

No. 7
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House of Representatives
96th Legislature
REGULAR SESSION OF 2011

House Chamber, Lansing, Wednesday, January 26, 2011.

1:30 p.m.

The House was called to order by the Speaker.

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 | Glaridon—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—present | 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—present | 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 | | |

Rep. Timothy Bledsoe, from the 1st District, offered the following invocation:

“Almighty God, giver of all good things:

We thank You for the natural majesty and beauty of this land. They restore us, though we often destroy them.

Thank You for the great resources of this nation.

They make us rich, though we often exploit them.

We thank You for the men and women who have made this country strong. They are models for us, though we often fall short of them.

Thank You for the torch of liberty which has been lit in this land. It sustains our life, though we have been faithless again and again.

Help us O Lord, to finish the good work here begun.

Strengthen our efforts to blot out ignorance and prejudice and to abolish poverty and crime. And hasten the day when all our people, with many voices in one united chorus, will glorify Your holy Name. Amen.”

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, January 26:

| | | | | | | | | | | | |
|-------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-----------|-----------|
| House Bill Nos. | 4129 | 4130 | 4131 | 4132 | 4133 | 4134 | 4135 | 4136 | 4137 | | |
| Senate Bill Nos. | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 |

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Knollenberg, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Wednesday, January 26, 2011

Present: Reps. Knollenberg, Lyons, Farrington, Foster, Huuki, Olson, Pettalia, Womack, Switalski, Clemente and Stanley

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 26, 2011

Present: Reps. Daley, Denby, Kurtz, Tyler, Glardon, Johnson, LaFontaine, McBroom, Outman, Rendon, Santana, Brunner, Oakes, Talabi, Hovey-Wright and Segal

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 26, 2011

Present: Reps. Scott, Hooker, Crawford, McMillin, Franz, Heise, Hughes, Nesbitt, O’Brien, Price, Shaughnessy, Yonker, Brown, Darany, Howze, Hobbs, Rutledge, Stallworth and Geiss

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, January 26, 2011

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

Absent: Rep. Walsh

Excused: Rep. Walsh

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Stamas, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Wednesday, January 26, 2011

Present: Reps. Stamas, McMillin, Barnett and Kandrevas

Absent: Rep. Nesbitt

Excused: Rep. Nesbitt

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 26, 2011

Present: Reps. Opsommer, Glardon, Daley, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Geiss, Talabi, Nathan, Liss, Byrum, Smiley and Roy Schmidt

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Crawford, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, January 26, 2011

Present: Reps. Crawford, Yonker, Opsommer, Daley, McMillin, Shirkey, Franz, McBroom, Rendon, Melton, Haugh, Byrum, Slavens and Womack

Absent: Rep. Stamas

Excused: Rep. Stamas

Communications from State Officers

The following communication from the Department of Energy, Labor and Economic Growth was received and read:

January 21, 2011

Enclosed is a copy of the Financial Statements for the Unemployment Insurance Agency's Administrative Fund, Unemployment Compensation Fund and Contingent Fund for the fiscal year ended September 30, 2010. Inquiries regarding this information may be addressed to either Mr. Rodger Palm, Director of the Trust Fund, Tax and Field Audit Division at (313) 456-2405 or to me.

Sincerely,
Deborah A. Ciccone, Manager
U.I. Trust Fund Accounting
(313) 456-2507

The communication was referred to the Clerk.

Introduction of Bills

Rep. Scott introduced

House Bill No. 4138, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 2008 PA 438.

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

Rep. Melton introduced

House Bill No. 4139, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 280.

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

Rep. Melton introduced

House Bill No. 4140, entitled

A bill to provide for consolidation of health benefits for public employees; to create a board to administer a uniform public employee health benefits program; to create the MI prescription drug plan committee; to provide for powers and duties for certain state and local government departments, agencies, boards, and officers; to require public employers and retirement boards that provide health benefits to public employees and retirees to participate in the MI health benefits program; to provide for exceptions from the requirement to participate in the program; to provide for optional participation in the program by private employers; to allocate costs to participating public and private employers; to require public employers to submit certain information concerning health benefit plans; to make an appropriation; and to create a restricted fund.

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

Rep. Melton introduced

House Bill No. 4141, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding sections 762 and 763.

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

Rep. Melton introduced

House Bill No. 4142, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled “An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act,” by amending sections 1, 2, 3, and 3a of article II, sections 1, 2, and 3 of article III, and section 1 of article IV (MCL 38.81, 38.82, 38.83, 38.83a, 38.91, 38.92, 38.93, and 38.101), sections 1 and 2 of article II and section 2 of article III as amended and section 3a of article II and section 3 of article III as added by 1993 PA 59, section 1 of article III as amended by 1996 PA 282, and section 1 of article IV as amended by 2005 PA 136, and by adding section 1a to article III.

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

Reps. Gilbert, Johnson, Muxlow, Horn, Tyler, MacGregor and Lund introduced

House Bill No. 4143, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3407c.

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

Reps. Rogers, Hughes and Denby introduced

House Bill No. 4144, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 3 (MCL 125.2683), as amended by 2010 PA 277, and by adding section 8i.

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

Rep. Gilbert introduced

House Bill No. 4145, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 811e (MCL 257.811e), as amended by 2009 PA 99, and by adding sections 811r, 811s, 811t, 811u, and 811v.

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

Reps. Gilbert and Muxlow introduced

House Bill No. 4146, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 1998 PA 247, and by adding section 682c.

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

Reps. Gilbert, Johnson, Horn, Tyler, MacGregor and Lund introduced

House Bill No. 4147, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402d.

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

Reps. Denby, Hughes and Rogers introduced

House Bill No. 4148, entitled

A bill to create the delinquent special assessment revolving loan fund; to provide for the administration of the fund; to prescribe requirements for loans from the fund; to prescribe duties of certain state and local officials; and to make appropriations.

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

Reps. Denby, Hughes, Rogers and McMillin introduced

House Bill No. 4149, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78a (MCL 211.78a), as amended by 2008 PA 352.

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

Reps. Rogers, Hughes, Denby and McMillin introduced

House Bill No. 4150, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 87b (MCL 211.87b), as amended by 2002 PA 198.

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

Reps. Denby, Kowall, Kurtz, Daley and Rogers introduced

House Bill No. 4151, entitled

A bill to amend 1996 IL 1, entitled "Michigan gaming control and revenue act," by amending section 4 (MCL 432.204), as amended by 1997 PA 69.

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

Reps. Knollenberg, Bumstead, McMillin, Scott, Yonker, Hughes, Hooker, Franz, O'Brien, Haveman and Price introduced

House Bill No. 4152, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," (MCL 423.201 to 423.217) by adding section 7b.

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

Reps. Tlaib, Slavens, Geiss, Darany, Lindberg, Brown, Durhal, Santana, LeBlanc, Hammel, Melton, Segal, Townsend, Switalski, Constan, Oakes, Hovey-Wright, Olumba, Roy Schmidt, Lyons, Cavanagh, Lipton, Barnett, Bledsoe, Haugh, Dillon, Stanley, Stallworth, Hobbs, Ananich, Bauer, Liss, Heise, Haveman, Moss, Wayne Schmidt, Walsh, Talabi, Stapleton, Kandrevas, Jackson and Nathan introduced

House Bill No. 4153, entitled

A bill to designate the month of April of each year as Arab-American Heritage Month in the state of Michigan.

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

Reps. Somerville and Franz introduced

House Bill No. 4154, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 323 and 491 (MCL 18.1323 and 18.1491).

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

Rep. Farrington introduced

House Bill No. 4155, entitled

A bill to repeal 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601).

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

Reps. McMillin, Somerville and Agema introduced

House Bill No. 4156, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 13 (MCL 38.1133), as amended by 2009 PA 84.

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

Reps. Franz, Bumstead, MacMaster, Pettalia, Olson, Genetski, Muxlow, Wayne Schmidt, MacGregor, Lyons and Damrow introduced

House Bill No. 4157, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending sections 1 and 14 (MCL 423.201 and 423.214), section 1 as amended by 1999 PA 204.

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

Reps. LaFontaine, Knollenberg, Shaughnessy, Yonker, MacMaster, Lane, Farrington, Hooker, Goike and Muxlow introduced

House Joint Resolution G, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IV and by adding section 55 to article IV, to provide that certain state budget bills be presented to the governor on or before a certain date and to reduce compensation of state legislators when certain state budget bills are not presented on or before a certain date.

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

Reps. Agema, Callton, Somerville, Haines, Tyler, Huuki, Crawford, MacMaster, Shaughnessy, LaFontaine, Genetski and Franz introduced

House Joint Resolution H, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 13, 31, and 54 of article IV, to limit the legislative session, to provide that certain state budget bills be presented to the governor on or before a certain date, and to modify term limits for certain elected state offices.

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

Reps. Ouimet, Foster, Johnson, MacGregor, Somerville, McMillin, Kurtz, Opsommer, Jenkins, Kowall, LaFontaine and Shaughnessy introduced

House Joint Resolution I, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IV, sections 11, 14, 24, 26, 27, 28, 35, 35a, and 40 of article IX, and section 5 of article XI, to provide for a two-year fiscal period for the state budget.

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

Announcements by the Clerk

January 25, 2011

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

Financial audit of the State Sponsored Group Insurance Fund, a proprietary fund of the State of Michigan, administered by the Department of Technology, Management & Budget, the Civil Service Commission, and the Office of the State Employer, for the period October 1, 2009 through September 30, 2010.

Gary L. Randall
Clerk of the House

Rep. Talabi moved that the House adjourn.
The motion prevailed, the time being 1:55 p.m.

The Speaker declared the House adjourned until Thursday, January 27, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

