

No. 37
STATE OF MICHIGAN
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House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Tuesday, May 5, 2009.

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	Durhal—present	Lahti—present	Proos—present
Amash—present	Ebli—present	LeBlanc—present	Roberts—present
Angerer—present	Elsenheimer—present	Leland—present	Rocca—present
Ball—present	Espinoza—present	Lemmons—present	Rogers—present
Barnett—present	Geiss—present	Lindberg—present	Schmidt, R.—present
Bauer—present	Genetski—present	Lipton—present	Schmidt, W.—present
Bennett—present	Gonzales—present	Liss—present	Schuitmaker—present
Bledsoe—present	Green—present	Lori—present	Scott, B.—present
Bolger—present	Gregory—present	Lund—present	Scott, P.—present
Booher—present	Griffin—present	Marleau—present	Scripps—present
Brown, L.—present	Haase—present	Mayes—present	Segal—present
Brown, T.—present	Haines—present	McDowell—present	Sheltrown—present
Byrnes—present	Hammel—present	McMillin—present	Simpson—present
Byrum—present	Hansen—present	Meadows—present	Slavens—present
Calley—present	Haugh—present	Meekhof—present	Slezak—present
Caul—present	Haveman—present	Melton—present	Smith—present
Clemente—present	Hildenbrand—present	Meltzer—present	Spade—present
Constan—present	Horn—present	Miller—present	Stamas—present
Corriveau—present	Huckleberry—present	Moore—present	Stanley—present
Coulouris—present	Jackson—present	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—present	Tlaib—present
Cushingberry—present	Jones, Rick—present	Nerat—present	Tyler—present
Daley—present	Jones, Robert—present	Neumann—present	Valentine—present
Dean—present	Kandrevas—present	Opsommer—present	Walsh—present
Denby—present	Kennedy—present	Pavlov—present	Warren—present
DeShazor—present	Knollenberg—present	Pearce—present	Womack—present
Dillon—present	Kowall—present	Polidori—present	Young—present
Donigan—present	Kurtz—present		

e/d/s = entered during session

Rep. John Espinoza, from the 83rd District, offered the following invocation:

“Heavenly Father bless us in our daily endeavors. Place Your healing hands on those that are in despair and those that have lost hope. Protect those we have put in harms way. In Jesus name we pray Amen.”

Second Reading of Bills

Pending the Second Reading of

House Bill No. 4097, 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.

Rep. Angerer moved that the bill be re-referred to the Committee on Ethics and Elections.

The motion prevailed.

House Bill No. 4523, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 430 (MCL 208.1430), as added by 2008 PA 270.

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

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

Rep. McMillin moved to amend the bill as follows:

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

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 71 of the 95th Legislature is enacted into law.”.

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

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

The motion prevailed.

Rep. Dean moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4523, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 430 (MCL 208.1430), as added by 2008 PA 270.

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

Roll Call No. 210

Yeas—103

Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Espinoza	Leland	Rogers
Barnett	Geiss	Lemmons	Schmidt, R.
Bauer	Gonzales	Lindberg	Schmidt, W.
Bennett	Green	Lipton	Schuitmaker
Bledsoe	Gregory	Liss	Scott, B.
Bolger	Griffin	Lori	Scott, P.
Booher	Haase	Lund	Scripps
Brown, L.	Haines	Marleau	Segal
Brown, T.	Hammel	Mayer	Sheltrown
Byrnes	Hansen	McDowell	Simpson
Byrum	Haugh	Meadows	Slavens

Calley	Haveman	Melton	Slezak
Caul	Hildenbrand	Meltzer	Smith
Clemente	Horn	Miller	Spade
Constan	Huckleberry	Moore	Stamas
Corriveau	Jackson	Moss	Stanley
Coulouris	Johnson	Nathan	Switalski
Crawford	Jones, Rick	Nerat	Tlaib
Dean	Jones, Robert	Neumann	Tyler
Denby	Kandrevas	Opsommer	Valentine
DeShazor	Kennedy	Pavlov	Walsh
Dillon	Knollenberg	Pearce	Warren
Donigan	Kowall	Polidori	Womack
Durhal	Kurtz	Proos	Young
Ebli	Lahti	Roberts	

Nays—6

Agema	Daley	McMillin	Meekhof
Amash	Genetski		

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Angerer, Ball, Barnett, Bolger, Lisa Brown, Terry Brown, Byrnes, Caul, Denby, Durhal, Espinoza, Geiss, Gonzales, Griffin, Haase, Haugh, Horn, Johnson, Robert Jones, Kandrevas, Kennedy, Lemmons, Lipton, Liss, Mayes, Melton, Meltzer, Polidori, Proos, Rocca, Segal, Sheltroun, Simpson, Slavens, Slezak, Spade, Stamas, Valentine and Warren were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4674, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 431a (MCL 208.1431a), as added by 2008 PA 92.

The bill was read a second time.

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

The motion prevailed.

Rep. Dean moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4674, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 431a (MCL 208.1431a), as added by 2008 PA 92.

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

Roll Call No. 211

Yeas—104

Angerer	Ebli	Lahti	Roberts
Ball	Elsenheimer	LeBlanc	Rocca

Barnett	Espinoza	Leland	Rogers
Bauer	Geiss	Lemmons	Schmidt, R.
Bennett	Gonzales	Lindberg	Schmidt, W.
Bledsoe	Green	Lipton	Schuitmaker
Bolger	Gregory	Liss	Scott, B.
Booher	Griffin	Lori	Scott, P.
Brown, L.	Haase	Lund	Scripps
Brown, T.	Haines	Marleau	Segal
Byrnes	Hammel	Mayes	Sheltrown
Byrum	Hansen	McDowell	Simpson
Calley	Haugh	Meadows	Slavens
Caul	Haveman	Melton	Slezak
Clemente	Hildenbrand	Meltzer	Smith
Constan	Horn	Miller	Spade
Corriveau	Huckleberry	Moore	Stamas
Coulouris	Jackson	Moss	Stanley
Crawford	Johnson	Nathan	Switalski
Daley	Jones, Rick	Nerat	Tlaib
Dean	Jones, Robert	Neumann	Tyler
Denby	Kandrevas	Opsommer	Valentine
DeShazor	Kennedy	Pavlov	Walsh
Dillon	Knollenberg	Pearce	Warren
Donigan	Kowall	Polidori	Womack
Durhal	Kurtz	Proos	Young

Nays—5

Agema	Genetski	McMillin	Meekhof
Amash			

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Dean 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. 4184, entitled

A bill to amend 1919 PA 71, entitled “An act to provide for the formulation and establishment of a uniform system of accounting and reporting in the several departments, offices, and institutions of the state government, and in all county offices; to provide for the examination of the books and accounts of each state department, office, and institution, and of each county office; to provide for financial reports from all those departments, institutions, and offices, and for the tabulation and publication of comparative financial statistics relating to the departments, institutions, and offices; to provide for the administration of this act; to provide for the powers and duties of the department of treasury, the state treasurer, the library of Michigan and depository libraries, and other officers and entities; to provide penalties; and to provide for meeting the expense authorized by this act,” by amending sections 4 and 5 (MCL 21.44 and 21.45), as amended by 2002 PA 370.

The bill was read a second time.

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

The motion prevailed.

Rep. Dean moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4184, entitled

A bill to amend 1919 PA 71, entitled “An act to provide for the formulation and establishment of a uniform system of accounting and reporting in the several departments, offices, and institutions of the state government, and in all county offices; to provide for the examination of the books and accounts of each state department, office, and institution, and of each county office; to provide for financial reports from all those departments, institutions, and offices, and for the tabulation and publication of comparative financial statistics relating to the departments, institutions, and offices; to provide for the administration of this act; to provide for the powers and duties of the department of treasury, the state treasurer, the library of Michigan and depository libraries, and other officers and entities; to provide penalties; and to provide for meeting the expense authorized by this act,” by amending sections 4 and 5 (MCL 21.44 and 21.45), as amended by 2002 PA 370.

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

Roll Call No. 212

Yeas—109

Agema	Ebli	Lahti	Proos
Amash	Elsenheimer	LeBlanc	Roberts
Angerer	Espinoza	Leland	Rocca
Ball	Geiss	Lemmons	Rogers
Barnett	Genetski	Lindberg	Schmidt, R.
Bauer	Gonzales	Lipton	Schmidt, W.
Bennett	Green	Liss	Schuitmaker
Bledsoe	Gregory	Lori	Scott, B.
Bolger	Griffin	Lund	Scott, P.
Booher	Haase	Marleau	Scripps
Brown, L.	Haines	Mayer	Segal
Brown, T.	Hammel	McDowell	Sheltrown
Byrnes	Hansen	McMillin	Simpson
Byrum	Haugh	Meadows	Slavens
Calley	Haveman	Meekhof	Slezak
Caul	Hildenbrand	Melton	Smith
Clemente	Horn	Meltzer	Spade
Constan	Huckleberry	Miller	Stamas
Corriveau	Jackson	Moore	Stanley
Coulouris	Johnson	Moss	Switalski
Crawford	Jones, Rick	Nathan	Tlaib
Daley	Jones, Robert	Nerat	Tyler
Dean	Kandrevas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren
Dillon	Kowall	Pearce	Womack
Donigan	Kurtz	Polidori	Young
Durhal			

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Dean 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. 4758, entitled

A bill to amend 2008 PA 456, entitled “An act to amend 1966 PA 346, entitled “An act to create a state housing development authority; to define the powers and duties of the authority; to establish a housing development revolving fund; to establish a land acquisition and development fund; to establish a rehabilitation fund; to establish a conversion condominium fund; to create certain other funds and provide for the expenditure of certain funds; to authorize the making and purchase of loans, deferred payment loans, and grants to qualified developers, sponsors, individuals, mortgage lenders, and municipalities; to establish and provide acceleration and foreclosure procedures; to provide tax exemption; to authorize payments instead of taxes by nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, mobile home park corporations, and mobile home park associations; and to prescribe criminal penalties for violations of this act,” (MCL 125.1401 to 125.1499c) by adding chapter 3B,” by repealing enacting section 1.

The bill was read a second time.

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

The motion prevailed.

Rep. Dean moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4758, entitled

A bill to amend 2008 PA 456, entitled “An act to amend 1966 PA 346, entitled “An act to create a state housing development authority; to define the powers and duties of the authority; to establish a housing development revolving fund; to establish a land acquisition and development fund; to establish a rehabilitation fund; to establish a conversion condominium fund; to create certain other funds and provide for the expenditure of certain funds; to authorize the making and purchase of loans, deferred payment loans, and grants to qualified developers, sponsors, individuals, mortgage lenders, and municipalities; to establish and provide acceleration and foreclosure procedures; to provide tax exemption; to authorize payments instead of taxes by nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, mobile home park corporations, and mobile home park associations; and to prescribe criminal penalties for violations of this act,” (MCL 125.1401 to 125.1499c) by adding chapter 3B,” by repealing enacting section 1.

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

Roll Call No. 213

Yeas—107

Agema	Ebli	Lahti	Roberts
Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Espinoza	Leland	Rogers
Barnett	Geiss	Lemmons	Schmidt, R.
Bauer	Genetski	Lindberg	Schmidt, W.
Bennett	Gonzales	Lipton	Schuitmaker
Bledsoe	Green	Liss	Scott, B.
Bolger	Gregory	Lori	Scott, P.
Booher	Griffin	Lund	Scripps
Brown, L.	Haase	Marleau	Segal
Brown, T.	Haines	Mayer	Sheltrown
Byrnes	Hammel	McDowell	Simpson
Byrum	Hansen	Meadows	Slavens
Calley	Haugh	Meekhof	Slezak
Caul	Haveman	Melton	Smith
Clemente	Hildenbrand	Meltzer	Spade
Constan	Horn	Miller	Stamas
Corriveau	Huckleberry	Moore	Stanley
Coulouris	Jackson	Moss	Switalski
Crawford	Johnson	Nathan	Tlaib

roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 of chapter IV (MCL 224.6), as amended by 2006 PA 598.

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

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

Rep. Meltzer moved to amend the bill as follows:

1. Amend page 3, line 13, after "**247.675.**" by inserting "**IN A COUNTY WHERE THE ELECTORS HAVE ADOPTED A CHARTER THAT REORGANIZES THE POWERS AND DUTIES OF THE BOARD OF COUNTY ROAD COMMISSIONERS, THE COUNTY'S MAXIMUM MILLAGE RATE FOR ALL PURPOSES SHALL NOT EXCEED 4.2 MILLS.**"

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

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

The motion prevailed.

Rep. Dean moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4830, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 of chapter IV (MCL 224.6), as amended by 2006 PA 598.

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

Roll Call No. 214

Yeas—80

Agema	Donigan	Kandrevas	Schmidt, R.
Angerer	Durhal	Kennedy	Schmidt, W.
Ball	Ebli	Kowall	Schuitmaker
Barnett	Elsenheimer	Kurtz	Scott, B.
Bauer	Espinoza	Leland	Scott, P.
Bennett	Geiss	Lemmons	Scripps
Bledsoe	Genetski	Lipton	Segal
Bolger	Gregory	Liss	Simpson
Booher	Griffin	Lund	Slavens
Brown, L.	Haase	Mayes	Slezak
Brown, T.	Haines	Meadows	Smith
Clemente	Hammel	Meltzer	Stamas
Constan	Haug	Miller	Stanley
Corriveau	Haveman	Nathan	Switalski
Coulouris	Hildenbrand	Opsommer	Tlaib
Crawford	Huckleberry	Pavlov	Valentine
Dean	Jackson	Pearce	Walsh
Denby	Johnson	Polidori	Warren
DeShazor	Jones, Rick	Roberts	Womack
Dillon	Jones, Robert	Rocca	Young

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported
House Bill No. 4610, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 72101 (MCL 324.72101), as amended by 1997 PA 129, and by adding section 72114.

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. Sheltroun, Slezak, Huckleberry, Simpson, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported
House Bill No. 4757, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40107b.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Ebli, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported
Senate Bill No. 409, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43542 (MCL 324.43542), as added by 1995 PA 57.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Ebli, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 5, 2009

Present: Reps. Sheltroun, Slezak, Ebli, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Bolger, Hansen and Horn

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Melton, Chair, of the Committee on Education, was received and read:

Meeting held on: Monday, May 4, 2009

Present: Reps. Melton, Lisa Brown, Bledsoe, Byrum, Corriveau, Geiss, Haase, Lindberg, Nathan, Polidori, Roberts, Valentine, Pavlov, Amash, Ball, DeShazor, McMillin, Pearce, Tyler and Walsh

Absent: Reps. Kennedy, Sheltroun and Paul Scott

Excused: Reps. Kennedy, Sheltroun and Paul Scott

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 5, 2009

Present: Reps. Mayes, Geiss, Lisa Brown, Ebli, Huckleberry, Lindberg, Lipton, Melton, Roberts, Scripps, Horn, Crawford, Marleau, Opsommer, Proos, Wayne Schmidt and Schuitmaker

Absent: Reps. Clemente and Johnson

Excused: Reps. Clemente and Johnson

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Donigan, Chair, of the Committee on Intergovernmental and Regional Affairs, was received and read:

Meeting held on: Tuesday, May 5, 2009

Present: Reps. Donigan, Barnett, Bledsoe, Haugh, Robert Jones, Kennedy, Young, Lund, Denby, Meekhof and Wayne Schmidt

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cushingberry, Chair, of the Committee on Appropriations, was received and read:

Meeting held on: Tuesday, May 5, 2009

Present: Reps. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

Messages from the Senate**Senate Bill No. 430, entitled**

A bill to amend 1950 (Ex Sess) PA 23, entitled "Airport zoning act," (MCL 259.431 to 259.465) by adding section 24a. The Senate has passed the bill.

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

Messages from the Governor

Date: May 5, 2009

Time: 11:08 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4397 (Public Act No. 22, I.E.), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 622 and 1223 (MCL 380.622 and 380.1223), as amended by 2008 PA 307.

(Filed with the Secretary of State May 5, 2009, at 1:12 p.m.)

The following message from the Governor was received May 5, 2009 and read:

EXECUTIVE ORDER
No. 2009 – 22

**IMPLEMENTATION OF EXPENDITURE REDUCTIONS UNDER
SECTION 20 OF ARTICLE V OF THE MICHIGAN CONSTITUTION OF 1963**

WHEREAS, under Section 20 of Article V of the Michigan Constitution of 1963, the Governor, with the approval of the appropriating committees of the House of Representatives and the Senate, shall reduce expenditures authorized by appropriations whenever it appears that actual revenues for a fiscal period will fall below the revenue estimates on which appropriations for that period were based, and the reductions shall be made in accordance with procedures prescribed by law;

WHEREAS, it appears that actual revenues for the fiscal period beginning on October 1, 2008 and ending on September 30, 2009, will fall below the revenue estimates on which appropriations for that period were based, the estimates having been determined by the Legislature as required under Section 31 of Article IV of the Michigan Constitution of 1963;

WHEREAS, pursuant to Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391, on the basis of written information from the State Budget Director and the State Treasurer, it appears that actual revenues will fall below such revenue estimates;

WHEREAS, there is an unanticipated loss of funding that the departments and agencies of state government do not expect to obtain or make up during the current fiscal year;

WHEREAS, expenditure reductions totaling \$221,864,600.00 general fund-general purpose and \$127,472,600.00 special purpose funds are necessary;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor under the Michigan Constitution of 1963 and Michigan law, and with the approval of a majority of members of each appropriations committee, order the following reductions in expenditures:

A. Portions of general fund-general purpose expenditures authorized by appropriations amounting to \$221,864,600.00 contained in the following public acts are hereby reduced. Where the expenditure reductions of general fund-general purpose appropriations in this Order reduce the restricted portions of gross appropriations and sources of financing that will be earned, the amounts to be reduced shall be provided separately to the State Budget Director for approval and entry into the accounts.

Public Act	Department	Reduction Amount
2008 PA 253	Agriculture	\$3,455,100
2008 PA 261	Attorney General	1,729,800
2008 PA 261	Civil Rights	655,800
2008 PA 246	Community Health	53,095,500
2008 PA 245	Corrections	10,470,400
2008 PA 212	Education	363,500
2008 PA 251	Energy, Labor and Economic Growth	13,068,900
2008 PA 247	Environmental Quality	5,165,100
2008 PA 261	Executive Office	279,200
2008 PA 254	History, Arts, and Libraries	1,815,800
2008 PA 248	Human Services	97,484,800
2008 PA 261	Management and Budget	2,987,000
2008 PA 214	Military and Veterans Affairs	2,234,800
2008 PA 252	Natural Resources	572,900
2008 PA 268	School Aid	7,000,000
2008 PA 261	State	1,335,000
2008 PA 249	State Police	15,169,400
2008 PA 261	Treasury	4,981,600
	TOTAL	\$221,864,600

B. The reduction totals for the departments and offices in Section A include the following appropriation items or are predicated upon the following actions:

1. Department of Agriculture

Appropriation Number	Item	Reduction Amount
01050	Unclassified positions	35,000

01210	Management services	150,000
01275	Internal audit services	47,500
01420	Rent and building occupancy charges	513,200
02205	Pesticide and plant pest management	150,000
02365	Bovine tuberculosis program	1,466,800
02530	Laboratory services	100,000
03120	Environmental stewardship	345,000
03908	Local conservation districts	160,000
30000	Information technology services and projects	89,300
		<u>3,056,800</u>

2. Department of Attorney General

Appropriation Number	Item	Reduction Amount
01040	Attorney general operations	1,259,600
06100	Information technology services and projects	6,400
		<u>1,266,000</u>

3. Department of Civil Rights

Appropriation Number	Item	Reduction Amount
01000	Civil rights operations	466,700
02100	Information technology services and projects	22,500
		<u>489,200</u>

4. Department of Community Health

Appropriation Number	Item	Reduction Amount
01130	Mental health/substance abuse program administration	92,000
01161	Protection and advocacy services support	97,200
01176	Mental health initiatives for older persons	262,300
01751	Severance pay	216,900
02966	Community mental health non-Medicaid services	10,000,000
02967	Respite services	250,000
02969	Mental health court pilot programs	800,000
04000	Center for forensic psychiatry	300,000
11230	Public health administration	69,000
11232	Worker's compensation program	900,000
11256	Rural health services	29,000
11300	Office of long-term care and supports and services	90,000
11364	African-American male health initiative	42,800
11374	Injury control intervention project	200,000
12263	Local public health operations	1,535,600
12273	Implementation of 1993 PA 133, MCL 333.17015	30,000
13461	Community substance abuse prevention, education, and treatment programs	1,539,800
13467	State disability assistance program substance abuse services	106,700
13469	Methamphetamine cleanup fund	40,000
14259	Special projects	12,500
14276	Migrant health care	34,000

14281	Family planning local agreements	75,000
14289	Prenatal care outreach and service delivery support	202,800
14355	Medical care and treatment	275,000
15158	Asthma prevention and control	55,700
16753	Sexually transmitted disease control management and field support	582,900
16773	Sexually transmitted disease control local agreements	137,500
16778	Immunization local agreements	350,000
33500	Hospital services and therapy	5,310,200
33520	Physician services	842,100
33540	Pharmaceutical services	1,616,100
33550	Health plan services	8,062,300
33570	Transportation	1,271,100
33580	Auxiliary medical services	537,800
33600	Ambulance services	147,900
33630	Single point of entry	2,100,000
33660	Dental services	1,433,600
33680	Long-term care services	8,467,000
33810	Personal care services	197,000
34500	Health information technology initiatives	1,072,600
46511	Community services	661,900
46512	Nutrition services	479,400
46513	Senior companion volunteer program	85,900
46516	Foster grandparent volunteer program	119,600
46517	Retired and senior volunteer program	33,600
46519	Senior olympics	20,000
		<u>50,784,800</u>

The amount in Section 412 of 2008 PA 246 is reduced by \$157,105.00.

The amount in Section 482 of 2008 PA 246 is reduced by \$11,251.00.

The amount in Section 1031(1) of 2008 PA 246 is reduced to \$200,000.00.

The amount in Section 1694 of 2008 PA 246 is reduced to \$521,300.00.

The amount in Section 1742 of 2008 PA 246 is reduced to \$750,000.00.

5. Department of Corrections

Appropriation Number	Item	Reduction Amount
01050	Executive direction	1,900
02060	Operations support administration	3,900
17510	Northern region clinical complexes	6,500
17530	Southeastern region clinical complexes	8,200
22250	Field operations	53,400
23322	Special alternative incarceration program – Cassidy Lake	10,100
25281	Community re-entry centers	24,000
29507	Correctional facilities administration	5,100
29512	Transportation	403,600
30522	Jackson area support and services – Jackson	25,100
32002	Charles E. Egeler correctional facility – Jackson	13,600

34002	Parnall correctional facility – Jackson	12,000
35002	Cooper Street correctional facility – Jackson	16,500
36002	G. Robert Cotton correctional facility – Jackson	11,500
46002	Alger maximum correctional facility – Munising	12,300
47002	Baraga maximum correctional facility – Baraga	12,200
48002	Carson City correctional facility – Carson City	15,200
49002	Chippewa correctional facility – Kincheloe	17,400
50002	Kinross correctional facility – Kincheloe	28,200
51002	Marquette branch prison – Marquette	19,000
52002	Oaks correctional facility – Eastlake	12,800
53002	Standish maximum correctional facility – Standish	25,100
54002	Newberry correctional facility – Newberry	15,200
55002	Ojibway correctional facility – Marenisco	12,600
56002	Pugsley correctional facility – Kingsley	13,200
61002	Richard A. Handlon correctional facility – Ionia	13,800
62002	Ionia maximum correctional facility – Ionia	6,500
66002	Muskegon correctional facility – Muskegon	11,800
67002	Bellamy Creek correctional facility – Ionia	7,700
69002	St. Louis correctional facility – St. Louis	15,300
70002	Pine River correctional facility – St. Louis	7,600
72002	Earnest C. Brooks correctional facility – Muskegon	26,600
74002	Michigan reformatory – Ionia	25,400
75002	Huron Valley correctional complex – Ypsilanti	17,100
77002	Lakeland correctional facility – Coldwater	17,700
79002	Gus Harrison correctional facility – Adrian	12,900
80002	Thumb correctional facility – Lapeer	7,100
82002	Robert Scott correctional facility – Plymouth	14,100
83002	Saginaw correctional facility – Freeland	9,200
86002	Ryan correctional facility – Detroit	8,600
87002	Mound correctional facility – New Haven	9,100
89002	Macomb correctional facility – New Haven	10,900
		<u>1,000,000</u>

6. Department of Education

Appropriation Number	Item	Reduction Amount
01605	Central support	16,500
04201	Special education operations	57,500
06101	School improvement operations	218,500
07501	School finance and school law operations	3,500
		<u>296,000</u>

7. Department of Energy, Labor and Economic Growth

Appropriation Number	Item	Reduction Amount
06000	Workforce programs administration	100,000
07304	Commission on Spanish-speaking affairs	15,000
08203	Workforce training programs subgrantees	7,836,600
08270	Focus: HOPE	86,000
09520	Michigan rehabilitation services	100,000

09550	Vocational rehabilitation independent living	500,000
11210	Commission for the blind	23,700
11601	Administration	768,000
11603	Board of magistrates and appellate commission	304,100
11604	Wage and hour division	12,000
14003	Michigan housing and community development fund	2,163,400
18003	Michigan nursing corps	454,400
27010	Fire marshal program	50,000
27120	Fire fighters training council	495,000
		<u>12,908,200</u>

The amount in Section 431(7) of 2008 PA 251 is reduced to \$4,545,600.

The amount in Section 432a(1) of 2008 PA 251 is reduced to \$7,163,400.

The amounts in Section 432a(1)(b) of 2008 PA 251 are reduced to \$0.00.

The amount in Section 432a(5) of 2008 PA 251 is reduced to \$7,163,400.

The amount in Section 432a(6) of 2008 PA 251 is reduced to \$7,163,400.

The amount in Section 438(1) of 2008 PA 251 is reduced to \$0.00.

8. Department of Environmental Quality

Appropriation Number	Item	Reduction Amount
01017	Office of the Great Lakes	41,300
01345	Building occupancy charges	874,900
03326	Minerals wells management	73,400
04320	Pollution prevention and technical assistance	281,800
04620	Air quality programs	220,000
04709	Radiological protection program	50,000
04715	Underground storage tank program	821,900
04718	Aboveground storage tank program	175,000
04912	Drinking water and environmental health	60,000
04918	Water withdrawal assessment program	80,000
06051	Water pollution control and drinking water revolving fund	2,196,200
		<u>4,874,500</u>

9. Executive Office

Appropriation Number	Item	Reduction Amount
00139	Executive office	<u>197,200</u>
		197,200

10. Department of History, Arts, and Libraries

Appropriation Number	Item	Reduction Amount
01620	Cultural economic development	24,000
02001	Administration	26,000
02002	Arts and cultural grants	286,000
03050	Library of Michigan operations	344,500

03150	State aid to libraries	400,000
03300	Subregional state aid	20,200
04100	Historical administration and services	312,100
04180	Thunder Bay national marine sanctuary and underwater preserve	50,000
07511	Mackinac Island park operation	57,000
07516	Historical facilities system	<u>57,000</u>
		1,576,800

11. Department of Human Services

Appropriation Number	Item	Reduction Amount
11300	Michigan community service commission	50,000
11350	Demonstration projects	11,000
12080	Payroll taxes and fringe benefits	5,805,500
15100	AFC, children's welfare and day care licensure	3,500,000
16100	Information technology services and projects	165,000
16500	Child support automation	6,530,000
32500	Family independence program	1,778,300
32540	State supplementation	9,628,300
32550	Day care services	994,100
32580	State supplementation administration	297,300
32630	Indigent burial	953,300
32640	Emergency services allocations local offices	2,300,000
47290	Child care fund	20,000,000
47350	Community support services	100,000
62610	Field staff, salaries and wages	11,612,700
62910	Food stamp reinvestment	1,700,000
72150	Subsidized guardianship	3,974,000
72240	Family preservation and prevention services	145,700
72360	Black child and family institute	50,000
72600	ECIC, early childhood investment corporation	75,000
72760	Adoption support services	1,000,000
72810	Bridges toward responsible adulthood	200,000
72830	Communities in schools	150,000
72840	Kent county child welfare demonstration project	300,000
81450	Employment and training support services	10,439,000
83200	Legal support contracts	600,000
83300	Child support incentive payments	9,570,000
83400	State disbursement unit	<u>500,000</u>
		92,429,200

The amount in Section 309 of 2008 PA 248 is reduced to \$89,000.00.

The amount in Section 613 of 2008 PA 248 for the maximum allowable reimbursement limit for indigent burials is reduced to \$700.00 and distributions are reduced to the following amounts: for funeral directors, \$435.00; for cemeteries or crematoriums, \$165.00; and for the provider of the vault, \$100.00.

The amount in Section 658 of 2008 PA 248 is reduced to \$94,900.00.

The amount in Section 668(1) of 2008 PA 248 is reduced to \$187,500.00.

The amount in Section 693 (1) of 2008 PA 248 is reduced to \$0.00.

12. Department of Management and Budget

Appropriation Number	Item	Reduction Amount
00005	Information technology services and projects (Department of Management and Budget)	879,000
02816	Office of children's ombudsman	110,000
11000	Executive operations	5,000
12000	Administrative services	5,000
13000	Budget and financial management	160,000
16000	Business support services	105,000
19150	Information technology services and projects (Civil Service Commission)	200,000
19200	Agency services	325,600
19300	Executive direction	150,000
19500	Audit and compliance	265,500
19900	Human resources operations	<u>160,100</u>
		2,365,200

13. Department of Military and Veterans Affairs

Appropriation Number	Item	Reduction Amount
01011	Headquarters and armories	200,000
02011	Military training sites and support facilities	350,000
03016	Special maintenance – state	200,000
03700	D.J. Jacobetti veterans' home	150,000
03800	Information technology services and projects	3,200
05010	American legion	226,500
05011	Disabled American veterans	187,200
05012	Marine corps league	86,000
05013	American veterans of WW II and Korea	118,700
05014	Veterans of foreign wars	226,400
05015	Michigan paralyzed veterans of America	42,500
05016	Purple heart	40,400
05019	Polish legion of American veterans	10,500
05020	Jewish veterans of America	10,500
05021	State of Michigan council – Vietnam veterans of America	40,800
05023	Catholic war veterans	10,500
30000	Special maintenance, remodeling and additions	<u>126,000</u>
		2,029,200

14. Department of Natural Resources

Appropriation Number	Item	Reduction Amount
01001	Executive direction	10,000
01005	Communications	25,000
01092	Commission	2,000
01093	Unclassified salaries	5,000
01106	Budget and support services	2,000
01107	Financial services	25,000
01108	Grants management	50,000
02132	Wildfire protection	14,000

02156	Forest recreation	70,800
02207	Natural resources heritage	46,800
02211	Wildlife management	36,400
02302	Water withdrawal assessment program	46,900
03116	General law enforcement	82,300
08914	Information technology services and projects	<u>2,400</u>
		418,600

15. School Aid

The general fund amount in Section 11(1) of the State School Aid Act of 1979, 1979 PA 94, MCL 388.1611(1), for the fiscal year ending on September 30, 2009, is reduced to \$33,800,000.00.

16. Department of State

Appropriation Number	Item	Reduction Amount
14100	Department services – operations	155,800
15100	Regulatory services – operations	255,000
19100	Branch operations	534,400
19300	Central operations	100,000
45500	Information technology services and projects	<u>300</u>
		1,045,500

17. Department of State Police

Appropriation Number	Item	Reduction Amount
15010	Management services	268,400
22210	Standards and training	600,000
32010	Uniform services	1,500,000
32500	At-post troopers	4,768,400
42010	Laboratory operations	3,811,000
51140	Fleet leasing	2,200,000
61000	Information technology services and projects	<u>860,000</u>
		14,007,800

18. Department of Treasury

Appropriation Number	Item	Reduction Amount
01201	Treasury operations information technology services and projects	75,500
01308	Rent and building occupancy charges – property management services	43,600
01314	Travel	100,000
01900	Department services	12,500
01950	Program management	6,300
01960	Mail operations	10,400
02440	Property tax appeal program	500,000
02450	Revenue enhancement program	300,000
02480	Michigan business tax implementation	1,300,000
03501	Student financial assistance programs	23,800
04201	Supervision of the general property tax law	406,000
04501	Local finance	28,200
06301	Commercial forest reserve	16,900

06303	Swamp and tax reverted lands	5,300
09316	Senior citizen cooperative housing tax exemption program	316,500
09430	Grants to counties in lieu of taxes	1,300
09450	Special grants	106,000
30100	Economic development job training grants	<u>1,166,200</u>
		4,418,500

The amount in Section 952 of 2008 PA 261 is reduced to \$106,000.00.

19. Expenditure Reductions – Furlough Days

General fund/general purpose expenditures authorized by appropriations contained in the following public acts are reduced by the amounts listed for the following departments and offices resulting from the temporary layoff of personnel. The State Budget Director is authorized to take any and all related actions necessary to properly record the expenditure reductions resulting from the temporary layoff of personnel, including federal and state restricted revenue expenditures, as part of the financial transactions for the fiscal year ending September 30, 2009.

Public Act	Department	Amount
2008 PA 253	Agriculture	\$398,300
2008 PA 261	Attorney General	463,800
2008 PA 261	Civil Rights	166,600
2008 PA 246	Community Health	2,310,700
2008 PA 245	Corrections	9,470,400
2008 PA 212	Education	67,500
2008 PA 251	Energy, Labor and Economic Growth	160,700
2008 PA 247	Environmental Quality	290,600
2008 PA 261	Executive Office	82,000
2008 PA 254	History, Arts, and Libraries	239,000
2008 PA 248	Human Services	5,055,600
2008 PA 261	Management and Budget	621,800
2008 PA 214	Military and Veterans Affairs	205,600
2008 PA 252	Natural Resources	154,300
2008 PA 261	State	289,500
2008 PA 249	State Police	1,161,600
2008 PA 261	Treasury	<u>563,100</u>
	TOTAL	\$21,701,100

C. Portions of appropriations financed with special purpose revenue amounting to \$117,522,600.00 contained in the following public acts are reduced as follows:

Public Act	Department	Reduction Amount
2008 PA 253	Agriculture	\$7,677,800
2008 PA 246	Community Health	4,592,600
2008 PA 251	Energy, Labor and Economic Growth	14,000,000
2008 PA 213	Higher Education	5,000,000
2008 PA 248	Human Services	23,443,200
2008 PA 275	Transportation	12,000,000
2008 PA 261	Treasury	<u>50,809,000</u>
	TOTAL	\$117,522,600

D. The reduction totals for the departments and agencies in Section C include the following appropriation items or are predicated upon the following actions:

1. Department of Agriculture – State Services Fee Fund

Appropriation Number	Item	Reduction Amount
03820	Office of racing commissioner	3,811,000
03920	Premiums – county and state fairs	<u>1,466,800</u>
		5,277,800

2. Department of Agriculture – Agriculture Equine Industry Development Fund

Appropriation Number	Item	Reduction Amount
03910	Purses and supplements – fairs/licensed tracks	1,000,000
03930	Thoroughbred program	<u>1,400,000</u>
		2,400,000

3. Department of Community Health – Healthy Michigan Fund

Appropriation Number	Item	Reduction Amount
11268	Minority health grants and contracts	225,000
11352	Cancer prevention and control program	397,700
11360	Smoking prevention program	272,500
11363	Diabetes and kidney program	377,500
11369	Physical fitness, nutrition and health	280,000
11380	Chronic disease prevention	275,000
11384	Alzheimer’s information network	116,000
11387	Michigan Parkinson’s foundation	20,000
11390	Tobacco tax collection and enforcement	152,500
11393	Morris Hood Wayne State University diabetes outreach	160,000
12271	Local health services	55,000
14251	Pregnancy prevention program	21,400
14254	Childhood lead program	250,000
14259	Special projects	275,000
14262	Local MCH services	61,500
14274	Dental programs	37,500
14281	Family planning local agreements	102,000
16758	Immunization program management and field support	81,600
16778	Immunization local agreements	437,500
33860	Special Medicaid reimbursement	75,000
46512	Nutrition services	<u>167,000</u>
		3,839,700

The amount in Section 1010 of 2008 PA 246 is reduced to \$150,000.00.

The amount in Section 1109(1) of 2008 PA 246 is reduced by \$37,500.00.

The amount in Section 1132 of 2008 PA 246 is reduced to \$300,000.00.

4. Department of Community Health – Michigan Health Initiative Fund

Appropriation Number	Item	Reduction Amount
11356	AIDS and risk reduction clearinghouse and media campaign	540,400
		<u>540,400</u>

5. Department of Community Health – Merit Award Trust Fund

Appropriation Number	Item	Reduction Amount
46520	Respite care program	<u>212,500</u>
		212,500

The amount in Section 1406 of 2008 PA 246 is reduced to \$4,787,500.00.

6. Department of Energy, Labor and Economic Growth – Temporary Assistance for Needy Families – Federal Funds

Appropriation Number	Item	Reduction Amount
09530	Jobs, education and training program	<u>14,000,000</u>
		14,000,000

The amount in Section 442(1) of 2008 PA 251 is reduced to \$7,000,000.00.

7. Higher Education – Michigan Merit Award Trust Fund

Appropriation Number	Item	Reduction Amount
80100	Michigan promise grant program	<u>5,000,000</u>
		5,000,000

8. Department of Human Services – Temporary Assistance for Needy Families – Federal Funds

Appropriation Number	Item	Reduction Amount
32550	Day care services	9,530,000
32630	Indigent burial	71,700
72240	Family preservation and prevention services	954,300
72270	Families first	750,000
72290	Strong families, safe children	2,000,000
72310	Zero to three	1,000,000
72320	Family group discussion making	802,200
72340	Community protection and permanency	4,000,000
72400	Teenage parent counseling	1,300,000
81450	Employment and training support services	60,000
81460	Marriage initiative	950,000
81470	Fatherhood initiative	800,000
82380	Community services block grants	<u>1,200,000</u>
		23,418,200

The amount in Section 420 of 2008 PA 248 is reduced to \$30,000.00.

The amount in Section 424 of 2008 PA 248 is reduced to \$150,000.00.

9. Department of Human Services – Child Care Development Fund – Federal Funds

Appropriation Number	Item	Reduction Amount
32550	Day care services	<u>25,000</u>
		25,000

The amount in Section 676(2) of 2008 PA 248 is reduced to \$0.00.

10. Department of Transportation – Transportation Economic Development Fund

Appropriation Number	Item	Reduction Amount
87210	Target industries/economic redevelopment	<u>12,000,000</u>
		12,000,000

11. Department of Treasury – Delinquent Tax Collection Revenue

Appropriation Number	Item	Reduction Amount
01301	Worker’s compensation insurance premium	134,000
01870	Collections	100,000
01950	Program management	<u>25,000</u>
		259,000

12. Department of Treasury – Michigan Merit Award Trust Fund

Appropriation Number	Item	Reduction Amount
03216	Michigan education savings program	<u>100,000</u>
		100,000

13. Department of Treasury – Sales Tax Revenue

Appropriation Number	Item	Reduction Amount
09466	Statutory state general revenue sharing grants	<u>41,400,000</u>
		41,400,000

14. Department of Treasury – Michigan Strategic Fund – 21st Century Jobs Trust Fund

Appropriation Number	Item	Reduction Amount
20000	Jobs for Michigan investment program – 21st century jobs fund	9,050,000
		<u>9,050,000</u>

E. The following 21st Century Jobs Trust Fund work project accounts, totaling \$9,950,000.00, are hereby reduced:

Appropriation Number (Appropriation Year)	Item	Reduction Amount
14530 (AY 06)	<u>Treasury</u> Agriculture development fund	5,000,000
20501 (AY 06)	<u>Michigan Strategic Fund</u> Grant to Michigan forest finance authority	4,950,000
		<u>9,950,000</u>

The State Budget Director is authorized to take any and all actions necessary to implement the provisions of this Order to reduce expenditures authorized by appropriations as specified above for the fiscal year beginning on October 1, 2008 and ending on September 30, 2009.

This Order is effective upon approval by the appropriations committees of the House of Representatives and the Senate, as provided under Section 20 of Article V of the Michigan Constitution of 1963 and Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this fifth day of May, in the year of our Lord, two thousand nine.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

By unanimous consent the House returned to the order of
Notices

May 5, 2009

Mr. Richard J. Brown, Clerk
House of Representatives
State of Michigan
State Capitol Building
Lansing, MI 48909

Dear Mr. Brown:

Pursuant to the authority vested in Governor Jennifer M. Granholm by Article V, Section 20 of the Constitution of the State of Michigan and language contained in P. A. 431 of 1984, as amended: I, Representative George Cushingberry Jr., Chair of the House Appropriations Committee of the Michigan State Legislature, hereby certify that the official minutes of the Committee show that the majority of members of the Committee, elected and serving, are recorded as approving Executive Order No. 2009 – 22, dated May 5, 2009.

Sincerely,
Representative George Cushingberry Jr., Chair
House Appropriations Committee

Communications from State Officers

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

April 28, 2009

Pursuant to Section 384(2) of Public Act 275 of 2008, attached is a report intended to fulfill the requirements of the following language:

The department will report on a quarterly basis to both the house and senate appropriations committees on any expenditures relative to the process identified in subsection (1).

Sec. 384 (1) The state transportation department is allowed to finish the Detroit River international crossing (DRIC) study provided that activity associated with finishing the DRIC study shall not bind the state in any way to construction. Certain preliminary activities which are necessary to prepare a proposal for a decision by the legislature are allowed as long as they do not bind the state. Those activities include all of the following:

- (a) Applications for permits and approvals.*
- (b) Preliminary design engineering work.*
- (c) Preliminary utility planning and relocation.*
- (d) Preliminary financial and funding arrangements.*

The report includes a listing of internal, consultant, and total study expenditures to-date through the end of the second quarter of Fiscal Year 2009, two charts detailing expenditures by year and source of funds, and monthly progress reports for the quarter detailing the history of the consultant team's efforts on behalf of the department.

The Michigan Department of Transportation takes great pride in the way we are conducting the DRIC study. We urge you to visit the project Web site, www.partnershipborderstudy.com, where a wealth of additional information regarding study data and activities has been available since 2005. All material attached to this memo will be made available on the project Web site if not already posted.

If you have any questions, please feel free to contact me at (517) 373-3946 or DeCookR@michigan.gov.

Sincerely,
Ronald K. DeCook, Director
Office of Governmental Affairs

The communication was referred to the Clerk.

Introduction of Bills

Rep. Haines introduced

House Bill No. 4871, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending section 55 (MCL 205.755).

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

Rep. Haines introduced

House Bill No. 4872, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 30c (MCL 211.30c), as amended by 1996 PA 476.

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

Rep. Haines introduced

House Bill No. 4873, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 24c (MCL 211.24c), as amended by 2003 PA 247.

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

Rep. Haines introduced

House Bill No. 4874, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 30 (MCL 211.30), as amended by 2003 PA 194.

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

Rep. Haines introduced

House Bill No. 4875, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2030, 2035, 74101, 74116, 74117, 74118, 74122, 74123, and 78105 (MCL 324.2030, 324.2035, 324.74101, 324.74116, 324.74117, 324.74118, 324.74122, 324.74123, and 324.78105), sections 2030 and 2035 as added and sections 74101, 74122, and 78105 as amended by 2004 PA 587, sections 74116, 74118, and 74123 as added by 1995 PA 58, and section 74117 as amended by 2006 PA 477.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Rep. Meadows introduced

House Bill No. 4876, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703), as amended by 2006 PA 443.

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

Reps. McMillin, Rocca, Opsommer and Lori introduced

House Bill No. 4877, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2007 PA 94.

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

Reps. Rick Jones, Tyler, Lori, DeShazor, Walsh, Denby, Switalski, Marleau and Dean introduced

House Bill No. 4878, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1180.

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

Reps. Liss, Ball, Slavens, Lisa Brown, Johnson, Durhal, Bettie Scott, Young, Walsh, Denby, Donigan, Griffin, Roy Schmidt, Valentine and Womack introduced

House Bill No. 4879, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20507 (MCL 333.20507).

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

Reps. Valentine, Warren, Smith, Stanley, Leland, Durhal, Bettie Scott and Liss introduced

House Bill No. 4880, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 932c. The bill was read a first time by its title and referred to the Committee on Ethics and Elections.

Reps. Valentine, Warren, Smith, Stanley, Leland, Durhal, Bettie Scott and Liss introduced

House Bill No. 4881, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11d of chapter XVII (MCL 777.11d), as added by 2002 PA 31.

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

Reps. Calley, Young, McMillin and Horn introduced

House Bill No. 4882, 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. Calley, Walsh and Haines introduced

House Bill No. 4883, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7oo. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Calley introduced

House Bill No. 4884, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 207 (MCL 208.1207), as amended by 2008 PA 435.

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

Reps. Tlaib, Geiss, Nathan, Durhal, Bettie Scott, Johnson, Stanley, Lemmons, Polidori, Constan, Leland, Young, Lipton, Kennedy, Womack and Jackson introduced

House Bill No. 4885, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1304, 1312, 1321, and 1344 (MCL 600.1304, 600.1312, 600.1321, and 600.1344), sections 1304 and 1321 as amended by 2004 PA 12, section 1312 as amended by 2005 PA 6, and section 1344 as amended by 2002 PA 739, and by adding sections 1301c, 1310a, and 1310b.

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

Reps. Nathan, Cushingberry, Tlaib, Durhal, Bettie Scott, Johnson, Geiss, Stanley, Lemmons, Polidori, Constan, Leland, Young, Lipton, Kennedy, Womack and Jackson introduced

House Bill No. 4886, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 28 (MCL 205.28), as amended by 2003 PA 114.

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

Rep. Mayes introduced

House Bill No. 4887, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101 and 36104a (MCL 324.36101 and 324.36104a), section 36101 as amended by 2008 PA 336 and section 36104a as added by 1996 PA 233.

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

Rep. Young introduced

House Bill No. 4888, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 4510.

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

Rep. Young introduced

House Bill No. 4889, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 432 (MCL 380.432), as amended by 2004 PA 303, and by adding section 435.

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

Announcements by the Clerk

April 30, 2009

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

Financial audit of the Michigan Exposition and Fairgrounds Authority, a discretely presented component unit of the State of Michigan, for the period October 1, 2007 through September 30, 2008.

Richard J. Brown
Clerk of the House

Rep. Nathan moved that the House adjourn.

The motion prevailed, the time being 3:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, May 6, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

