

No. 99
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2010

House Chamber, Lansing, Wednesday, December 29, 2010.

11:00 a.m.

The House was called to order by the Speaker Pro Tempore.

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

Rep. Jeff Mayes, from the 96th District, offered the following invocation:

“Heavenly Father, as we gather in this grand Chamber, we are reminded of the rich history of this special building. Lord, let us not forget the dedication and commitment to good public policy, of those who served here in the past and those who will serve in the future. Lord, we pray that You give us the dedication and commitment, as we seek to serve all those who call this great state home. This we pray, Amen.”

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, December 16, for her approval of the following bills:

Enrolled House Bill No. 5575 at 1:52 p.m.
Enrolled House Bill No. 5576 at 1:54 p.m.
Enrolled House Bill No. 5577 at 1:56 p.m.
Enrolled House Bill No. 5578 at 1:58 p.m.
Enrolled House Bill No. 5579 at 2:00 p.m.
Enrolled House Bill No. 5614 at 2:02 p.m.
Enrolled House Bill No. 6053 at 2:04 p.m.

Messages from the Senate

December 29, 2010

The Honorable Andy Dillon
Speaker of the House of Representatives
State Capitol
Lansing, Michigan 48913

Dear Mr. Speaker:

I herewith return to the House of Representatives the following House Bills, House Joint Resolution and House Concurrent Resolutions which failed passage or adoption in the Senate:

House Bill Nos.: 4026 4030 4047 4054 4070 4071 4072 4074 4075 4076 4077 4078 4079 4084
4085 4086 4087 4088 4090 4091 4098 4101 4103 4105 4117 4123 4125 4126

4129	4132	4169	4175	4176	4177	4178	4183	4201	4205	4211	4217	4225	4230
4237	4244	4245	4247	4261	4277	4278	4279	4280	4281	4282	4284	4288	4313
4315	4316	4317	4318	4322	4326	4337	4349	4353	4367	4378	4379	4380	4381
4383	4384	4385	4387	4388	4390	4391	4392	4398	4400	4401	4402	4409	4426
4427	4429	4456	4458	4459	4467	4468	4469	4470	4471	4473	4475	4476	4477
4501	4502	4503	4509	4510	4511	4514	4516	4520	4521	4536	4539	4540	4543
4544	4545	4546	4547	4548	4549	4550	4551	4552	4553	4565	4568	4569	4571
4580	4604	4618	4619	4620	4621	4626	4627	4649	4656	4657	4659	4660	4661
4662	4663	4670	4678	4680	4685	4688	4689	4690	4691	4692	4693	4694	4699
4700	4704	4722	4727	4729	4730	4731	4732	4733	4734	4735	4736	4737	4738
4747	4758	4759	4763	4764	4765	4766	4767	4768	4769	4770	4782	4785	4786
4789	4818	4819	4821	4828	4835	4836	4837	4844	4846	4876	4880	4881	4885
4886	4887	4890	4891	4904	4905	4913	4921	4929	4931	4940	4941	4958	4959
4960	4961	4977	4985	4993	4996	4997	5009	5010	5011	5017	5020	5029	5034
5036	5037	5038	5043	5058	5076	5086	5088	5089	5092	5099	5121	5141	5144
5145	5146	5147	5148	5149	5150	5151	5153	5155	5158	5163	5165	5176	5177
5178	5179	5180	5191	5195	5213	5234	5242	5243	5244	5271	5275	5296	5320
5323	5329	5348	5350	5351	5352	5371	5384	5386	5456	5458	5463	5470	5471
5472	5525	5533	5548	5551	5552	5553	5554	5560	5585	5603	5618	5631	5632
5633	5634	5635	5649	5650	5655	5656	5663	5668	5686	5724	5735	5751	5763
5777	5783	5808	5811	5813	5819	5824	5838	5850	5909	5934	5957	5991	5995
5999	6000	6008	6009	6010	6011	6012	6013	6014	6015	6016	6022	6023	6030
6031	6032	6033	6042	6043	6044	6045	6051	6052	6071	6072	6081	6091	6093
6098	6120	6124	6128	6129	6149	6156	6157	6175	6176	6182	6183	6184	6185
6186	6187	6188	6195	6205	6223	6240	6241	6242	6243	6245	6251	6254	6255
6272	6345	6358	6361	6362	6390	6407	6417	6435	6484	6511	6526		

House Joint Resolution: N
House Concurrent Resolution Nos.: 3 8 12 13 20 29 34 35 46 47 56

Very respectfully,
Carol Morey Viventi
Secretary of the Senate

Messages from the Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, December 21, 2010

Michigan House
State Capitol
Lansing, Michigan 48909-7514

Ladies and Gentlemen

Enrolled House Bill 4917 represents an effort to provide greater transparency and accountability in the management of police and fire pensions systems. I fully support that intent; indeed, Michigan needs an aggressive, comprehensive effort to reform the oversight of local pension boards and investments.

The actual content of House 4917, however, would dictate from the State Capitol the resolution of issues relating to local retirement board membership that are best resolved locally at the bargaining table. Furthermore, signing this bill could deter the more comprehensive reform efforts that are necessary.

Accordingly, I have vetoed and return the bill without signature, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. I strongly encourage the next legislature to consider other methods to provide greater accountability and transparency in local retirement system management, including for participating retirees.

Respectfully,
Jennifer M. Granholm
Governor

The message was referred to the Clerk.

Date: December 15, 2010

Time: 2:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5346 (Public Act No. 275, I.E.), being

An act to encourage the creation of next Michigan development corporations by interlocal agreement and to prescribe their powers and duties; to foster economic opportunities in this state and prevent conditions of unemployment and under-employment and to promote economic growth; to provide for the designation of next Michigan development districts and next Michigan development businesses; and to prescribe the powers and duties of certain state and local departments, entities, and officials.

(Filed with the Secretary of State December 15, 2010, at 4:46 p.m.)

Date: December 15, 2010

Time: 1:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5347 (Public Act No. 276, I.E.), being

An act to amend 1986 PA 281, entitled “An act to encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to prescribe powers and duties of certain public entities and state officers and agencies; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing,” by amending sections 2, 3, 4, 5, and 12 (MCL 125.2152, 125.2153, 125.2154, 125.2155, and 125.2162), section 2 as amended by 2007 PA 200, sections 3 and 12 as amended by 2000 PA 248, and section 4 as amended by 2005 PA 15, and by adding sections 12c and 12d.

(Filed with the Secretary of State December 15, 2010, at 4:48 p.m.)

Date: December 15, 2010

Time: 1:58 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5349 (Public Act No. 277, I.E.), being

An act to amend 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,” by amending sections 3, 6, 8a, and 10 (MCL 125.2683, 125.2686, 125.2688a, and 125.2690), section 3 as amended by 2010 PA 64, sections 6 and 10 as amended by 2008 PA 242, and section 8a as amended by 2008 PA 116, and by adding section 8h.

(Filed with the Secretary of State December 15, 2010, at 4:50 p.m.)

Date: December 16, 2010

Time: 10:16 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5661 (Public Act No. 281, I.E.), being

An act to amend 1989 PA 196, entitled “An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim’s rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim’s rights services; and to prescribe the powers and duties of certain state and local agencies and departments,” by amending section 5 (MCL 780.905), as amended by 2005 PA 315.

(Filed with the Secretary of State December 16, 2010, at 11:42 a.m.)

Date: December 16, 2010

Time: 10:18 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5667 (Public Act No. 282, I.E.), being

An act to amend 1976 PA 223, entitled “An act to create an agency concerned with crime victim services; to prescribe its powers and duties; to provide compensation to certain victims of crimes; to provide for the promulgation of rules; and to provide for penalties,” by amending section 11 (MCL 18.361), as amended by 2008 PA 390.

(Filed with the Secretary of State December 16, 2010, at 11:44 a.m.)

Date: December 16, 2010

Time: 10:22 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5622 (Public Act No. 284, I.E.), being

An act to amend 1986 PA 32, entitled “An act to provide for the establishment of emergency 9-1-1 districts; to provide for the installation, operation, modification, and maintenance of universal emergency 9-1-1 service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, service suppliers, and others; to create an emergency 9-1-1 service committee; to provide remedies and penalties; and to repeal acts and parts of acts,” by amending section 408 (MCL 484.1408), as amended by 2010 PA 206.

(Filed with the Secretary of State December 16, 2010, at 11:48 a.m.)

Date: December 16, 2010

Time: 10:24 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6153 (Public Act No. 285, I.E.), being

An act to make, supplement, and adjust appropriations for the department of state police for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

(Filed with the Secretary of State December 16, 2010, at 11:50 a.m.)

Date: December 16, 2010

Time: 10:26 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5958 (Public Act No. 286, I.E.), being

An act to amend 1967 PA 270, entitled “An act to provide for the collection, reporting, and release of certain information or data relating to health care research or education, patient safety, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the collection, reporting, and release of certain information or data; and to safeguard the confidential character of certain information or data,” by amending section 2 (MCL 331.532), as amended by 1993 PA 86.

(Filed with the Secretary of State December 16, 2010, at 11:52 a.m.)

Date: December 16, 2010

Time: 10:28 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5959 (Public Act No. 287, I.E.), being

An act to amend 1975 PA 46, entitled “An act to create the office of the legislative corrections ombudsman; to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of corrections; and to provide remedies from administrative acts,” by amending section 5 (MCL 4.355).

(Filed with the Secretary of State December 16, 2010, at 11:54 a.m.)

Date: December 16, 2010

Time: 10:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4431 (Public Act No. 294, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending sections 239 and 239a (MCL 750.239 and 750.239a), section 239a as added by 1996 PA 496.

(Filed with the Secretary of State December 16, 2010, at 12:08 p.m.)

Date: December 16, 2010

Time: 11:06 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5368 (Public Act No. 299, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 8501, 8517, and 8520 (MCL 324.8501, 324.8517, and 324.8520), section 8501 as amended by 2008 PA 13, section 8517 as amended by 2008 PA 14, and section 8520 as added by 2006 PA 503, and by adding sections 8512b, 8512f, and 8512g.

(Filed with the Secretary of State December 16, 2010, at 12:18 p.m.)

Date: December 17, 2010

Time: 11:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5267 (Public Act No. 303, I.E.), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 3240 (MCL 600.3240), as amended by 2006 PA 579.

(Filed with the Secretary of State December 17, 2010, at 3:18 p.m.)

Date: December 17, 2010

Time: 11:32 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5684 (Public Act No. 304, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical

delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 17609, 17959, 18358, 18359, and 20958 (MCL 333.17609, 333.17959, 333.18358, 333.18359, and 333.20958), section 17609 as added by 2008 PA 524, section 17959 as added by 2008 PA 471, sections 18358 and 18359 as added by 2006 PA 333, and section 20958 as amended by 2000 PA 375.

(Filed with the Secretary of State December 17, 2010, at 3:20 p.m.)

Date: December 17, 2010

Time: 11:34 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5211 (Public Act No. 305, I.E.), being

An act to amend 2006 PA 110, entitled “An act to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 203 (MCL 125.3203).

(Filed with the Secretary of State December 17, 2010, at 3:22 p.m.)

Date: December 17, 2010

Time: 11:36 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5212 (Public Act No. 306, I.E.), being

An act to amend 2008 PA 33, entitled “An act to codify the laws regarding and to provide for county, township, city, and village planning; to provide for the creation, organization, powers, and duties of local planning commissions; to provide for the powers and duties of certain state and local governmental officers and agencies; to provide for the regulation and subdivision of land; and to repeal acts and parts of acts,” by amending sections 3, 31, 33, 39, and 41 (MCL 125.3803, 125.3831, 125.3833, 125.3839, and 125.3841), sections 3 and 33 as amended by 2010 PA 134.

(Filed with the Secretary of State December 17, 2010, at 3:24 p.m.)

Date: December 21, 2010

Time: 11:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4119 (Public Act No. 311, I.E.), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 59 (MCL 211.59), as amended by 2006 PA 626.

(Filed with the Secretary of State December 21, 2010, at 11:52 a.m.)

Date: December 21, 2010

Time: 11:06 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4325 (Public Act No. 314), being

An act to amend 2004 PA 452, entitled “An act to prohibit certain acts and practices concerning identity theft; to require notification of a security breach of a database that contains certain personal information; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” (MCL 445.61 to 445.77) by adding sections 19a, 19b, and 19c.

(Filed with the Secretary of State December 21, 2010, at 11:58 a.m.)

Date: December 21, 2010

Time: 11:18 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4583 (Public Act No. 320, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 5133 (MCL 333.5133), as amended by 1994 PA 420.

(Filed with the Secretary of State December 21, 2010, at 12:10 p.m.)

Date: December 21, 2010

Time: 11:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5550 (Public Act No. 321, I.E.), being

An act to amend 2001 PA 34, entitled “An act relative to the borrowing of money and the issuance of certain debt and securities; to provide for tax levies and sinking funds; to prescribe powers and duties of certain departments, state agencies, officials, and employees; to impose certain duties, requirements, and filing fees upon political subdivisions of this state; to authorize the issuance of certain debt and securities; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 611 (MCL 141.2611), as amended by 2002 PA 500.

(Filed with the Secretary of State December 21, 2010, at 12:12 p.m.)

Date: December 21, 2010

Time: 11:22 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5756 (Public Act No. 322, I.E.), being

An act to amend 1936 (Ex Sess) PA 1, entitled “An act to protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions

from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 27 (MCL 421.27), as amended by 2002 PA 192.

(Filed with the Secretary of State December 21, 2010, at 12:14 p.m.)

Date: December 21, 2010

Time: 11:24 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5821 (Public Act No. 323, I.E.), being

An act to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 6 (MCL 408.476), as amended by 2004 PA 534.

(Filed with the Secretary of State December 21, 2010, at 12:16 p.m.)

Date: December 21, 2010

Time: 11:26 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6374 (Public Act No. 324, I.E.), being

An act to amend 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 2009 (MCL 339.2009), as amended by 1988 PA 463.

(Filed with the Secretary of State December 21, 2010, at 12:18 p.m.)

Date: December 21, 2010

Time: 11:36 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5858 (Public Act No. 329, I.E.), being

An act to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

(Filed with the Secretary of State December 21, 2010, at 12:28 p.m.)

Date: December 21, 2010

Time: 11:38 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5926 (Public Act No. 330, I.E.), being

An act to amend 2006 PA 110, entitled “An act to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 208, 601, and 606 (MCL 125.3208, 125.3601, and 125.3606), as amended by 2008 PA 12.

(Filed with the Secretary of State December 21, 2010, at 12:30 p.m.)

Date: December 22, 2010

Time: 1:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4918 (Public Act No. 351, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 2 of chapter XI (MCL 771.2), as amended by 2002 PA 666.

(Filed with the Secretary of State December 22, 2010, at 1:44 p.m.)

Date: December 22, 2010

Time: 1:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4919 (Public Act No. 352, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 7401 and 7403 (MCL 333.7401 and 333.7403), as amended by 2002 PA 710; and to repeal acts and parts of acts.

(Filed with the Secretary of State December 22, 2010, at 1:46 p.m.)

Date: December 22, 2010

Time: 1:04 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4920 (Public Act No. 353, I.E.), being

An act to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to provide for a lifetime electronic monitoring program; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending section 34 (MCL 791.234), as amended by 2006 PA 167.

(Filed with the Secretary of State December 22, 2010, at 1:48 p.m.)

Date: December 22, 2010

Time: 1:06 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6026 (Public Act No. 354, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding section 7403a.

(Filed with the Secretary of State December 22, 2010, at 1:50 p.m.)

Date: December 22, 2010

Time: 1:08 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6027 (Public Act No. 355, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform

system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2006 PA 259.

(Filed with the Secretary of State December 22, 2010, at 1:52 p.m.)

Date: December 22, 2010

Time: 1:18 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5575 (Public Act No. 360), being

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 750.1 to 750.568) by adding section 462j.

(Filed with the Secretary of State December 22, 2010, at 2:02 p.m.)

Date: December 22, 2010

Time: 1:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5576 (Public Act No. 361), being

An act to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2006 PA 156.

(Filed with the Secretary of State December 22, 2010, at 2:04 p.m.)

Date: December 22, 2010

Time: 1:22 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5577 (Public Act No. 362), being

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 159g (MCL 750.159g), as amended by 2010 PA 176.

(Filed with the Secretary of State December 22, 2010, at 2:06 p.m.)

Date: December 22, 2010

Time: 1:24 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5578 (Public Act No. 363), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 4701 (MCL 600.4701), as amended by 2009 PA 83.

(Filed with the Secretary of State December 22, 2010, at 2:08 p.m.)

Date: December 22, 2010

Time: 1:26 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5579 (Public Act No. 364), being

An act to amend 1985 PA 87, entitled “An act to establish the rights of victims of crime and juvenile offenses; to provide for certain procedures; to establish certain immunities and duties; to limit convicted criminals from deriving profit under certain circumstances; to prohibit certain conduct of employers or employers’ agents toward victims; and to provide for penalties and remedies,” (MCL 780.751 to 780.834) by adding section 16b.

(Filed with the Secretary of State December 22, 2010, at 2:10 p.m.)

Date: December 22, 2010

Time: 1:28 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6053 (Public Act No. 365, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 224d (MCL 750.224d), as amended by 2006 PA 401.

(Filed with the Secretary of State December 22, 2010, at 2:12 p.m.)

Date: December 22, 2010

Time: 1:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6261 (Public Act No. 371, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 82101, 82106, and 82118 (MCL 324.82101, 324.82106, and 324.82118), section 82101 as amended by 2008 PA 145, section 82106 as amended by 2008 PA 399, and section 82118 as amended by 2008 PA 400, and by adding section 82105c.

(Filed with the Secretary of State December 22, 2010, at 2:24 p.m.)

Date: December 22, 2010

Time: 2:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5614 (Public Act No. 382, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 16231 and 16233 (MCL 333.16231 and 333.16233), section 16231 as amended by 1993 PA 79 and section 16233 as amended by 1995 PA 196, and by adding sections 9122 and 17819; and to repeal acts and parts of acts.

(Filed with the Secretary of State December 22, 2010, at 2:46 p.m.)

The following message from the Governor was received and read:

December 29, 2010

Richard J. Brown
Clerk
Michigan House of Representatives
State Capitol
Lansing, MI 48908-7536

Dear Mr. Brown:

Pursuant to Section 14 of Article V of the Michigan Constitution of 1963, I write to inform the House of the following commutations and pardons granted this year:

Lazaro Medina – Sentenced on September 19, 2006 to a term of four to 20 years imprisonment for the crime of delivery of 50 to 449 grams of a controlled substance. The commutation was granted on January 4, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Charles Hathorn – Sentenced on May 2, 1995 to a term of life imprisonment for the crime of conspiracy to deliver more than 650 grams of a controlled substance. The commutation was granted on January 4, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Henry Phillips – Sentenced on March 12, 1971 and April 2, 1975 to a term of life imprisonment for the crime of second degree murder and a term of one to five years imprisonment for the crime of carrying a concealed weapon. The commutation was granted on January 12, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Frederick Wright – Sentenced on February 2, 1987 to a term of 30 to 60 years imprisonment for the crime of armed robbery. The commutation was granted on January 13, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Reynaldo Delafe – Sentenced on April 1, 1993 to a term of life imprisonment for the crime of conspiracy to possess with intent to deliver more than 650 grams of a controlled substance. The commutation was granted on February 24, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Terry Pack – Sentenced on February 18, 1998 to a term of five to 20 years imprisonment for the crime of delivery or manufacture of 50 to 224 grams of a controlled substance and a term of one to 20 years imprisonment for the crime of delivery or manufacture of less than 50 grams of a controlled substance. The commutation was granted on February 24, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

William Henson – Sentenced on November 13, 1991 to a term of 20 to 30 years imprisonment for the crime of delivery or manufacture of 225 to 649 grams of a controlled substance and a term of ten to 30 years imprisonment for the crime

of conspiracy to deliver 225 to 649 grams of a controlled substance. The commutation was granted on February 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Tony Ealy – Sentenced on May 11, 1995 to a term of 20 to 30 years imprisonment for the crime of delivery or manufacture of 225 to 649 grams of a controlled substance, a term of ten to 20 years imprisonment for the crime of delivery or manufacture of 50 to 224 grams of a controlled substance, and three terms of one to 20 years imprisonment for the crimes of delivery or manufacture of less than 50 grams of a controlled substance (three counts). The commutation was granted on February 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Mendoza Garcia-Marcos – Sentenced on March 21, 2003 to a term of 15 to 25 years imprisonment for the crime of delivery or manufacture of more than 650 grams of a controlled substance. The commutation was granted on February 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Joaquin Torres – Sentenced on September 7, 2004 to a term of 15 to 30 years imprisonment for the crime of delivery or manufacture of more than 1,000 grams of a controlled substance and a term of seven to 20 years imprisonment for the crime of delivery or manufacture of 50 to 449 grams of a controlled substance. The commutation was granted on February 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Daniel Rodriguez – Sentenced on May 30, 1996 to two terms of life imprisonment for the crime of conspiracy to deliver or manufacture more than 650 grams of a controlled substance and the crime of delivery or manufacture of more than 650 grams of a controlled substance. The commutation was granted on February 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Jose Celedon – Sentenced on November 21, 2007 to a term of seven years and four months to 30 years imprisonment for the crime of conspiracy to deliver or manufacture more than 1,000 grams of a controlled substance. The commutation was granted on February 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Victor Sanchez – Sentenced on December 7, 2005 to a term of five to 20 years imprisonment for the crime of delivery or manufacture of 50 to 449 grams of a controlled substance. The commutation was granted on February 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Ronald Russell – Sentenced on November 6, 2006 to a term of eight to 25 years imprisonment for the crime of first degree home invasion. The commutation was granted on March 26, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Arthur Penn – Sentenced on October 30, 2008 to a term of three to 20 years imprisonment for the crime of possession with intent to deliver less than 50 grams of a controlled substance. The commutation was granted on March 26, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Forrest Henley – Sentenced on April 20, 1982 and May 13, 1982 to terms of 35 to 65 years and 50 to 75 years imprisonment for the crimes of armed robbery (two counts). The commutation was granted on March 31, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Barry Willis – Sentenced on July 25, 1995 to a term of life imprisonment for the crime of conspiracy to deliver or manufacture more than 650 grams of a controlled substance. The commutation was granted on March 31, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Michael Toler – Sentenced on July 20, 1994 to two terms of life imprisonment for the crimes of conspiracy to deliver or manufacture more than 650 grams of a controlled substance and delivery or manufacture of more than 650 grams of a controlled substance. The commutation was granted on March 31, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Antawn Willis – Sentenced on October 27, 1994 to a term of life imprisonment for the crime of conspiracy to deliver more than 650 grams of a controlled substance. The commutation was granted on March 31, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Carlos Zetina-Guzman – Sentenced on July 28, 2003 to a term of eight to 25 years imprisonment for the crime of delivery or manufacture of more than 650 grams of a controlled substance. The commutation was granted on March 31, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Sylvester Gavin – Sentenced on April 8, 1970 to a term of life imprisonment for the crime of first degree murder. The commutation was granted on March 31, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Loren Regelin – Sentenced on May 16, 1997 to a term of life imprisonment for the crime of conspiracy to deliver or manufacture 450 to 999 grams of a controlled substance. The commutation was granted on April 1, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Emil Mardenli – Sentenced on January 20, 1995 to a term of life imprisonment for the crime of conspiracy to deliver or manufacture more than 650 grams of a controlled substance. The commutation was granted on April 20, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Armando Serrano Irra (a/k/a John Doe) – Sentenced on January 12, 2009 to a term of two years and six months to 20 years for the crime of delivery or manufacture of less than 50 grams of a controlled substance. The commutation was granted on April 20, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Conyus Manciel – Sentenced on May 29, 1968 to a term of life imprisonment for the crime of first degree murder. The commutation was granted on April 20, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Royal Chatman – Sentenced on February 16, 1994 to a term of life imprisonment for the crime of delivery or manufacture of more than 650 grams of a controlled substance. The commutation was granted on April 20, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Rodney O'Bryan – Sentenced on November 16, 1992 to three terms of eight to 20 years imprisonment for the crimes of delivery or manufacture of less than 50 grams of a controlled substance (three counts). The commutation was granted on April 20, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Cesar Garcia Hernandez – Sentenced on June 23, 2003 to a term of 25 to 50 years imprisonment for the crime of delivery or manufacture of more than 650 grams of a controlled substance. The commutation was granted on April 27, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Darius Duncan – Sentenced on September 27, 1993 to two terms of 20 to 30 years imprisonment for the crimes of delivery or manufacture of 225 to 649 grams of a controlled substance and conspiracy to deliver or manufacture 225 to 649 grams of a controlled substance. The commutation was granted on April 27, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

William Bennett Jr. – Sentenced on June 24, 1976 to a term of life imprisonment for the crime of first degree murder. The commutation was granted on May 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Craig Willett – Sentenced on March 31, 1999 to two terms of seven to 20 years imprisonment for the crimes of delivery and manufacture of 50 to 224 grams of a controlled substance (two counts). The commutation was granted on June 7, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

James Armstrong – Sentenced on January 28, 1963 and April 20, 1983 to a term of life imprisonment for the crime of first degree murder and a term of six months to five years imprisonment for the crime of escaping prison. The commutation was granted on June 7, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Carol Hart – Sentenced on September 4, 1969 to a term of 25 to 35 years imprisonment for the crime of assault with intent to rob while armed. The commutation was granted on June 7, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Myron Mayberry – Sentenced on October 26, 1989 to a term of 25 to 50 years imprisonment for the crime of assault with intent to commit murder. The commutation was granted on June 22, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Frank Hampton III – Sentenced on January 28, 1998 to a term of 20 to 30 years imprisonment for the crime of possession with intent to deliver 225 to 665 grams of a controlled substance, a term of 13 years and four months to 20 years imprisonment for the crime of possession with intent to deliver less than 50 grams of a controlled substance, and a term of two to four years imprisonment for the crime of resisting and obstructing a police officer. The commutation was granted on June 22, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Kari Elizabeth-Sarah Hunter – Sentenced on August 25, 2009 to two terms of two years and six months to 20 years imprisonment for the crime of first degree home invasion (two counts). The commutation was granted on July 22, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Michael Jarvi – Sentenced on June 2, 2005 to a term of six to 20 years imprisonment for the crime of first degree home invasion. The commutation was granted on July 22, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Victor Adoplfo Valdovinos-Ramirez – Sentenced on July 9, 2007 to a term of four to 20 years imprisonment for the crime of delivery or manufacture of 50 to 449 grams of a controlled substance. The commutation was granted on July 22, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Benjamin Ortiz-Perez – Sentenced on September 13, 2004 to a term of eight to 30 years imprisonment for the crime of delivery or manufacture of 225 to 649 grams of a controlled substance. The commutation was granted on August 19, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Vincente Palma Pineda – Sentenced on December 6, 2001 to a term of 15 to 25 years imprisonment for the crime of possession with intent to deliver more than 650 grams of a controlled substance. The commutation was granted on August 19, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Jose Guadalupe Rodriguez – Sentenced on May 8, 2007 to a term of five years, six months to 30 years imprisonment for the crime of delivery or manufacture of 450 to 999 grams of a controlled substance, a term of five years, six months to 30 years imprisonment for the crime of conspiracy to deliver or manufacture 1,000 or more grams of a controlled substance, a term of five to 20 years imprisonment for the crime of delivery of manufacture of 50 to 449 grams of a controlled substance, and a term of five to 20 years imprisonment for the crime of conspiracy to deliver or manufacture 50 to 449 grams of a controlled substance. The commutation was granted on August 19, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Anthony Jourden – Sentenced on November 30, 2009 to two terms of one year, one month to six years imprisonment for the crimes of unlawfully driving away an automobile and fleeing and eluding. The commutation was granted on August 23, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Leonard Hansen – Sentenced on April 9, 1999 to two terms of six to 20 years imprisonment for the crimes of first degree home invasion and assault with intent to rob being unarmed. The commutation was granted on August 23, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Cassandra Grant – Sentenced on January 5, 2009 to two terms of eight to 21 years imprisonment for the crime of uttering and publishing (two counts). The commutation was granted on September 23, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Frank Rodriguez – Sentenced on December 12, 1997 and December 15, 1997 to a term of life imprisonment for the crime of second conspiracy to deliver or manufacture more than 650 grams of a controlled substance, a term of ten to 30 years imprisonment for the crime of second delivery or manufacture of 50 to 224 grams of a controlled substance, two terms of two to 30 years imprisonment for the crime of second delivery or manufacture of less than 50 grams of a controlled substance (two counts), and a term of one to twenty years imprisonment for the crime of delivery or manufacture of less than 50 grams of a controlled substance. The commutation was granted on October 1, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Frederick Smith – Sentenced on May 31, 2006 to a term of 12 to 20 years imprisonment for the crime of assault with intent to murder. The commutation was granted on October 1, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Gordon Erckman – Sentenced on May 1, 1995 to a term of life imprisonment for the crime of delivery or manufacture of more than 650 grams of a controlled substance. The commutation was granted on October 1, 2010 for medical reasons and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Richard Garza – Sentenced on October 29, 1992 and July 12, 1995 to a term of life imprisonment for delivery or manufacture of more than 650 grams of a controlled substance and a term of two to five years imprisonment for the crime of prisoner possessing a weapon – habitual offender 2nd. The commutation was granted on October 1, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Juan Manuel Gallocervantes – Sentenced on June 27, 2003 to a term of 20 to 40 years imprisonment for the crime of possession of more than 1,000 grams of a controlled substance. The commutation was granted on October 1, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Jose Montano Hernandez – Sentenced on December 15, 2008 to a term of three to twenty years imprisonment for the crime of possession of 50 to 449 grams of a controlled substance. The commutation was granted on October 1, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Henry Nnebedum – Sentenced on February 12, 2009 to a term of three to 20 years imprisonment for the crime of delivery or manufacture of 50 to 449 grams of a controlled substance. The commutation was granted on October 1, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Rogelio Camacho Gutierrez – Sentenced on September 9, 2008 to a term of three to 20 years imprisonment for the crime of delivery or manufacture of 50 to 449 grams of a controlled substance. The commutation was granted on October 1, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Lindell Brown – Sentenced on November 18, 2005 to a term of nine years and six months to 20 years imprisonment for the crime of manufacture of less than 1,000 grams of a controlled substance. The commutation was granted on October 1, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Jerry Thompson – Sentenced on January 29, 1991 and June 24, 1991 to two terms of life imprisonment for the crimes of possession of more than 650 grams of a controlled substance and delivery or manufacture of more than 650 grams of a controlled substance, and a term of ten to 20 years imprisonment for the crime of delivery or manufacture of 50 to 224 grams of a controlled substance – habitual offender. The commutation was granted on October 1, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Jeffrey Snell – Sentenced on April 19, 1994 to a term of life imprisonment for the crime of conspiracy to deliver or manufacture more than 650 grams of a controlled substance and a term of ten to 30 years imprisonment for the crime of delivery or manufacture of less than 50 grams of a controlled substance. The commutation was granted on October 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Vladimir Zhdanovich – Sentenced on May 23, 2006 to a term of six to 20 years imprisonment for the crime of conducting a criminal enterprise. The commutation was granted on October 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

John Polick – Sentenced on March 23, 1976 to a term of life imprisonment for the crime of first degree murder. The commutation was granted on October 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Willie Causey – Sentenced on September 20, 1994 to two terms of life imprisonment for the crimes of delivery or manufacture of more than 650 grams of a controlled substance and conspiracy to deliver or manufacture more than 650 grams of a

controlled substance. The commutation was granted on November 8, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Thomas Cress – Sentenced on June 5, 1985 to a term of life imprisonment for the crime of first degree murder. The commutation was granted on December 28, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Fred Stewart III – Sentenced on July 16, 1951 to terms of two years probation and \$250 in fines, costs, and restitution for the crime of breaking and entering at night. The pardon was granted on June 7, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Pedro Jimenez – Sentenced on December 1, 1983 to terms of six months imprisonment, three years probation, and \$2,794 in fines, costs, and restitution for the crime of attempted uttering and publishing. The pardon was granted on June 7, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Edna Wilkerson – Sentenced on December 21, 2007 to a term of one year probation and \$1,595 in fines, costs, and restitution for the crime of failure to report patient abuse. The pardon was granted on June 7, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Veronica Tait – Sentenced on January 25, 1993 to a term of one year probation and \$475 in fines, costs, and restitution for the crime of disturbing the peace (two counts). The pardon was granted on August 19, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Patrick Grabowski – Sentenced on December 27, 1976, February 14, 1978, June 18, 1979, and January 26, 1982 to terms of four years probation, \$150 in fines, costs, and restitution, six months in jail, four to 14 years imprisonment, and one year in jail for the crimes of unlawfully driving away an automobile, attempted breaking and entering of an occupied dwelling, uttering and publishing, and prison escape. The pardon was granted on August 19, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Houa Vang – Sentenced on June 12, 1996 and June 11, 1997 to terms of 30 days in jail, two years probation, \$200 in fines, costs, and restitution, and one year in jail for the crimes of fourth degree criminal sexual conduct and second degree criminal sexual conduct. The pardon was granted on August 19, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Shannon Woodruff – Sentenced on October 7, 1991 and October 21, 1991 to terms of three years probation, \$40 per month in fines, costs, and restitution, one year probation, and \$250 in fines, costs, and restitution for the crimes of possession of less than 25 grams of a controlled substance and larceny under \$100. The pardon was granted on October 4, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Douglas Elders – Sentenced on March 16, 1989 to terms of two to four years imprisonment and five to 20 years imprisonment for the crimes of delivery or manufacture of marijuana and delivery or manufacture of less than 50 grams of cocaine. The pardon was granted on October 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Dwight Dery – Sentenced on May 11, 1953 and March 15, 1954 to terms of one year in jail and two to 14 years imprisonment for the crimes of forgery and uttering and publishing. The pardon was granted on October 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Marcus Garvin – Sentenced on May 26, 1998, July 15, 1998, October 22, 1999, June 19, 1998, November 20, 1998, and August 3, 2000 to terms of six months probation, five days in jail, and \$258 in costs; six months probation, five days in jail, and \$258 in costs; one year and six months to five years imprisonment; three days jail time and \$100 in costs; 12 months probation and \$460 in costs; and one year in jail, participation in New Pathways, six months on tether, and \$200 in costs for the crimes of retail fraud 2nd, harboring a runaway, attempted breaking and entering with intent, retail fraud 2nd, receiving and concealing stolen property, and breaking and entering with intent. The pardon was granted on October 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Peter Elliott – Sentenced on July 15, 1968, November 13, 1968, November 26, 1968, October 20, 1970, and February 7, 1980 to terms of \$10 in fines, costs, and restitution; \$200 in fines, costs, and restitution and two years probation; \$200 in fines, costs, and restitution and two years probation; \$83 in costs and two years probation; and \$200 in costs and two years probation for the crimes of possession of fireworks, violation of controlled substance article, use of a controlled substance, illegal use of drugs, and fraudulent procurement of narcotic drugs. The pardon was granted on October 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Russell Blaine – Sentenced on May 13, 1957 and March 3, 1958 to terms of \$19 in costs and \$15 in costs and three days in jail for the crimes of furnishing liquor to a minor and drunk and disorderly. The pardon was granted on October 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Kristine Voycik – Sentenced on February 17, 1995 to terms one year probation and \$5,088 in costs for the crimes of welfare fraud \$500 or less and welfare fraud failure to inform less than \$500. The pardon was granted on October 26, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Ralph Workman – Sentenced on November 19, 1969 and July 23, 1970 to terms of one year probation and \$25 in fines, costs, and restitution or ten days in jail and ninety days confinement and \$300 in fines, costs, and restitution for the crimes of larceny in a building and stolen property – receive and conceal in excess of \$100. The pardon was granted

on November 23, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Douglas Reidt – Sentenced on January 17, 1985 to two life terms for conspiracy to deliver more than 650 grams of a controlled substance and delivery of a controlled substance. Mr. Reidt, a Canadian citizen, was transferred to Canada by international treaty and placed on lifetime parole supervision in that country. The pardon was granted on November 23, 2010 with the condition that he not return to Michigan.

Michael Ann (Buford) Gauthier – Sentenced on April 25, 1994, March 14, 1995, June 17, 1997, June 26, 1997, August 25, 1997, and September 3, 1998 to terms of 12 months probation, \$75 in fines, costs, and restitution, 20 hours of community service, placement in an in-home program, and participation in a children of alcoholics group; probation until January 15, 1996, two weeks in a non-secure detention home, \$20 victims rights assessment, and 30 hours of community service; six months in jail, three years probation, and \$560 in fines, costs, and restitution; \$50 in fines, costs, and restitution; 21 days in jail, \$65 in fines, costs, and restitution, and 180 days probation; and three days in jail and \$150 in fines, costs, and restitution for the crimes of 2nd degree retail fraud, 2nd degree retail fraud, tobacco – possession or use by minors, false report of a misdemeanor, controlled substance – delivery or manufacture marijuana, and children abuse – intentional false report. The pardon was granted on December 13, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Spencer Gary Friedman (formerly Spencer Gary Friedman) – Sentenced on May 27, 1980, May 4, 1981, December 22, 1981, and October 9, 1981 to terms of thirty days in jail; one to two years and six months imprisonment; two to 10 years imprisonment; three years and 11 months to 10 years imprisonment; and two years and six months to four years imprisonment for the crimes of larceny \$100 or less, attempted unlawful driving away an automobile, possession of burglar tools, possession of burglar tools, and larceny in a building. The pardon was granted on December 13, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Walter Aaron Troupe – Sentenced on April 27, 2009 to a term of probation and a \$120 probation fee for the crime of attempted - controlled substance -possession/analogue. The pardon was granted on December 27, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Ernest Howard Walker – Sentenced on October 27, 2000 to a term of three to 15 years imprisonment for the crime of operating under the influence causing death. The pardon was granted on December 28, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Matthew Richard Hayes – Sentenced on March 17, 2010 to a term of one day in jail and \$1,500 in fines for the crime of operating while visibly impaired. The pardon was granted on December 28, 2010 and was based on the affirmative recommendation of the Michigan Parole and Commutation Board.

Respectfully,
Jennifer M. Granholm
Governor

The message was referred to the Clerk.

Communications from State Officers

The following communication from the Office of the Chief Compliance Officer was received and read:

December 17, 2010

Attached is the 2009-2010 Annual Report of the Office of the Chief Compliance Officer, which relates to the 21st Century Jobs Fund Programs. This report is submitted pursuant to MCL 125.2088i(6)(i), which requires the Chief Compliance Officer to prepare a written annual report that evaluates compliance with internal policies and procedures and with applicable state and federal law, explains any compliance matters that arose during the previous year, and suggests revisions to agency policies and procedures. While a great deal of activity took place during the year, I am pleased to report that diligent work by all involved ensured that all applicable laws, policies, and procedures were followed, as more completely described in the Annual Report.

John D. Walter
Chief Compliance Officer

The communication was referred to the Clerk.

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

December 20, 2010

In compliance with Michigan election law, MCL 168.879(4), the following vote recount report for the office of State Representative, District 84, is submitted by the Board of State Canvassers to the State House of Representatives.

The communication was referred to the Clerk.

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

December 27, 2010

Section 546(3) of 2009 Public Act 129 (Enrolled Senate Bill No. 248) requires the Department of Human Services to calculate and report the cost of care, on a per diem basis, for foster care services delivered directly by the department. The report is attached.

If you have any questions, please contact Jane Schultz, director of the Budget Division, at (517) 373-7787.

Sincerely,
Ismael Ahmed

The communication was referred to the Clerk.

Announcements by the Clerk

December 14, 2010

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of the Newberry Correctional Facility, Department of Corrections, December 2010.

Richard J. Brown
Clerk of the House

By unanimous consent the House returned to the order of

Messages from the Senate

December 29, 2010

The Honorable Andy Dillon
Speaker of the House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Speaker:

I have the honor to inform you that the Senate has completed the business of the session and is now ready to adjourn.

Very respectfully,
Carol Morey Viventi, J.D.
Secretary of the Senate

The hour of 12:00 Noon having arrived,

Pursuant to the resolution fixing the date of final adjournment and the provision of the Constitution determining the hour of such adjournment, the Clerk declared the House adjourned without day.

RICHARD J. BROWN
Clerk of the House of Representatives

