present	Kurtz—present	Pettalia—present	Walsh—present
Foster—present	LaFontaine—present	Poleski—present	Womack—present
Franz—present	Lane—present	Potvin—present	Yonker—present
Geiss—present	LeBlanc—present	Price—present	Zorn—present
Genetski—present	Lindberg—present		

e/d/s = entered during session

Rep. Joe Haveman, from the 90th District, offered the following invocation:

“Blest are You O Lord, King of the universe.

Father in Heaven, thank You for the opportunity today to gather, to share, and to discuss Your kingdom. Father, You’ve trusted us to govern Your kingdom and to care for our fellow man. Bless us Lord, in whatever role You’ve allowed us, that we do this with compassion and love.

Guide us that we are not merely leaders in our communities but more importantly we are servants in Your kingdom.

Help us always keep You foremost in our minds as we deliberate the decisions needed to move Michigan forward.

Remind us all of Your word that ‘Unless the Lord builds the house, They labor in vain who build it; Unless the Lord guards the city, The watchman stays awake in vain.’

We ask this in the name of Your Son Jesus Christ, Amen.”

The Speaker assumed the Chair.

Rep. Segal moved that Reps. Howze and Jackson be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Brown, Barnett, Constan, Darany, Liss, Lori and Slavens offered the following resolution:

House Resolution No. 53.

A resolution to memorialize Congress and the United States Drug Enforcement Agency to make it illegal to possess, use, or sell the drugs MDPV and mephedrone.

Whereas, MDPV (methylenedioxypropylvalerone) and mephedrone are the main ingredients of underground drug products being marketed as “bath salts” or “plant food,” and which are being sold online, at convenience stores, and in smoke shops under names like Tranquility, Zoom, Ivory Wave, Red Dove, and Vanilla Sky. According to numerous reports, the chemicals found in these bath salts and plant foods cause effects similar to those caused by cocaine and methamphetamines, including hallucinations, paranoia, and suicidal thoughts. In one case a user was reported to have resorted to self-mutilation after abusing the substance. In several cases, users have died after overdosing or because of violent behavior; and

Whereas, Law enforcement personnel need the authority to get MDPV and mephedrone off the streets and prosecute people who are trying to profit from selling these dangerous drugs. State and local law enforcement officials in dozens of states have encountered MDPV or mephedrone in the last two years. Absent restrictions on their possession, use, or sale, law enforcement can only watch as MDPV and mephedrone abuse becomes more widespread; and

Whereas, MDPV and mephedrone should be placed in schedule 1 of the federal controlled substances list. Schedule 1 is reserved for the most dangerous drugs, such as heroin and LSD, which have no recognized medical use and a high potential for abuse. MDPV and mephedrone meet the statutory requirements for placement into schedule 1 and belong in this group; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress and the United States Drug Enforcement Agency to make it illegal to possess, use, or sell the drugs MDPV and mephedrone; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the administrator of the United States Drug Enforcement Agency.

The resolution was referred to the Committee on Judiciary.

Reps. Segal, Barnett, Brown, Constan, Darany, Goike, Heise, Kurtz, Liss, Lori, Poleski, Slavens and Tyler offered the following resolution:

House Resolution No. 54.

A resolution to declare April 2011 as Parkinson’s Awareness Month in the state of Michigan.

Whereas, Parkinson's disease can impact the lives of men and women of all ages, races, and ethnicities; and

Whereas, Parkinson's disease can affect one in every 100 people over the age of 60, but can also be diagnosed in people as young as 18; and

Whereas, As many as one million people in the United States and more than five million people in the world have Parkinson's disease; and

Whereas, There is no diagnostic test or biomarker for the disease; and

Whereas, The direct cause of Parkinson's disease is unknown, but research has shown that environment and genetics are factors; and

Whereas, Parkinson's disease is a degenerative neurological disorder resulting from cell loss in various parts of the brain, especially the substantia nigra, which produces dopamine, the chemical that carries signals for the body's coordination of movement; and

Whereas, The loss of dopamine causes patients to lose control of their movements as the body's neurons fire without any form of common control; and

Whereas, Since Parkinson's disease was identified nearly 200 years ago, no known cure for the disease has been found and the only treatments available help control a patient's symptoms; and

Whereas, The goal of Parkinson's Awareness Month is to educate the public on the realities those suffering from the disease face so that they may join in helping to provide greater access to the latest information for the Parkinson's community and help fund and promote scientific research in hopes of finding a cure; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2011 as Parkinson's Awareness Month in the state of Michigan; and be it further

Resolved, That the members of the House of Representatives support the goals and ideals of Parkinson's Awareness Month; and be it further

Resolved, That the House of Representatives encourages media organizations and the citizens of Michigan to participate in Parkinson's Awareness Month and help educate their communities about Parkinson's disease; and be it further

Resolved, That the House of Representatives recognizes and reaffirms the commitment of the National Parkinson Foundation to fight Parkinson's disease by providing education and awareness to the public about the disease's causes and symptoms and by promoting scientific research for further treatments and a possible cure.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Horn, Brown, Constan, Goike, Huuki, Kurtz, Liss, Lori, Slavens, Tyler and Zorn offered the following resolution:
House Resolution No. 55.

A resolution to declare April 2011 as Safe Digging Month in the state of Michigan.

Whereas, The month of April traditionally marks the beginning of the commercial and residential construction season, when large-scale projects like buildings and roads begin, as well as smaller jobs like installing landscaping, decks, fencing, and even street mailboxes. Each year, because of projects like these, Michigan's utility infrastructure is put in danger by unintentional damage to underground facilities such as natural gas, electric, cable, telephone, fiber optic, water and sewer pipes and lines by those who fail to call 811 at least three working days prior to digging. Undesired consequences such as service interruption, damage to the environment, personal injury, and even death can potentially result; and

Whereas, MISS DIG System, Inc., as well as Consumers Energy, DTE Energy, and other Michigan utilities, along with the Michigan Public Service Commission and the national Common Ground Alliance organization, promote the national call before you dig number, 811, in an effort to reduce these damages. Calling 811 provides potential excavators and homeowners with a simple-to-remember toll-free number that reaches their local One-Call Center to request the marking of utility line locations at the intended dig site; and

Whereas, Through this partnership and ongoing education campaign to share safe digging practices, excavators and homeowners can save time and money, while keeping our state and its residents and workers safe and connected by making a simple call to 811 in advance of the excavation, waiting the required amount of time, respecting the marks by maintaining visual definition throughout the course of the excavation, and finally, digging with care around the marks; and

Whereas, All parties agree that safety is a shared responsibility. To know what's below; call 811 before digging; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2011 as Safe Digging Month in the state of Michigan. We encourage excavators and homeowners throughout the great state to always call 811 before digging. Safe digging is no accident.

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker called the Speaker Pro Tempore to the Chair.

Third Reading of Bills

House Bill No. 4192, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7333a (MCL 333.7333a), as added by 2001 PA 231.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 69

Yeas—107

Agema	Genetski	Lipton	Rendon
Ananich	Gilbert	Liss	Rogers
Barnett	Glardon	Lori	Rutledge
Bauer	Goike	Lund	Santana
Bledsoe	Haines	Lyons	Schmidt, R.
Bolger	Hammel	MacGregor	Schmidt, W.
Brown	Haugh	MacMaster	Scott
Brunner	Haveman	McBroom	Segal
Bumstead	Heise	McCann	Shaughnessy
Byrum	Hobbs	McMillin	Shirkey
Callton	Hooker	Meadows	Slavens
Cavanagh	Horn	Melton	Smiley
Clemente	Hovey-Wright	Moss	Somerville
Constan	Hughes	Muxlow	Stallworth
Cotter	Huuki	Nesbitt	Stamas
Crawford	Irwin	O'Brien	Stanley
Daley	Jacobsen	Oakes	Stapleton
Damrow	Jenkins	Olson	Switalski
Darany	Johnson	Olumba	Talabi
Denby	Kandrevas	Opsommer	Tlaib
Dillon	Knollenberg	Ouimet	Townsend
Durhal	Kowall	Outman	Tyler
Farrington	Kurtz	Pettalia	Walsh
Forlini	LaFontaine	Poleski	Womack
Foster	Lane	Potvin	Yonker
Franz	LeBlanc	Price	Zorn
Geiss	Lindberg	Pscholka	

Nays—1

Nathan

In The Chair: Walsh

The House agreed to the title of the bill.

Rep. Lyons moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 4369, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7333a (MCL 333.7333a), as added by 2001 PA 231.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 70**Yeas—97**

Agema	Glardon	Lipton	Rendon
Ananich	Goike	Liss	Rogers
Barnett	Haines	Lori	Rutledge
Bauer	Hammel	Lund	Schmidt, R.
Bledsoe	Haugh	Lyons	Schmidt, W.
Bolger	Haveman	MacGregor	Scott
Brown	Heise	MacMaster	Segal
Brunner	Hobbs	McCann	Shaughnessy
Byrum	Horn	Meadows	Shirkey
Callton	Hovey-Wright	Melton	Slavens
Cavanagh	Hughes	Moss	Smiley
Clemente	Huuki	Muxlow	Stallworth
Constan	Irwin	Nesbitt	Stamas
Crawford	Jacobsen	O'Brien	Stanley
Daley	Jenkins	Oakes	Stapleton
Damrow	Johnson	Olson	Switalski
Darany	Kandrevas	Olumba	Talabi
Denby	Knollenberg	Ouimet	Tlaib
Dillon	Kowall	Outman	Townsend
Durhal	Kurtz	Pettalia	Tyler
Forlini	LaFontaine	Poleski	Walsh
Foster	Lane	Potvin	Womack
Geiss	LeBlanc	Price	Yonker
Genetski	Lindberg	Pscholka	Zorn
Gilbert			

Nays—11

Bumstead	Franz	McMillin	Santana
Cotter	Hooker	Nathan	Somerville
Farrington	McBroom	Opsommer	

In The Chair: Walsh

The House agreed to the title of the bill.

Rep. Lyons moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Ananich, Bauer, Constan, Crawford, Darany, Durhal, Haines, Huuki, Kowall, MacMaster, McCann, Slavens, Smiley and Talabi were named co-sponsors of the bill.

House Bill No. 4389, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16185 (MCL 333.16185), as added by 2006 PA 25.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 71**Yeas—91**

Agema	Gilbert	Lindberg	Price
Bauer	Glardon	Liss	Pscholka

Bledsoe	Goike	Lori	Rendon
Bolger	Haines	Lund	Rogers
Brunner	Hammel	Lyons	Rutledge
Bumstead	Haugh	MacGregor	Schmidt, R.
Byrum	Haveman	MacMaster	Schmidt, W.
Callton	Heise	McBroom	Scott
Clemente	Hooker	McCann	Segal
Cotter	Horn	McMillin	Shaughnessy
Crawford	Hovey-Wright	Meadows	Shirkey
Daley	Hughes	Melton	Smiley
Damrow	Huuki	Moss	Somerville
Darany	Irwin	Muxlow	Stamas
Denby	Jacobsen	Nesbitt	Stanley
Dillon	Jenkins	O'Brien	Talabi
Durhal	Johnson	Olson	Townsend
Farrington	Knollenberg	Opsommer	Tyler
Forlini	Kowall	Ouimet	Walsh
Foster	Kurtz	Outman	Womack
Franz	LaFontaine	Pettalia	Yonker
Geiss	Lane	Poleski	Zorn
Genetski	LeBlanc	Potvin	

Nays—17

Ananich	Hobbs	Oakes	Stallworth
Barnett	Kandrevas	Olumba	Stapleton
Brown	Lipton	Santana	Switalski
Cavanagh	Nathan	Slavens	Tlaib
Constan			

In The Chair: Walsh

The House agreed to the title of the bill.

Rep. Lyons moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 4291, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; and to provide for the expenditure of the appropriations.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Appropriations,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Moss moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 4407, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; and to provide for the expenditure of the appropriations.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Appropriations,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Pscholka moved to amend the bill as follows:

1. Amend page 8, following line 25, by inserting:

“DEPARTMENT OF ENERGY, LABOR AND ECONOMIC GROWTH

Sec. 251. Funds remaining in the homeowner construction lien recovery fund are appropriated to the department of energy, labor and economic growth for payment of court-ordered homeowner construction lien recovery fund judgments entered prior to August 23, 2010. Pursuant to available funds, the payment of final judgments shall be made in the order in which the final judgments were entered and began accruing interest.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Gilbert moved to amend the bill as follows:

1. Amend page 8, following line 12, by inserting:

“(3) GRANTS

Strategic water quality initiatives grants	\$ 40,000,000
GROSS APPROPRIATION	\$ 40,000,000

Appropriated from:

Special revenue funds:

Strategic water quality initiatives funds	40,000,000
State general fund/general purpose	\$ 0”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 9, following line 21, by inserting:

“Sec. 304. The unexpended funds appropriated in part 1 for the strategic water quality initiatives grants program are considered work project appropriations, and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the projects to be carried forward is provide planning grants to communities for sewage treatment works projects, storm water treatment projects, or nonpoint source projects.

(b) The projects will be accomplished by contract.

(c) The total estimated cost of these projects is \$40,000,000.00.

(d) The tentative completion date is September 30, 2014.”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. McCann moved to amend the bill as follows:

1. Amend page 8, following line 7, by inserting:

“Refined petroleum product cleanup program \$ 3,750,000”.

2. Amend page 8, following line 10, by inserting:

“Refined petroleum fund 3,750,000”

and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 9, line 16, after “the” by striking out “Michigan natural resources trust fund” and inserting “refined petroleum fund”.

4. Amend page 9, line 20, after “the” by striking out “state park improvement fund” and inserting “refined petroleum fund”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Moss moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 4445, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 11m, 22a, 22b, 51a, 51c, and 74 (MCL 388.1611, 388.1611m, 388.1622a, 388.1622b, 388.1651a, 388.1651c, and 388.1674), sections 11, 11m, 22a, and 51a as amended by 2010 PA 217 and sections 22b, 51c, and 74 as amended by 2010 PA 110.

The bill was read a second time.

Rep. Dillon moved to substitute (H-1) the bill.

The motion did not prevail and the substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Brown moved to amend the bill as follows:

1. Amend page 6, following line 26, by inserting:

“Sec. 20j. (1) Foundation allowance supplemental payments for ~~2008-2009~~**2010-2011** to districts that in the 1994-95 state fiscal year had a foundation allowance greater than \$6,500.00 shall be calculated under this section.

(2) The per pupil allocation to each district under this section shall be the difference between the basic foundation allowance for the 1998-99 state fiscal year and \$7,204.00 less \$271.00 minus the dollar amount of the adjustment from the 1998-99 state fiscal year to 2007-2008 in the district’s foundation allowance, **TIMES 50%**.

(3) If a district’s local revenue per pupil does not exceed the sum of its foundation allowance under section 20 plus the per pupil allocation under subsection (2), the total payment to the district calculated under this section shall be the product of the per pupil allocation under subsection (2) multiplied by the district’s membership excluding special education pupils. If a district’s local revenue per pupil exceeds the foundation allowance under section 20 but does not exceed the sum of the foundation allowance under section 20 plus the per pupil allocation under subsection (2), the total payment to the district calculated under this section shall be the product of the difference between the sum of the foundation allowance under section 20 plus the per pupil allocation under subsection (2) minus the local revenue per pupil multiplied by the district’s membership excluding special education pupils. If a district’s local revenue per pupil exceeds the sum of the foundation allowance under section 20 plus the per pupil allocation under subsection (2), there is no payment calculated under this section for the district.

(4) Payments to districts shall not be made under this section. Rather, the calculations under this section shall be made and used to determine the amount of state payments under section 22b.” and adjusting the totals in section 11, section 22b, and enacting section 1 accordingly.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor. Rep. Moss moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.



Rep. Lyons moved that House Committees be given leave to meet during the balance of today’s session. The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Friday, March 25:

House Bill Nos.	4493	4494	4495	4496	4497	4498	4499	4500	4501	4502	4503	4504	4505	4506
	4507	4508												
Senate Bill Nos.	291	292	293	294	295	296	297	298	299	300	301	302	303	304
	305	306	307	308	309	310	311	312						
Senate Joint Resolution		K												

The Clerk announced the enrollment printing and presentation to the Governor on Friday, March 25, for his approval of the following bill:

Enrolled House Bill No. 4408 at 1:40 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, April 12:

Senate Bill Nos.	46	159	245
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Reports of Standing Committees

The Committee on Natural Resources, Tourism, and Outdoor Recreation, by Rep. Foster, Chair, reported **House Bill No. 4415, entitled**

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 68c (MCL 38.68c), as amended by 2010 PA 185.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia, Haugh, Stapleton, Bledsoe and Slavens
Nays: None

The Committee on Natural Resources, Tourism, and Outdoor Recreation, by Rep. Foster, Chair, reported
House Resolution No. 48.

A resolution to memorialize the Congress of the United States to remove gray wolves in Michigan from the federal endangered species list and to amend the Endangered Species Act to prevent similar future situations.

(For text of resolution, see House Journal No. 28, p. 358.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia, Haugh, Stapleton and Slavens
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Foster, Chair, of the Committee on Natural Resources, Tourism, and Outdoor Recreation, was received and read:

Meeting held on: Tuesday, April 12, 2011

Present: Reps. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia, Haugh, Stapleton, Bledsoe and Slavens

The Committee on Energy and Technology, by Rep. Horn, Chair, reported

House Bill No. 4314, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 101, 102, 103, 202, 205, 210, 211a, 213, 303, 305, 305b, 309, 310a, 313, 315, 316, 401, 503, and 601 (MCL 484.2101, 484.2102, 484.2103, 484.2202, 484.2205, 484.2210, 484.2211a, 484.2213, 484.2303, 484.2305, 484.2305b, 484.2309, 484.2310a, 484.2313, 484.2315, 484.2316, 484.2401, 484.2503, and 484.2601), sections 101, 102, 103, 202, 205, 210, 213, 303, 305, 309, 315, 316, and 401 as amended and sections 211a, 305b, and 310a as added by 2005 PA 235 and sections 503 and 601 as amended by 2000 PA 295; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Horn, Shirkey, Opsommer, Crawford, Haveman, Kowall, Franz, Jacobsen, Nesbitt, Outman, Zorn, Roy Schmidt, Santana, Brunner, Melton, Cavanagh and Switalski

Nays: Reps. Irwin and Smiley

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Horn, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Tuesday, April 12, 2011

Present: Reps. Horn, Shirkey, Opsommer, Crawford, Haveman, Kowall, Franz, Jacobsen, McBroom, Nesbitt, Outman, Price, Zorn, Roy Schmidt, Santana, Irwin, Brunner, Melton, Cavanagh, Smiley and Switalski

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gilbert, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, March 30, 2011

Present: Reps. Gilbert, Walsh, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Constan, Barnett, Kandrevas, Meadows and Hobbs

Absent: Reps. Horn, Townsend and Cavanagh

Excused: Reps. Horn, Townsend and Cavanagh

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lund, Chair, of the Committee on Redistricting and Elections, was received and read:

Meeting held on: Tuesday, April 12, 2011

Present: Reps. Lund, McBroom, Knollenberg, Scott, Tyler, Outman, Byrum, Nathan and Stanley

Messages from the Senate

Senate Bill No. 46, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," (MCL 125.3101 to 125.3702) by adding section 513.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Agriculture.

Senate Bill No. 159, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2002 PA 472.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Senate Bill No. 245, entitled

A bill to amend 1967 PA 227, entitled "An act to regulate the inspection, construction, installation, alteration, maintenance, repair and operation of elevators and the licensing of elevator contractors; to prescribe the functions of the director of labor; to create, and prescribe the functions of, the elevator safety board; to provide penalties for violations of the act; and to repeal certain acts and parts of acts," by amending section 6 (MCL 408.806).

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Notices

April 12, 2011

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

Pursuant to MCL 3.1022, I am appointing Rep. Wayne Schmidt to the **Midwest Interstate Passenger Rail Commission** for the term from January 1, 2011 to December 31, 2012.

Sincerely,
Jase Bolger, Speaker
Michigan House of Representatives

April 12, 2011

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

Pursuant to MCL 388.1301a, I am appointing Rep. Paul Scott to the **Education Commission of the States** for the term from January 1, 2011 to December 31, 2012.

Sincerely,
Jase Bolger, Speaker
Michigan House of Representatives

Messages from the Governor

Date: March 28, 2011

Time: 9:28 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4408 (Public Act No. 14, I.E.), being

An act to amend 1936 (Ex Sess) PA 1, entitled “An act to protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 10, 15, 27, 54, 62, and 64 (MCL 421.10, 421.15, 421.27, 421.54, 421.62, and 421.64), section 10 as amended by 2003 PA 84, section 15 as amended by 1996 PA 498, section 27 as amended by 2010 PA 322, section 54 as amended by 2002 PA 192, section 62 as amended by 1995 PA 125, and section 64 as amended by 2009 PA 19.

(Filed with the Secretary of State March 29, 2011, at 8:58 a.m.)

Date: March 29, 2011

Time: 2:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4158 (Public Act No. 15, I.E.), being

An act to regulate certain pricing of consumer items and the advertising of consumer items, goods, merchandise, and commodities; to prescribe the powers and duties of certain state and local officials; to provide remedies and penalties; to make appropriations; and to repeal acts and parts of acts.

(Filed with the Secretary of State March 30, 2011, at 1:50 p.m.)

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

March 18, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor and Economic Growth and the State

Office of Administrative Hearings and Rules filed Administrative Rule #2009-034-LG (Secretary of State Filing #11-03-07) on this date at 4:29 P.M. for the Department of Energy, Labor and Economic Growth, entitled "Uniform System of Accounts for Major and Nonmajor Gas Utilities".

This rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 18, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor and Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2009-033-LG (Secretary of State Filing #11-03-08) on this date at 4:31 P.M. for the Department of Energy, Labor and Economic Growth, entitled "Rescinded - Uniform System of Accounts for Major and Nonmajor Gas Utilities".

This rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6), of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 18, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor and Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2009-026-LG (Secretary of State Filing #11-03-09) on this date at 4:33 P.M. for the Department of Energy, Labor and Economic Growth, entitled "Uniform System of Accounts for Major and Nonmajor Electric Utilities".

This rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 18, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor and Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2009-025-LG (Secretary of State Filing #11-03-10) on this date at 4:35 P.M. for the Department of Energy, Labor and Economic Growth, entitled "Rescinding - Uniform System of Accounts for Major and Nonmajor Electric Utilities".

This rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6), of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

The following communication from the Department of Transportation was received and read:

March 23, 2011

I am pleased to provide the Michigan Department of Transportation's report on transportation accessibility for seniors and persons with disabilities for Fiscal Year 2010.

The report is being forwarded to the Legislature for their information pursuant to Section 10e(21) of Act 51 of the Public Acts of 1951, as amended.

Sincerely,
Kirk T. Stuedle
Director

The communication was referred to the Clerk.

Introduction of Bills

Rep. Moss introduced

House Bill No. 4509, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; and to provide for the expenditure of the appropriations.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Moss introduced

House Bill No. 4510, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; and to provide for the expenditure of the appropriations.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Moss introduced

House Bill No. 4511, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; and to provide for the expenditure of the appropriations.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Tyler, Liss, Haines, Huuki and Ananich introduced

House Bill No. 4512, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 277.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Franz introduced

House Bill No. 4513, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1147 (MCL 380.1147).

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Franz introduced

House Bill No. 4514, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2010 PA 110.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Franz introduced

House Bill No. 4515, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2008 PA 506.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Ananich, Irwin, Smiley, Liss, Olumba and Townsend introduced

House Bill No. 4516, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding sections 28b, 28c, 28d, 28e, 28f, 28g, 28h, 28i, 28j, 28k, 28l, and 28m; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Commerce.

Reps. Wayne Schmidt, Opsommer, Dillon, Gilbert, Horn, MacGregor, Geiss, Potvin, Daley, Rendon, McBroom, Goike, Huuki, Switalski, Lyons, Johnson, Brunner, Ananich and Nesbitt introduced

House Bill No. 4517, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2009 PA 146.

The bill was read a first time by its title and referred to the Committee on Transportation.

Reps. Lori, Liss, Knollenberg, Moss, Slavens, Hughes, Pettalia, Rutledge, Stallworth, Barnett, Nesbitt, Cavanagh, Rogers, Brown and Oakes introduced

House Bill No. 4518, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Lori, Liss, Knollenberg, Moss, Slavens, Hughes, Pettalia, Rutledge, Stallworth, Barnett, Nesbitt, Cavanagh, Rogers, Brown and Oakes introduced

House Bill No. 4519, entitled

A bill to establish the Michigan Alzheimer's association fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Irwin, Townsend, Dillon, Yonker, Switalski, Byrum, Rutledge, Lipton, Ananich, McCann, Liss, Melton, Brown, Lane, Bauer, Barnett, Cavanagh, Foster, Bledsoe, Roy Schmidt, Meadows and Haugh introduced

House Bill No. 4520, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758, 759, and 759b (MCL 168.758, 168.759, and 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 1995 PA 261.

The bill was read a first time by its title and referred to the Committee on Redistricting and Elections.

Reps. Agema, Horn, Cotter, Huuki, McMillin, Jenkins, Olson, Potvin and Opsommer introduced

House Bill No. 4521, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2010 PA 160.

The bill was read a first time by its title and referred to the Committee on Transportation.

Rep. Farrington introduced

House Bill No. 4522, entitled

A bill to amend 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof," by amending sections 2, 3, 5, 6, 8, 9, and 10 (MCL 423.232, 423.233, 423.235, 423.236, 423.238, 423.239, and 423.240).

The bill was read a first time by its title and referred to the Committee on Government Operations.

Rep. Moss introduced

House Bill No. 4523, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2012 and September 30, 2013; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Moss introduced

House Bill No. 4524, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2012 and September 30, 2013; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Moss introduced

House Bill No. 4525, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2012 and September 30, 2013; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Moss introduced

House Bill No. 4526, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2012 and September 30, 2013; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Moss introduced

House Bill No. 4527, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2012 and September 30, 2013; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Moss introduced

House Bill No. 4528, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2012 and September 30, 2013; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Callton and Opsommer introduced

House Bill No. 4529, entitled

A bill to establish the terms on which health benefits may be provided to legislators.

The bill was read a first time by its title and referred to the Committee on Government Operations.

Reps. Callton and Opsommer introduced

House Bill No. 4530, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 11e.

The bill was read a first time by its title and referred to the Committee on Government Operations.

Rep. Oakes introduced

House Bill No. 4531, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 7 (MCL 125.1657), as amended by 2008 PA 226.

The bill was read a first time by its title and referred to the Committee on Commerce.

Rep. McMillin introduced

House Bill No. 4532, entitled

A bill to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; to prohibit the sending of certain electronic messages; and to prescribe penalties," by amending section 5 (MCL 752.795), as amended by 1996 PA 326.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Rogers introduced

House Bill No. 4533, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310e (MCL 257.310e), as amended by 2010 PA 268.

The bill was read a first time by its title and referred to the Committee on Transportation.

Rep. Jenkins introduced

House Bill No. 4534, entitled

A bill to amend 1984 PA 425, entitled "An act to permit the conditional transfer of property by contract between certain local units of government; to provide for permissive and mandatory provisions in the contract; to provide for certain conditions upon termination, expiration, or nonrenewal of the contract; and to prescribe penalties and provide remedies," by amending section 6 (MCL 124.26).

The bill was read a first time by its title and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

Rep. Scott introduced

House Bill No. 4535, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 613a, 614a, 615a, and 641 (MCL 168.613a, 168.614a, 168.615a, and 168.641), section 613a as amended by 2003 PA 13, sections 614a and 615a as amended by 1999 PA 72, and section 641 as amended by 2005 PA 71.

The bill was read a first time by its title and referred to the Committee on Redistricting and Elections.

Rep. LeBlanc introduced

House Joint Resolution T, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 12, 13, 16, 22, and 31 of article IV and section 15 of article V and repealing section 54 of article IV, to limit the legislative session, to reduce salaries of members of the legislature, to impose limits on the number of legislative committees individuals can serve on, to limit the number of bills members of the legislature may request, to provide that certain state budget bills be presented to the governor by a certain date, to repeal term limits, and to limit the governor's ability to call for extraordinary sessions.

The joint resolution was read a first time by its title and referred to the Committee on Government Operations.

Announcements by the Clerk

March 29, 2011

Received from the Auditor General a copy of the following audit report and/or report summary:

Financial audit, including the provisions of the Single Audit Act, of the Department of History, Arts and Libraries (HAL) for the period October 1, 2008 through September 30, 2009.

March 31, 2011

Received from the Auditor General a copy of the following audit report and/or report summary:

Performance audit of the Real Estate Division, Bureau of Highway Development, Michigan Department of Transportation, March 2011.

April 5, 2011

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of the Michigan State Disbursement Unit, Office of Child Support, Department of Human Services,
April 2011.

April 6, 2011

Received from the Auditor General a copy of the following audit report and/or report summary:
Financial audit, including the provisions of the Single Audit Act, of the Department of Technology, Management &
Budget (DTMB) for the period October 1, 2008 through September 30, 2010.

April 8, 2011

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of Selected Activities of the Bureau of Regulatory Services, Department of State, April 2011.

Gary L. Randall
Clerk of the House

Rep. Outman moved that the House adjourn.
The motion prevailed, the time being 3:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 13, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

