

No. 10
STATE OF MICHIGAN
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House of Representatives
96th Legislature
REGULAR SESSION OF 2011

House Chamber, Lansing, Tuesday, February 8, 2011.

1:30 p.m.

The House was called to order by the Speaker.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Agema—present	Gilbert—present	Lipton—present	Pscholka—present
Ananich—present	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—present	MacGregor—present	Schmidt, R.—present
Brown—present	Haveman—present	MacMaster—present	Schmidt, W.—present
Brunner—present	Heise—present	McBroom—present	Scott—present
Bumstead—present	Hobbs—present	McCann—present	Segal—present
Byrum—present	Hooker—present	McMillin—present	Shaughnessy—present
Callton—present	Horn—present	Meadows—present	Shirkey—present
Cavanagh—present	Hovey-Wright—present	Melton—present	Slavens—present
Clemente—present	Howze—present	Moss—present	Smiley—present
Constan—present	Hughes—present	Muxlow—present	Somerville—present
Cotter—present	Huuki—present	Nathan—present	Stallworth—present
Crawford—present	Irwin—present	Nesbitt—present	Stamas—present
Daley—present	Jackson—present	O'Brien—present	Stanley—present
Damrow—present	Jacobsen—present	Oakes—present	Stapleton—present
Darany—present	Jenkins—present	Olson—present	Switalski—present
Darby—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		

e/d/s = entered during session

Rep. Charles M. Brunner, from the 96th District, offered the following invocation:

“O Lord God Our Father, we thank You for Your never-ending love for us, the people of Michigan. We thank You that You have given us this land to be our home, a place whose beauty we treasure every time we look around us. We thank You that You call us to lead the great people of Michigan.....people called from every race, language and creed in the world....we are a grand smorgasbord of Your children.

We Your Legislators bless You for the opportunity to serve in these challenging days. Grant to us the wisdom to make the hard decisions....choices we pray that will positively impact many lives. Help us to appreciate the call that is ours.

Help us God our Creator to care for the needs of all Your people.....help us to make decisions that give hope to the hopeless....and compassion to the vulnerable.

Finally, after having served You faithfully here on earth.....please call us to Your heavenly home confident that we have done our part to make the lives of all Your children safe and secure.

Keep our state and nation close to Your heart.

We thank You, Blessed God, for the gift of this new day to serve....AMEN.”

The Speaker called the Speaker Pro Tempore to the Chair.

Comments and Recommendations

Rep. Stamas moved that Rule 17 be suspended.

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

Rep. Stamas moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Daley:

“I just wanted to take this moment to thank everyone for their outpouring of support over the past week. Even though we’ve only been in this term less than 40 days, I want you to know how important my Lansing family is to me and the close connection we share.

And it’s not just the legislators, it’s everyone—we were overwhelmed by the support from lawmakers, staff and lobbyists who took the time to show their concern for us and came out to see us.

In life, as well as in death, my son was filled with generosity and compassion, and he was able to continue his selflessness by donating his organs. With his life, he saved the lives of four critically ill people:

- His right kidney was transplanted into a 10-year old boy;
- His left kidney went to a 27-year old woman;
- His heart was given to a 21-year-old young lady; and
- His liver was given to a 46-year-old man.

All of these recipients are doing very well, and have been given a new beginning.

I am sharing this with you to let you know that your decision to donate blood today or sign up to be an organ donor will have a lasting impact. Not only are you honoring Thomas with your actions, you may be giving someone else a miracle. Thank you.

I’ve told this to many people, but Thomas was the reason why I am here. During his second year in college at Western Michigan, he called me and said ‘Dad, are you still going to run? I’ve been thinking about it and I’m going to come home and run the farm.’

What an amazing son. I am and always will be incredibly proud of him, and thank the Lord for allowing us to have this wonderful young man be part of our lives.

I also would like to introduce my family here with me today. My wife Debbie, our son Michael and daughter Elizabeth are in the gallery along with my mother-in-law and father-in-law Bernadette and Chuck Treece.

Thank you again.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Nesbitt, Genetski, Agema, Pscholka, Franz, Huuki, Shirkey, Shaughnessy, McMillin, McBroom, MacGregor, Pettalia, Foster, Jenkins, LaFontaine, Knollenberg, Lyons, Hooker, MacMaster, Olson, Price and Tyler offered the following resolution:

House Resolution No. 19.

A resolution to memorialize the United States Congress to take immediate steps to impose a moratorium on greenhouse gas, air quality, and other regulatory actions by the Environmental Protection Agency.

Whereas, Concern is growing that, with cap-and-trade legislation having failed in Congress, the Environmental Protection Agency (EPA) is attempting to obtain the same results through the adoption of regulations. The EPA has proposed or is proposing numerous new regulations, particularly in the area of air quality, greenhouse gases, cooling water intake, and coal ash management that are likely to have major negative effects on the economy, jobs and U.S. competitiveness in worldwide markets. The aggregate of EPA's regulatory activity and its aggressive timeline has become known to many as the "train wreck," because of the numerous and overlapping requirements and because of the potentially devastating consequences this regulatory activity may have on the economy; and

Whereas, These new regulatory actions are ill-conceived, ill-advised, and under-studied. Neither the EPA nor any other executive agency has undertaken a comprehensive study of what the cumulative effect of all of this new regulatory activity will have on the economy, jobs, and competitiveness. Furthermore, the EPA has not performed any comprehensive study of what the environmental benefits of its greenhouse regulation will be in terms of impacts on global climate; and

Whereas, Michigan and other states struggling to rebound from the loss of manufacturing jobs and high unemployment face further hardship if the EPA irresponsibly and prematurely imposes greenhouse gas, air quality, coal by-products, and water use restrictions. Coal dominates electricity generation in Michigan, supplying nearly two thirds of the electric energy produced in the state. The regulatory package proposed by the EPA will push energy prices higher, hurting consumers, as well as the manufacturers the state is counting on to supply jobs. Manufacturers could face a double impact, paying higher energy prices and having to deal with these restrictions themselves; and

Whereas, The Michigan Legislature supports continuing improvements in the quality of the state and the nation's air and water and believes that that such improvements can be made in a sensible fashion without unjustifiably damaging the economy so long as there is a full understanding of the cost of the regulations at issue and those regulations are based upon sound science. Since the EPA has identified "taking action on climate change and improving air quality" as its first strategic goal for the 2011-15 time period, the EPA should be required to identify the specific actions it intends to take to achieve these goals and to assess the total cost, economic impact, and benefits of all these actions together; and

Whereas, A primary goal of government at the present time must be to promote economic recovery and to foster a stable and predictable business environment that will lead to the creation of jobs. Public health and welfare will suffer without significant new job creation and economic improvement, because people with good jobs are better able to take care of themselves and their families than the unemployed and because environmental improvement is best achieved in a society that generates wealth; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to take the following actions: Adopt legislation prohibiting the EPA from unilaterally regulating greenhouse gas emissions, including if necessary by removing appropriations from EPA greenhouse gas regulatory activities; impose a moratorium on the promulgation of any new air quality, water use, and waste management regulations by the EPA for a period of two years, except those necessary to directly address an imminent health or environmental emergency when subject to court order; direct appropriations for EPA air quality regulatory activities towards the updating of the agency's scientific models and data, require the administration to undertake a multi-agency study identifying all regulatory activity that the EPA intends to undertake in furtherance of its goals of taking action on climate change and improving air quality, limiting water use, and expanding coal ash regulations, and specifying the cumulative effect of all of these regulations on the economy, jobs, and American economic competitiveness; 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.

The resolution was referred to the Committee on Regulatory Reform.

Reps. Lyons, Brown, Knollenberg, Liss, MacMaster, Olson, Price, Rendon and Tyler offered the following resolution:

House Resolution No. 20.

A resolution to declare February 24, 2011, as Conductive Education Day in the state of Michigan.

Whereas, Conductive education (CE) was developed over sixty years ago in Hungary by Dr. András Peto; and

Whereas, CE is a unique teaching system that maximizes the independence and mobility of children and adults with neuro-motor disabilities like stroke survivors, and those with cerebral palsy, multiple sclerosis, acquired brain injuries, Parkinson's disease and spina bifida; and

Whereas, CE operates from a core belief in neuroplasticity, the lifelong ability of the brain to reorganize neural pathways based on new experiences; and on the premise that no matter how severe the disability, people can learn and improve when they are motivated; and

Whereas, CE has the potential to make a significant, life-changing impact on the mobility and independence of close to nine million people in the United States and Canada; and

Whereas, CE helps individuals learn their way to independence; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 24, 2011, as Conductive Education Day in the state of Michigan. We encourage support for this important program that increases the independence of people with disabilities in our community.

The question being on the adoption of the resolution,

The resolution was adopted.

—————

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

Reps. Knollenberg, Hooker, Huuki, Lyons, Olson, Price and Tyler offered the following resolution:

House Resolution No. 21.

A resolution to memorialize Congress to take steps to insure that the Wall Street Reform and Consumer Protection Act does not result in increased fees on consumers at exempted institutions.

Whereas, Under certain provisions (section 1075) of the Wall Street Reform and Consumer Protection Act (Public Law No. 111-203), the Federal Reserve Board is required to issue regulations that would provide for reasonable interchange transaction fees for electronic debit transactions and place limitations on payment card network restrictions; and

Whereas, In drafting Section 1075, Congress included language to exempt small issuers from this provision, defining small institutions as those "with less than \$10 billion in total assets." Small issuers rely on debit interchange fees to provide free checking services to their customers and to cover costs associated with fraud prevention and data security. If these costs were not fully recoverable, small issuers would be unable to offer debit services to their customers, and the result could be decreased consumer choice and higher fees. Because of these concerns, Congress specifically exempted those institutions with less than \$10 billion in assets; and

Whereas, The Federal Reserve Board's current debit interchange fee regulatory proposal (Docket No. R-1404) could lead to the unintended consequences of increasing costs on consumers and limiting consumer choice. The proposal does not include any provision designed to enforce the carve-out for small issuers. It is incumbent on Congress to revisit this issue and help insure that these regulations do not ultimately result in less choice and higher costs for consumers; now, therefore, be it

Resolved by the House of Representatives, That we urge Congress to stop or delay the implementation of Section 1075 so that statutory changes can be made to ensure institutions with less than \$10 billion in assets are exempted without consequence in order to ensure Section 1075 does not result in increased fees on consumers at exempted institutions; 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.

The resolution was referred to the Committee on Banking and Financial Services.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, February 1:

Senate Bill Nos. 94 95 96 97 98 99 100

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, February 3:

**House Bill Nos. 4161 4162 4163 4164 4165 4166 4167 4168 4169 4170 4171 4172 4173 4174
4175 4176 4177 4178 4179 4180 4181 4182 4183 4184 4185 4186 4187 4188
4189**

The Clerk announced that the following Senate bill had been received on Tuesday, February 8:

Senate Bill No. 53

Reports of Standing Committees

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

House Bill No. 4160, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88b (MCL 125.2088b), as amended by 2010 PA 271.

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. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia, Haugh, Stapleton, Bledsoe and Slavens

Nays: None

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

House Resolution No. 17.

A resolution to express opposition to the possible ban of firearm hunting and snowmobiling in certain areas of the Huron-Manistee National Forest.

(For text of resolution, see House Journal No. 9, p. 112.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Concurrent Resolution No. 2.

A concurrent resolution to express opposition to the imposition of a ban of firearm hunting and snowmobiling in certain areas of the Huron-Manistee National Forest.

(For text of concurrent resolution, see House Journal No. 6, p. 83.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

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

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: Tuesday, February 8, 2011

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

The Committee on Oversight, Reform, and Ethics, by Rep. McMillin, Chair, reported

House Bill No. 4135, 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 2009 PA 201.

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. McMillin, Jacobsen, Denby, Price and Bledsoe

Nays: Rep. Brown

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. McMillin, Chair, of the Committee on Oversight, Reform, and Ethics, was received and read:

Meeting held on: Tuesday, February 8, 2011

Present: Reps. McMillin, Jacobsen, Denby, Price, Bledsoe and Brown

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wayne Schmidt, Chair, of the Committee on Commerce, was received and read:

Meeting held on: Tuesday, February 8, 2011

Present: Reps. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Somerville, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente, Melton and Olumba

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Damrow, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Tuesday, February 8, 2011

Present: Reps. Damrow, Franz, Haines, Tyler, Callton, Zorn, Nathan, Darany, Smiley, Liss and Clemente

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Horn, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Tuesday, February 8, 2011

Present: Reps. Horn, Shirkey, Opsommer, Crawford, Haveman, Kowall, Franz, Jacobsen, McBroom, Nesbitt, Outman, Price, Zorn, Roy Schmidt, Santana, Irwin, Brunner, Melton, Cavanagh, Smiley and Switalski

Messages from the Senate

Senate Bill No. 53, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 2155.

The Senate has passed the bill.

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

Notices

February 8, 2011

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

Pursuant to MCL 324.32202, I am appointing Mr. Bruce Rasher of Marshall to the **Great Lakes Commission** for the term from January 1, 2011 to December 31, 2012.

Sincerely,
Jase Bolger, Speaker
Michigan House of Representatives

February 8, 2011

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

Pursuant to MCL 4.1301, I am appointing the following members of the House to the **Michigan Commission on Uniform State Laws** for terms from January 1, 2011 to December 31, 2012:

Representative Kevin Cotter
Representative Ellen Cogen Lipton

Sincerely,
Jase Bolger
Speaker of the House of Representatives

February 8, 2011

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

Pursuant to MCL 4.1401, I am appointing the following members of the House to the **Michigan Law Revision Commission** for terms from January 1, 2011 to December 31, 2012:

Representative Kurt Heise Representative Mark Meadows

Sincerely,
Jase Bolger, Speaker
Michigan House of Representatives

February 8, 2011

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

Pursuant to MCL 324.17313, I am appointing the following member of the House to the **Electronic Waste Advisory Council**:

Representative Jeff Farrington

Sincerely,
Jase Bolger, Speaker
Michigan House of Representatives

February 8, 2011

Mr. Gary L. Randall, Clerk
 Michigan House of Representatives
 State Capitol Building
 Lansing, Michigan 48913

Dear Mr. Clerk:

Pursuant to MCL 324.30329, I am making the following appointment to the Wetland Advisory Council within the Department of Natural Resources and Environment:

Mr. Scott Piggott, Manager of the Agriculture Ecology Department for the Michigan Farm Bureau for the position appointed by the Speaker of an individual representing the largest general statewide farm organization.

Respectfully,
 Jase Bolger, Speaker
 Michigan House of Representatives

Messages from the Governor

The following message from the Governor was received February 7, 2011 and read:

EXECUTIVE ORDER No. 2011 - 3

EXECUTIVE REORGANIZATION

ABOLISHING THE MICHIGAN PAROLE AND COMMUTATION BOARD AND THE EXECUTIVE CLEMENCY ADVISORY COUNCIL

CREATING THE MICHIGAN PAROLE BOARD DEPARTMENT OF CORRECTIONS

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 of state government or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, there is a continuing need to reorganize functions among state departments to ensure efficient administration and effectiveness of government; and

WHEREAS, abolishing the Michigan Parole and Commutation Board will lead to more effective implementation of corrections policy and greater administrative efficiencies in the Department of Corrections;

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. "Civil Service Commission" means the Michigan Civil Service Commission created under Section 5 of Article XI of the Michigan Constitution of 1963.

B. "Department of Corrections" or "Department" means the principal department of state government created under Section 1 of the Corrections Code of 1953, 1953 PA 232, MCL 791.201, Section 275 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.375, and Executive Order 1991-12, MCL 791.302.

C. "Executive Clemency Advisory Council" means the Executive Clemency Advisory Council created by Section II of Executive Order 2007-2.

D. "Michigan Parole and Commutation Board" means the Michigan Parole and Commutation Board established by executive order 2009-5 and amended by Executive Order 2009-20.

E. "Michigan Parole Board" or "Board" means the Parole Board established under Section III of this Order.

F. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of the Management and Budget Act, 1984 PA 431, MCL 18.1321.

II. ABOLISHMENT OF MICHIGAN PAROLE AND COMMUTATION BOARD

A. All of the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Parole and Commutation Board are transferred to the Michigan Parole Board created under Section III of this Order.

B. The Michigan Parole and Commutation Board is abolished.

III. CREATION OF THE MICHIGAN PAROLE BOARD

A. The Michigan Parole Board is established within the Department of Corrections. The Michigan Parole Board shall consist of 10 members appointed by the Director of the Department of Corrections. Members of the Board shall not be within the classified state civil service.

B. Members of the Board shall be appointed to terms of 4 years each, except that of the members first appointed, 4 shall serve for terms of 4 years each, 3 shall serve for terms of 3 years each, and 3 shall serve for terms of 2 year each. A member may be reappointed. The director may remove a member of the Board for incompetency, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office.

C. A member of the Board shall continue to serve until a successor is appointed. If a vacancy occurs on the Board, the director shall make an appointment for the unexpired term in the same manner as an original appointment. At least 4 members of the Board shall be persons who, at the time of their initial appointment, have never been employed by the Department of Corrections, other than as a member of the Michigan Parole and Commutation Board or the Parole Board established under MCL 791.231a.

D. The chairperson of the Board shall be designated by the director. The chairperson of the Board shall be responsible for the administration and operation of the Board. The chairperson may conduct interviews, public hearings, and participate in the parole decision making process. The chairperson shall select secretaries and other assistants as the chairperson considers to be necessary.

E. Each member of the Board shall receive an annual salary as appropriated by law and shall be entitled to actual and necessary expenses incurred in the performance of official duties subject to the standardized travel regulations of the state.

IV. TRANSFERS FROM THE MICHIGAN PAROLE AND COMMUTATION BOARD TO THE MICHIGAN PAROLE BOARD

A. The authority, powers, duties, and functions of the Michigan Parole and Commutation Board transferred under this Order to the Michigan Parole Board, include, but are not limited to, the authority, powers, duties, and functions of the Michigan Parole and Commutation Board under any of the following:

1. Section 9 of the Sex Offenders Registration Act, 1994 PA 295, MCL 28.729.
2. Section 36 of Title VIII of The Code of Criminal Procedure, 1927 PA 175, MCL 768.36.
3. Sections 1a, 1f, and 1g of Title IX of The Code of Criminal Procedure, 1927 PA 175, MCL 769.1a, 769.1f, and 769.1g.
4. Section 22 of the Uniform Criminal Extradition Act, 1937 PA 144, MCL 780.22.
5. Section 1 of 1957 PA 177, MCL 780.131.
6. Sections 16, 19, 21, and 48 of the William Van Regenmorter Crime Victim's Rights Act, 1985 PA 87, MCL 780.766, 780.769, 780.771, and 780.798.
7. The Corrections Code of 1953, 1953 PA 232, MCL 791.201 to 791.285.
8. Section 5 of the Special Alternative Incarceration Act, 1988 PA 287, MCL 798.15.
9. Sections 33 to 35 of 1893 PA 118, MCL 800.33 to 800.35.

B. After the effective date of this Order, any statutory and other legal references to the "Michigan Parole Board" or the "Parole Board" shall be deemed references to the Michigan Parole Board created under this Order.

V. IMPLEMENTATION OF TRANSFER

A. The Director of the Department of Corrections shall provide executive direction and supervision for the implementation of the transfers under this Order and shall make internal organizational changes necessary to effectuate the transfers.

B. The authority, powers, duties, functions, and responsibilities transferred to the Michigan Parole Board under this Order shall be administered in such ways as to promote efficient administration.

C. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available for the activities, powers, duties, functions, and responsibilities transferred to the Michigan Parole Board under this Order are transferred to the Michigan Parole Board.

V. ABOLISHMENT OF THE EXECUTIVE CLEMENCY ADVISORY COUNCIL

Executive Order 2007- 2 is rescinded in its entirety and the Executive Clemency Advisory Council is abolished.

V. MISCELLANEOUS

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system necessary for the implementation of this Order.

B. All rules, orders, contracts, and agreements relating to the transfers under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

C. 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.

D. 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.

This Executive Order shall become effective on April 15, 2011, consistent with Section 2 of Article V of the Michigan Constitution of 1963.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 7th day of February in the year of our Lord, two thousand eleven.

Richard D. Snyder

Governor

By the Governor:

Ruth Johnson

Secretary of State

The message was referred to the Clerk.

Introduction of Bills

Reps. Hooker, Yonker, Agema, Johnson, Kurtz, Opsommer, Jenkins, Gilbert, Bumstead, Scott, Rogers, Liss, Nesbitt, Knollenberg, Lori and McMillin introduced

House Bill No. 4190, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 9.

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

Rep. McMillin introduced

House Bill No. 4191, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20919 (MCL 333.20919), as amended by 2006 PA 582.

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

Rep. Scott introduced

House Bill No. 4192, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7333a (MCL 333.7333a), as added by 2001 PA 231.

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

Reps. Dillon, Melton, Lane, Darany, Slavens, Haugh, Townsend, Kandrevas, Smiley, Ananich, McCann, Liss, Rutledge, Constan, Barnett, Bauer, Segal, Stapleton, Hovey-Wright, Hobbs, Bledsoe, Geiss, Switalski, Cavanagh, Stallworth, Byrum, Lipton, Durhal, Howze, Lindberg, Santana, Talabi, Brunner, Oakes, Brown and Womack introduced

House Bill No. 4193, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 8 (MCL 125.2788), as amended by 2008 PA 504.

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

Reps. Brunner, Melton, Lane, Darany, Slavens, Haugh, Townsend, Kandrevas, Smiley, Ananich, Dillon, McCann, Liss, Rutledge, Constan, Barnett, Bauer, Segal, Stapleton, Hovey-Wright, Hobbs, Bledsoe, Geiss, Cavanagh, Switalski, Stallworth, Byrum, Lipton, Durhal, Howze, Lindberg, Santana, Talabi, Oakes, Brown and Womack introduced

House Bill No. 4194, entitled

A bill to amend 1963 PA 62, entitled "Industrial development revenue bond act of 1963," (MCL 125.1251 to 125.1267) by adding section 5a.

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

Reps. Talabi, Melton, Lane, Darany, Slavens, Haugh, Townsend, Kandrevas, Smiley, Ananich, Dillon, McCann, Liss, Rutledge, Constan, Barnett, Bauer, Segal, Stapleton, Hovey-Wright, Hobbs, Bledsoe, Geiss, Cavanagh, Switalski, Stallworth, Byrum, Lipton, Durhal, Howze, Lindberg, Santana, Brunner, Oakes, Brown and Womack introduced

House Bill No. 4195, 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 4 (MCL 207.554), as amended by 2004 PA 437.

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

Reps. Bledsoe, Melton, Lane, Darany, Slavens, Haugh, Townsend, Kandrevas, Smiley, Ananich, Dillon, McCann, Liss, Rutledge, Constan, Barnett, Segal, Bauer, Stapleton, Hovey-Wright, Hobbs, Geiss, Cavanagh, Switalski, Stallworth, Byrum, Lipton, Durhal, Howze, Lindberg, Santana, Talabi, Brunner, Oakes, Brown and Womack introduced

House Bill No. 4196, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 13 (MCL 247.913) and by adding section 9a.

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

Reps. Lane, Melton, Darany, Slavens, Haugh, Kandrevas, Townsend, Smiley, Ananich, Dillon, McCann, Liss, Rutledge, Constan, Segal, Barnett, Bauer, Bledsoe, Stapleton, Hovey-Wright, Hobbs, Switalski, Stallworth, Geiss, Cavanagh, Lipton, Byrum, Durhal, Lindberg, Howze, Santana, Talabi, Brunner, Oakes, Brown and Womack introduced

House Bill No. 4197, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 11 (MCL 125.2011), as amended by 1987 PA 278.

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

Reps. Slavens, Melton, Lane, Darany, Haugh, Townsend, Kandrevas, Smiley, Ananich, Dillon, McCann, Liss, Rutledge, Constan, Segal, Barnett, Bauer, Stapleton, Hovey-Wright, Hobbs, Irwin, Bledsoe, Switalski, Geiss, Stallworth, Cavanagh, Lipton, Byrum, Durhal, Lindberg, Howze, Santana, Brunner, Oakes, Brown, Talabi and Womack introduced

House Bill No. 4198, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2007 PA 201.

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

Reps. Geiss, Melton, Lane, Darany, Haugh, Townsend, Kandrevas, Smiley, Ananich, Dillon, McCann, Liss, Rutledge, Constan, Segal, Barnett, Bauer, Stapleton, Hovey-Wright, Hobbs, Bledsoe, Switalski, Stallworth, Cavanagh, Lipton, Byrum, Durhal, Lindberg, Howze, Santana, Talabi, Brunner, Oakes, Brown and Womack introduced

House Bill No. 4199, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 241a (MCL 18.1241a), as added by 1988 PA 504.

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

Reps. Stanley, Melton, Lane, Darany, Slavens, Haugh, Townsend, Kandrevas, Smiley, Ananich, Dillon, McCann, Liss, Rutledge, Constan, Barnett, Bauer, Segal, Stapleton, Hovey-Wright, Hobbs, Bledsoe, Switalski, Geiss, Stallworth, Cavanagh, Byrum, Lipton, Durhal, Lindberg, Howze, Santana, Talabi, Brunner, Oakes, Brown and Womack introduced

House Bill No. 4200, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 264 (MCL 18.1264), as added by 1988 PA 504, and by adding section 264a.

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

Reps. Brown, Melton, Lane, Darany, Slavens, Haugh, Townsend, Kandrevas, Smiley, Ananich, Dillon, McCann, Liss, Rutledge, Constan, Barnett, Bauer, Segal, Stapleton, Hovey-Wright, Hobbs, Bledsoe, Geiss, Switalski, Cavanagh, Stallworth, Byrum, Lipton, Durhal, Lindberg, Howze, Santana, Talabi, Brunner, Oakes and Womack introduced

House Bill No. 4201, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 241c.

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

Reps. Townsend, Melton, Lane, Darany, Slavens, Haugh, Kandrevas, Smiley, Ananich, Dillon, McCann, Liss, Rutledge, Constan, Barnett, Bauer, Segal, Stapleton, Hovey-Wright, Hobbs, Irwin, Bledsoe, Geiss, Switalski, Cavanagh, Stallworth, Byrum, Lipton, Durhal, Lindberg, Howze, Santana, Talabi, Brunner, Oakes, Brown and Womack introduced

House Bill No. 4202, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 15 and 16 (MCL 125.2695 and 125.2696) and by adding sections 8i and 8j.

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

Reps. Lindberg, Melton, Lane, Darany, Slavens, Haugh, Townsend, Kandrevas, Smiley, Ananich, Dillon, McCann, Liss, Rutledge, Constan, Barnett, Bauer, Segal, Stapleton, Hovey-Wright, Hobbs, Bledsoe, Geiss, Switalski, Cavanagh, Stallworth, Byrum, Lipton, Durhal, Howze, Santana, Talabi, Brunner, Oakes, Brown and Womack introduced

House Bill No. 4203, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 8 and 10 (MCL 207.808 and 207.810), section 8 as amended by 2009 PA 123 and section 10 as amended by 2009 PA 125.

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

Reps. Rutledge, Melton, Lane, Darany, Slavens, Haugh, Townsend, Kandrevas, Smiley, Ananich, Dillon, McCann, Liss, Constan, Barnett, Bauer, Segal, Stapleton, Hovey-Wright, Hobbs, Irwin, Bledsoe, Geiss, Switalski, Cavanagh, Stallworth, Byrum, Lipton, Durhal, Lindberg, Howze, Santana, Talabi, Brunner, Oakes, Brown and Womack introduced

House Bill No. 4204, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2010 PA 310.

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

Reps. Haveman, Moss, Bumstead, Opsommer, McMillin, Price, Lund, Lori and Yonker introduced

House Bill No. 4205, entitled

A bill to repeal 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof;" (MCL 423.231 to 423.247).

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

Reps. Haveman, Moss, Bumstead, Opsommer, McMillin, Price, Lund, Lori and Yonker introduced

House Bill No. 4206, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 119 (MCL 259.119), as added by 2002 PA 90.

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

Reps. Kurtz, Wayne Schmidt, Damrow, Daley, Cotter, Farrington, Somerville and Agema introduced

House Bill No. 4207, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5512 (MCL 324.5512).

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

Rep. Stanley moved that the House adjourn.
The motion prevailed, the time being 2:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, February 9, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

