

No. 57
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
96th Legislature
REGULAR SESSION OF 2011

House Chamber, Lansing, Thursday, June 16, 2011.

12:00 Noon.

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	Glardon—present	Liss—present	Rendon—present
Barnett—present	Goike—present	Lori—present	Rogers—present
Bauer—present	Haines—present	Lund—present	Rutledge—present
Bledsoe—present	Hammel—present	Lyons—present	Santana—present
Bolger—present	Haugh—excused	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—excused	O’Brien—present	Stanley—present
Damrow—present	Jacobsen—present	Oakes—present	Stapleton—present
Darany—present	Jenkins—present	Olson—present	Switalski—present
Denby—present	Johnson—present	Olumba—present	Talabi—present
Dillon—present	Kandrevas—present	Opsommer—present	Tlaib—present
Durhal—present	Knollenberg—present	Ouimet—present	Townsend—present
Farrington—present	Kowall—present	Outman—present	Tyler—present
Forlini—present	Kurtz—present	Pettalia—present	Walsh—present
Foster—present	LaFontaine—present	Poleski—present	Womack—present
Franz—present	Lane—present	Potvin—present	Yonker—present
Geiss—present	LeBlanc—present	Price—present	Zorn—present
Genetski—present	Lindberg—present		

Pastor Troy Gentz, Pastor of Freshwater Community Church in Paw Paw, offered the following invocation:

“God, thank You for this great country that we live in, and more than that, this great state of Michigan. Thank You for these men and women that serve and pour out their lives for the good of this state. Will You watch over them? Will You watch over their families? Will You watch over their relationships, their personal lives, and will You give them great wisdom, as they make these decisions? Will You give them a spirit of the servant, and the desire always to do what is best for the state? Will You help them to represent their people, and not only in these meetings, but also in the different districts, different areas; that they will reach out to the people, listen to the people, and serve and lead for the people? So thank You for their sacrifice, their hard work. I don’t think many people, outside these circles, understand the pressures and the amount of work they do, so God we thank You for that and we pray Your blessing upon them. Even today, God, will there be an excitement and joy to the work that they do, and that they will see themselves as even serving You. In Your name, Amen.”

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

The Speaker called the Speaker Pro Tempore to the Chair.

Third Reading of Bills

House Bill No. 4042, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 1307 (MCL 324.1307), as added by 2004 PA 325.

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

Roll Call No. 195

Yeas—103

Agema	Gilbert	Lori	Rogers
Ananich	Glardon	Lund	Rutledge
Bauer	Goike	Lyons	Santana
Bolger	Haines	MacGregor	Schmidt, R.
Brown	Hammel	MacMaster	Schmidt, W.
Brunner	Haveman	McBroom	Scott
Bumstead	Heise	McCann	Segal
Byrum	Hobbs	McMillin	Shaughnessy
Callton	Hooker	Meadows	Shirkey
Cavanagh	Horn	Melton	Slavens
Clemente	Hovey-Wright	Moss	Smiley
Constan	Howze	Muxlow	Somerville
Cotter	Hughes	Nathan	Stallworth
Crawford	Huuki	Nesbitt	Stamas
Daley	Jacobsen	O’Brien	Stanley
Damrow	Jenkins	Oakes	Stapleton
Darany	Johnson	Olson	Switalski
Denby	Kandreas	Opsommer	Talabi
Dillon	Knollenberg	Ouimet	Tlaib
Durhal	Kowall	Outman	Townsend

Farrington	Kurtz	Pettalia	Tyler
Forlini	LaFontaine	Poleski	Walsh
Foster	Lane	Potvin	Womack
Franz	LeBlanc	Price	Yonker
Geiss	Lindberg	Pscholka	Zorn
Genetski	Liss	Rendon	

Nays—5

Barnett	Irwin	Lipton	Olumba
Bledsoe			

In The Chair: Walsh

The House agreed to the title of the bill.
Rep. Stamas moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 4043, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 1511.

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

Roll Call No. 196**Yeas—105**

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

Nays—3

Irwin

Lipton

Olumba

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

House Bill No. 4016, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 27.

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

Roll Call No. 197**Yeas—100**

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

Nays—8Barnett
BauerHobbs
IrwinLipton
OlumbaStapleton
Tlaib

In The Chair: Walsh

The House agreed to the title of the bill.
Rep. Stamas moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Tlaib, having reserved the right to explain her protest against the passage of the bill, made the following statement:
“Mr. Speaker and members of the House:
The Michigan Department of Environmental Quality (MDEQ) would incur additional costs under this bill. The MDEQ has endured over 60% of funding cuts and we cannot afford to put additional strain on the Department with the core duties of protecting our natural resources and environment. My district has already seen the negative impact in the lack of adequate funding. Therefore, I oppose House Bill 4016.”

House Bill No. 4017, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 1505.

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

Roll Call No. 198

Yeas—105

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

Nays—3

Irwin	Lipton	Olumba
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In The Chair: Walsh

The House agreed to the title of the bill.
Rep. Stamas moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 4240, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 32, 40, 43, 61, and 64 (MCL 24.232, 24.240, 24.243, 24.261, and 24.264), section 40 as amended by 1999 PA 262, section 43 as amended by 1989 PA 288, and section 61 as amended by 1982 PA 413.

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

Roll Call No. 199

Yeas—63

Agema	Goike	Lund	Potvin
Bolger	Haines	Lyons	Price
Bumstead	Haveman	MacGregor	Pscholka
Callton	Heise	MacMaster	Rendon
Cotter	Hooker	McBroom	Rogers
Crawford	Horn	McMillin	Schmidt, W.
Daley	Hughes	Moss	Scott
Damrow	Huuki	Muxlow	Shaughnessy
Denby	Jacobsen	Nesbitt	Shirkey
Farrington	Jenkins	O’Brien	Somerville
Forlini	Johnson	Olson	Stamas
Foster	Knollenberg	Opsommer	Tyler
Franz	Kowall	Ouimet	Walsh
Genetski	Kurtz	Outman	Yonker
Gilbert	LaFontaine	Pettalia	Zorn
Glardon	Lori	Poleski	

Nays—45

Ananich	Durhal	Lipton	Segal
Barnett	Geiss	Liss	Slavens
Bauer	Hammel	McCann	Smiley
Bledsoe	Hobbs	Meadows	Stallworth
Brown	Hovey-Wright	Melton	Stanley
Brunner	Howze	Nathan	Stapleton
Byrum	Irwin	Oakes	Switalski
Cavanagh	Kandrevas	Olumba	Talabi
Clemente	Lane	Rutledge	Tlaib
Constan	LeBlanc	Santana	Townsend
Darany	Lindberg	Schmidt, R.	Womack
Dillon			

In The Chair: Walsh

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 32 and 40 (MCL 24.232 and 24.240), section 40 as amended by 1999 PA 262.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 4326, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending section 32 (MCL 24.232).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 200**Yeas—60**

Agema	Goike	Lund	Poleski
Bolger	Haines	Lyons	Potvin
Bumstead	Haveman	MacGregor	Price
Callton	Heise	MacMaster	Pscholka
Cotter	Hooker	McBroom	Rendon
Crawford	Horn	McMillin	Rogers
Daley	Hughes	Moss	Scott
Damrow	Huuki	Muxlow	Shaughnessy
Denby	Jacobsen	Nesbitt	Shirkey
Farrington	Jenkins	O’Brien	Somerville
Foster	Johnson	Olson	Stamas
Franz	Knollenberg	Opsommer	Tyler
Genetski	Kowall	Ouimet	Walsh
Gilbert	Kurtz	Outman	Yonker
Glardon	LaFontaine	Pettalia	Zorn

Nays—48

Ananich	Durhal	Lipton	Schmidt, W.
Barnett	Forlini	Liss	Segal
Bauer	Geiss	Lori	Slavens
Bledsoe	Hammel	McCann	Smiley
Brown	Hobbs	Meadows	Stallworth
Brunner	Hovey-Wright	Melton	Stanley
Byrum	Howze	Nathan	Stapleton
Cavanagh	Irwin	Oakes	Switalski
Clemente	Kandrevas	Olumba	Talabi
Constan	Lane	Rutledge	Tlaib
Darany	LeBlanc	Santana	Townsend
Dillon	Lindberg	Schmidt, R.	Womack

In The Chair: Walsh

The House agreed to the title of the bill.
Rep. Stamas moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Irwin, having reserved the right to explain his protest against the passage of the bill, made the following statement:
“Mr. Speaker and members of the House:
This wide ranging bill will restrict our Governor’s power to protect public health and the viability of our natural resources. If signed into law, HB 4326 will prevent our Governor from taking action to protect Great Lakes water quality and will put our water resources in the hands of the federal regulators, where the weight of political power leans towards dry and thirsty states to our west. Also, by restricting our Governor’s power to protect our interests, Michigan will be

unable to craft regulations more strict than federal standards without specific legislative action in any arena, including but not limited to protecting the Great Lakes. It is easy to imagine that federal regulations, geared towards oceanic considerations might not be inappropriate in many areas. The placement of offshore wind turbines and the disposition of drilling or mining wastes might require different rules right in the middle of the Great Lakes basin, the source of drinking water for 40 million people. Simply put, we cannot depend on federal regulators to stand up for our interests and with Asian Carp knocking on the door of Lake Michigan, we should know better than to assume that federal decisions will put Michigan's interests at the forefront. This bill denies our state's rights under the federal Constitution and shirks our responsibilities as a state. I hope the Governor will recognize this attack on his authority to protect our citizens today and for future generations."

Rep. Tlaib, having reserved the right to explain her protest against the passage of the bill, made the following statement: "Mr. Speaker and members of the House:

House Bill 4326 would amend the Administrative Procedures Act (APA) to prohibit a state agency from adopting a rule more stringent than the applicable federal standard unless specifically authorized by statute.

This bill would strip the Governor of Michigan of the power to independently protect the Great Lakes. Federal standards to protect water quality are designed to be the floor below which states are not allowed to drop. They are not written by people that feel a stewardship responsibility over one of the world's most important freshwater resource. That stewardship is a joint responsibility of whoever occupies the Office of Governor, the Legislature, and the people of Michigan. Stripping the Governor's power to independently protect the Great Lakes will make the health of our water vulnerable to abuse.

Therefore, I oppose this bill."

House Bill No. 4500, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 53 (MCL 24.253), as amended by 2004 PA 23.

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

Roll Call No. 201

Yeas—99

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

Nays—9

Barnett
Durhal
Hovey-Wright

Irwin
Lipton

Olumba
Talabi

Tlaib
Womack

In The Chair: Walsh

The House agreed to the title of the bill.
Rep. Stamas moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

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.

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

Roll Call No. 202**Yeas—75**

Agema
Bolger
Bumstead
Callton
Clemente
Cotter
Crawford
Daley
Damrow
Denby
Dillon
Farrington
Forlini
Foster
Franz
Genetski
Gilbert
Glardon
Goike

Haines
Hammel
Haveman
Heise
Hooker
Horn
Hughes
Huuki
Jacobsen
Jenkins
Johnson
Knollenberg
Kowall
Kurtz
LaFontaine
LeBlanc
Lori
Lund
Lyons

MacGregor
MacMaster
McBroom
McCann
McMillin
Moss
Muxlow
Nesbitt
O’Brien
Oakes
Olson
Opsommer
Quimet
Outman
Pettalia
Poleski
Potvin
Price
Pscholka

Rendon
Rogers
Rutledge
Schmidt, R.
Schmidt, W.
Scott
Segal
Shaughnessy
Shirkey
Slavens
Somerville
Stamas
Townsend
Tyler
Walsh
Womack
Yonker
Zorn

Nays—33

Ananich
Barnett
Bauer
Bledsoe
Brown
Brunner
Byrum
Cavanagh
Constan

Darany
Durhal
Geiss
Hobbs
Hovey-Wright
Howze
Irwin
Kandrevas

Lane
Lindberg
Lipton
Liss
Meadows
Melton
Nathan
Olumba

Santana
Smiley
Stallworth
Stanley
Stapleton
Switalski
Talabi
Tlaib

In The Chair: Walsh

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 3, 39, 45, and 64 (MCL 24.203, 24.239, 24.245, and 24.264), section 3 as amended by 1988 PA 277, section 39 as amended by 2004 PA 23, and section 45 as amended by 2004 PA 491.

The motion prevailed.

The House agreed to the title as amended.

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

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

Senate Bill No. 383, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending sections 455, 457, and 459 (MCL 208.1455, 208.1457, and 208.1459), section 455 as amended by 2010 PA 312, section 457 as added by 2008 PA 86, and section 459 as added by 2008 PA 74.

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

Roll Call No. 203

Yeas—104

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

Nays—4

Bumstead

Hooker

McMillin

Somerville

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to amend 2007 PA 36, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations," by amending sections 113, 409, 455, 457, 459, and 510 (MCL 208.1113, 208.1409, 208.1455, 208.1457, 208.1459, and 208.1510), section 113 as amended by 2008 PA 472, sections 409 and 455 as amended and section 510 as added by 2011 PA 39, section 457 as added by 2008 PA 86, and section 459 as added by 2008 PA 74.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. McMillin, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

While I'm glad that this bill will mean likely smaller tax subsidies given to Hollywood, I don't like giving MEDC discretion. When millions of dollars are involved, the discretion this bill gives to MEDC (especially with their history of being adverse to transparency), is troublesome and open for abuse, especially favoritism."

Second Reading of Bills

Senate Bill No. 214, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803i (MCL 257.803i), as amended by 1998 PA 68.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4703, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 36 (MCL 791.236), as amended by 2008 PA 191.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Natural Resources, Tourism, and Outdoor Recreation, by Rep. Foster, Chair, reported

House Bill No. 4746, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 205 (MCL 125.3205).

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. Foster, Huuki, Wayne Schmidt, Damrow, Johnson and Pettalia

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 16, 2011

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

Absent: Reps. Haugh and Bledsoe

Excused: Reps. Haugh and Bledsoe

Second Reading of Bills

House Bill No. 4746, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 205 (MCL 125.3205).

The bill was read a second time.

Rep. Tlaib moved to amend the bill as follows:

1. Amend page 2, line 4, after "(1982)." by inserting "**AS USED IN THIS SUBSECTION, NATURAL RESOURCES DOES NOT INCLUDE SALT.**"

The question being on the adoption of the amendment offered by Rep. Tlaib,

Rep. Tlaib demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Tlaib,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 204**Yeas—45**

Ananich	Durhal	Lipton	Segal
Barnett	Geiss	Liss	Slavens
Bauer	Hammel	McCann	Smiley
Bledsoe	Hobbs	Meadows	Stallworth
Brown	Hovey-Wright	Melton	Stanley
Brunner	Howze	Nathan	Stapleton
Byrum	Irwin	Oakes	Switalski
Cavanagh	Kandrevas	Olumba	Talabi
Clemente	Lane	Rutledge	Tlaib
Constan	LeBlanc	Santana	Townsend
Darany	Lindberg	Schmidt, R.	Womack
Dillon			

Nays—63

Agema	Goike	Lund	Potvin
Bolger	Haines	Lyons	Price
Bumstead	Haveman	MacGregor	Pscholka
Callton	Heise	MacMaster	Rendon
Cotter	Hooker	McBroom	Rogers
Crawford	Horn	McMillin	Schmidt, W.
Daley	Hughes	Moss	Scott
Damrow	Huuki	Muxlow	Shaughnessy
Denby	Jacobsen	Nesbitt	Shirkey
Farrington	Jenkins	O'Brien	Somerville
Forlini	Johnson	Olson	Stamas
Foster	Knollenberg	Opsommer	Tyler

Franz	Kowall	Ouimet	Walsh
Genetski	Kurtz	Outman	Yonker
Gilbert	LaFontaine	Pettalia	Zorn
Glardon	Lori	Poleski	

In The Chair: Walsh

Rep. Huuki moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Slavens moved that the Committee on Oversight, Reform, and Ethics be discharged from further consideration of **House Bill No. 4081**.

(For first notice see House Journal No. 56, p. 1447.)

The question being on the motion made by Rep. Slavens,

Rep. Stamas moved that consideration of the motion be postponed for the day.
The motion prevailed.

Rep. Stamas moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

The motion prevailed, 3/5 of the members present voting therefor.

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 the enrollment printing and presentation to the Governor on Wednesday, June 15, for his approval of the following bill:

Enrolled House Bill No. 4111 at 3:48 p.m.

The Clerk announced that the following bill had been printed and placed upon the files of the members on Wednesday, June 15:

Senate Bill No. 472

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, June 16:

House Bill Nos.	4753	4754	4755	4756	4757	4758	4759	4760	4761	4762	4763	4764	4765	
Senate Bill Nos.	447	448	449	450	451	452	453	454	455	456	457	458	459	460
	461	462	463	464	465	467	468	469	471	483	484	485	486	487
	488	489	490	491	492	493	494	495	496	497	498	500	501	

The Clerk announced that the following Senate bills had been received on Thursday, June 16:

Senate Bill Nos. 138 165 235 335 336 381 382 398 422

Reports of Standing Committees

The Committee on Health Policy, by Rep. Haines, Chair, reported

House Bill No. 4749, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17766c, 17766e, and 17766f (MCL 333.17766c, 333.17766e, and 333.17766f), section 17766c as amended by 2003 PA 308, section 17766e as added by 2005 PA 87, and section 17766f as added by 2005 PA 86.

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. Haines, Callton, Opsommer, Kurtz, Scott, Shirkey, Hooker, Muxlow, Yonker, Liss, Stallworth, Darany, Segal, Womack and Hovey-Wright

Nays: None

The Committee on Health Policy, by Rep. Haines, Chair, reported

House Bill No. 4750, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2010 PA 26.

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. Haines, Callton, Opsommer, Kurtz, Scott, Shirkey, Hooker, Muxlow, Yonker, Liss, Stallworth, Darany, Segal, Womack and Hovey-Wright

Nays: None

The Committee on Health Policy, by Rep. Haines, Chair, reported

Senate Bill No. 333, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7340b.

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. Haines, Callton, Kurtz, Scott, Shirkey, Hooker, Muxlow, Yonker, Liss, Stallworth, Darany, Segal, Womack and Hovey-Wright

Nays: None

The Committee on Health Policy, by Rep. Haines, Chair, reported

Senate Bill No. 350, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766e (MCL 333.17766e), as added by 2005 PA 87.

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. Haines, Callton, Opsommer, Kurtz, Scott, Shirkey, Hooker, Muxlow, Yonker, Liss, Stallworth, Darany, Segal, Womack and Hovey-Wright

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 16, 2011

Present: Reps. Haines, Callton, Opsommer, Kurtz, Wayne Schmidt, Scott, Shirkey, Hooker, Muxlow, Yonker, Liss, Stallworth, Darany, Segal, Womack and Hovey-Wright

Absent: Rep. Huuki

Excused: Rep. Huuki

The Committee on Insurance, by Rep. Lund, Chair, reported

House Resolution No. 62.

A resolution to memorialize the Congress of the United States to abolish the National Flood Insurance Program.

(For text of resolution, see House Journal No. 35, p. 479.)

With the recommendation that the following substitute (H-2) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 62.

A resolution to memorialize the Congress of the United States to make significant reforms to the National Flood Insurance Program.

Whereas, Under the National Flood Insurance Program, most property owners must purchase flood insurance if their property is located within a mapped floodplain; and

Whereas, The Federal Emergency Management Agency (FEMA) has recently revised existing floodplain maps in Michigan that, in many cases, have increased the amount of land within the floodplain without adequate explanation of perceived additional flood risk. Flood insurance for buildings within redrawn areas is a significant added expense. These revisions amount to a penalty that will be felt far into the future, especially as the market value of impacted properties suffers needlessly; and

Whereas, The revised maps exacerbate disparities between the premiums paid by Michigan residents relative to claims received. Michigan residents have paid nearly five times as much in flood insurance premiums than they have received back in claims over the last 30 years. The remaining funds from these premiums goes to subsidize flood insurance claims in higher risk areas of the country; and

Whereas, The National Flood Insurance Program is operated without transparency to the public in rate-setting methods. Rebuilding within a floodplain has continued in higher risk areas of the country where multiple recent flood events have occurred, contributing to the \$20 billion in debt of the National Flood Insurance Program. Rebuilding in very high risk areas would be avoided if flood insurance was set at actuarially sound rates; and

Whereas, The National Flood Insurance Program is fundamentally flawed and unfair. Year after year, the program takes money from property owners in most states and uses that money to rebuild in only a few states. Congresswoman Candice Miller has introduced legislation (H.R. 435) to eliminate the National Flood Insurance Program in 2013 and to authorize states to work together to provide flood insurance as they deem appropriate; and

Whereas, Congresswoman Judy Biggert has introduced legislation, the Flood Insurance Reform Act of 2011 (H.R. 1309), to begin the process of modernizing and reforming the National Flood Insurance Program; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to make significant reforms to the National Flood Insurance Program; and be it further

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Lund, Shaughnessy, Opsommer, Denby, Callton, Glardon, Johnson, LaFontaine, Lyons, O'Brien, Yonker, Kandrevas, Roy Schmidt and Geiss

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 16, 2011

Present: Reps. Lund, Shaughnessy, Opsommer, Denby, Callton, Glardon, Johnson, LaFontaine, Lyons, O'Brien, Yonker, Kandreas, Roy Schmidt, Segal, Hovey-Wright, Howze and Geiss

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 4589, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending sections 1, 2, and 2a (MCL 691.1401, 691.1402, and 691.1402a), section 1 as amended by 2001 PA 131 and section 2 as amended and section 2a as added by 1999 PA 205.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Gilbert, Horn, Damrow, Muxlow, Jacobsen, Pettalia and Somerville

Nays: Reps. Brown and Olumba

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 16, 2011

Present: Reps. Walsh, Heise, Gilbert, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Oakes, Brown, Irwin, Cavanagh and Olumba

Absent: Rep. Scott

Excused: Rep. Scott

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 15, 2011

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

Absent: Rep. Darany

Excused: Rep. Darany

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 16, 2011

Present: Reps. Ouimet, Crawford, LaFontaine, Price, Shaughnessy, Rendon, Stanley, Constan, Stapleton, Rutledge and Lane

Absent: Reps. Pettalia, Daley, Hughes and Townsend

Excused: Reps. Pettalia, Daley, Hughes and Townsend

Messages from the Senate**Senate Bill No. 138, entitled**

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

The Senate has passed the bill.

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

Senate Bill No. 165, entitled

A bill to provide for fair and open competition in governmental construction contracts, grants, tax abatements, and tax credits; to prohibit requirements for certain terms in government contracts and contracts supported through government grants and tax subsidies and abatements; to prohibit expenditure of public funds under certain conditions; to prohibit certain terms in procurement documents for certain expenditures involving public facilities; and to provide for powers and duties of certain public officers, employees, and contractors.

The Senate has passed the bill.

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

Senate Bill No. 235, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16221 (MCL 333.16221), as amended by 2004 PA 214.

The Senate has passed the bill.

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

Senate Bill No. 335, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 336, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2b (MCL 205.92b), as amended by 2008 PA 439.

The Senate has passed the bill.

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

Senate Bill No. 381, entitled

A bill to establish the special Olympics 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.

The Senate has passed the bill.

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

Senate Bill No. 382, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 398, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3204 and 3205e (MCL 600.3204 and 600.3205e), section 3204 as amended by 2009 PA 29 and section 3205e as added by 2009 PA 31.

The Senate has passed the bill.

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

Senate Bill No. 422, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3104, 3118, 3120, 3122, 3306, 11135, 11153, 12103, 12109, 12112, 30104, 30109, 32312, 32513, 80130, 80315, 81114, and 82156 (MCL 324.3104, 324.3118, 324.3120, 324.3122, 324.3306, 324.11135, 324.11153, 324.12103, 324.12109, 324.12112, 324.30104, 324.30109, 324.32312, 324.32513, 324.80130, 324.80315, 324.81114, and 324.82156), sections 3104, 3306, 30109, and 32312 as amended by 2008 PA 276, sections 3118 and 3120 as amended by 2009 PA 102, sections 3122 and 12109 as amended by 2007 PA 75, section 11135 as amended by 2008 PA 403, section 11153 as amended by 2010 PA 357, sections 12103 and 12112 as amended by 2008 PA 8, section 30104 as amended by 2009 PA 139, section 32513 as amended by 2009 PA 120, and sections 80130, 80315, 81114, and 82156 as amended by 2009 PA 100.

The Senate has passed the bill.

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

House Concurrent Resolution No. 13.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Kirtland Community College relative to the Kirtland Community College Well Water System Upgrade.

(For text of resolution, see House Journal No. 39, p. 577.)

The Senate has adopted the concurrent resolution and named Senators Booher and Kowall as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 14.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Oakland University relative to the Oakland University Human Health Building.

(For text of resolution, see House Journal No. 39, p. 578.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 15.

A concurrent resolution approving a decrease in Total Project Cost and approving a lease between the State of Michigan (the "State") and the State Building Authority (the "Authority") relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and Phase II Group E Special Maintenance Projects (the "Facility").

(For text of resolution, see House Journal No. 39, p. 579.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 16.

A concurrent resolution approving a decrease in the Total Project Cost and approving a lease between the State of Michigan (the "State") and the State Building Authority (the "Authority") relative to the Department of Technology, Management and Budget State Facility Preservation Projects-Phase I and II Group F VanWagoner Building (the "Facility").

(For text of resolution, see House Journal No. 39, p. 580.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 17.

A concurrent resolution approving a decrease in Total Project Cost and approving a lease between the State of Michigan (the "State") and the State Building Authority (the "Authority") relative to the Department of Technology, Management and Budget State Facility Preservation Projects-Phase I and II Group G Special Maintenance Projects (the "Facility").

(For text of resolution, see House Journal No. 39, p. 581.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 18.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Technology, Management and Budget State Facility Preservation Projects-Phase I and II Group H Special Maintenance Projects (the "Facility").

(For text of resolution, see House Journal No. 39, p. 582.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors. The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 19.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Technology, Management and Budget State Facility Preservation Projects-Phase I and Phase II Group I Michigan Library and Historical Center (the "Facility").

(For text of resolution, see House Journal No. 39, p. 582.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors. The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 20.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Technology, Management and Budget State Facility Preservation Projects-Phase III Group O Special Maintenance Projects (the "Facility").

(For text of resolution, see House Journal No. 39, p. 583.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors. The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 21.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Technology, Management and Budget State Facility Preservation Projects-Phase III Group N Huron Valley Food Service Building.

(For text of resolution, see House Journal No. 39, p. 584.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors. The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 22.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Technology, Management and Budget State Facility Preservation Projects-Phase II and III Group M Maxey Transition (Green Oaks Addition, Huron Center and Woodland Infirmary).

(For text of resolution, see House Journal No. 39, p. 585.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors. The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 23.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Technology, Management and Budget State Facility Preservation Projects-Phase I and III Group L Maxey Special Maintenance Projects (the "Facility").

(For text of resolution, see House Journal No. 39, p. 586.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors. The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 24.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Technology, Management and Budget State Facility Preservation Projects-Phase III Group K Huron Valley Drop Ship Building and Sewage Pump Station.

(For text of resolution, see House Journal No. 39, p. 587.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors. The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 25.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Technology, Management and Budget State Facility Preservation Projects-Phase I, II, and III Group J Huron Valley Special Maintenance Projects (the "Facility").

(For text of resolution, see House Journal No. 39, p. 587.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors. The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 26.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Michigan Technological University relative to the Michigan Technological University Great Lakes Research Center.

(For text of resolution, see House Journal No. 39, p. 588.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors. The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 27.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Eastern Michigan University relative to the Eastern Michigan University Pray-Harrold Hall Renovations.

(For text of resolution, see House Journal No. 40, p. 603.)

The Senate has adopted the concurrent resolution and named Senators Booher, Brandenburg and Kowall as co-sponsors. The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 30.

A concurrent resolution to declare June 11-19, 2011, as Aquatic Invasive Species Awareness Week in the state of Michigan.

(For text of resolution, see House Journal No. 53, p. 1369.)

The Senate has adopted the concurrent resolution and named Senators Bieda, Booher, Kowall, Proos and Rocca as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

Messages from the Governor

The following message from the Governor was received June 16, 2011 and read:

**EXECUTIVE ORDER
2011 - 7**

MICHIGAN DEPARTMENT OF STATE POLICE

MICHIGAN CRIMINAL JUSTICE INFORMATION SYSTEMS BOARD

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that he considers necessary for efficient administration; and

WHEREAS, the Michigan Department of State Police has been designated by the Federal Bureau of Investigation (FBI) as Michigan's Criminal Justice Systems Agency (CSA); and

WHEREAS, the Michigan Department of State Police, as Michigan's CSA, is held responsible by the FBI for Michigan's compliance with the FBI's Criminal Justice Information Systems policies; and

WHEREAS, Criminal Justice Information Systems, including the services and systems managed by the Michigan State Police, enhance public safety and criminal justice efforts; and

WHEREAS, Criminal Justice Information Systems, including the services and systems provided by the Michigan Department of State Police, benefit from collaboration with, and input from, system contributors and users who share ownership of the data therein; and

WHEREAS, it is necessary in the interest of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. "Board" means the Criminal Justice Information Systems Board created within the Michigan Department of State Police under Section II of this Order.

B. "Criminal Justice Information Systems" (CJIS) means systems provided by a governmental agency or authorized private entity that store and/or disseminate information used for the administration of criminal justice and public safety.

C. "Department of State Police" or "Department" means the principal department of state government created under Section 150 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.250.

II. CREATION OF THE MICHIGAN CRIMINAL JUSTICE INFORMATION SYSTEMS BOARD

A. The Michigan Criminal Justice Information Systems Board is created as an advisory body within the Department of State Police.

B. The Board shall consist of the following 22 members:

- The Director of the Department of State Police.
- One representative of the Michigan Judges Association appointed by that association.
- One representative of the Michigan District Judges Association appointed by that association.
- One representative of the State Court Administrative Office appointed by that office.
- Two representatives of the Prosecuting Attorneys Association of Michigan appointed by that association.
- Three representatives of the Michigan Sheriff's Association appointed by that association.
- Two representatives of the Michigan Association of Chiefs of Police appointed by that association.
- The Chief of the Detroit Police Department, or his or her designee.
- One representative of the Michigan Communications Directors Association appointed by that association.
- One representative of a Tribal criminal justice agency appointed by the Inter-Tribal Council of Michigan.
- The Attorney General, or his or her designee.
- The Secretary of State, or his or her designee.
- The Director of the Department of Corrections, or his or her designee.
- The Director of the Department of Human Services, or his or her designee.
- The Director of the Department of Community Health, or his or her designee.
- The Director of the Department of Technology, Management and Budget, or his or her designee.
- Two representatives of the Department of State Police appointed by the Director of the Department.

C. The Director of the Department shall serve as the Chairperson of the Board. The Board shall annually elect a member of the Board to serve as Vice-Chairperson of the Board.

D. The Board shall be staffed and assisted by personnel from the Department, as directed by the Director of the Department. The budgeting, procurement, and related management functions of the Board shall be performed under the direction and supervision of the Director of the Department.

E. The Board shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.

F. A majority of the members of the Board serving constitutes a quorum for the transaction of the Board's business. The Board shall act by a majority vote of its serving members.

G. The Board shall meet quarterly at the call of the Chairperson and as may be provided in procedures adopted by the Board.

H. The Board may establish advisory workgroups composed of representatives of law enforcement agencies participating in CJIS activities, other law enforcement or public safety agencies, and other public participation as the Board deems necessary to assist the Board in its duties and responsibilities. The Board may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

I. The Board may, as appropriate, make inquiries, conduct studies and investigations into costs, efficiencies, and processes associated with CJIS, hold hearings, and receive outside comments from the public. The Board may also consult with outside experts in order to perform its duties, including but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

J. Members of the Board shall serve without compensation. Members of the Board may receive reimbursement for necessary travel and expenses according to relevant statutes, rules, and procedures of the Civil Service Commission, and the Department of Technology, Management and Budget, subject to available funding.

K. The Board may hire or retain contractors, subcontractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Board and the performance of its duties, as the Director of the Department deems advisable and necessary, in accordance with this Order and the relevant statutes, rules, and procedures of the Civil Service Commission, and the Department of Technology, Management and Budget.

L. The Board may accept donations of labor, services, or other items of value from any public or private agency or person.

M. Members of the Board shall refer all legal, legislative, and media contacts to the Department.

N. The Board shall serve in an advisory capacity to the Director of the Department of State Police on issues related to the development and deployment of information management systems that facilitate the rapid exchange of accurate information between the various components of the criminal justice community.

O. Criminal Justice Information Systems upgrades or equipment procurements that will result in an increased cost to criminal justice agencies in order to access the system or information shall be presented to the Board before implementation or procurement.

P. The Board may recommend policy and rules governing access, use, and disclosure of information in Criminal Justice Information Systems, including the Law Enforcement Information Network (LEIN), the Automated Fingerprint Information System (AFIS), and other information systems related to criminal justice or law enforcement. These policies will:

1. Ensure access to information provided by a federal, state, or local government agency to administer criminal justice or enforce any law;
2. Ensure access to information provided by the LEIN or AFIS by a governmental agency engaged in the enforcement of child support laws, child protection laws, or vulnerable adult protection laws;
3. Authorize a fire chief of an organized fire department, or his or her designee, to request and receive information obtained through the LEIN by a law enforcement agency for the following purposes:
 - a. A pre-employment criminal convictions history;
 - b. A pre-employment driving record;
 - c. Vehicle registration information for vehicles involved in a fire or hazardous materials incident;
4. Authorize a public or private school superintendent, principal, or assistant principal to receive vehicle registration information, for a vehicle within 1,000 feet of school property, obtained through the LEIN by a law enforcement agency.

Q. Any recommendation adopted by a majority of the Board, which does not contradict federal security standards established by the FBI, and not acted upon by the Director of the Department within 30 days, will be subject to review and adjudication by the Governor, through his Legal Counsel.

R. The Board may recommend fees for access, use, or dissemination of information from Criminal Justice Information Systems.

S. The Department shall not assess any new fee for access, use, or dissemination of information from CJIS without Board approval unless mandated by statute. If a new fee for access, use, or dissemination from CJIS is mandated, the Board may recommend how that fee is calculated and distributed.

T. The Board may recommend standards for access to CJIS. The Department shall approve or disapprove applications for CJIS access. If an application is disapproved, the applicant shall be notified in writing of the reasons for disapproval.

U. The Board may make recommendations to support the Department in ensuring compliance with federal security standards established by the FBI or Federal CJIS agencies, and authorize the Director, between meetings of the council, to immediately implement federal security requirements established by the FBI or Federal CJIS agency.

III. MISCELLANEOUS

A. State departments and agencies shall actively cooperate with the Board in the performance of their duties and responsibilities under this Order.

B. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 16th day of June, in the year of our Lord, two thousand eleven.

Richard D. Snyder

Governor

By the Governor:

Ruth A. Johnson

Secretary of State

The message was referred to the Clerk.

Announcements by the Clerk

June 15, 2011

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

Financial audit, including the provisions of the Single Audit Act, of the State-Funded Judicial Operations for the period October 1, 2008 through September 30, 2010.

Gary L. Randall

Clerk of the House

By unanimous consent the House returned to the order of

Introduction of Bills

Rep. Wayne Schmidt introduced

House Bill No. 4766, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2907, 2909, 2911, and 2913 (MCL 339.2907, 339.2909, 339.2911, and 339.2913), as added by 2006 PA 489.

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

Reps. Jacobsen and MacGregor introduced

House Bill No. 4767, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," (MCL 42.1 to 42.34) by adding section 1b.

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

Reps. Jacobsen and MacGregor introduced

House Bill No. 4768, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," (MCL 41.1a to 41.110c) by adding section 3a.

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

Reps. Agema, Hooker, Tyler, McMillin, Lund, Bumstead, Glardon, Heise, Rogers, MacGregor, Nesbitt, MacMaster, Franz, Moss, Potvin, Genetski, Haveman, Lori, Pettalia, Haines, Shirkey, O'Brien, Knollenberg, Lyons, McBroom, Opsommer, Johnson, Denby, Muxlow, Outman, Damrow, Jacobsen, Rendon, Hughes, Kurtz, Price, Yonker, Daley, Kowall, Huuki, Scott and Cotter introduced

House Bill No. 4769, entitled

A bill to limit the application and enforcement by a court, arbitrator, or administrative body of foreign laws that would impair constitutional rights; to provide for modification or voiding of certain contractual provisions or agreements that would result in a violation of constitutional rights; and to require a court, arbitrator, or administrative body to take certain actions to prevent violation of constitutional rights.

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

Reps. Agema, Crawford, Potvin, Genetski, McMillin, Lund, Lori, Haveman, Pettalia, Shirkey, Haines, Poleski, Knollenberg, O'Brien, Bumstead, Lyons, McBroom, Opsommer, Johnson, Muxlow, Shaughnessy, Outman, Damrow, Rogers, Jacobsen, Rendon, Kurtz, Hooker, Yonker, Daley, Kowall, Heise, Huuki, Scott and MacGregor introduced

House Bill No. 4770, entitled

A bill to prohibit public employers from providing certain benefits to public employees.

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

Reps. Agema, Crawford, Potvin, Genetski, McMillin, Lund, Lori, Haveman, Pettalia, Shirkey, Haines, Poleski, Knollenberg, O'Brien, Bumstead, Lyons, McBroom, Opsommer, Johnson, Muxlow, Shaughnessy, Outman, Damrow, Rogers, Jacobsen, Rendon, Kurtz, Hooker, Yonker, Daley, Kowall, Heise, Huuki, Scott and MacGregor introduced

House Bill No. 4771, 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 section 15 (MCL 423.215), as amended by 2011 PA 25.

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

Reps. McMillin, Callton, Olson, Lori and Denby introduced

House Bill No. 4772, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411w.

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

Reps. Hughes, Gilbert and Foster introduced

House Bill No. 4773, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 3113 and 6101 (MCL 289.3113 and 289.6101), section 6101 as amended by 2007 PA 114.

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

Reps. Liss, Huuki, Olson, Crawford, McBroom, Shirkey, Hovey-Wright and Yonker introduced

House Bill No. 4774, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701, 5119, 16327, 16333, 17033, 17201, 17210, 17211, 17221, 17533, 17607, 17708, 17745, and 17820 (MCL 333.2701, 333.5119, 333.16327, 333.16333, 333.17033, 333.17201, 333.17210, 333.17211, 333.17221, 333.17533, 333.17607, 333.17708, 333.17745, and 333.17820), section 2701 as added by 1990 PA 16, section 5119 as amended by 2000 PA 209, section 16327 as amended by 2009 PA 216, section 16333 as added by 1993 PA 80, sections 17033 and 17533 as amended by 1994 PA 234, sections 17211 and 17221 as amended by 2006 PA 409, section 17607 as added by 2008 PA 524, section 17708 as amended by 2009 PA 150, section 17745 as amended by 2006 PA 672, and section 17820 as amended by 2009 PA 55, and by adding sections 17202 and 17712.

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

Rep. O'Brien introduced

House Bill No. 4775, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 60101, 60102, 60104, 60105, 60106, 60107, and 60108 (MCL 324.60101, 324.60102, 324.60104, 324.60105, 324.60106, 324.60107, and 324.60108), as added by 1995 PA 57; and to repeal acts and parts of acts.

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

Reps. Tyler, Crawford, Johnson, McMillin, Denby, LaFontaine, Bumstead, Kurtz, Poleski, Genetski, Callton, Franz, Lori, LeBlanc, Lyons, Walsh, Knollenberg, Agema, Shirkey, Horn, Pscholka, Forlini, Huuki, Daley, Shaughnessy, Lund, Opsommer, Cotter, Rogers, Nesbitt, Goike, Haveman, Wayne Schmidt, Price and Kowall introduced

House Bill No. 4776, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16240 and 20195.

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

Rep. Opsommer introduced

House Bill No. 4777, 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 section 15 (MCL 423.215), as amended by 2011 PA 25.

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

Reps. Rogers, Denby, Callton, Heise, Liss, McMillin, Olson, Haines, Moss, Johnson, Nathan, Horn, Geiss, LeBlanc, Hooker, Knollenberg, Zorn, Genetski and Lori introduced

House Bill No. 4778, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 5 and 6a (MCL 722.25 and 722.26a), section 5 as amended by 1993 PA 259 and section 6a as added by 1980 PA 434.

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

Rep. Lund introduced

House Bill No. 4779, entitled

A bill to amend 2001 PA 116, entitled "An act to divide this state into 110 representative and 38 senatorial districts; and to prescribe the powers and duties of certain state departments and officers," by amending the title and sections 3 and 6 (MCL 4.2003 and 4.2006) and by adding sections 1a, 2a, and 5a; and to repeal acts and parts of acts.

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

Rep. Lund introduced

House Bill No. 4780, entitled

A bill to amend 1964 PA 282, entitled "An act to divide the state into 15 congressional districts; to prescribe the powers and duties of certain state departments and officers; and to repeal acts and parts of acts," by amending the title and sections 3 and 5 (MCL 3.53 and 3.55), the title as amended and sections 3 and 5 as added by 2001 PA 115, and by adding sections 1a and 4a; and to repeal acts and parts of acts.

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

Reps. Wayne Schmidt, Lyons, MacGregor, Haveman, Foster and Lund introduced

House Bill No. 4781, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2011 PA 14.

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

Reps. Haveman, Lyons, Wayne Schmidt, MacGregor, Damrow, Nesbitt and Bumstead introduced

House Bill No. 4782, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 29 (MCL 421.29), as amended by 2008 PA 480.

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

Reps. Denby, Johnson, Santana, Price, Horn, Crawford, Kurtz, Wayne Schmidt, Somerville, MacMaster and Rogers introduced

House Bill No. 4783, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending the title and section 20 (MCL 431.320), section 20 as amended by 2006 PA 185.

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

Reps. Denby, Johnson, Santana, Price, Horn, Crawford, Kurtz, Wayne Schmidt, Somerville, MacMaster and Rogers introduced

House Bill No. 4784, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending the title and section 20 (MCL 431.320), section 20 as amended by 2006 PA 185.

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

Reps. Cavanagh, Hobbs, Meadows, Barnett, Townsend, Switalski, Ananich, Melton, Irwin, Durhal, Stapleton, McCann, Hovey-Wright, Constan, Lipton, Pscholka, Shirkey, Olumba, LeBlanc, Roy Schmidt, Liss, Santana, Howze, Lindberg, McBroom, Hammel, Segal, Rogers, Potvin, Foster and Oakes introduced

House Bill No. 4785, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 134 and 3104 (MCL 500.134 and 500.3104), section 134 as amended by 1990 PA 256 and section 3104 as amended by 2002 PA 662.

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

Reps. Cavanagh, Hobbs, Meadows, Barnett, Switalski, Ananich, Melton, Irwin, Townsend, Durhal, Stapleton, McCann, Hovey-Wright, Constan, Oakes, Lipton, Pscholka, Shirkey, Olumba, LeBlanc, Roy Schmidt, Liss, Santana, Howze, Lindberg, McBroom, Hammel, Segal, Rogers, Potvin and Foster introduced

House Bill No. 4786, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending sections 2 and 3 (MCL 15.262 and 15.263), section 2 as amended by 2001 PA 38 and section 3 as amended by 1988 PA 278.

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

Rep. MacGregor introduced

House Bill No. 4787, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 408 (MCL 484.1408), as amended by 2010 PA 284.

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

Rep. Santana introduced

House Bill No. 4788, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 2010 PA 273.

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

Reps. Johnson, Liss and Glardon introduced

House Bill No. 4789, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 94.

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

Rep. Cotter introduced

House Bill No. 4790, 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," (MCL 220.1 to 239.6) by adding section 19c to chapter IV.

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

Rep. Opsommer introduced

House Bill No. 4791, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 10c and 57v.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Rep. Moss introduced

House Bill No. 4792, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 63 (MCL 38.1063), as amended by 2002 PA 97.

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

Rep. LeBlanc moved that the House adjourn.

The motion prevailed, the time being 5:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, June 21, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

