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House of Representatives
96th Legislature
REGULAR SESSION OF 2011

House Chamber, Lansing, Thursday, April 21, 2011.

12:00 Noon.

The House was called to order by The Clerk.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

The Honorable Gary L. Randall, Clerk of the House, offered the following invocation:

“Heavenly FATHER... as we pause during this most Holy Season to give thanks for our many blessings, we pray that Your guiding hand will touch the work that is done in this chamber today and every day.

We pray Lord that our efforts will serve the people of Michigan and are pleasing to You. This we ask in the name of Your Son and our Savior. Amen.”

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 Friday, April 15:

House Bill Nos.	4555	4556	4557	4558	4559	4560	4561	4562	4563
Senate Bill Nos.	326	327	328	329	330	331	332	333	334

Reports of Standing Committees

The Committee on Tax Policy, by Rep. Gilbert, Chair, reported

House Bill No. 4169, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 113 (MCL 208.1113), as amended by 2008 PA 472.

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

Nays: None

The Committee on Tax Policy, by Rep. Gilbert, Chair, reported

House Bill No. 4497, entitled

A bill to establish the American Red Cross Michigan fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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. Gilbert, Walsh, Horn, Foster, Lyons, Nesbitt, Ouimet, Constan, Barnett, Kandrevas, Townsend, Cavanagh and Hobbs

Nays: None

The Committee on Tax Policy, by Rep. Gilbert, Chair, reported

House Bill No. 4498, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 560.

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

Nays: None

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, April 20, 2011

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 20, 2011

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

Absent: Rep. Rutledge

Excused: Rep. Rutledge

Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing
Administrative Rules

April 1, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Community Health and the State Office of Administrative Hearings and Rules filed Administrative Rule #2010-027-CH (Secretary of State Filing #11-04-01) on this date at 3:08 P.M. for the Department of Community Health, entitled "Birth Defects Reporting".

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

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

The communication was referred to the Clerk.

Introduction of Bills

Reps. Price, Hughes, MacMaster, Kurtz, Gilbert, Jenkins, Pscholka, Liss, Haines, Scott and Wayne Schmidt introduced **House Bill No. 4564, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7340a. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Tyler, Lori, Huuki, Brown, Liss, Jacobsen, Heise, O'Brien, Pettalia, Foster, Knollenberg and Slavens introduced **House Bill No. 4565, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7212 (MCL 333.7212), as amended by 2010 PA 171.

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

Reps. Heise, LeBlanc, Gilbert, Opsommer, Shirkey, Kurtz, Johnson, Foster, Lyons, Haveman, McMillin, Constan, Hooker, Yonker, Slavens, Liss, Tlaib, LaFontaine, Hughes and Haugh introduced

House Bill No. 4566, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 24c (MCL 211.24c), as amended by 2010 PA 332.

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

Reps. Somerville, Denby, Muxlow and Daley introduced

House Bill No. 4567, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," (MCL 287.701 to 287.746) by adding section 26a.

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

Reps. Barnett, Meadows, Brown, Lipton, Irwin and Ananich introduced

House Bill No. 4568, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211c (MCL 380.1211c), as amended by 1994 PA 344.

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

Rep. Moss introduced

House Bill No. 4569, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2010 PA 217 and section 17b as amended by 2007 PA 137.

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

Rep. Moss introduced

House Bill No. 4570, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2010 PA 217 and section 17b as amended by 2007 PA 137.

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

Reps. Damrow, Franz, Agema, Moss, Rogers, MacGregor, Callton, Ouimet, Heise, Kurtz, Opsommer, Price, Muxlow, Gilbert, Poleski, Shirkey, LaFontaine, Rendon, Crawford, Somerville, McMillin, Outman, Hughes, Lyons, Wayne Schmidt, Genetski, Haines, Tyler, Forlini, Lund, Foster, Horn, Farrington, MacMaster, Shaughnessy, Daley, Zorn, Nathan, Liss, Cavanagh, Smiley, Stapleton, Haugh, Oakes, Bledsoe, Haveman, Scott, Pscholka, Johnson, Slavens and Jenkins introduced

House Bill No. 4571, entitled

A bill to amend 1965 PA 190, entitled "An act to provide for a system of uniformity of service for veterans," by amending section 1 (MCL 35.61), as amended by 1997 PA 131.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Reps. Johnson, Heise, McMillin, Foster, Farrington, Lund, Crawford, Kowall, Jenkins, Rogers, Muxlow, Damrow, MacMaster, Price, Knollenberg, Cotter, Outman and MacGregor introduced

House Bill No. 4572, entitled

A bill to limit a public employer's expenditures for health insurance benefits; and to provide for exceptions.

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

Rep. Haines introduced

House Bill No. 4573, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 3, 32, 39, 40, 43, 45, 61, and 64 (MCL 24.203, 24.232, 24.239, 24.240, 24.243, 24.245, 24.261, and 24.264), section 3 as amended by 1988 PA 277, section 39 as amended by 2004 PA 23, section 40 as amended by 1999 PA 262, section 43 as amended by 1989 PA 288, section 45 as amended by 2004 PA 491, and section 61 as amended by 1982 PA 413, and by adding section 45b.

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

Rep. Walsh introduced

House Bill No. 4574, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1201 (MCL 339.1201), as amended by 1997 PA 97.

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

Reps. Brown, Slavens, Ananich and Switalski introduced

House Bill No. 4575, entitled

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

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

Rep. Jenkins introduced

House Bill No. 4576, entitled

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

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

Rep. Johnson introduced

House Bill No. 4577, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1903 (MCL 324.1903), as amended by 2002 PA 52.

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

Reps. Goike, Outman, Poleski, Muxlow, Haveman, LaFontaine, Foster, Damrow, Kowall, Forlini, Bumstead, Daley, Agema, Horn, Liss, Lane, Glardon, Pettalia, Huuki, Potvin and Meadows introduced

House Bill No. 4578, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11715 (MCL 324.11715), as amended by 2004 PA 381.

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

Reps. Foster, Haveman, McMillin, Kowall, MacMaster, Cotter, Rendon, Opsommer, Wayne Schmidt, Gilbert, Heise, Haugh, Huuki, Crawford, Pettalia, Rogers, Damrow, Bumstead, O'Brien, McBroom, Horn, Jacobsen, Nesbitt, Tyler, Glardon, Price, Ouimet, Lyons, Liss, Hughes, Lindberg, Pscholka, Daley, Kandrevas, Scott, Potvin, Knollenberg and Lund introduced

House Bill No. 4579, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2154 (MCL 324.2154), as amended by 2010 PA 31.

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

Announcements by the Clerk

April 15, 2011

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of the Mound Correctional Facility, Department of Corrections, April 2011.

April 15, 2011

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of the Ryan Correctional Facility, Department of Corrections, April 2011.

Gary L. Randall
Clerk of the House

The Clerk declared the House adjourned until Tuesday, April 26, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

