

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

House Chamber, Lansing, Thursday, December 1, 2011.

12:00 Noon.

The House was called to order by the Speaker.

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

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

Pastor Brian LaMew, Pastor of Mt. Pleasant Community Church in Mt. Pleasant, offered the following invocation:

“God in heaven, we acknowledge today that life is more than just getting up and going to work. Life is more than just making a living, raising a family or running a business. We acknowledge that life is more than simply going through the motions. It is more than biding our time. It is more than simply living and dying. There is something all-together more to why we are here; living, breathing and in the positions that we are in.

So, God in the busyness of this day, with a full docket of activity ahead, we pause for just a moment to gain perspective and see the big picture. We thank You God, for knowing every detail of our lives and being far more attentive and present than we could ever imagine. We thank You for caring about the needs of this state, its people, its economy, its needs and ask that You give us the courage this day to listen for Your voice, to sense Your holy nudges and to follow Your lead.

And God I pray for these men and women gathered here this afternoon. I thank You for their insights, for their leadership, for their commitment to the people of this great state of Michigan. Give them wisdom this day, clarity of mind and heart and discernment as a body. May they also find rest and blessing in their homes as their leadership makes great demands on their time and family.

Thank You God for meeting us here in this place, at this hour, for this important work ahead. It is in Christ’s name that I pray. Amen.”

Rep. Segal moved that Rep. Switalski be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Gilbert, Barnett, Constan, Crawford, Heise and LeBlanc offered the following resolution:

House Resolution No. 167.

A resolution to declare Algonac the Water Speed Capital of the state of Michigan.

Whereas, One cannot visit the greater Algonac area without hearing the great stories of the origins of power boating legends Chris Smith and Gar Wood; and

Whereas, One day in 1893, Chris Smith maneuvered a strange-looking rowboat out on the St. Clair River, complete with a gasoline engine, and reached an unheard of speed of nine miles per hour with it; and

Whereas, His boat was the first gasoline boat on the Great Lakes; and

Whereas, Chris Smith’s boat building expertise was such that his friends liked the way his boats were constructed and performed, and frequently asked Chris to build one personally, for them. Word spread quickly of their unparalleled quality and the boat building business grew; and

Whereas, Chris Smith joined with John “Baldy” Ryan in 1911 to build the “Baby Reliance” speed boat, which captured \$8,505.00 in its first race; and

Whereas, The “Miss Detroit”, built by Smith, was given a trial run on the St. Clair River by William Metzger. Smith told Metzger, “Be careful Billy, this is the fastest boat I ever built.” On August 14, 1915, this firecracker was the only boat to finish the famous “Gold Cup” race and thus, brought the Cup to the Midwest for the first time ever; and

Whereas, Legendary speed boat racer Gar Wood teamed up with Chris Smith and built boats and raced them between 1916 and 1922. Ultimately, Wood became the first person to exceed 100 miles per hour in a boat and topped that speed with a 124 mile per hour clip in Algonac itself. For years, many doubted that a 2 mile per minute pace could ever be reached on water; and

Whereas, The success of the Algonac boat building and racing events served as the forerunner to power boating access and enjoyment that at first was limited to people of means, but eventually became universally accessible to the general population via installment plan financing- providing water sport enjoyment to millions; and

Whereas, Algonac has been recognized as the Water Speed Capital via a State of Michigan Historical Marker designating it as such; and

Whereas, The waters of Algonac and the St. Clair River provide recreational and speed boat racing enjoyment to this very day; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare Algonac the Water Speed Capital of the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Stapleton, Oakes, Cavanagh and Dillon offered the following resolution:

House Resolution No. 168.

A resolution to call upon the Governor to withdraw immediately any pending appeals regarding the illegal 3 percent healthcare tax on Michigan public school and state employees.

Whereas, A 3 percent gross salary tax has been withheld from approximately 250,000 Michigan residents for the past year. It will be held in escrow until the Michigan Supreme Court rules on the Governor’s appeal, the Governor drops the pending appeal, or legislation is enacted to repeal and return the money; and

Whereas, The Michigan House of Representatives overwhelmingly voted on November 3, 2011, to return this money to the Michigan taxpayers; and

Whereas, Our local businesses are struggling to survive and cannot wait until May for a \$500 million economic stimulus; now, therefore, be it

Resolved by the House of Representatives, That we call upon the Governor to withdraw immediately any pending appeals regarding the illegal 3 percent healthcare tax on Michigan public school and state employees and urge that the nearly \$500 million in escrow be returned immediately to benefit the economy of the entire state; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor.

The resolution was referred to the Committee on Government Operations.

The Speaker called the Speaker Pro Tempore to the Chair.

Third Reading of Bills

House Bill No. 4561, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” by amending section 4 (MCL 125.1504), as amended by 2004 PA 584.

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

Roll Call No. 518

Yeas—68

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

Nays—38

Ananich	Hammel	McCann	Slavens
Bauer	Hobbs	Meadows	Smiley

Brown	Hovey-Wright	Nathan	Stallworth
Brunner	Howze	Oakes	Stamas
Byrum	Irwin	Olumba	Stanley
Cavanagh	Jackson	Rutledge	Talabi
Clemente	Kandrevas	Santana	Tlaib
Constan	LeBlanc	Schmidt, R.	Townsend
Darany	Lindberg	Segal	Womack
Dillon	Lipton		

In The Chair: Walsh

The House agreed to the title of the bill.

Rep. Stamas moved to reconsider the vote by which the House passed the bill.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 519

Yeas—68

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

Nays—39

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

In The Chair: Walsh

House Bill No. 4917, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40111 (MCL 324.40111), as added by 1995 PA 57.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Stamas moved that consideration of the bill be postponed temporarily.

The motion prevailed.

House Bill No. 5011, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” by amending section 2a (MCL 125.1502a), as added by 1999 PA 245, and by adding section 9.

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

Roll Call No. 520**Yeas—77**

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

Nays—30

Barnett	Hammel	Lipton	Smiley
Bauer	Hobbs	Meadows	Stallworth
Brown	Hovey-Wright	Nathan	Stanley
Brunner	Howze	Oakes	Stapleton
Clemente	Irwin	Olumba	Talabi
Darany	Jackson	Santana	Tlaib
Durhal	Kandrevas	Segal	Womack
Geiss	Lindberg		

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Pending the Second Reading of

House Bill No. 4151, entitled

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

Rep. Stamas moved that the bill be re-referred to the Committee on Agriculture.

The motion prevailed.

Pending the Second Reading of

House Bill No. 4744, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 513a.

Rep. Stamas moved that the bill be re-referred to the Committee on Regulatory Reform.

The motion prevailed.

House Bill No. 5007, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 12 and 13 (MCL 247.662 and 247.663), section 12 as amended by 2010 PA 143 and section 13 as amended by 2010 PA 261.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Transportation,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Opsommer moved to amend the bill as follows:

1. Amend page 15, line 5, after "department" by striking out "of treasury".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5136, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80124, 80308, 81108, 81116, 82105, and 82114 (MCL 324.80124, 324.80308, 324.81108, 324.81116, 324.82105,

and 324.82114), section 80124 as amended by 2007 PA 8, section 80308 as added by 1995 PA 58, section 81108 as amended by 2005 PA 39, section 81116 as amended by 2006 PA 477, section 82105 as amended by 2008 PA 399, and section 82114 as amended by 2008 PA 145.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5160, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 302 (MCL 600.302), as amended by 2001 PA 117.

The bill was read a second time.

Rep. Lund moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Byrum moved to substitute (H-1) the bill.

The question being on the adoption of the substitute (H-1) offered by Rep. Byrum,

Rep. Segal moved that Rep. Durhal be excused temporarily from today's session.

The motion prevailed.

Point of Order

Rep. Stamas requested a ruling from the Chair on whether the substitute (H-1) takes the bill from a single section bill to a multi-section bill.

The Chair ruled that the substitute (H-1) does in fact take the bill from a single section to a multi-section bill.

Rep. Segal appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 521

Yeas—62

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

Nays—44

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

In The Chair: Walsh

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5160, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 302 (MCL 600.302), as amended by 2001 PA 117.

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

Roll Call No. 522**Yeas—62**

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

Nays—45

Ananich	Durhal	LeBlanc	Schmidt, R.
Barnett	Geiss	Lindberg	Segal

Bauer	Hammel	Lipton	Slavens
Bledsoe	Haugh	Liss	Smiley
Brown	Hobbs	McCann	Stallworth
Brunner	Hovey-Wright	Meadows	Stanley
Byrum	Howze	Nathan	Stapleton
Cavanagh	Irwin	Oakes	Talabi
Clemente	Jackson	Olumba	Tlaib
Constan	Kandrevas	Rutledge	Townsend
Darany	Lane	Santana	Womack
Dillon			

In The Chair: Walsh

The House agreed to the title of the bill.

Rep. Irwin, having reserved the right to explain his protest against the passage of the bill, made the following statement:
 “Mr. Speaker and members of the House:

I oppose this bill primarily because these judgeships are not needed and the elimination of these positions will save Michigan taxpayers hundreds of thousands of dollars. Furthermore, I am frustrated that Mr. Speaker limited debate, bringing down the gavel on the minority’s already limited opportunity to advocate on behalf of our constituents. Finally, the sensitivity of the majority and their unwillingness to allow meaningful debate and comment on the floor of the House supports the presumption that this bill is an effort to achieve additional political and ideological advantage on the Court of Appeals.”

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

In May 2011, the Michigan Legislature passed a budget for Judiciary that included the removal of two judgeships with cost savings of \$342,600. This is a significant savings for Michigan families.

Studies show a need to reduce judgeships across the state. The Court of Appeals had more than 13,000 filings in 1992, today that number has dropped to 6,000. This bill requires the state to unnecessarily fund these two judgeships. This is not responsible government and spending.

We saved Michigan taxpayers \$342,600 in salaries and associated costs and today this bill deceives our families. I oppose this bill and urge us to stick to the promise of responsible spending. Instead of forcing two judgeships back into our budget, we should use it to restore school aid cuts for our children.”

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

“Mr. Speaker and members of the House:

I oppose this bill for the following reasons:

The State Court Administrator’s office has issued reports recommending reductions in Court of Appeals judgeships since about 2007, and most recently in August of 2011, recommended a reduction of 4 judgeships.

The Governor at the beginning of the year said he wanted to recognize savings by not filling 2 vacancies on the Court of Appeals.

The 2012 budget passed by the Republicans also recognizes these savings and does not fund these two positions.

Furthermore, consider that this proposal has not had any debate in committee, that there is no reason to rush this proposal. The end of the year is an artificial deadline that has no meaning regarding the substance of this proposal.

Also, filling judicial vacancies is a process that is outlined in the Constitution and there is a very real question as to whether any statute can compel the filling of any judicial vacancy outside the Constitutional process.

For these reasons, I am opposed to this bill.”

By unanimous consent the House returned to the order of
Reports of Standing Committees

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

House Bill No. 4346, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 6 (MCL 205.96), as amended by 2004 PA 172.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 4658, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2008 PA 415.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Gilbert, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Townsend and Hobbs

Nays: None

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

House Bill No. 4804, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6 (MCL 205.56), as amended by 2004 PA 173.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5122, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 31a.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5146, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3a (MCL 205.93a), as amended by 2008 PA 439.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5157, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 9 (MCL 125.2689), as amended by 2008 PA 495.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 30, 2011

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

The Committee on Banking and Financial Services, by Rep. Knollenberg, Chair, reported

House Bill No. 4542, entitled

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

With the recommendation that the substitute (H-5) 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. Knollenberg, Lyons, Farrington, Foster, Huuki, Olson, Pettalia, Womack, Clemente and Stanley

Nays: None

The Committee on Banking and Financial Services, by Rep. Knollenberg, Chair, reported
House Bill No. 4543, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3205a, 3205b, 3205d, and 3205e (MCL 600.3205a, 600.3205b, 600.3205d, and 600.3205e), sections 3205a and 3205b as added by 2009 PA 30 and sections 3205d and 3205e as added by 2009 PA 31.

With the recommendation that the substitute (H-6) 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. Knollenberg, Lyons, Farrington, Foster, Huuki, Olson, Pettalia, Womack, Clemente and Stanley

Nays: None

The Committee on Banking and Financial Services, by Rep. Knollenberg, Chair, reported

House Bill No. 4544, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3240 (MCL 600.3240), as amended by 2010 PA 303.

With the recommendation that the substitute (H-3) 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. Knollenberg, Lyons, Farrington, Foster, Huuki, Olson, Pettalia, Womack, Clemente and Stanley

Nays: None

The Committee on Banking and Financial Services, by Rep. Knollenberg, Chair, reported

House Bill No. 5176, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3232 and 3240 (MCL 600.3232 and 600.3240), section 3240 as amended by 2010 PA 303.

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. Knollenberg, Lyons, Farrington, Foster, Huuki, Olson and Pettalia

Nays: Reps. Womack and Clemente

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 1, 2011

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

Absent: Rep. Switalski

Excused: Rep. Switalski

The Committee on Local, Intergovernmental, and Regional Affairs, by Rep. Ouimet, Chair, reported

House Bill No. 5046, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending sections 31, 32, 33, and 90 (MCL 559.131, 559.132, 559.133, and 559.190), sections 31, 32, and 33 as amended by 1982 PA 538 and section 90 as amended by 2002 PA 283.

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. Ouimet, Pettalia, Crawford, Daley, Hughes, LaFontaine, Price, Shaughnessy, Rendon, Constan, Townsend, Rutledge and Lane

Nays: None

The Committee on Local, Intergovernmental, and Regional Affairs, by Rep. Ouimet, Chair, reported

House Bill No. 5142, entitled

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending sections 2, 4, 6, 8, and 11 (MCL 125.2872, 125.2874, 125.2876, 125.2878, and 125.2881), sections 2 and 6 as amended by 2008 PA 44 and section 11 as amended by 2007 PA 44.

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. Ouimet, Crawford, Daley, Hughes, LaFontaine, Price, Shaughnessy, Rendon, Constan, Townsend, Rutledge and Lane

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 1, 2011

Present: Reps. Ouimet, Pettalia, Crawford, Daley, Hughes, LaFontaine, Price, Shaughnessy, Rendon, Constan, Townsend, Rutledge and Lane

Absent: Reps. Stanley and Stapleton

Excused: Reps. Stanley and Stapleton

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

House Bill No. 4601, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding chapter 30.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 3, following line 21, by inserting:

"(D) A SUCCESSOR THAT, AFTER THE MERGER OR CONSOLIDATION, CONTINUED IN THE BUSINESS OF MINING ASBESTOS, SELLING OR DISTRIBUTING ASBESTOS FIBERS, OR MANUFACTURING, DISTRIBUTING, REMOVING, OR INSTALLING PRODUCTS THAT CONTAINED ASBESTOS THAT WERE THE SAME OR SUBSTANTIALLY THE SAME AS THE PRODUCTS PREVIOUSLY MANUFACTURED, DISTRIBUTED, REMOVED, OR INSTALLED BY THE TRANSFEROR."

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

Favorable Roll Call

To Report Out:

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

Nays: Reps. Meadows, Oakes, Brown, Irwin and Cavanagh

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

Senate Bill No. 535, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1j of chapter IX (MCL 769.1j), as amended by 2008 PA 547.

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. Walsh, Heise, Gilbert, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Meadows, Constan, Oakes, Brown and Cavanagh

Nays: Rep. Irwin

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

Senate Bill No. 536, entitled

A bill 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 sections 1 and 5 (MCL 780.901 and 780.905), section 1 as amended by 2008 PA 396 and section 5 as amended by 2010 PA 281.

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. Walsh, Heise, Gilbert, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Meadows, Constan, Oakes, Brown and Cavanagh

Nays: Rep. Irwin

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

Senate Bill No. 537, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 18 and 18m of chapter XIA (MCL 712A.18 and 712A.18m), section 18 as amended by 2004 PA 475 and section 18m as amended by 2008 PA 543.

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. Walsh, Heise, Gilbert, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Meadows, Constan, Oakes, Brown and Cavanagh

Nays: Rep. Irwin

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

Senate Bill No. 538, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8381 (MCL 600.8381), as amended by 2003 PA 96.

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. Walsh, Heise, Gilbert, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Meadows, Constan, Oakes, Brown and Cavanagh

Nays: Rep. Irwin

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 1, 2011

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

Absent: Rep. Olumba

Excused: Rep. Olumba

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

Senate Bill No. 569, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 9, 29a, and 29d (MCL 125.2009, 125.2029a, and 125.2029d), section 9 as amended by 1987 PA 278 and sections 29a and 29d as added by 2008 PA 75, and by adding section 29h.

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. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Farrington, Glardon, Shaughnessy, Somerville, Zorn, Bledsoe, Haugh, Barnett, Clemente and Townsend

Nays: Rep. Shirkey

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 1, 2011

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

Absent: Reps. Switalski and Olumba

Excused: Reps. Switalski and Olumba

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 1, 2011

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

Absent: Reps. Denby and Callton

Excused: Reps. Denby and Callton

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 1, 2011

Present: Reps. Haines, Callton, Opsommer, Kurtz, Shirkey, Hooker, Huuki, Muxlow, Yonker, Hughes, Liss, Stallworth, Darany, Segal and Hovey-Wright

Absent: Reps. Wayne Schmidt and Womack

Excused: Reps. Wayne Schmidt and Womack

Messages from the Governor

The following message from the Governor was received and read:

December 1, 2011

Gary Randall
Clerk
Michigan House of Representatives
State Capitol
Lansing, Michigan 48909-7509

Dear Mr. Randall:

Attached is a copy of my Special Message on Talent Development to the First Session of the 96th Michigan Legislature. This message transmitting information on the affairs of state and recommending measures I consider necessary and desirable is presented to the Michigan House of Representatives pursuant to Section 17 of Article V of the Michigan Constitution of 1963.

Sincerely,
Rick Snyder
Governor

December 1, 2011

*A Special Message from Governor Rick Snyder:
Developing and Connecting Michigan's Talent
To Michiganders and the Michigan Legislature:*

I. Introduction

At the core of Michigan's reinvention must be a commitment to ensuring that future generations have career opportunities in our state. In order for our children to stay and thrive in Michigan, we have to provide great educational opportunities, a quality of life that is second to none, and meaningful career options.

Planning for the future does not, however, mean that we ignore the present. Times have been tough in Michigan. We have failed to think strategically about the relationship between economic development and talent. Job creators are finding it challenging to grow and develop without the right talent and job seekers are struggling to connect with the right opportunities that leverage their skills.

We must commit to addressing these challenges.

Working with the Legislature we have begun this process by creating a stable environment where businesses can grow and create jobs. By delivering a balanced budget, on-time, we have created the stable environment that businesses need to move forward with confidence. By rescinding tax credits for targeted industries and by opening up the 21st Century Jobs Fund to additional sectors, we are demonstrating our commitment to let the market decide where the best ideas and innovations will drive Michigan's future. By eliminating the Michigan Business Tax, we have shown our dedication to a fair and equitable tax plan that will allow employers to grow and invest in our state. And in February, I issued Executive Order 2011-5 creating the Office of Regulatory Reinvention to help Michigan construct a regulatory process that promotes economic growth.

Economic indicators show we are making progress. In the past year our unemployment figures have improved by 1%, we have added 49,000 jobs to Michigan's payrolls and - just last month - Bloomberg reported that Michigan is experiencing the 2nd strongest economic health in the country. As a state, we are in a better place today to invest in talent and create jobs than we were a year ago.

We have spent the past year strengthening opportunities for our students to take ownership of their education. We have begun to take the steps necessary to fully integrate Michigan's public education and create a P-20 system that prepares our students to compete for the best jobs available today and tomorrow.

We are continuing the process of creating better infrastructure, more efficient local governments and a healthier Michigan. Top companies around the world continue to report that quality of life issues, such as these, are critical to talent attraction and economic growth.

In the 20th century, the most valuable assets to job creators were financial and material capital. In a changing global economy, that is no longer the case. Today, talent has surpassed other resources as the driver of economic growth.

Today, too few workers have the skills needed to meet the demands of employers in the new economy. Despite an unemployment rate of 10.6%, thousands of jobs remain unfilled in Michigan.

Michigan companies report feeling the effects of a talent disconnect. The widespread retirement of baby boomers is leading to a loss of talent in the workplace and an increasingly technology-driven economy requires advanced skills that many of our workers do not have. A recent report by the World Economic Forum and the Boston Consulting Group notes that the United States will need to add more than 25 million workers to its talent base by 2030 to sustain economic growth.

Not only do Michigan employers have difficulty filling jobs today, but if we do not act, they will tomorrow as well. As an example, within 10 years, nearly 30% of upper level managers in agriculture are expected to retire. We are not currently developing the talent needed to fill these positions. Developing the next generation of agricultural talent is critical to our agricultural industry's ability to compete.

Agriculture is not alone in this problem. Engineers, nurses, welders, and a number of trades face significant staffing challenges. We must address these head-on.

To grow our economy businesses will need the right talent. To build a bright future for our young people, we must arm them with the right skill sets to succeed today and tomorrow.

Through bold actions and strong collaboration with our state Legislature, executive departments, local communities, and individual citizens, we will create a Michigan where our young people can live, work, play, and prosper and our talented workforce can succeed.

II. Pure Michigan Talent Connect

Addressing the current talent mismatch demands new tools that ensure Michigan's economic development and talent enhancement are occurring in tandem. This requires a comprehensive strategy that brings all stakeholders to the table and enables us to compete.

Today, I am unveiling a new tool that will better connect and develop Michigan talent. I have charged the Michigan Economic Development Corporation (MEDC) and the Department of Technology, Management and Budget (DTMB) with creating a new web-based talent marketplace, Pure Michigan Talent Connect.

Today in Michigan, multiple websites exist to help citizens connect with opportunities and employers connect with talent. However, many of these websites are duplicative or incomplete. Our new site will create a central hub linking private and public stakeholders. It will help connect Michigan's talent with opportunities for education, training, and employment. And it will allow employers to discover and retain Michigan talent that can help their company grow and flourish.

Pure Michigan Talent Connect will feature tools that job creators and job seekers need to make better informed decisions. Market analysis and input from economists has been used to identify labor trends and high-demand career paths for dislocated workers, college students, high school students and those entering the workforce after a long separation. Upon completion, users will be able to assess their skills, evaluate the return on investment for an education or training program, browse careers, and connect with mentors. Pure Michigan Talent Connect is at MiTalent.org.

Pure Michigan Talent Connect will be launched in a series of phases to be completed by June 2012. Today, we begin the first phase by introducing two exciting new tools: the "Career Matchmaker" and the "Career Investment Calculator." The "Career Matchmaker" will help individuals determine the industries and locations where their skills are in high demand today and are projected to be tomorrow. And for those pursuing training or retraining, the "Career Investment Calculator" will help them make informed decisions that lead to a job rather than a mountain of debt.

Today, job seekers must think strategically about career paths. Pure Michigan Talent Connect, once completed, will allow Michiganders to create an electronic talent portfolio early in their educational career, driving everything from curriculum choices to career paths. I have asked the Michigan Department of Education, the MEDC and the Workforce Development Agency to work together to encourage students, parents and educators to use MiTalent.org. For those who do not have web access at home, MiTalent.org will be accessible at local libraries and Michigan Works! offices.

Developing a comprehensive tool that coordinates Michigan's economic and talent development will require broad collaboration. I am grateful to businesses and organizations, including Kelley Services and the International Union of Operating Engineers (Local 324) who have already agreed to be full partners in this vision by pledging their support for Pure Michigan Talent Connect. Equally important are the education and training providers who have partnered with us, including Michigan's colleges and universities. I encourage others to follow their lead by joining this initiative and pledging their support at MiTalent.org.

III. Aligning Talent

Enhancing the quantity and quality of our talent is critical. We are not leveraging our resources efficiently to create a talent supply that meets the demands of Michigan's 21st century economy.

While the struggle to connect talent with employers is multifaceted, the primary reason employers are struggling to fill jobs is a mismatch between skill attainment and skill demand.

A recent study by the Georgetown University Center on Education and the Workforce projects that by 2018, 62% of Michigan jobs will require a post-secondary credential. Today only 35% of Michigan's adults hold one. We have a lot of work to do to develop a talent pool that will satisfy the needs of the new economy. Job growth projections can only be realized if Michigan has the talent to support job providers. While traditional college attainment remains a vital part of our reinvention plan, we must recognize that associate degrees, advanced degrees and vocational credentials play equally important roles.

As a state, we must reject the thought that manufacturing is only in Michigan's history. It is also a critical part of our future. We will continue to develop some of the best skilled-trade talent in the country right here in Michigan. I am committed to partnering with our trade associations, including the International Union of Operating Engineers (Local 324) and the

Michigan Regional Council of Carpenters, to increase attainment in the critical skills necessary to maintain our status as a leader in vocational talent.

Today's young employee will have multiple careers in his or her lifetime. This makes it more crucial than ever that the skills they attain in their post-secondary education are both marketable and transferable. Maintaining a skill set that is transferable among industries will help talent better prepare for Michigan's changing economy and more quickly connect with employment.

I am committed to partnering with Michigan's public colleges and universities to provide a post-secondary education that is marketable and transferable. A recent report by the Center for Michigan concluded that Michigan graduated 20% too few computer and math professionals, 14% too few health care professionals, and 3% too few engineers in 2009 – 10. Among our shortage, there is a common message. Addressing these deficits will require Michigan to invest in the development of science, technology, engineering, and math (STEM) and health industry talent. Otherwise, these shortfalls hold the potential to stunt Michigan's projected economic growth.

Just as talent must think strategically about a career path, the state must think strategically about its investment in our talent pipeline. State support of post-secondary education should be concentrated in areas that enhance our economic development strategy and provide our students an opportunity to stay and thrive in Michigan. We need to stop overproducing in areas where there is little or no occupational demand and encourage students and educational institutions to invest in programs where the market is demanding a greater investment in talent. The current imbalance creates a population of young talent that cannot find work in Michigan, is saddled with debt and is ultimately forced to leave the state. This is an outcome we cannot afford.

Moving forward, we will work with the universities and community colleges to create a system that efficiently integrates the goals of talent and economic development. We will do this by emphasizing the importance of transferable skills and high-demand degrees. A liberal arts education will continue to be important as the market identifies careers with increasing occupational demand. We know that a liberal arts education is valuable and can complement our hard science skills. As an example, excelling in music can increase a student's aptitude in mathematics. We will create a model that recognizes the inherent value of both the hard sciences and liberal arts.

IV. Harnessing Talent

Developing young talent is a critical part of addressing the needs of our new economy. However, it would be misguided to forget about the large pool of well-developed talent we already have in our state. Our returning veterans, displaced workers and immigrant talent are all valuable. Leveraging their skills will be imperative to providing businesses the talent they need to be successful and grow. Through strong public-private partnerships, we will help them find a place for their talent in the new economy.

Veterans

Veterans bring a unique set of skills to Michigan, which benefit our communities and our economy. They have real-world work experience and transferrable technical expertise. Veterans possess leadership skills and a work ethic that have been tested at an early age under extreme circumstances. In addition, many veterans can prepare for a new career by attending college or vocational training at little or no cost under the Post 9-11 GI Bill.

Following WWII, our country's economy was transformed by returning servicemen using their GI Bill. The GI Bill helped 7.8 million veterans access an education that leveraged their talent and built the middle class. The GI Bill made possible the education of 14 future Nobel laureates, two dozen Pulitzer Prize winners, three Supreme Court justices, and three presidents of the United States, including Michigan's own Gerald R. Ford.

We are not properly connecting Michigan's returning veterans with opportunities. Nearly 45,000 Michiganders have served in Afghanistan and Iraq. Unfortunately, they have returned to a challenging business climate and to a world that does not fully understand how their military training can benefit today's employers. A failure to connect Michigan's returning Afghanistan and Iraq veterans with opportunity led to an unemployment rate of 29.4% among that population in 2010. During the same period, the national average was 11.5%.

Today, I am directing the Veterans' Services Division of the Workforce Development Agency to partner with Department of Military and Veterans Affairs to create a seamless delivery system for veteran benefits and employment services. This initiative will include co-locating veteran employment representatives and veteran service officers who help veterans access VA benefits including the Post 9-11 GI Bill. We will better coordinate with federal and local partners to connect veterans with education and employment opportunities.

Today, I challenge businesses that have not previously thought about reaching out to veterans to do so. I also ask employers of veterans to commit to helping those they employ more fully access their benefits. While our skilled trades are already doing a great job through programs like Helmets to Hardhats, we can do more.

I have asked the Detroit Regional Chamber to partner with the state to promote the benefits of hiring veterans. I am pleased to announce it has committed to include this important topic at the Chamber's Mackinac Policy Conference in 2012. Our veterans would be an asset to any employer. We must not squander their talent but develop it and retain it in Michigan.

Shifting Gears

For decades, our talent has excelled in managing and meeting the needs of manufacturers and large firms. With the downsizing of Michigan's largest businesses, some of our talent has found it difficult to transition into a new position, a smaller firm or a different industry.

Small-business growth will drive the new economy. In 2009, 98% of Michigan's employers were small businesses. These employers accounted for more than 1.8 million Michigan jobs. To fuel our economic reinvention we must provide small businesses the talent needed to grow.

Earlier this year, I asked MEDC to create Michigan Shifting Gears, a career-transition program for professionals who want to leverage their experience to pursue exciting small-business opportunities. Michigan Shifting Gears is a three month career-transition program that involves an executive education, mentorship and internship. It gives individuals the tools, networks, and training to repurpose their skills and rapidly re-enter the new economy. It has had great success, with approximately 50% of participants gaining employment within three months.

With experienced leadership in the small business pipeline we are building a solid base for job creation. Today, I am asking MEDC to apply this model to address the critical need for computer programming talent by creating Shifting Code.

Currently, Michigan's shortage of programmers stifles the growth of high-tech companies and our ability to expand our portfolio of high-tech job creators. To address this problem, Shifting Code will create a supply of high-demand programmers while simultaneously giving small businesses the technology assistance they need. This innovative new program will launch in January 2012 with pilots in Kalamazoo, Ann Arbor, and Detroit.

MichAGAIN

We must view talent now residing outside our state that used to live, work, or go to school in Michigan as a network of support for our reinvention. One only has to look at the value of alumni to universities to imagine the impact that the State of Michigan's "alumni" could have on accelerating our state's growth.

MEDC has embarked on an innovative new recruiting campaign, MichAGAIN, reaching out to university alumni and business professionals in talent dense cities. MichAGAIN gives Michigan natives, who have left home, access to employers who are hiring and an invitation to return to be a part of our reinvention. It has already been successful in attracting highly educated talent back to the state for companies including AutoCam, Arbor Networks, and General Electric.

We must engage all of Michigan's talent and resources that are able and willing to help reinvent the state.

In October, Business Leaders for Michigan took the first step toward organizing the state's alumni by hosting nearly 20 business executives at a forum in Detroit. I was able to witness the success of that event first hand. The participants identified significant business investment leads, opportunities to attract venture capital and a willingness to spread the word about Michigan's turnaround.

Based on the success of that event, I have asked Business Leaders for Michigan to broaden its initiative and form a Michigan Ambassadors Program. The program will connect and engage State of Michigan alumni holding significant positions around the globe to identify opportunities to attract jobs, increase investment and promote the progress we are making to reinvent our state. I applaud this effort and look forward to its continued success.

International Investment and Talent

Highly educated and skilled immigrants are a key component to filling skill gaps and helping our businesses flourish. Many Michigan businesses are growing, but finding the right talent can be an obstacle. Retaining and attracting the best possible talent from around the world will fuel faster growth and help secure and create jobs for Michigan residents.

The Global Michigan Initiative is a collaborative statewide effort – spearheaded by the MEDC and the Michigan Department of Civil Rights – to retain and attract international, advanced degree and entrepreneurial talent to our state. One-third of high-tech businesses created in Michigan over the past decade were started by immigrants. Major Michigan-based companies like Dow Chemical, Meijer and Masco were founded by immigrants, and have an established track record of job creation.

While the Global Michigan Initiative can help our state recapture the entrepreneurial power of immigrants, aspects of the nation's immigration laws pose needless barriers to this success. Federal solutions are needed.

Immigration laws are established at the federal level, so it is important that Michigan partner with the federal government to better attract highly educated foreign talent. Immigration can be a divisive issue but common ground already exists around the need for investment and job growth as it pertains to immigrant talent.

Inflexible immigration laws delay foreign investment and impair job growth. We need to remove those barriers and we need help from the federal government to do so. Specifically, the EB-5 foreign investor program provides international investors the chance to live here by investing in Michigan's economy and creating jobs. However, the program is set to expire in September 2012. I will be petitioning the Secretary of the Department of Homeland Security to renew and make permanent the EB-5 Immigrant Investor Regional Center program. I will also recommend modifying the requirements so that an investor may qualify by creating at least five jobs in Michigan and investing \$500,000. We should not deter attracting eligible, willing investors to our state.

In addition to investment, foreign talent contributes to Michigan's economy by meeting employer demand in career fields where we currently lack critical skills. According to the National Science Foundation and the Congressional Research

Service, the foreign student population earned approximately 36.2% of U.S. doctorate degrees in the sciences and approximately 63.6% of the doctorate degrees in engineering in the U.S. in 2006. Much of this talent is cultivated right here in Michigan at our universities.

Michigan excels at attracting and educating global talent for high-demand careers, and international students make a significant contribution to our state's economy. In 2010, Michigan ranked 9th highest among states hosting foreign students at public universities. Moreover, the net contribution to the state's economy by foreign students during 2010-2011 was more than \$705 million, according to the Institute of International Education. We cannot afford to lose these valuable members of our talent base to overseas competitors after years of development.

While foreign talent can readily obtain a student visa, remaining a member of the Michigan community is made extremely difficult for those desiring to do so under current immigration laws. The difficulty also significantly disrupts businesses that rely on these skilled and talented individuals. The federal government sets a cap of 65,000 on new H1-B temporary work visas, and there are only an additional 20,000 new H1-B visas available to individuals with U.S. advanced degrees. These caps are arbitrary and fail to recognize the harm done to local economies when states are forced to send away talent they have spent years developing.

Today, I am asking our congressional delegation to work with me to permanently raise the cap on immigrant professionals, and eliminate the cap for those holding a master's degree or higher from U.S. universities. I also encourage Congress to focus directly on addressing our critical skills gap, and pass proposed legislation to create a STEM 8 education "green card." Creating an avenue for permanent residency status, through green cards, for foreign-born students who have earned graduate degrees in science, technology, engineering and mathematics (STEM) fields will allow us to retain the best and brightest foreign students. In doing this we can slow the practice of STEM professionals being educated in our schools and going back to their home countries to compete against U.S. firms. It is time to enact this legislation and allow these valuable members of our higher-education communities to become permanent, contributing members of our Michigan companies and communities.

As we become a more global Michigan, we can do more at home to grow our immigrant talent base. As parents, we can encourage our students to immerse themselves in new languages, cultures and ideas through study abroad experiences. As communities we can be more welcoming to global talent as well. Today, I am charging the MEDC and Michigan Department of Civil Rights with creating an innovative Cultural Ambassadors program that leverages Michigan's natural, technological and human resources to integrate new talent into our communities. By providing information that helps immigrant talent thrive, we will establish Michigan as a leading destination for the world's highly educated and skilled talent.

Aspiring Talent

Because of a nationwide shortage of talent, companies and regions worldwide are competing for the same employees. Those being sought are often educated and trained in Michigan. However, this generation is more educated and mobile than those past. Today, too many Michigan college graduates are leaving the state to seek employment elsewhere. We must reverse this trend.

To turn Michigan's economy around we must retain our talented young professionals. Building relationships between young talent and local organizations, businesses and communities will help us develop and retain the next generation of talent. We must provide meaningful opportunities to build those relationships through mentoring and internships.

The state Community Service Commission's Mentor Michigan program is a great resource for businesses and communities looking to engage in mentorship. Mentor Michigan partners with trusted community programs like Big Brothers and Big Sisters that guide Michigan's youth. I applaud their work, and am pleased with their commitment to expand efforts to make mentoring a lifelong activity.

Today, I am pleased to announce that Mentor Michigan and the Michigan Jaycees have committed to work together to leverage the talent of our young professionals to advance mentoring programs in Michigan. We are lucky to have a density of vibrant young professionals, who are enthusiastic about an opportunity to give back. The Michigan Jaycees continue to be a leader in peer mentorship, which is why I have asked them to lead a statewide effort to expand mentorship among professionals and their organizations. I encourage business and community leaders to join Mentor Michigan and the Jaycees in this effort.

We know that internships are a critical part of retaining talent. Studies show that it takes college graduates nine months to find their first job. During this time, graduates can get discouraged with the job market and leave the state to establish their careers elsewhere. More than 70% of college students who participate in a meaningful internship stay with the company and 83% of all college interns remain within the same community.

Securing positive outcomes and meaningful internships will require employers to incorporate a mentoring component in internship programs. Intern in Michigan is leading the way in connecting potential interns with businesses across the state. By better matching interns' skills with employers' needs, this free technology streamlines the hiring process in seconds.

Intern in Michigan has pledged its support for Pure Michigan Talent Connect. I encourage employers and prospective interns to seek out its assistance in creating meaningful, mentor-based, internship experiences.

Together, we can become mentors for a lifetime and retain our young talent.

V. Improving Systems

For far too long, both government and business perpetuated short-term solutions for long-term problems. Unemployment is not only detrimental to the economy but it demoralizes hard-working Michiganders. To reinvent Michigan, we must address barriers to re-employment and modernize our assistance programs. I am committed to ensuring that our programs help citizens transition to a new career rather than prolong under or unemployment.

Structurally Unemployed and Underemployed

Traditional assistance programs have often been a quick but temporary fix. They have not addressed the barriers to employment or provided individuals an avenue by which to gain the critical skills needed for today's economy. We can do better and we will do better. Moving forward, we will ensure that our programs are focused on moving people out of poverty and growing our middle class.

While more individuals are in need of assistance, state resources are strained to provide it. In order to assist those who are most challenged by the recession, we need innovative solutions that address the factors that contribute to structural unemployment. Structural unemployment is often affected by:

- 1) Lack of skills,
- 2) Illiteracy,
- 3) Scarce access to childcare, and
- 4) Insufficient modes of transportation.

These barriers make finding meaningful work difficult, prolong the need for public assistance, and stunt the growth of our middle class.

We are committed to addressing these barriers and helping Michiganders move from welfare to work. Low-income families in Michigan receive temporary cash assistance through a program that is supported, in part, by the federal Temporary Assistance for Needy Families (TANF) block grant. As a condition of receiving TANF funds, all states administer a work participation program to assist low-income residents in obtaining employment. Michigan administers its work participation services through the Jobs, Education, and Training (JET) program. In recent years, Michigan has failed to meet prescribed federal work participation rates. The "work participation rate" is a measure of the percentage of TANF recipients regularly engaged in employment- or employment-related activities intended to help them secure employment.

To increase Michigan's work participation rates, I have asked the Department of Human Services (DHS), to work in conjunction with the Department of Licensing and Regulatory Affairs (LARA), the Department of Technology Management and Budget (DTMB), and the Workforce Development Agency, to overhaul and redesign Michigan's JET program. The goals of the JET redesign are:

- (1) To meet or exceed federal work participation rates, and
- (2) Connect needy families to ongoing and sustainable work and help them find a path to economic security.

The JET redesign will do this by tying workforce development funds to meaningful performance measures. Through the redesign, partners are building a data-sharing system that will reliably measure the impact of the JET program, identifying and replicating innovations that successfully assist recipients in gaining employment.

While government is equipped to do many things well, public-private partnerships are also a part of the solution. As an example, Goodwill Industries of Greater Detroit (GIGD) has been implementing creative solutions to structural unemployment for 90 years. Using a social entrepreneurship business model and public resources, such as Michigan Works! and TANF, Goodwill has put people with employment challenges to work. Using profitable business models, such as Goodwill's Green Works recycling center, it has created a business enterprise that ably addresses employment barriers.

I have asked MEDC and the Workforce Development Agency to partner with GIGD to expand its model. Leveraging GIGD's expertise, we will create a program that is focused on talent development and rooted in social entrepreneurship.

Workforce Programs

Michigan Works! Agencies are the backbone of the state's re-employment system. Funded by federal dollars from the Workforce Investment Act (WIA) and staffed by locally contracted employees, talent relies on this system to access re-employment training and career opportunities. In the past, our Workforce Development Boards (WDB) have not been aligned with our economic development regions, creating an inefficient service model across the state. That is changing.

In February, I issued Executive Order 2011-4, effectively aligning our state's talent and economic development activities through Michigan Works!, the MEDC and our regional economic development agencies. This alliance, spearheaded by the Collaborative Development Council, is succeeding in strengthening regional economic relationships, leveraging Michigan's assets and improving the flow of communication and project management between the MEDC, Michigan Works! and local partners. This new approach allows us to streamline our efforts, reduce administrative costs, and leverage our resources to provide better employment services.

In the past, the Workforce Development Agency and Michigan Works! operated as though the job seeker was their only customer. In fact, these agencies exist not only to supply meaningful jobs to displaced workers but also to meet the demands of job providers for talent. Job providers should rely on Michigan Works! to provide them access to the talent they need.

I have asked the Workforce Development Agency, local Workforce Development Boards, and Michigan Works! to shift their efforts to a demand-driven employment strategy. Today, they are reorganizing around our major industries, including

manufacturing, energy, healthcare, information technology and agriculture, to better collaborate with businesses, our colleges and universities and our public school system.

Some regions have already enacted a collaborative, demand-driven strategy.

In Lansing, the Capitol Area Workforce Board has determined that the regional demand for technology talent will be 10% greater by 2018. Meanwhile, the area has a measurable technology skill gap. To address this mismatch, it sought and received a federal grant for \$4 million to provide training to job seekers and close that skill gap. This strategy will help employers obtain the talent they are seeking and citizens obtain the skills they need to gain employment in a high-demand technology career.

And in West Michigan, Talent 2025 exemplifies the type of regional collaboration that must occur if we are to be successful at addressing our talent needs. Business and community leaders, driven by data, are working with the West Michigan Strategic Alliance and the local Workforce Development Board to create a skilled workforce that meets the needs of job providers. It is partnering with local community colleges, non-profits, and business leaders to address talent development from early childhood through post-secondary education with an ultimate goal of having 60% or more citizens credentialed by 2025. Their work is exciting and instructional.

While significant progress has been made throughout the Michigan Works! system there is much work yet to be done. Today, I am challenging Michigan Works! to modernize its operations, eliminate redundancies, implement best practices and drive more dollars to direct services for our citizens.

Currently, geographic location can act as a barrier to our citizens getting the best possible employment assistance available. Let me be clear: every Michigan Works! door must be open to every eligible Michigander seeking assistance. The ability to utilize the best services at the most innovative agencies will drive better outcomes for our job seekers and our state.

In addition to state and local action, federal action is needed to allow for innovation and regional growth. Congressional leaders are currently considering sweeping cuts to WIA. Scarce resources require leaner budgets, but to accomplish more with less the federal government must give us greater flexibility.

The reauthorization of WIA is an opportunity to be bold and better meet regional needs. WIA is antiquated, was designed for a supply driven economy, and prevents states from using innovative methods to drive job creation. Currently, there are two schools of thought regarding WIA funding. One proposes a prescriptive funding model tied to programmatic requirements and the other proposes a block grant that many feel lacks accountability measures. As is often the case, there is a better solution that would allow for compromise.

I will be asking Congress to reauthorize WIA through a portfolio funding model. Under this new model, the Congress, the Department of Labor, and states would work together to determine a portfolio of outcomes (rather than an assortment of programs) that states would be accountable for achieving through WIA funding. Once the outcomes are determined, states would be free to use WIA funding to achieve agreed upon outcomes.

This model would allow states the flexibility needed to be successful in a changing economy while also providing the federal government the assurance it needs that resources are being used efficiently to achieve outcomes. I look forward to working with Congress and the Administration to advance this compromise, increase our return on investment, and put more of our talent back to work.

To guide our strategy and better coordinate local, state and federal activities, today I am issuing Executive Order 2011-13. This Executive Order creates the Governor's Talent Investment Board and will be vital in bringing citizen engagement and oversight to the state's talent enhancement effort. This new board will recommend policies to the executive and state departments to guide workforce investment and training. I am grateful to the many business and community leaders who have agreed to share their time and expertise to develop and retain Michigan's talent.

Reinventing Government, Retaining Talent

The original intent of unemployment insurance was not only to assist struggling families but also to allow employers the ability to retain critical talent. The current system is not achieving this goal because it does not recognize the challenges of mobile talent or the value of entrepreneurial activity.

Today's unemployment compensation system is not adequate or agile enough to retain our best talent. Much of our young and highly skilled talent is mobile, making it easy to seek work elsewhere after a layoff. In the past, a less mobile talent pool was likely to remain nearby to seek work and be available to return to their employer once business improved.

Through the recession, employers laid off some of the best and brightest talent, often engineers and high level managers. Undoubtedly, many of these individuals would have remained in Michigan if they had the option. However, other employment opportunities were available and this talent has left the state. Now employers are struggling to rebuild their labor forces with the highly skilled talent they once enjoyed. Today I am asking the Legislature to support work sharing so that our state can retain more of our highly skilled talent, especially in times of economic uncertainty.

Work sharing is an innovative program that allows employers experiencing a temporary reduction in demand for their services to reduce the hours of employees and supplement their pay with partial unemployment benefits. This allows the employers to retain their talent and ensures that a business can begin growing again immediately once demand returns to normal levels. It benefits employees because they retain employment and fringe benefits.

It is time that Michigan modernize our unemployment insurance system and begin to offer this innovative solution to our talented labor force. This program enjoys nationwide bipartisan support and is currently used in 22 other states. I call upon the Legislature to adopt legislation that enables Michigan to implement a work sharing program.

Currently, the unemployment insurance system also fails to recognize the value of talented entrepreneurs. Individuals are required to actively search for work but are never given the option to create work. An innovative program called Self-Employment Assistance allows the Unemployment Insurance Agency the option to grant a job search waiver to individuals who are least likely to find a job while receiving benefits and who opt to pursue entrepreneurial activity.

Not only is Michigan's history rooted in entrepreneurship but its future is tied to it. We cannot continue to insist that the only option for the unemployed is to seek work somewhere else. We know this is not a viable option for those who have lost their job in a field that is simply not going to be returning.

Because I so strongly believe in this, I am asking the Legislature to support legislation that will give the Unemployment Insurance Agency the ability to allow displaced Michiganders facing the most serious challenges in returning to the labor force the option to pursue entrepreneurship through self-employment assistance. I have charged MEDC with facilitating training in conjunction with regional Small Business Technology Development Centers.

Oregon, a leader in the implementation of self-employment assistance has already seen great success. Survey data from 2004 – 2009 showed that 77% of self-employment assistance participants who started a business remained in business. This innovative program is another tool to spur innovation and support Michigan's reinvention. I strongly encourage its adoption by the Michigan Legislature.

VI. Enhancing Quality of Place

In the past, many failed to recognize the symbiotic relationship between economic development and talent. Some believe that economic development is the key to creating the jobs that allow employers to invest in and attract talent. Still others believe that by amassing a population of highly skilled talent, a region can spur economic growth by enticing employers to locate or expand their business. The truth is that one cannot occur without the other. In Michigan, we are working to advance both simultaneously.

We must not only have meaningful job options but also create and expand places where workers, entrepreneurs and businesses want to locate, invest and expand. As job creators provide increased employment opportunities, quality of place initiatives can supplement job growth and encourage talent attraction and retention.

Much like our overall economic strategy we are supporting what is working locally. Public-private partnerships like the 15 x 15 Initiative are leveraging the expertise of foundations and the resources of the business community to revitalize our cities. This program is growing Detroit's urban core, rejuvenating Midtown, and giving young professionals a place to thrive. In fact, Forbes recently rated Detroit the 6th best city in the country for young professionals, even outpacing neighboring Chicago.

Increasingly, quality of place means not having to choose between a meaningful career and place amenities. That requires an investment in technology so that employees can telecommute, employers can maintain satellite offices in lakeshore communities, and rural economies can better compete in the marketplace. To do so, Connect Michigan and the Michigan Public Service Commission are working to ensure that all communities have access to broadband service.

We are all fortunate to live in Michigan. It is not just up to government or businesses to invest in our quality of place, it is up to each of us to see the beauty that Michigan already holds, embrace it and leave it better for the next generation. As I travel the state, I am inspired by young talent in our core cities doing just that; young Jewish leaders in Detroit, Art Prize contestants in Grand Rapids, the Detroit Young Professionals Organization and in Kalamazoo, beneficiaries of the Promise program.

Their optimism and energy are creating a quality of place that is uniquely Michigan.

VII. Conclusion

The simple truth is that tomorrow's opportunities cannot be realized with yesterday's skills.

Michigan's greatest assets are the adaptability, ingenuity and intellect of its people. These qualities, coupled with our abundant natural resources, industrial might and technological leadership, will make Michigan a formidable force in this century's global economy.

The challenge we face is to align the aptitudes and career passions of job seekers with the current and evolving needs of employers. The solution is to reinvent the way in which we prepare our children for successful, fulfilling careers; reshape the manner in which Michiganders look for work; and redesign the way in which employers obtain the skills they need.

Our state is at the national forefront in many areas. And, yet, we are behind the curve in terms of helping the next generation of Michigan talent to make sound educational and job-training decisions. That inconsistency needs to end.

Attacking this challenge demands the unyielding commitment of stakeholders across the board. Businesses, communities, nonprofits, schools, parents and universities must embrace the shared responsibility of helping young people build connections to the world that let them – and our state – flourish. Based on their history of selfless contributions to the betterment of our state, there is no doubt that they will step up to the plate.

Through insightful guidance and meaningful mentorship, we will meld our talent with exciting opportunities that await them today and beyond.

The message was referred to the Clerk.

The following message from the Governor was received December 1, 2011 and read:

**EXECUTIVE ORDER
No. 2011 – 13**

**GOVERNOR’S TALENT INVESTMENT BOARD
WORKFORCE DEVELOPMENT AGENCY
MICHIGAN STRATEGIC FUND**

**RESCISSION OF
EXECUTIVE ORDER 2004-36
EXECUTIVE ORDER 2006-15**

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, the administration’s primary objective is the creation and cultivation of jobs; and

WHEREAS, the development of talent in Michigan’s workforce is an essential tool to attract and create jobs; and

WHEREAS, the state of Michigan is interested in partnering with experts in various aspects of workforce development;

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

I. GOVERNOR’S TALENT INVESTMENT BOARD

A. The Council for Labor and Economic Growth, created by Executive Order 2004-36, as amended by Executive Order 2006-15, and transferred to the Workforce Development Agency within the Michigan Strategic Fund by Executive Order 2011-4, is abolished.

B. The Governor’s Talent Investment Board is created as an advisory body within the Workforce Development Agency and shall be the state workforce investment board required for this state under Section 111 of the federal Workforce Investment Act of 1998, 29 USC 2821.

C. Executive Orders 2004-36 and 2006-15 are rescinded.

II. COMPOSITION OF THE GOVERNOR’S TALENT INVESTMENT BOARD

A. The Governor’s Talent Investment Board shall consist of forty-seven (47) members, including the following:

1. The Governor;
2. Two members of the Michigan House of Representatives, appointed by the Speaker of the Michigan House of Representatives. A member appointed under this subsection shall serve only while a member of the Michigan House of Representatives;
3. Two members of the Michigan Senate, appointed by the Majority Leader of the Michigan Senate. A member appointed under this subsection shall serve only while a member of the Michigan Senate;
4. Thirty-seven (37) members appointed and serving at the pleasure of the Governor, consisting of the following:
 - a. Twenty-seven (27) representatives of business in Michigan, who—
 - i. Are owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policymaking or hiring authority;
 - ii. Represent businesses with employment opportunities that reflect the employment opportunities of the state;
 - iii. Are appointed from among individuals nominated by state business organizations and business trade associations;
 - b. One representative who is a chief elected executive officer of a city or a county;
 - c. Two representatives of labor organizations who have been nominated by state labor federations;
 - d. Two representatives of individuals and organizations that have experience with respect to youth activities;
 - e. Two representatives of individuals and organizations that have experience and expertise in the delivery of workforce investment activities, including chief executive officers of community colleges and community-based organizations within the state;
 - f. One representative in the state with expertise relating to Job Corps programs;
 - g. One representative in the state with expertise relating to Native American programs;
 - h. One representative in the state with expertise relating to migrant seasonal farm worker programs;
5. Five (5) members appointed by the Governor, including:
 - a. The President of the Michigan Strategic Fund;
 - b. The Director of the Department of Licensing and Regulatory Affairs;
 - c. The Director of the Department of Community Health;
 - d. The Director of the Department of Human Services; and
 - e. The Superintendent of Public Instruction.

B. The Governor shall designate a chairperson and vice-chairperson for the Governor's Talent Investment Board from among those members described in Section II (A.)(4.)(a.)(i.-iii.).

C. The Governor and the persons listed in Section II. (A.)(5.) may each send a designee to any meeting of the Governor's Talent Investment Board and that designee's attendance shall constitute attendance by the Governor or Board member listed in Section II. (A.)(5.) for quorum purposes. A person attending a Board meeting as a designee is authorized to exercise the vote on behalf of the person that they are representing at a Board meeting.

III. DUTIES AND OPERATIONS OF THE GOVERNOR'S TALENT INVESTMENT BOARD

A. The Governor's Talent Investment Board is an advisory body and is charged with advising and assisting the Governor regarding compliance with the federal Workforce Investment Act of 1998, 29 USC 2801 to 9201 ("Act"), and any regulations issued pursuant to the Act.

B. The Board may promulgate bylaws, not inconsistent with federal law, Michigan law, or this Order, governing its organization, operation, and procedures.

C. Michigan Strategic Fund personnel shall staff and assist the Board. The Michigan Economic Development Corporation may assist the Board in performing its functions if authorized under an agreement between the Michigan Economic Development Corporation and the Michigan Strategic Fund.

D. The Board shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Board. Meetings of the Board shall be held within the state of Michigan.

E. A majority of the members of the Board constitutes a quorum for the transaction of business. The Board shall act by majority vote of serving members participating in a meeting. To the extent authorized by Michigan law, the Board may authorize members to participate in a Board meeting by the use of telephonic or video equipment. Members participating in a meeting via telephonic or video equipment shall be deemed present at the meeting. Voting shall be conducted in person or by use of telephonic or video equipment.

F. The Board may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public.

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

H. As required under Section 111(f) of the federal Workforce Investment Act of 1998, 29 USC 2821(f), a member of the Board may not do any of the following:

1. Vote on a matter under consideration by the Board regarding the provision of services by the member or an entity the member represents.

2. Vote on a matter under consideration by the Board that would provide direct financial benefit to the member or the immediate family of the member. As used in this paragraph, "family" means that term as defined under Section 101(15) of the federal Workforce Investment Act of 1998, 29 USC 2801(15).

3. Engage in any other activity determined by the Governor to constitute a conflict of interest, as specified in the state plan outlining a 5-year strategy for the Statewide Workforce Investment System for this state, as required under Section 112 of the federal Workforce Investment Act of 1998, 29 USC 2822.

I. To assure full compliance with the sunshine requirements under Section 111(g) of the federal Workforce Investment Act of 1998, 29 USC 2821(g), meetings of the Board shall be held according to procedures established under the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275.

J. To assure full compliance with the sunshine requirements under Section 111(g) of the federal Workforce Investment Act of 1998, 29 USC 2821(g), the Board is a public body under, and shall comply with, the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246.

K. Members of the Board shall refer all legal, legislative, and media contacts to the Michigan Strategic Fund.

IV. MISCELLANEOUS

Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before any appropriate successor of an entity affected by this order.

This order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 1st day of December in the year of our Lord, two thousand eleven.

Richard D. Snyder
Ruth A. Johnson
Secretary of State

The message was referred to the Clerk.

By unanimous consent the House returned to the order of
Notices

December 1, 2011

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

Dear Mr. Clerk:

Pursuant to Executive Order 2011-13, I am appointing Representatives Sharon Tyler and Jim Ananich to the **Talent Investment Board** for the term from today to December 31, 2012.

Sincerely,
Jase Bolger, Speaker
Michigan House of Representatives

Introduction of Bills

Rep. LeBlanc introduced

House Bill No. 5191, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8507 (MCL 600.8507), as amended by 2005 PA 326.

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

Reps. Durhal, Walsh, Liss, Stallworth, Tlaib, Stapleton, Rutledge, Womack, LeBlanc, Haugh, Wayne Schmidt, Haines and Cavanagh introduced

House Bill No. 5192, 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; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 15 (MCL 423.215), as amended by 2011 PA 103.

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

Rep. Franz introduced

House Bill No. 5193, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2011 PA 38.

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

Reps. Durhal, Jackson and Stallworth introduced

House Bill No. 5194, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1225 (MCL 380.1225), as amended by 2006 PA 285.

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

Reps. Durhal, Jackson and Stallworth introduced

House Bill No. 5195, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 17a (MCL 388.1617a), as amended by 2006 PA 342.

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

Reps. McMillin, Heise, Johnson, Poleski, Agema, Pettalia, Foster, Jenkins and Olumba introduced
House Bill No. 5196, entitled

A bill to require public employers to submit information concerning highly compensated public employees and severance packages for public employees to the state; to require electronic posting of compensation information; and to require duties of certain state departments and agencies.

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, December 1:

House Bill Nos. 5188 5189 5190
Senate Bill Nos. 856 857 858
Senate Joint Resolution R

The Clerk announced that the following Senate bills had been received on Thursday, December 1:

Senate Bill Nos. 483 484 557 558 559 560 725 768 769 789 806

Messages from the Senate

Senate Bill No. 483, entitled

A bill to authorize the issuance of bonds, notes, or other financial instruments; to create funds and accounts; to prescribe the powers and duties of the authority, the state treasurer, and certain other state officials and state employees; and to make appropriations and prescribe certain conditions for the appropriations.

The Senate has passed the bill.

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

Senate Bill No. 484, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending the title and section 2 (MCL 421.2) and by adding sections 10a and 26a.

The Senate has passed the bill.

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

Senate Bill No. 557, entitled

A bill to provide procedures to determine the paternity of children in certain circumstances; to allow acknowledgments, determinations, and judgments relating to paternity to be set aside in certain circumstances; to provide for the powers and duties of certain state and local governmental officers and entities; and to provide remedies.

The Senate has passed the bill.

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

Senate Bill No. 558, entitled

A bill to amend 1996 PA 305, entitled "Acknowledgment of parentage act," by amending section 7 (MCL 722.1007), as amended by 2006 PA 105; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 559, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending section 10 (MCL 722.720), as amended by 2001 PA 109.

The Senate has passed the bill.

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

Senate Bill No. 560, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 2114 (MCL 700.2114), as amended by 2004 PA 314.

The Senate has passed the bill.

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

Senate Bill No. 725, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7dd and 34c (MCL 211.7dd and 211.34c), section 7dd as amended by 2010 PA 17 and section 34c as amended by 2006 PA 646.

The Senate has passed the bill.

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

Senate Bill No. 768, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 769, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2010 PA 278.

The Senate has passed the bill.

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

Senate Bill No. 789, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2251, 7201, 7202, 7203, and 7204 (MCL 333.2251, 333.7201, 333.7202, 333.7203, and 333.7204), section 7204 as amended by 1994 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 806, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 6a, 10, 11, 13, 13m, 15, 17, 19, 19a, 20, 21, 27, 28, 29, 32a, 32b, 33, 34, 37, 38, 42, 44, 46, 48, 50, 54, 62, and 64 (MCL 421.6a, 421.10, 421.11, 421.13, 421.13m, 421.15, 421.17, 421.19, 421.19a, 421.20, 421.21, 421.27, 421.28, 421.29, 421.32a, 421.32b, 421.33, 421.34, 421.37, 421.38, 421.42, 421.44, 421.46, 421.48, 421.50, 421.54, 421.62, and 421.64), section 6a as amended by 1992 PA 204, sections 10, 15, 54, 62, and 64 as amended by 2011 PA 14, sections 11 and 19a as amended by 2009 PA 1, section 13 as amended by 1985 PA 197, section 13m as added by 2010 PA 383, section 17 as amended by 2009 PA 18, section 19 as amended by 2007 PA 188, section 20 as amended by 2009 PA 20, sections 21, 33, and 34 as amended by 1983 PA 164, section 27 as amended by 2011 PA 216, section 28 as amended by 1994 PA 422, section 29 as amended by 2008 PA 480, sections 32a and 38 as amended by 1996 PA 503, section 32b as added and sections 44 and 48 as amended by 2002 PA 192, and sections 46 and 50 as amended by 1995 PA 25, and by adding sections 15a, 42a, and 48a; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Rep. Crawford moved that the House adjourn.

The motion prevailed, the time being 4:50 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, December 6, at 1:30 p.m.