No. 50

MICHIGAN HOUSE OF REPRESENTATIVES

DAILY CALENDAR

TUESDAY, MAY 31, 2011 1:30 p.m.

REPORTS OF SELECT COMMITTEES REPORTS OF SELECT COMMITTEES SB 169 Sen. Green SB 171 Sen. Booher Appropriations; zero budget; department of agriculture Appropriations; zero budget; community colleges; proand rural development; provide for fiscal year 2011-2012. vide for fiscal year 2011-2012. Creates appropriation act. Creates appropriation act. (Conference report received; laid over 1 day May 24, (Conference report received; laid over 1 day May 25, (For conference report, see House Journal No. 47, (For conference report, see House Journal No. 48, page 747.) page 821.) SB 174 Sen. Walker SB 178 Sen. Schuitmaker Appropriations; zero budget; higher education; provide Appropriations; zero budget; department of education; for fiscal year 2011-2012. provide for fiscal year 2011-2012. Creates appropriation act. Creates appropriation act. (Conference report received; laid over 1 day May 24, (Conference report received; laid over 1 day May 25, (For conference report, see House Journal No. 47, (For conference report, see House Journal No. 48, page 756.) page 827.) SB SB 179 Sen. Caswell 175 Sen. Jansen Appropriations; zero budget; department of human serv-Appropriations; zero budget; department of energy, labor, ices; provide for fiscal year 2011-2012. and economic growth; provide for fiscal year 2011-2012. Creates appropriation act. Creates appropriation act. (Conference report received; laid over 1 day May 24, (Conference report received; laid over 1 day May 25, 2011.) (For conference report, see House Journal No. 47, (For conference report, see House Journal No. 48, page 769.) page 836.) ____ 9 ____ SB 181 Sen. Colbeck SB 176 Sen. Green Appropriations; zero budget; department of military and Appropriations; zero budget; department of environveterans affairs; provide for fiscal year 2011-2012. mental quality; provide for fiscal year 2011-2012. Creates appropriation act. Creates appropriation act. (Conference report received; laid over 1 day May 24, (Conference report received; laid over 1 day May 25, 2011.) (For conference report, see House Journal No. 47, (For conference report, see House Journal No. 48, page 788.) page 849.) ____ 10 _____ 184 Sen. Colbeck SB 180 Sen. Proos SB Appropriations; zero budget; department of state police; Appropriations; zero budget; judiciary; provide for fiscal provide for fiscal year 2011-2012. year 2011-2012. Creates appropriation act. Creates appropriation act.

2011.)

page 865.)

(Conference report received; laid over 1 day May 25,

(For conference report, see House Journal No. 48,

page 797.)

2011.)

(Conference report received; laid over 1 day May 24,

(For conference report, see House Journal No. 47,

REPORTS OF SELECT COMMITTEES

____ 11 _____

SB 182 Sen. Green

Appropriations; zero budget; department of natural resources; provide for fiscal year 2011-2012.

Creates appropriation act.

(Conference report received; laid over 1 day May 25, 2011.)

(For conference report, see House Journal No. 48, page 871.)

____ 12 _____

SB 183 Sen. Walker

Appropriations; zero budget; multisection school aid; provide for fiscal year 2011-2012.

Amends secs. 11 & 17b of 1979 PA 94 (MCL 388.1611 & 388.1617b).

(Conference report received; laid over 1 day May 25,

(For conference report, see House Journal No. 48, page 884.)

____ 13 ____

172 Sen. Moolenaar

Appropriations; zero budget; department of community health; provide for fiscal year 2011-2012.

Creates appropriation act.

(Conference report received; laid over 1 day May 26, 2011.)

(For conference report, see House Journal No. 48, page 1224.)

____ 14 _____

SB 173 Sen. Proos

Appropriations; zero budget; department of corrections; provide for fiscal year 2011-2012.

Creates appropriation act.

(Conference report received; laid over 1 day May 26,

(For conference report, see House Journal No. 48, page 1250.)

_____ 15 _____

SB 177 Sen. Pappageorge

Appropriations; zero budget; general government; provide for fiscal year 2011-2012.

Creates appropriation act.

(Conference report received; laid over 1 day May 26, 2011.)

(For conference report, see House Journal No. 48, page 1274.)

- 16 -----

SB **185** Sen. Pappageorge

Appropriations; zero budget; department of transportation; provide for fiscal year 2011-2012.

Creates appropriation act.

(Conference report received; laid over 1 day May 26, 2011.)

(For conference report, see House Journal No. 48, page 1320.)

REPORTS OF STANDING COMMITTEES

_____ 17 _____

HR 53 Rep. Brown

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.

(Reported by the Committee on Judiciary.)

(For text of resolution, see House Journal No. 31, page 428 or Session Website.)

____ 18 ______

HR 75 Rep. Jenkins

A resolution to express opposition to the federal government withholding road funding to the states based on passage of the Safe Teen and Novice Driver Uniform Protection Act (STAND UP Act).

(Reported by the Committee on Transportation.)

(For text of resolution, see House Journal No. 39, page 574 or Session Website.)

_____ 19 _____

HCR 12 Rep. Opsommer

A concurrent resolution to express opposition to the federal government withholding road funding to the states based on passage of the Safe Teen and Novice Driver Uniform Protection Act (STAND UP Act).

(Reported by the Committee on Transportation.)

(For text of resolution, see House Journal No. 39, page 576 or Session Website.)

THIRD READING

____ 20 _____

HB 4306 Rep. Agema

Education; school districts; contracting and competitive bidding for certain noninstructional services; require.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1245.

(Reported by the Committee on Education.)

(For House substitute (H-4), see Session Website.)

(For House amendments, see House Journal No. 41, page 621 or Session Website.)

HB 4565 Rep. Tyler

Crimes; controlled substances; possession of certain MDPV; prohibit, and establish penalties.

Amends sec. 7212 of 1978 PA 368 (MCL 333.7212).

(Reported by the Committee on Judiciary.)

(For House substitute (H-1), see Session Website.)

____ 22 _____

SB 104 Sen. Kahn

Vehicles; registration plates; specialty plates for scouts;

Amends sec. 811e of 1949 PA 300 (MCL 257.811e) & adds sec. 811r.

(Reported by the Committee on Transportation.) (For House substitute (H-3), see Session Website.)

HB

4525 Rep. Moss

Website.)

ations bill; provide for.

Creates appropriation act.

THIRD READING ____ 23 _____ HB 4307 Rep. Bumstead Labor; health and safety; definition of agricultural operations in MIOSHA; modify to include Christmas trees. Amends sec. 4 of 1974 PA 154 (MCL 408.1004). (Reported by the Committee on Regulatory Reform.) (For House substitute (H-2), see Session Website.) — 24 — **HB** 4316 Rep. Huuki Vehicles; equipment; requirement for brakes; exempt log slasher units. Amends sec. 705 of 1949 PA 300 (MCL 257,705). (Reported by the Committee on Transportation.) — 25 — HB 4623 Rep. Nathan Cities; income tax; population requirements for eligibility; revise. Amends secs. 3 & 3c, ch. 1 of 1964 PA 284 (MCL 141.503 & 141.503c). (Reported by the Committee on Tax Policy.) (For House substitute (H-2), see Session Website.) ____ 26 _____ 4624 Rep. Santana HBTaxation; utility users; population requirements for eligibility; revise. Amends title & sec. 2 of 1990 PA 100 (MCL 141.1152). (Reported by the Committee on Tax Policy.) (For House substitute (H-2), see Session Website.) SECOND READING ____ 27 _____ HB 4523 Rep. Moss Appropriations; zero budget; omnibus budget appropriations bill; provide for. Creates appropriation act. (Reported by the Committee on Appropriations.) (For proposed House substitute (H-1), see Session Website.) ____ 28 ____ HB **4524** Rep. Moss Appropriations; zero budget; omnibus budget appropriations bill; provide for. Creates appropriation act. (Reported by the Committee on Appropriations.) (For proposed House substitute (H-1), see Session Website.) ____ 29 _____

Appropriations; zero budget; omnibus budget appropri-

(For proposed House substitute (H-1), see Session

(Reported by the Committee on Appropriations.)

SECOND READING

____ 30 _____

HB 4159 Rep. Lund

Retirement; state employees; sunset on 3% employee retirement; repeal.

Amends sec. 35 of 1943 PA 240 (MCL 38.35).

(Reported by the Committee on Oversight, Reform, and Ethics.)

____ 31 ____

HB 4287 Rep. Haveman

Labor; fair employment practices; fair and open competition in governmental construction act; create.

Creates new act.

(Reported by the Committee on Commerce.)

(For proposed House amendment, see House Journal No. 25, page 319 or Session Website.)

— 32 ——

HB 4042 Rep. MacMaster

Environmental protection; permit denial; require department to provide applicant with a scientific rationale for the decision.

Amends sec. 1307 of 1994 PA 451 (MCL 324.1307).

(Reported by the Committee on Regulatory Reform.) (For proposed House substitute (H-1), see Session Website.)

— 33 ———

HB 4043 Rep. MacMaster

Environmental protection; enforcement actions; require department to meet with permittee prior to initiating enforcement.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 1511.

(Reported by the Committee on Regulatory Reform.) (For proposed House substitute (H-2), see Session Website.)

____ 34 _____

HB 4349 Rep. Heise

Criminal procedure; forfeiture; use of state forfeiture funds; expand to include use for any law enforcement purpose.

Amends sec. 7524 of 1978 PA 368 (MCL 333.7524).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-2), see Session Website.)

____ 35 _____

HB 4151 Rep. Denby

Gaming; horse racing; gaming control board; require representation of equine industry interests.

Amends sec. 4 of 1996 IL 1 (MCL 432.204).

(Reported by the Committee on Agriculture.)

(For proposed House substitute (H-1), see Session Website.)

____ 36 _____

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HB 4169 Rep. Heise

Michigan business tax; tax base; purchases from other firms; include certain payments to subcontractors.

Amends sec. 113 of 2007 PA 36 (MCL 208.1113).

(Reported by the Committee on Tax Policy.)

SECOND READING

HB 4133 Rep. Heise

Water; quality; water quality alliances; provide for. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by

adding pt. 32.

(Reported by the Committee on Natural Resources, Tourism, and Outdoor Recreation.)

(For proposed House substitute (H-2), see Session Website.)

38 —

HB 4466 Rep. Scott

Labor; public service employment; changes in provisions concerning teacher strikes; provide for.

Amends secs. 2a & 6 of 1947 PA 336 (MCL 423.202a & 423.206).

(Reported by the Committee on Education.)

(For proposed House substitute (H-2), see Session Website.)

_____ 39 _____

SB 19 Sen. Jones

Crimes; disorderly conduct; penalties for disrupting a religious service; increase.

Amends sec. 169 of 1931 PA 328 (MCL 750.169).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-3), see Session Website.)

40 —

SB 99 Sen. Jones

Crimes; controlled substances; possession of certain schedule 1 controlled substances; prohibit, and provide a penalty.

Amends sec. 7403 of 1978 PA 368 (MCL 333.7403).

(Reported by the Committee on Judiciary.)

SB 207 Sen. Hune

Natural resources; hunting; minimum hunting age; eliminate, and create mentored youth hunting program.

Amends secs. 43517, 43520, 43525a & 43531 of 1994 PA 451 (MCL 324.43517 et seq.).

(Reported by the Committee on Natural Resources, Tourism, and Outdoor Recreation.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-3), see Session Website.)

____ 42 ______

SB 223 Sen. Kowall

Economic development; commercial redevelopment; definition of qualified facility; expand certain restrictions.

Amends secs. 2 & 8 of 2005 PA 210 (MCL 207.842 & 207.848).

(Reported by the Committee on Commerce.) (For Senate substitute (S-1), see Session Website.)

— 43 —

HB 4293 Rep. Haugh

Explosives; licensing; Michigan fireworks safety act; create

Creates new act & repeals ch. XXXIX of 1931 PA 328 (MCL 750.243a - 750.243e).

(Reported by the Committee on Regulatory Reform.) (For proposed House substitute (H-4), see Session Website.)

SECOND READING

— 44 ———

HB 4294 Rep. Haugh

Criminal procedure; sentencing guidelines; sentencing guidelines for Michigan fireworks safety act violations; enact.

Amends sec. 11b, ch. XVII of 1927 PA 175 (MCL 777.11b).

(Reported by the Committee on Regulatory Reform.) (For proposed House substitute (H-1), see Session Website.)

HB 4403 Rep. Jackson

Courts; juries; individuals who fail to return jury questionnaires; ensure continued eligibility for jury service.

Amends sec. 1313 of 1961 PA 236 (MCL 600.1313).

(Reported by the Committee on Judiciary.)

HB 4005 Rep. Heise

Elections; school; dates of school elections; require to be in November of even numbered years.

Amends secs. 302 & 644g of 1954 PA 116 (MCL 168.302 & 168.644g) & adds sec. 642c.

(Reported by the Committee on Redistricting and Elections.)

HB 4006 Rep. Heise

Elections; school; technical amendments to revised school code concerning school board elections; provide for. Amends secs. 4, 5 & 614 of 1976 PA 451 (MCL 380.4 et

Amends secs. 4, 5 & 614 of 1976 PA 451 (MCL 380.4 e seq.).

(Reported by the Committee on Redistricting and Elections.)

HB 4452 Rep. Yonker

Employment security; benefits; eligibility of educational contractor employees; revise.

Amends sec. 27 of 1936 (Ex Sess) PA 1 (MCL 421.27).

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-2), see Session Website.)

HB 4016 Rep. Stamas

Environmental protection; other; NREPA programs; require peer review or benchmark analysis.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 27.

(Reported by the Committee on Regulatory Reform.) (For proposed House substitute (H-2), see Session Website.)

____ 50 _____

HB 4017 Rep. Agema

Environmental protection; other; stratified random sampling process; establish for inspections under NREPA.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 1505.

(Reported by the Committee on Regulatory Reform.) (For proposed House substitute (H-1), see Session Website.)

SECOND READING

_____ 51 _____

HB 4303 Rep. McBroom

Natural resources; wetlands; wetland mitigation; exempt county road commission.

Amends sec. 30311d of 1994 PA 451 (MCL 324.30311d).

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-1), see Session Website.)

_____ 52 _____

HB 4106 Rep. Oakes

Criminal procedure; expunction; expand record expunction for certain offenders; provide for under certain circumstances.

Amends secs. 1, 3 & 4 of 1965 PA 213 (MCL 780.621 et seq.).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-4), see Session Website.)

_____ 53 _____

SB 159 Sen. Jones

Criminal procedure; expunction; eligibility requirements for setting aside convictions; revise.

Amends sec. 1 of 1965 PA 213 (MCL 780.621).

(Reported by the Committee on Judiciary.)

(For Senate amendment, see Senate Journal No. 30, page 442.)

___ 54 _____

HB 4563 Rep. Nesbitt

State; escheats; business-to-business exemption; provide for.

Amends 1995 PA 29 (MCL 567.221 - 567.265) by adding sec. 37a.

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-1), see Session Website.)

_____ 55 _____

HB 4553 Rep. MacMaster

Occupations; landscape architects; requirement for continuing education for renewal of license; establish.

Amends secs. 2203 & 2205 of 1980 PA 299 (MCL 339.2203 & 339.2205).

(Reported by the Committee on Regulatory Reform.)

_____ 56 _____

HB 4625 Rep. Rogers

Education; teachers; standards for achieving and retaining teacher tenure; revise, and make certain revisions to hearing procedures.

Amends secs. 1, 2, 3 & 3a, art. II, secs. 1, 2 & 3, art. III & sec. 4, art. IV of 1937 (Ex Sess) PA 4 (MCL 38.81 et seq.); adds secs. 3b & 3c to art. II & repeals sec. 5, art. IV of 1937 (Ex Sess) PA 4 (MCL 38.105).

(Reported by the Committee on Education.)

(For proposed House substitute (H-4), see Session Website.)

SECOND READING

HB 4626 Rep. Scott

Education; teachers; discharge or demotion of a teacher on continuing tenure; revise permissible grounds for, change definition of demote, and limit length of time salary continues during suspension.

Amends sec. 4, art. I & secs. 1 & 3, art. IV of 1937 (Ex Sess) PA 4 (MCL 38.74 et seq.).

(Reported by the Committee on Education.)

(For proposed House substitute (H-2), see Session Website.)

HB 4627 Rep. O'Brien

Education; teachers; effectiveness as determining factor when reduction of teachers is required; establish, and require mutual consent policy for teacher placement.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding secs. 1247 & 1248.

(Reported by the Committee on Education.)

(For proposed House substitute (H-2), see Session Website.)

____ 59 _____

HB 4628 Rep. Yonker

Education; employees; additional prohibited subjects of bargaining for public school employees; provide for.

Amends sec. 15 of 1947 PA 336 (MCL 423.215).

(Reported by the Committee on Education.)

(For proposed House substitute (H-3), see Session Website.)

_____ 60 _____

HB 4003 Rep. Opsommer

Labor; public service employment; definition of public employee; clarify regarding recognition of union based on receipt of government subsidy or interlocal agreement.

Amends secs. 1 & 14 of 1947 PA 336 (MCL 423.201 & 423.214).

(Reported by the Committee on Families, Children, and Seniors.)

_____ 61 _____

HB 4584 Rep. Opsommer

Occupations; business licensing and regulation; professional employer organizations; revise effective and implementation dates in regulatory act.

Amends secs. 7, 9, 15, 17, 19, 21, 23 & 27 of 2010 PA 370 (MCL 338.3727 et seq.).

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-1), see Session Website.)

HB 4240 Rep. Goike

Administrative procedure; rules; use of certain orders, bulletins, and guidelines; establish limit and provide for regulatory flexibility for small businesses.

Amends secs. 32, 40, 43, 61 & 64 of 1969 PA 306 (MCL 24.232 et seq.).

(Reported by the Committee on Regulatory Reform.) (For proposed House substitute (H-2), see Session Website.)

SECOND READING

— 63 **—**

HB 4326 Rep. Farrington

Administrative procedure; rules; adoption of rules by state agencies; prohibit from being more stringent than federal regulations.

Amends sec. 32 of 1969 PA 306 (MCL 24.232).

(Reported by the Committee on Regulatory Reform.)
(For proposed House substitute (H-2), see Session Website.)

____ 64 _____

HB 4500 Rep. Kowall

Administrative procedure; rules; review of existing and new rules; provide for on a periodic basis.

Amends sec. 53 of 1969 PA 306 (MCL 24.253).

(Reported by the Committee on Regulatory Reform.) (For proposed House substitute (H-2), see Session Website.)

— 65 —

HB 4573 Rep. Haines

Administrative procedure; rules; use of certain orders, bulletins, and guidelines; establish limit and provide for regulatory flexibility for small businesses.

Amends secs. 3, 32, 39, 40, 43, 45, 61 & 64 of 1969 PA 306 (MCL 24.203 et seq.) & adds sec. 45b.

(Reported by the Committee on Regulatory Reform.) (For proposed House substitute (H-2), see Session Website.)

SECOND READING

____ 66 ____

SB 118 Sen. Green

Sales tax; other; provision regarding taxpayer as materialperson; revise to include other materials.

Amends sec. 6 of 1933 PA 167 (MCL 205.56).

(Reported by the Committee on Tax Policy.)

_____ 67 ______

SB 212 Sen. Kahn

Fire; other; firefighter training programs in schools and organized fire departments; provide for.

Creates new act.

(Reported by the Committee on Local, Intergovernmental, and Regional Affairs.)

(For Senate substitute (S-1), see Session Website.)

SPECIAL, STANDING, AND STATUTORY COMMITTEE MEETINGS

(For an updated listing of committee meetings, go to http:\\www.michiganlegislature.org and click on Committee Meetings.)

	BILLS IN CONFERENCE					
Bill No.	Brief Title	Confe. House	rees Senate	Report A House	Agreed to Senate	
SB 169	Appropriations; zero budget; department of agriculture and rural development; provide for fiscal year 2011-2012.	Potvin Forlini Ananich	Green Kahn Hopgood		5/24/2011	
SB 171	Appropriations; zero budget; community colleges; provide for fiscal year 2011-2012.	Goike Genetski McCann	Booher Kahn Anderson		5/25/2011	
SB 172	Appropriations; zero budget; department of community health; provide for fiscal year 2011-2012.	Lori MacGregor Tlaib	Moolenaar Kahn Gregory		5/25/2011	
SB 173	Appropriations; zero budget; department of corrections; provide for fiscal year 2011-2012.	Haveman MacMaster Lindberg	Proos Kahn Anderson		5/25/2011	
SB 174	Appropriations; zero budget; department of education; provide for fiscal year 2011-2012.	Rogers Poleski Bauer	Walker Kahn Hopgood		5/25/2011	
SB 175	Appropriations; zero budget; department of energy, labor, and economic growth; provide for fiscal year 2011-2012.	Pscholka Rogers Ananich	Jansen Kahn Johnson		5/25/2011	
SB 176	Appropriations; zero budget; department of environmental quality; provide for fiscal year 2011-2012.	Kowall Bumstead McCann	Green Kahn Hopgood		5/25/2011	

	BILLS IN C				
Bill No.	Brief Title	Confe House	rees Senate	Report A House	Agreed to Senate
SB 177	Appropriations; zero budget; general government; provide for fiscal year 2011-2012.	Poleski Lori Durhal	Pappageorge Kahn Johnson		5/25/2011
SB 178	Appropriations; zero budget; higher education; provide for fiscal year 2011-2012.	Genetski Cotter Bauer	Schuitmaker Kahn Hood		5/24/2011
SB 179	Appropriations; zero budget; department of human services; provide for fiscal year 2011-2012.	Agema MacMaster Jackson	Caswell Kahn Gregory		5/24/2011
SB 180	Appropriations; zero budget; judiciary; provide for fiscal year 2011-2012.	Cotter Forlini Tlaib	Proos Kahn Johnson		5/25/2011
SB 181	Appropriations; zero budget; department of military and veterans affairs; provide for fiscal year 2011-2012.	MacGregor Jenkins LeBlanc	Colbeck Kahn Gregory		5/24/2011
SB 182	Appropriations; zero budget; department of natural resources; provide for fiscal year 2011-2012.	Bumstead Kowall Lindberg	Green Kahn Hopgood		5/25/2011
SB 183	Appropriations; zero budget; multisection school aid; provide for fiscal year 2011-2012.	Rogers Poleski Lipton	Walker Kahn Hopgood		5/25/2011
SB 184	Appropriations; zero budget; department of state police; provide for fiscal year 2011-2012.	MacGregor Jenkins LeBlanc	Colbeck Kahn Gregory		5/24/2011
SB 185	Appropriations; zero budget; department of transportation; provide for fiscal year 2011-2012.	Agema Goike Dillon	Pappageorge Kahn Anderson		5/25/2011