

No. 53
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House of Representatives
96th Legislature
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House Chamber, Lansing, Tuesday, May 29, 2012.

1:30 p.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. Kenneth L. Kurtz, from the 58th District, offered the following invocation:

“Father in Heaven, today we gather in humility to render our voices, our convictions, our collective aspirations for the people our great state. May we recognize that true wisdom is attainable as we seek the source of wisdom, that being the wisdom of our Creator. May the words of our mouth and the meditation of our hearts be acceptable in Your sight, our Creator and Lord.

Bless and strengthen each member of this House, the staff, the clerks and our Sergeants. May we see the good in one another and may we understand more fully Your love. May we seek You for the guidance, wisdom and mercy that You so abundantly offer to all who seek You.

In Jesus’ name I pray, Amen.”

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

The Speaker called the Speaker Pro Tempore to the Chair.

Third Reading of Bills

House Bill No. 5660, entitled

A bill to amend 1976 IL 1, entitled “A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,” (MCL 445.571 to 445.576) by adding section 1a.

Was read a third time and passed, 3/4 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 307

Yeas—91

Agema	Goike	LeBlanc	Price
Ananich	Graves	Liss	Pscholka
Bolger	Haines	Lori	Rendon
Brunner	Hammel	Lund	Rogers
Bumstead	Haugh	Lyons	Santana
Byrum	Haveman	MacGregor	Schmidt, R.
Callton	Heise	MacMaster	Schmidt, W.
Cavanagh	Hobbs	McBroom	Segal
Clemente	Hooker	McCann	Shaughnessy
Constan	Horn	McMillin	Shirkey
Cotter	Howze	Moss	Smiley
Crawford	Hughes	Muxlow	Somerville
Daley	Huuki	Nathan	Stallworth
Damrow	Jackson	Nesbitt	Stamas
Denby	Jacobsen	O’Brien	Stanley
Dillon	Jenkins	Oakes	Stapleton
Farrington	Johnson	Olson	Talabi
Forlini	Kandrevas	Opsommer	Tyler
Franz	Knollenberg	Ouimet	Walsh

Geiss	Kowall	Outman	Womack
Genetski	Kurtz	Pettalia	Yonker
Gilbert	LaFontaine	Poleski	Zorn
Glardon	Lane	Potvin	

Nays—19

Barnett	Durhal	Lindberg	Slavens
Bauer	Foster	Lipton	Switalski
Bledsoe	Greimel	Meadows	Tlaib
Brown	Hovey-Wright	Olumba	Townsend
Darany	Irwin	Rutledge	

In The Chair: Walsh

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

Rep. Slavens, 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:

As a member of the House of Representative District 21, it is my responsibility and obligation to uphold the Michigan Constitution, which includes the beverage containers initiated law of 1976, a ‘beverage container’ means an airtight metal, glass, paper or plastic container, composed of a combination of these materials which at the time of sale, contains up to one gallon of a beverage.

In committee, I voted in favor of HB 5660, after being presented with testimony from grocers, convenience store owners and other local retailers who are on the frontlines of receiving and exchanging bottles, cans and plastic containers in compliance with law and the Constitution. During testimony, I learned of a technological development that allows for containers to be made and beverages to be preserved with materials that are not completely made of aluminum or plastic. Because of this development, these new containers cannot be recycled easily or processed by traditional sorting methods.

The bill would ultimately prevent the extension of the 10-cent bottle deposit to the new technologies that allow for alcohol pouch containers, upon hearing from constituents and after careful consideration of the consequences of amending or altering the Beverage Containers Initiated Law of 1976, I cannot also vote in favor of this legislation on the House floor. It is with the intent and spirit of the original law, that I voted no to keep our roadsides, parks, lakes and streams clean and safe for all of Michigan’s residents.”

Senate Bill No. 455, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 16i and 16o of chapter XVII (MCL 777.16i and 777.16o), section 16i as amended by 2010 PA 95 and section 16o as amended by 2010 PA 130.

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

Roll Call No. 308**Yeas—110**

Agema	Gilbert	LeBlanc	Price
Ananich	Glardon	Lindberg	Pscholka
Barnett	Goike	Lipton	Rendon
Bauer	Graves	Liss	Rogers
Bledsoe	Greimel	Lori	Rutledge

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

Nays—0

In The Chair: Walsh

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

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

A bill to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending sections 16i and 16o of chapter XVII (MCL 777.16i and 777.16o), section 16i as amended by 2012 PA 6 and section 16o as amended by 2010 PA 130.

The motion prevailed.

The House agreed to the title as amended.

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

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

Senate Bill No. 466, entitled

A bill to prescribe the senior or vulnerable adult medical alert as the official response to reports of certain missing persons; to provide for the broadcast of information regarding those incidents; and to provide for certain civil immunity.

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

Roll Call No. 309**Yeas—110**

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

Nays—0

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.

Senate Bill No. 459, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159g, 174a, and 273 (MCL 750.159g, 750.174a, and 750.273), section 159g as amended by 2010 PA 362 and section 174a as amended by 2004 PA 255.

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

Roll Call No. 310**Yeas—110**

Agema	Gilbert	LeBlanc	Price
Ananich	Glardon	Lindberg	Pscholka
Barnett	Goike	Lipton	Rendon
Bauer	Graves	Liss	Rogers
Bledsoe	Greimel	Lori	Rutledge
Bolger	Haines	Lund	Santana

Brown	Hammel	Lyons	Schmidt, R.
Brunner	Haugh	MacGregor	Schmidt, W.
Bumstead	Haveman	MacMaster	Segal
Byrum	Heise	McBroom	Shaughnessy
Callton	Hobbs	McCann	Shirkey
Cavanagh	Hooker	McMillin	Slavens
Clemente	Horn	Meadows	Smiley
Constan	Hovey-Wright	Moss	Somerville
Cotter	Howze	Muxlow	Stallworth
Crawford	Hughes	Nathan	Stamas
Daley	Huuki	Nesbitt	Stanley
Damrow	Irwin	O'Brien	Stapleton
Darany	Jackson	Oakes	Switalski
Denby	Jacobsen	Olson	Talabi
Dillon	Jenkins	Olumba	Tlaib
Durhal	Johnson	Opsommer	Townsend
Farrington	Kandrevas	Ouimet	Tyler
Forlini	Knollenberg	Outman	Walsh
Foster	Kowall	Pettalia	Womack
Franz	Kurtz	Poleski	Yonker
Geiss	LaFontaine	Potvin	Zorn
Genetski	Lane		

Nays—0

In The Chair: Walsh

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

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

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

Senate Bill No. 465, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2010 PA 95.

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

Roll Call No. 311**Yeas—110**

Agema	Gilbert	LeBlanc	Price
Ananich	Glardon	Lindberg	Pscholka
Barnett	Goike	Lipton	Rendon
Bauer	Graves	Liss	Rogers
Bledsoe	Greimel	Lori	Rutledge
Bolger	Haines	Lund	Santana
Brown	Hammel	Lyons	Schmidt, R.
Brunner	Haugh	MacGregor	Schmidt, W.
Bumstead	Haveman	MacMaster	Segal
Byrum	Heise	McBroom	Shaughnessy

Callton	Hobbs	McCann	Shirkey
Cavanagh	Hooker	McMillin	Slavens
Clemente	Horn	Meadows	Smiley
Constan	Hovey-Wright	Moss	Somerville
Cotter	Howze	Muxlow	Stallworth
Crawford	Hughes	Nathan	Stamas
Daley	Huuki	Nesbitt	Stanley
Damrow	Irwin	O'Brien	Stapleton
Darany	Jackson	Oakes	Switalski
Denby	Jacobsen	Olson	Talabi
Dillon	Jenkins	Olumba	Tlaib
Durhal	Johnson	Opsommer	Townsend
Farrington	Kandrevas	Ouimet	Tyler
Forlini	Knollenberg	Outman	Walsh
Foster	Kowall	Pettalia	Womack
Franz	Kurtz	Poleski	Yonker
Geiss	LaFontaine	Potvin	Zorn
Genetski	Lane		

Nays—0

In The Chair: Walsh

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

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

A bill to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2012 PA 6.

The motion prevailed.

The House agreed to the title as amended.

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

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

Senate Bill No. 454, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 2002 PA 604.

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

Roll Call No. 312

Yeas—110

Agema	Gilbert	LeBlanc	Price
Ananich	Glardon	Lindberg	Pscholka
Barnett	Goike	Lipton	Rendon

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

Nays—0

In The Chair: Walsh

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Senate Bill No. 457, entitled

A bill to amend 1953 PA 181, entitled “An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon,” by amending sections 1c, 2, and 3 (MCL 52.201c, 52.202, and 52.203), section 2 as amended by 2004 PA 153 and section 3 as amended by 2006 PA 569.

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

Roll Call No. 313

Yeas—110

Agema	Gilbert	LeBlanc	Price
Ananich	Glardon	Lindberg	Pscholka

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

Nays—0

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

House Bill No. 5548, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 50b and 79 (MCL 38.1050b and 38.1079), section 50b as amended by 1998 PA 501 and section 79 as amended by 2011 PA 200.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Government Operations,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Reps. Moss, Agema, Opsommer, Knollenberg and Horn moved to amend the bill as follows:

1. Amend page 2, following line 18, by inserting:

"Sec. 75. (1) A qualified participant is immediately 100% vested in his or her contributions made to Tier 2. A qualified participant shall vest in the employer contributions made on his or her behalf to Tier 2 according to the following schedule:

(a) Upon completion of 2 years of service, 50%.

(b) Upon completion of 3 years of service, 75%.

(c) Upon completion of 4 years of service, 100%.

(2) ~~A~~ **EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED IN SUBSECTION (3), A** qualified participant is ~~vested in the~~ **ENTITLED TO RECEIVE** health insurance coverage provided in section 79 if the qualified participant meets 1 of the following requirements:

(a) The qualified participant has completed 6 years of service as a qualified participant before January 1, 2013 and was not a member, deferred vested member, or former nonvested member of Tier 1.

(b) The qualified participant was a member, deferred vested member, or former nonvested member of Tier 1 who made an election to participate in Tier 2 pursuant to section 61, and who has met the service requirements he or she would have been required to meet in order to ~~vest in~~ **BE ENTITLED TO RECEIVE** health benefits under section 50b.

(c) The qualified participant meets all of the following requirements:

(i) Was not a member, deferred vested member, or former nonvested member of Tier 1.

(ii) Was first elected to fill a vacancy in the house of representatives for a period less than the full term but more than 1/2 of the term of office.

(iii) Has completed 5 years of service as a qualified participant before January 1, 2013.

(3) A QUALIFIED PARTICIPANT WHO IS A MEMBER OF THE LEGISLATURE ON OR AFTER JULY 1, 2012 IS NOT ENTITLED TO RECEIVE HEALTH BENEFITS UNDER THIS ACT.”

The question being on the adoption of the amendment offered by Reps. Moss, Agema, Opsommer, Knollenberg and Horn, Rep. Barnett demanded the yeas and nays.

The demand was not supported.

The question being on the adoption of the amendment offered by Reps. Moss, Agema, Opsommer, Knollenberg and Horn, The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Brown moved to amend the bill as follows:

1. Amend page 5, following line 9, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4575 of the 96th Legislature is enacted into law.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Senate Bill No. 640, entitled

A bill to amend 1911 PA 209, entitled “An act to adopt and prescribe the design of a state coat-of-arms and state flag, and their use, and to prohibit the use of the same for advertising purposes, and to provide a punishment for such forbidden use,” (MCL 2.21 to 2.27) by amending the title and by adding section 2a.

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

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

Rep. Barnett moved to amend the bill as follows:

1. Amend page 2, line 6, after “**STATES**” by inserting “**OR A TERRITORY OF THE UNITED STATES**”.

2. Amend page 2, line 11, after “**STATES**” by inserting “**OR A TERRITORY OF THE UNITED STATES**”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5543, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 27a (MCL 205.27a), as amended by 2011 PA 304.

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

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

Rep. Pscholka moved to amend the bill as follows:

1. Amend page 8, line 9, after “**CONSOLIDATED,**” by striking out “**COMPOSITE, OR INFORMATION**” and inserting “**OR COMPOSITE**”.

2. Amend page 8, line 20, after “before” by striking out “January 1, 2011” and inserting “May 1, 2012”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5259, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 32b (MCL 257.32b), as amended by 1983 PA 91.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Transportation,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Senate Bill No. 937, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 8115a (MCL 500.8115a), as added by 2004 PA 217.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Banking and Financial Services,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

By unanimous consent the House returned to the order of

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 Friday, May 25:

House Bill Nos. 5673 5674 5675 5676 5677 5678 5679

House Joint Resolution UU

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, May 29, for his approval of the following bills:

Enrolled House Bill No. 4653 at 2:31 p.m.

Enrolled House Bill No. 5119 at 2:33 p.m.

Enrolled House Bill No. 5362 at 2:35 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, May 29:

Senate Bill Nos. 1146 1147 1148 1149 1150 1151

The Clerk announced that the following Senate bill had been received on Tuesday, May 29:

Senate Bill No. 797

Reports of Select Committees**Senate Bill No. 953, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

The Senate has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 953, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of environmental quality for the fiscal year ending September 30, 2013, from the following funds:

DEPARTMENT OF ENVIRONMENTAL QUALITY

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions	1,321.5	
GROSS APPROPRIATION		\$ 431,429,900
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		9,021,200
ADJUSTED GROSS APPROPRIATION		\$ 422,408,700
Federal revenues:		
Total federal revenues.....		161,687,500
Special revenue funds:		
Total private revenues		533,200
Total other state restricted revenues		230,375,600
State general fund/general purpose		\$ 29,812,400
State general fund/general purpose schedule:		
Ongoing state general fund/general purpose	25,652,300	
One-time state general fund/general purpose	4,160,100	

FUND SOURCE SUMMARY

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions	1,321.5	
GROSS APPROPRIATION		\$ 431,429,900
Interdepartmental grant revenues:		
IDG, MDOT - Michigan transportation fund		1,231,400
IDG, MDSP		1,157,100
IDT, interdivisional charges.....		2,053,400
IDT, laboratory services		4,530,500
Interdepartmental grant revenues.....		48,800
Total interdepartmental grants and intradepartmental transfers		9,021,200
ADJUSTED GROSS APPROPRIATION		\$ 422,408,700
Federal revenues:		
Federal funds		161,687,500
Special revenue funds:		
Private funds.....		533,200
Aboveground storage tank fees		521,700
Air emissions fees		10,258,500
Campground fund.....		340,900
Clean Michigan initiative fund - clean water fund.....		3,785,300
Cleanup and redevelopment fund.....		22,872,400
Community pollution prevention fund		250,000
Electronic waste recycling fund		287,000
Environmental education fund.....		50,700
Environmental pollution prevention fund		2,647,900
Environmental protection fund		2,743,100
Environmental response fund		6,001,800
Fees and collections		371,800
Financial instruments.....		5,000,000
Great Lakes protection fund.....		695,800
Groundwater discharge permit fees		1,859,400
Hazardous materials transportation permit fund		950,300

	For Fiscal Year Ending Sept. 30, 2013
Infrastructure construction fund	458,700
Land and water permit fees	3,277,300
Landfill maintenance trust fund	29,300
Medical waste emergency response fund	330,700
Metallic mining surveillance fee revenue	147,700
Mineral well regulatory fee revenue	240,800
Nonferrous metallic mineral surveillance	100,000
NPDES fees	5,005,500
Oil and gas regulatory fund	11,054,500
Orphan well fund	2,318,200
Public swimming pool fund	743,500
Public utility assessments	272,400
Public water supply fees	5,109,700
Refined petroleum fund	49,037,600
Retired engineers technical assistance program	991,900
Revitalization revolving loan fund	97,300
Revolving loan revenue bonds	11,400,000
Sand extraction fee revenue	95,300
Scrap tire regulatory fund	5,149,000
Septage waste contingency fund	17,400
Septage waste program fund	687,700
Settlement funds	625,500
Sewage sludge land application fees	1,084,900
Small business pollution prevention revolving loan fund	165,100
Soil erosion and sedimentation control training fund	150,000
Solid waste management fund - staff account	5,301,800
State restricted revenues	920,400
Stormwater permit fees	3,979,800
Strategic water quality initiatives fund	45,743,800
Underground storage tank fees	2,616,100
Waste reduction fee revenue	6,340,400
Wastewater operator training fees	571,200
Water analysis fees	3,595,600
Water pollution control revolving fund	3,679,200
Water quality protection fund	100,000
Water use reporting fees	300,700
Total other state restricted revenues	230,375,600
State general fund/general purpose	\$ 29,812,400
Sec. 102. EXECUTIVE OPERATIONS	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	13.0
Unclassified salaries—6.0 FTE positions	\$ 700,000
Executive direction—13.0 FTE positions	1,980,400
GROSS APPROPRIATION	\$ 2,680,400
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
Federal funds	37,700
Special revenue funds:	
Environmental response fund	207,600
Oil and gas regulatory fund	383,300
Refined petroleum fund	568,900
Settlement funds	65,300
State general fund/general purpose	\$ 1,417,600
Sec. 103. OFFICE OF THE GREAT LAKES	
Full-time equated classified positions	18.0

	For Fiscal Year Ending Sept. 30, 2013
Office of the Great Lakes—18.0 FTE positions.....	\$ 2,806,600
Coastal management grants.....	1,750,000
GROSS APPROPRIATION	\$ 4,556,600
Appropriated from:	
Federal revenues:	
Federal funds.....	3,376,200
Special revenue funds:	
Great Lakes protection fund.....	695,800
Settlement funds.....	108,800
State general fund/general purpose.....	\$ 375,800
Sec. 104. GREAT LAKES RESTORATION INITIATIVE	
Great Lakes restoration initiative.....	\$ 25,000,000
GROSS APPROPRIATION	\$ 25,000,000
Appropriated from:	
Federal revenues:	
Federal funds.....	25,000,000
State general fund/general purpose.....	\$ 0
Sec. 105. DEPARTMENT SUPPORT SERVICES	
Full-time equated classified positions.....	34.0
Central support services—34.0 FTE positions.....	\$ 3,923,100
Accounting service center.....	1,214,800
Administrative hearings.....	553,500
Automated data processing.....	2,053,400
Building occupancy charges.....	6,082,800
Environmental support projects.....	5,000,000
Rent - privately owned property.....	1,960,800
GROSS APPROPRIATION	\$ 20,788,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG, MDSP.....	135,400
IDT, interdivisional charges.....	2,053,400
IDT, laboratory services.....	493,200
Federal revenues:	
Federal funds.....	5,300
Special revenue funds:	
Aboveground storage tank fees.....	68,700
Air emissions fees.....	1,328,000
Campground fund.....	38,400
Cleanup and redevelopment fund.....	1,614,300
Environmental pollution prevention fund.....	238,100
Environmental response fund.....	560,900
Fees and collections.....	46,200
Financial instruments.....	5,000,000
Groundwater discharge permit fees.....	149,400
Hazardous material transportation permit fund.....	35,500
Land and water permit fees.....	429,800
Medical waste emergency response fund.....	29,700
Metallic mining surveillance fee revenue.....	7,400
Mineral well regulatory fee revenue.....	29,400
NPDES fees.....	173,200
Oil and gas regulatory fund.....	857,900
Orphan well fund.....	63,400
Public swimming pool fund.....	65,100
Public utility assessments.....	36,600
Public water supply fees.....	426,500
Refined petroleum fund.....	1,710,800

	For Fiscal Year Ending Sept. 30, 2013
Sand extraction fee revenue.....	9,200
Scrap tire regulatory fund.....	241,900
Septage waste program fund	74,100
Settlement funds	199,500
Sewage sludge land application fees	120,200
Small business pollution prevention revolving loan fund	24,800
Soil erosion and sedimentation control training fund	11,400
Solid waste management fund - staff account.....	649,000
Stormwater permit fees	165,400
Underground storage tank fees.....	234,600
Waste reduction fee revenue.....	561,800
Wastewater operator training fees	2,900
Water analysis fees	313,000
Water use reporting fees.....	48,000
State general fund/general purpose	\$ 2,536,000
Sec. 106. OFFICE OF ENVIRONMENTAL ASSISTANCE	
Full-time equated classified positions	44.0
Office of environmental assistance—44.0 FTE positions	\$ 6,832,600
Pollution prevention local grants.....	250,000
GROSS APPROPRIATION	\$ 7,082,600
Appropriated from:	
Federal revenues:	
Federal funds	902,700
Special revenue funds:	
Private funds.....	348,700
Air emissions fees	130,700
Community pollution prevention fund	250,000
Environmental education fund.....	50,700
Retired engineers technical assistance program	991,900
Settlement funds.....	251,900
Small business pollution prevention revolving loan fund	128,700
Waste reduction fee revenue.....	4,027,300
State general fund/general purpose	\$ 0
Sec. 107. WATER RESOURCE DIVISION	
Full-time equated classified positions	321.0
Land and water interface permit programs—85.0 FTE positions	\$ 10,846,100
Program direction and project assistance—30.0 FTE positions.....	2,951,400
Water withdrawal assessment program—4.0 FTE positions	589,000
Expedited water/wastewater permits—3.0 FTE positions	458,700
Fish contaminant monitoring.....	316,100
Groundwater discharge—22.0 FTE positions.....	3,189,000
NPDES nonstormwater program—89.0 FTE positions	13,140,600
Surface water—88.0 FTE positions.....	16,855,300
Federal - Great Lakes remedial action plan grants	700,000
Federal - nonpoint source water pollution grants.....	6,500,000
Water quality protection grants	100,000
GROSS APPROPRIATION	\$ 55,646,200
Appropriated from:	
Interdepartmental grant revenues:	
IDG, MDOT - Michigan transportation fund	1,170,200
Federal revenues:	
Federal funds	22,787,300
Special revenue funds:	
Clean Michigan initiative fund - clean water fund.....	3,785,300
Environmental protection fund	646,400
Environmental response fund	195,600

	For Fiscal Year Ending Sept. 30, 2013
Groundwater discharge permit fees	1,640,100
Infrastructure construction fund	458,700
Land and water permit fees	2,572,400
NPDES fees	4,748,000
Refined petroleum fund	436,800
Soil erosion and sedimentation control training fund	133,400
Stormwater permit fees	3,737,400
Water pollution control revolving fund	784,900
Water quality protection fund	100,000
Water use reporting fees	230,300
State general fund/general purpose	\$ 12,219,400
Sec. 108. LAW ENFORCEMENT DIVISION	
Full-time equated classified positions	14.0
Environmental investigations—14.0 FTE positions	\$ 2,711,100
GROSS APPROPRIATION	\$ 2,711,100
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
Federal funds	795,200
Special revenue funds:	
Aboveground storage tank fees	7,800
Air emissions fees	54,100
Campground fund	4,200
Cleanup and redevelopment fund	182,000
Environmental pollution prevention fund	27,100
Environmental response fund	89,400
Fees and collections	5,000
Groundwater discharge permit fees	16,700
Hazardous material transportation permit fund	4,100
Land and water permit fees	57,400
Medical waste emergency response fund	3,300
Metallic mining surveillance fee revenue	900
Mineral well regulatory fee revenue	3,300
NPDES fees	18,700
Oil and gas regulatory fund	143,000
Orphan well fund	7,200
Public swimming pool fund	7,400
Public utility assessments	4,200
Public water supply fees	48,100
Refined petroleum fund	393,100
Sand extraction fee revenue	1,000
Scrap tire regulatory fund	44,600
Septage waste program fund	8,300
Sewage sludge land application fees	13,800
Small business pollution prevention revolving loan fund	2,800
Solid waste management fund - staff account	74,300
Stormwater permit fees	18,400
Soil erosion and sedimentation control training fund	1,200
Underground storage tank fees	26,300
Waste reduction fee revenue	73,400
Water analysis fees	28,400
Water use reporting fees	5,300
State general fund/general purpose	\$ 541,100
Sec. 109. AIR QUALITY DIVISION	
Full-time equated classified positions	203.0
Air quality programs—203.0 FTE positions	\$ 25,046,100
GROSS APPROPRIATION	\$ 25,046,100

For Fiscal Year
Ending Sept. 30,
2013

Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
Federal funds	7,261,800
Special revenue funds:	
Air emissions fees	8,243,000
Fees and collections	271,400
Oil and gas regulatory fund.....	129,500
Refined petroleum fund.....	3,452,200
Waste reduction fee revenue.....	1,283,400
State general fund/general purpose	\$ 4,404,800
Sec. 110. RESOURCE MANAGEMENT DIVISION	
Full-time equated classified positions	325.5
Drinking water and environmental health—104.5 FTE positions	\$ 15,327,400
Hazardous waste management program—51.0 FTE positions	6,769,700
Low-level radioactive waste authority—2.0 FTE positions	218,500
Medical waste program—2.0 FTE positions	287,100
Municipal assistance—39.0 FTE positions	6,922,900
Radiological protection program—12.0 FTE positions.....	1,310,500
Scrap tire regulatory program—11.0 FTE positions	1,275,500
Oil, gas, and mineral services—61.0 FTE positions	11,670,400
Sewage sludge land application program—6.0 FTE positions.....	907,600
Solid waste management program—37.0 FTE positions	4,746,900
Drinking water program grants	1,330,000
Noncommunity water grants.....	2,000,000
Septage waste compliance grants	275,000
Strategic water quality initiative loans	9,600,000
Water pollution control and drinking water revolving fund.....	85,443,000
Radon grants.....	90,000
Scrap tire grants	3,500,000
GROSS APPROPRIATION	\$ 151,674,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDSP	993,300
Federal revenues:	
Federal funds	89,335,500
Special revenue funds:	
Campground fund.....	284,700
Electronic waste recycling fund	287,000
Environmental pollution prevention fund.....	2,298,100
Fees and collections	32,900
Hazardous material transportation permit fund.....	897,200
Medical waste emergency response fund	287,100
Metallic mining surveillance fee revenue.....	136,800
Mineral well regulatory fee revenue.....	197,700
Nonferrous metallic mineral surveillance.....	100,000
Oil and gas regulatory fund.....	8,928,800
Orphan well fund.....	2,225,100
Public swimming pool fund	648,200
Public utility assessments.....	218,500
Public water supply fees.....	4,139,500
Refined petroleum fund.....	646,900
Revolving loan revenue bonds.....	11,400,000
Sand extraction fee revenue.....	82,000
Scrap tire regulatory fund.....	4,775,500
Septage waste contingency fund	17,400
Septage waste program fund	579,000

	For Fiscal Year Ending Sept. 30, 2013
Sewage sludge land application fees	907,600
Solid waste management fund - staff account.....	4,287,000
Strategic water quality initiatives fund.....	10,743,800
Waste reduction fee revenue.....	172,900
Wastewater operator training fees	567,300
Water pollution control revolving fund	2,744,000
State general fund/general purpose	\$ 3,740,700
Sec. 111. REMEDIATION DIVISION	
Full-time equated classified positions	349.0
Contaminated site investigations, cleanup and revitalization—204.0 FTE positions.....	\$ 27,020,000
Federal cleanup project management—60.0 FTE positions	9,308,400
Laboratory services—48.0 FTE positions	7,381,400
Aboveground storage tank program—8.0 FTE positions	877,700
Underground storage tank program—29.0 FTE positions.....	4,048,000
Brownfield grants and loans.....	5,000,000
Emergency cleanup actions	4,000,000
Environmental cleanup support	1,840,000
Environmental cleanup and redevelopment program	30,000,000
Refined petroleum product cleanup program	30,000,000
Superfund cleanup	3,000,000
GROSS APPROPRIATION	\$ 122,475,500
Appropriated from:	
Interdepartmental grant revenues:	
IDT, laboratory services	3,939,200
Federal revenues:	
Federal funds	10,071,400
Special revenue funds:	
Private funds.....	180,300
Aboveground storage tank fees	420,700
Cleanup and redevelopment fund.....	20,467,900
Environmental protection fund	2,085,300
Environmental response fund	4,630,700
Landfill maintenance trust fund	29,300
Public water supply fees.....	294,300
Refined petroleum fund.....	39,887,400
Revitalization revolving loan fund	97,300
Strategic water quality initiatives fund.....	35,000,000
Underground storage tank fees.....	2,223,800
Water analysis fees	3,147,900
State general fund/general purpose	\$ 0
Sec. 112. INFORMATION TECHNOLOGY	
Information technology services and projects	\$ 8,219,300
GROSS APPROPRIATION	\$ 8,219,300
Appropriated from:	
Interdepartmental grant revenues:	
IDT, laboratory services	98,100
IDG, MDSP	28,400
IDG, MDOT - Michigan transportation fund	61,200
Federal revenues:	
Federal funds	1,698,700
Special revenue funds:	
Aboveground storage tank fees	24,500
Air emissions fees	502,700
Campground fund.....	13,600
Cleanup and redevelopment fund	608,200
Environmental pollution prevention fund	84,600
Environmental protection fund	11,400

	For Fiscal Year Ending Sept. 30, 2013
Environmental response fund	317,600
Fees and collections	16,300
Groundwater discharge permit fees	53,200
Hazardous material transportation permit fund	13,500
Land and water permit fees	217,700
Medical waste emergency response fund	10,600
Metallic mining surveillance fee revenue	2,600
Mineral well regulatory fee revenue	10,400
NPDES fees	65,600
Oil and gas regulatory fund	612,000
Orphan well fund	22,500
Public swimming pool fund	22,800
Public utility assessments	13,100
Public water supply fees	201,300
Refined petroleum fund	1,941,500
Sand extraction fee revenue	3,100
Scrap tire regulatory fund	87,000
Septage waste program fund	26,300
Sewage sludge land application fees	43,300
Small business pollution prevention revolving loan fund	8,800
Soil erosion and sedimentation control training fund	4,000
Solid waste management fund - staff account	291,500
Stormwater permit fees	58,600
Underground storage tank fees	131,400
Waste reduction fee revenue	221,600
Wastewater operator training fees	1,000
Water analysis fees	106,300
Water pollution control revolving fund	150,300
Water use reporting fees	17,100
State general fund/general purpose	\$ 416,900
Sec. 113. ONE-TIME BASIS ONLY APPROPRIATIONS	
State employee lump-sum payments	\$ 1,549,200
Drinking water revolving fund state match	2,500,000
Wetlands program	1,500,000
GROSS APPROPRIATION	\$ 5,549,200
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant revenues	48,800
Federal revenues:	
Federal funds	415,700
Special revenue funds:	
Private funds	4,200
State restricted revenues	920,400
State general fund/general purpose	\$ 4,160,100

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2012-2013 is \$260,188,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$2,775,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

GRANTS

Noncommunity water grants	\$ 2,000,000
Scrap tire grants	500,000
Septage waste compliance program	275,000
TOTAL	\$ 2,775,000

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "Department" means the department of environmental quality.
- (b) "Director" means the director of the department.
- (c) "FTE" means full-time equated.
- (d) "IDG" means interdepartmental grant.
- (e) "IDT" means intradepartmental transfer.
- (f) "MDOT" means the state transportation department.
- (g) "MDSP" means the department of state police.
- (h) "NPDES" means national pollution discharge elimination system.

Sec. 204. The civil service commission shall bill the department and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 206. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 207. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 208. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of technology, management, and budget for technology-related services and projects. The user fees shall be subject to provisions of an interagency agreement between the department and agencies and the department of technology, management, and budget.

Sec. 209. The departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the house and senate standing committees on appropriations, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

- (a) The dates of each travel occurrence.
- (b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 210. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 211. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 212. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

Sec. 213. (1) Funds appropriated in part 1 shall not be used by the department to promulgate a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(2) As used in this section:

(a) "Rule" means that term as defined under section 7 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

(b) "Small business" means that term as defined under section 7a of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207a.

Sec. 214. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 215. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$30,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$500,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 216. (1) The department shall report all of the following information relative to allocations made from appropriations for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, the revitalization revolving loan program, the brownfield grants and loans program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, the refined petroleum product cleanup program, and the environmental protection bond projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

(a) The name and location of the site for which an allocation is made.

(b) The nature of the problem encountered at the site.

(c) A brief description of how the problem will be resolved if the allocation is made for a response activity.

(d) The estimated date that site closure activities will be completed.

(e) The amount of the allocation, or the anticipated financing for the site.

(f) A summary of the sites and the total amount of funds expended at the sites at the conclusion of the fiscal year.

(g) The number of brownfield projects that were successfully redeveloped.

(2) The report prepared under subsection (1) shall also include all of the following:

(a) The status of all state-owned facilities that are on the list compiled under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142.

(b) The report shall include the total amount of funds expended during the fiscal year and the total amount of funds awaiting expenditure.

(c) The total amount of bonds issued for the environmental protection bond program pursuant to part 193 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19301 to 324.19306, and bonds issued pursuant to the clean Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

(3) The report shall be made available by March 31 of each year.

Sec. 217. (1) The department may expend amounts remaining from the current and prior fiscal year appropriations to meet funding needs of legislatively approved sites for the environmental cleanup and redevelopment program, the leaking underground storage tank cleanup program, and the refined petroleum product cleanup program.

(2) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection bond fund contained in 1993 PA 353, 2003 PA 173, 2006 PA 343, and 2011 PA 63 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(3) Unexpended and unencumbered amounts remaining from appropriations from the cleanup and redevelopment fund contained in 2000 PA 275 and 2002 PA 520 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(4) Unexpended and unencumbered amounts remaining from appropriations from the clean Michigan initiative fund - response activities contained in 2000 PA 506, 2001 PA 120, 2004 PA 309, 2004 PA 350, 2005 PA 11, 2006 PA 343, 2007 PA 121, and 2011 PA 63 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(5) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection fund contained in 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(6) Unexpended and unencumbered amounts remaining from appropriations from the refined petroleum fund activities contained in 2005 PA 154, 2007 PA 121, 2008 PA 247, 2009 PA 118, 2010 PA 189, and 2011 PA 63 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(7) Unexpended and unencumbered amounts remaining from the appropriations from the strategic water quality initiatives fund contained in 2011 PA 50 and 2011 PA 63 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

Sec. 218. It is the intent of the legislature that all principal executive departments and agencies cooperate with the development and implementation of the department of technology, management, and budget statewide office space consolidation plan.

Sec. 219. Unexpended settlement revenues at the end of the fiscal year may be carried forward into the settlement fund in the succeeding fiscal year up to a maximum carryforward of \$2,500,000.00.

Sec. 221. Not later than November 15, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the previous fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

Sec. 222. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on environmental quality, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2012 and September 30, 2013.

Sec. 223. Part 1 provides authorizations to fund 1,321.5 FTE classified positions during the fiscal year ending September 30, 2013. Line-item appropriations include limitations on the number of payroll hours to be funded, on the basis of 2,088 hours per each FTE position. The department shall report the number of funded FTE positions within 15 days after the effective date of this act. The number of classified employees compensated through each line item is limited by the authorized FTE positions indicated in this act, as adjusted for the number of reported funded FTE positions. The report shall be provided to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies.

Sec. 224. On a quarterly basis, the department shall report on the number of FTEs in pay status by civil service classification to the senate and house appropriations subcommittees on environmental quality and the senate and house fiscal agencies.

Sec. 225. The department shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

- (a) Fiscal year-to-date expenditures by category.
- (b) Fiscal year-to-date expenditures by appropriation unit.
- (c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.
- (d) The number of active department employees by job classification.
- (e) Job specifications and wage rates.

Sec. 227. The department shall provide a report on the implementation of a permit application status tracking tool on the department's public internet website to the house and senate appropriations subcommittees on environmental quality, the standing committees of the house and senate with primary responsibility for environmental quality issues, and the house and senate fiscal agencies by December 31, 2012. This permit application status tracking tool shall allow permit applicants and the general public to track and review pending permit applications. Searchable parameters shall include, but are not limited to, applicant name and address, county of request, date of application, most recent activity, and status of the permit application. The report shall include a list of all actions and program changes taken to implement the tracking tool, the department's plan and timeline for implementation of the tool, and any estimated costs associated with that implementation plan.

Sec. 228. The department shall provide a report on the customer satisfaction evaluation program and the feedback received to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by July 1, 2013.

Sec. 229. The department shall provide a report on the expedited permitting program to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by July 1, 2013. The report shall include a list of all actions and program changes taken to implement the expedited permitting program, the department's plan and timeline for implementation of the program, and any estimated costs associated with that implementation plan.

Sec. 230. By October 31, 2012, the department shall identify 10 principal measurable outcomes to be affected by expenditure of the funds appropriated in part 1 and submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director that ranks the outcomes by level of importance and contains current data on those outcomes. Beginning on April 1, 2013, the department shall provide biannual updates to the house and senate appropriations committees on changes in those measurable outcomes and departmental efforts to improve the outcomes.

REMEDIATION DIVISION

Sec. 301. Revenues remaining in the interdepartmental transfers, laboratory services at the end of the fiscal year shall carry forward into the succeeding fiscal year.

Sec. 302. The unexpended funds appropriated in part 1 for emergency cleanup actions and the refined petroleum product cleanup program are considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is identified in each line-item appropriation.
- (d) The tentative completion date is September 30, 2017.

Sec. 303. Effective October 1, 2012, surplus funds not to exceed \$1,000,000.00 in the cleanup and redevelopment trust fund are appropriated to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

Sec. 304. Effective October 1, 2012, surplus funds not to exceed \$1,000,000.00 in the community pollution prevention fund created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

Sec. 305. It is the intent of the legislature to repay the refined petroleum fund for the \$70,000,000.00 that was transferred to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a, as part of the resolution for the fiscal year 2006-2007 budget.

Sec. 306. (1) The funds appropriated in part 1 for the refined petroleum product cleanup program shall be used to fund cleanup activities on the following sites:

Site Name	County
Former Tavern and Gas Station	Alcona
Midway Resort Inc	Alger
Country Party Store	Alpena
Hubbard Lake Garage	Alpena
Hubbard Lake General Store	Alpena
Res. Wells Torch Lake Twp.	Antrim
Torch River Pit Stop	Antrim
Freeport Auto Service	Barry
Bud's in Honor	Benzie
Coloma Citgo	Berrien
Nyes Shell Service	Berrien
Randy's Amoco	Berrien
Clark #767 (Marshall)	Calhoun
Clark #768 (Albion)	Calhoun
Clark Service Station #500	Calhoun
Helmer I-94	Calhoun
Korner Krossroads Party Store	Calhoun
Logan's Gas & Deli	Calhoun
Unocal 76, Edwardsburg (Energy Oil)	Cass
Arnold's Bait and Tackle	Charlevoix
J.J.'s General Store	Charlevoix
Northern Oil (former)	Charlevoix
Club Rd Property	Cheboygan
Corner Store	Cheboygan
Ackels Car Care	Clinton
State Road Service	Clinton
D & L Fuels	Eaton
South End Mobil	Eaton
Beckon & Larks Lake Rd.	Emmet
Farmers Petroleum Coop - Petoskey	Emmet
Action Auto #10	Genesee
Central Distributing	Genesee
City of Flint Fire Department	Genesee
Odyssey House, Flint	Genesee
Spartan Express (truck terminal)	Genesee
Tabers Oil Co., Inc.	Genesee
United Cleaners, Inc	Genesee
Watkins & Himelhoch Inc	Genesee
Howard Jameson A+H Racing	Gladwin
Sportsmans Landing	Gladwin
Winegar's Trading Post	Gladwin
4 Corners	Grand Traverse
Stop N Shop	Grand Traverse
Wilson's Grocery	Gratiot
Engelhardt Petroleum, Inc. Gas Station	Huron
Mouch's Auto Sales	Huron
Action Auto Inc	Ingham

Action Auto Store #30	Ingham
Bay Gas Station, 3306 N. East St.	Ingham
Bay Petroleum, S. MLK	Ingham
Bay Petroleum, W. Willow	Ingham
Citgo #7	Ingham
Clark Station #1995	Ingham
Fresh-Up Car Wash	Ingham
Miller Oil Company	Ingham
Don Bessemer/Haight's Garage	Ionia
Bublitz Oil Full Service Oscoda	Iosco
Graham Oil Bulk Plant	Iosco
Firstbank-Winn Branch	Isabella
Clark #501	Jackson
McDonald's Crosstown Service	Kalamazoo
Meijers Thrifty Acres	Kalamazoo
Dutton Mill Properties	Kent
Great Northern Packaging	Kent
Hurley's Lodge	Lake
Church & Sons Gas Station	Lapeer
E.J. Green	Lapeer
Lakeside Resort and Party Store	Leelanau
Blissfield Marathon	Lenawee
Blissfield Vacant Lot	Lenawee
Clark 1457 Adrian	Lenawee
Lakeland Montessori School	Livingston
Leon Bonner Prop	Livingston
The Pit	Livingston
Action Auto (former)	Macomb
Sokana Mobil	Macomb
Red Barn Market	Manistee
Airport Road, 1933 East	Midland
Dutch Hutch	Missaukee
A.N. Russell & Son Inc	Montcalm
R.V. Jensen Inc.	Montcalm
A-1 Party Mart	Montmorency
Mary D's Restaurant	Montmorency
Pointe Bait	Montmorency
Sports Center, Inc.	Montmorency
Strolle Oil	Montmorency
Williams Service Station	Montmorency
Bennett Pump	Muskegon
Bernie's Amoco	Muskegon
Reliable Truck & Crane	Muskegon
Hardy Grocery	Newaygo
Clark #903, Keego Harbor	Oakland
DOC Optical	Oakland
Jenny Enterprises/Wine Basket, Highland	Oakland
South Lyon Service Station Inc	Oakland
Wayne Oakland Oil Company	Oakland
Shady Shores Restaurant	Ogemaw
Andy's Standard	Osceola
Eagle Village	Osceola
Hersey Party Store	Osceola
Neal's Service	Osceola
Tiel Oil Co.	Osceola
Don's Marathon	Oscoda
Charlie's Place	Roscommon
AMCO Group	Sanilac
Sangster property	Sanilac

Frank's Service	Shiawassee
Raymond Ayotte	Shiawassee
Decker Service	St. Joseph
Gagetown Gas and Oil, former	Tuscola
One Stop Party Store	Tuscola
Jimmie's Filling Station	Washtenaw
B & H Food & Gas/Dix-Toledo Petro Mart	Wayne
Cal's Car Care, Incorporated - BTEX	Wayne
City of Detroit - DOT - 14044 Schaefer	Wayne
City of Detroit - DOT - 5600 Wabash St.	Wayne
City of Detroit - DOT - 5800 Russell St.	Wayne
Hail Investments Inc.	Wayne
JJ Curran Crane	Wayne
K & A Gas	Wayne
Master Petroleum	Wayne
Micks Auto	Wayne
Speedy's Gas & Goodies	Wayne

(2) The department shall provide a report to the legislature on the amount actually spent at each site listed in subsection (1) and give a detailed account of the work actually performed at each site.

Sec. 307. For the state fiscal year ending September 30, 2013, there is appropriated from clean Michigan initiative – response activities revenue \$300,000.00 for an engineering study pertaining to the Wickes Manufacturing TCE plume site.

Sec. 309. The funds appropriated in part 1 for the brownfield grants and loans program are considered work project appropriations, and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is \$5,000,000.00.
- (d) The tentative completion date is September 30, 2017.

Sec. 310. (1) Upon approval by the state budget director, the department may expend from the general fund of the state an amount to meet the cash-flow requirements of projects funded under any of the following that are financed from bond proceeds and for which bonds have been authorized but not yet issued:

- (a) Part 52 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5201 to 324.5206.
- (b) Part 193 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19301 to 324.19306.
- (c) Part 196 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19601 to 324.19616.

(2) Upon the sale of bonds for projects described in subsection (1), the department shall credit the general fund of the state an amount equal to that expended from the general fund.

WATER RESOURCES DIVISION

Sec. 401. From the funds appropriated in part 1 for surface water, not less than \$700,000.00 and 5.0 FTEs shall be allocated to support the aquatic nuisance control program. The department shall report to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by September 30, 2013 on the use of this funding and the number of permit applications processed by the program in 2013.

Sec. 402. From the funds appropriated in part 1, the department shall fund a groundwater dispute resolution process in such a manner that maintains a strategically selected dispute resolution process given funds available. The department may utilize any and all available resources in providing this process and shall report to the legislature on the need for additional funds.

Sec. 403. From the funds appropriated in part 1, the department shall support funding for the aquatic invasive species advisory council to provide recommendations to appropriate parties and bodies for a basin-wide approach to managing invasive species.

Sec. 405. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the department may spend funds appropriated in part 1 under the septage waste compliance program in accordance with section 11716 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

RESOURCE MANAGEMENT DIVISION

Sec. 601. (1) The department shall provide a report on the state's solid waste policy that includes the department's plan for long-term funding for the solid waste management program and all actions and program changes taken, including progress on the feasibility of contracting out landfill inspections, to implement the recommendations of the June 30, 2012 report to the legislature required by section 601 of article VII of 2011 PA 63.

(2) The department shall provide the report prepared under subsection (1) to the state budget director, the house and senate appropriations subcommittees on environmental quality, and the house and senate fiscal agencies by June 30, 2013.

Sec. 602. (1) The department is encouraged to use available pollution prevention funds and work with local public health departments, the department of agriculture and rural development, and the United States department of agriculture to maintain and expand programs for the safe disposal of hazardous household chemicals and prescription drugs.

(2) The department shall report to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by March 1, 2013 on clean sweep locations in this state and on factors affecting program success and expansion including funding requirements.

PART 2A
PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS
FOR FISCAL YEAR 2013-2014

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2013 consensus revenue estimating conference.

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Mike Green
Roger Kahn
Hoon-Yung Hopgood
Conferees for the Senate

Eileen Kowall
Jon Bumstead
Sean McCann
Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Senate Bill No. 960, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

The Senate has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 960, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of natural resources for the fiscal year ending September 30, 2013, from the following funds:

DEPARTMENT OF NATURAL RESOURCES

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 6.0

Full-time equated classified positions 2,093.8

GROSS APPROPRIATION \$ 337,882,800

	For Fiscal Year Ending Sept. 30, 2013
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	2,027,200
ADJUSTED GROSS APPROPRIATION	\$ 335,855,600
Federal revenues:	
Total federal revenues.....	66,524,800
Special revenue funds:	
Total private revenues.....	7,239,200
Total other state restricted revenues	242,353,700
State general fund/general purpose	\$ 19,737,900
State general fund/general purpose schedule:	
Ongoing state general fund/general purpose	17,641,700
One-time state general fund/general purpose	2,096,200
FUND SOURCE SUMMARY	
Full-time equated unclassified positions.....	6.0
Full-time equated classified positions	2,093.8
GROSS APPROPRIATION	\$ 337,882,800
Interdepartmental grant revenues:	
IDG, land acquisition services to work orders.....	436,500
IDG, MacMullan conference center revenue.....	1,579,400
Interdepartmental grant revenues.....	11,300
Total interdepartmental grants and intradepartmental transfers	2,027,200
ADJUSTED GROSS APPROPRIATION	\$ 335,855,600
Federal revenues:	
Federal funds	66,524,800
Total federal revenues.....	66,524,800
Special revenue funds:	
Private funds.....	7,206,600
Private - Mann house trust fund.....	32,600
Total private revenues.....	7,239,200
Aircraft fees.....	301,400
Cervidae licensing and inspection fees	132,300
Clean Michigan initiative fund.....	28,200
Commercial forest fund.....	52,100
Forest development fund	36,205,200
Forest land user charges	574,800
Forest recreation account.....	2,176,000
Game and fish protection fund.....	63,397,200
Game and fish protection fund - deer habitat reserve.....	2,579,100
Game and fish protection fund - fisheries settlement	934,800
Game and fish protection fund - turkey permit fees	1,651,100
Game and fish protection fund - waterfowl fees.....	116,800
Game and fish - wildlife resource protection fund	1,142,400
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	57,100
History fees fund.....	311,400
Land exchange facilitation fund.....	5,876,600
Local public recreation facilities fund.....	858,400
Mackinac Island state park fund	1,784,400
Mackinac Island state park operation fund	187,500
Marine safety fund	3,991,900
Michigan heritage publications fund.....	52,200
Michigan natural resources trust fund.....	1,217,300
Michigan state parks endowment fund.....	27,221,100
Michigan state waterways fund.....	20,334,400
Michigan trailways fund.....	25,600
Museum operations fund	575,100
Nongame wildlife fund.....	687,400
Off-road vehicle safety education fund	317,800
Off-road vehicle trail improvement fund.....	3,635,500
Park improvement fund	43,090,100

	For Fiscal Year Ending Sept. 30, 2013
Permanent snowmobile trail easement fund.....	700,000
Public use and replacement deed fees.....	52,400
Recreation improvement account	1,276,700
Recreation passport fees	7,853,900
Snowmobile registration fee revenue	1,665,700
Snowmobile trail improvement fund	9,750,400
Sportsmen against hunger fund	30,300
State restricted revenues	1,509,100
Total other state restricted revenues	242,353,700
State general fund/general purpose	\$ 19,737,900
Sec. 102. EXECUTIVE OPERATIONS	
Full-time equated unclassified positions.....	6.0
Full-time equated classified positions	11.6
Natural resources commission.....	\$ 77,100
Unclassified salaries—6.0 FTE positions.....	700,000
Executive direction—11.6 FTE positions.....	2,038,900
GROSS APPROPRIATION	\$ 2,816,000
Appropriated from:	
Interdepartmental grant revenues:	
Special revenue funds:	
Forest development fund	395,800
Forest land user charges	7,900
Forest recreation account.....	14,700
Game and fish protection fund.....	1,173,400
Game and fish protection fund - deer habitat reserve.....	31,100
Game and fish protection fund - turkey permit fees	18,500
Game and fish protection fund - waterfowl fees.....	200
Game and fish protection fund - wildlife resource protection fund.....	14,600
Land exchange facilitation fund.....	16,400
Marine safety fund	27,200
Michigan natural resources trust fund.....	1,400
Michigan state parks endowment fund.....	151,700
Michigan state waterways fund.....	179,300
Nongame wildlife fund.....	5,200
Off-road vehicle trail improvement fund.....	43,500
Park improvement fund	426,400
Recreation improvement account	3,500
Snowmobile registration fee revenue	12,100
Snowmobile trail improvement fund.....	27,100
Sportsmen against hunger fund	100
State general fund/general purpose	\$ 265,900
Sec. 103. DEPARTMENT INITIATIVES	
Great Lakes restoration initiative	\$ 5,500,000
Summer youth initiative	3,000,000
GROSS APPROPRIATION	\$ 8,500,000
Appropriated from:	
Federal revenues:	
Federal funds.....	5,500,000
State general fund/general purpose	\$ 3,000,000
Sec. 104. DEPARTMENT SUPPORT SERVICES	
Full-time equated classified positions	99.5
Finance and operations—95.5 FTE positions.....	\$ 15,640,600
Accounting service center	1,377,100
Legal services—4.0 FTE positions.....	556,300
Building occupancy charges.....	2,961,900
Rent - privately owned property.....	488,400
Gifts and bequests	5,000,000
GROSS APPROPRIATION	\$ 26,024,300

For Fiscal Year
Ending Sept. 30,
2013

Appropriated from:	
Interdepartmental grant revenues:	
IDG, land acquisition services to work orders.....	436,500
Federal revenues:	
Federal funds.....	225,500
Special revenue funds:	
Private funds.....	5,000,000
Clean Michigan initiative fund.....	28,200
Commercial forest fund.....	100
Forest development fund.....	2,633,900
Forest land user charges.....	26,000
Forest recreation account.....	45,000
Game and fish protection fund.....	4,863,500
Game and fish protection fund - deer habitat reserve.....	242,200
Game and fish protection fund - turkey permit fees.....	156,800
Game and fish protection fund - waterfowl fees.....	800
Game and fish protection fund - wildlife resource protection fund.....	33,100
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	100
Land exchange facilitation fund.....	5,749,500
Local public recreation facilities fund.....	87,100
Marine safety fund.....	352,900
Michigan natural resources trust fund.....	1,194,900
Michigan state parks endowment fund.....	453,900
Michigan state waterways fund.....	534,000
Nongame wildlife fund.....	16,200
Off-road vehicle trail improvement fund.....	38,300
Park improvement fund.....	1,161,000
Public use and replacement deed fees.....	52,400
Recreation improvement account.....	17,000
Snowmobile registration fee revenue.....	62,600
Snowmobile trail improvement fund.....	196,600
Sportsmen against hunger.....	400
State general fund/general purpose.....	\$ 2,415,800

Sec. 105. COMMUNICATION AND CUSTOMER SERVICES

Full-time equated classified positions.....	127.3	
Marketing and outreach—77.3 FTE positions.....		\$ 13,408,300
Michigan historical center—35.0 FTE positions.....		3,700,600
Archives—8.0 FTE positions.....		837,100
Museum stores—6.0 FTE positions.....		575,100
Special programs (Mann house)—1.0 FTE positions.....		43,100
GROSS APPROPRIATION.....		\$ 18,564,200

Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
Federal funds.....	2,068,400
Special revenue funds:	
Private funds.....	377,300
Private - Mann house trust fund.....	32,600
Forest development fund.....	126,900
Forest recreation account.....	15,900
Game and fish protection fund.....	8,212,400
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	51,600
History fees fund.....	311,400
Land exchange facilitation fund.....	44,200
Marine safety fund.....	34,100
Michigan heritage publications fund.....	52,200

	For Fiscal Year Ending Sept. 30, 2013
Michigan state parks endowment fund.....	85,400
Michigan state waterways fund.....	140,900
Museum operations fund.....	575,100
Nongame wildlife fund.....	10,400
Off-road vehicle safety education fund.....	56,000
Off-road vehicle trail improvement fund.....	19,600
Park improvement fund.....	2,491,900
Recreation passport fees.....	22,800
Snowmobile registration fee revenue.....	60,500
Snowmobile trail improvement fund.....	43,500
Sportsmen against hunger fund.....	29,200
State general fund/general purpose.....	\$ 3,701,900
Sec. 106. WILDLIFE MANAGEMENT	
Full-time equated classified positions.....	205.5
Wildlife management—196.5 FTE positions.....	\$ 29,547,700
Natural resources heritage—9.0 FTE positions.....	1,145,700
State game and wildlife area maintenance.....	750,000
GROSS APPROPRIATION.....	\$ 31,443,400
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
Federal funds.....	15,964,400
Special revenue funds:	
Private funds.....	180,800
Cervidae licensing and inspection fees.....	81,600
Forest development fund.....	74,300
Game and fish protection fund.....	9,264,600
Game and fish protection fund - deer habitat reserve.....	2,130,000
Game and fish protection fund - turkey permit fees.....	1,387,300
Game and fish protection fund - waterfowl fees.....	113,600
Nongame wildlife fund.....	611,600
State general fund/general purpose.....	\$ 1,635,200
Sec. 107. FISHERIES MANAGEMENT	
Full-time equated classified positions.....	210.0
Aquatic resource mitigation—2.0 FTE positions.....	\$ 934,800
Fish production—58.0 FTE positions.....	9,115,000
Fisheries resource management—150.0 FTE positions.....	19,074,800
Cormorant population mitigation program.....	100,000
GROSS APPROPRIATION.....	\$ 29,224,600
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
Federal funds.....	11,105,800
Special revenue funds:	
Private funds.....	129,200
Game and fish protection fund.....	16,954,800
Game and fish protection fund - fisheries settlement.....	934,800
State general fund/general purpose.....	\$ 100,000
Sec. 108. LAW ENFORCEMENT	
Full-time equated classified positions.....	215.0
General law enforcement—215.0 FTE positions.....	\$ 29,018,100
GROSS APPROPRIATION.....	\$ 29,018,100
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
Federal funds.....	5,634,100

	For Fiscal Year Ending Sept. 30, 2013
Special revenue funds:	
Cervidae licensing and inspection fees	50,700
Forest development fund	42,900
Forest recreation account.....	68,800
Game and fish protection fund.....	17,308,600
Game and fish protection fund - wildlife resource protection fund.....	1,044,900
Marine safety fund	1,513,000
Michigan state parks endowment fund.....	67,500
Michigan state waterways fund.....	20,300
Off-road vehicle safety education fund.....	92,300
Off-road vehicle trail improvement fund.....	959,000
Park improvement fund	68,800
Snowmobile registration fee revenue	861,800
State general fund/general purpose	\$ 1,285,400
Sec. 109. PARKS AND RECREATION DIVISION	
Full-time equated classified positions	877.9
MacMullan conference center—15.0 FTE positions	\$ 1,579,400
Recreational boating—163.5 FTE positions.....	16,550,100
State parks—651.4 FTE positions	56,330,000
Forest recreation—48.0 FTE positions.....	5,553,300
State parks improvement revenue bonds - debt service	1,157,000
GROSS APPROPRIATION	\$ 81,169,800
Appropriated from:	
Interdepartmental grant revenues:	
IDG, MacMullan conference center revenue.....	1,579,400
Federal revenues:	
Federal funds	3,145,300
Special revenue funds:	
Forest recreation account.....	1,977,600
Private funds.....	405,800
Michigan state parks endowment fund.....	18,757,200
Michigan state waterways fund.....	13,992,800
Michigan trailways fund.....	25,500
Off-road vehicle safety education fund	7,100
Off-road vehicle trail improvement fund.....	814,400
Park improvement fund	37,733,100
Recreation improvement account	317,500
Recreation passport fees.....	258,300
Snowmobile registration fee revenue	15,000
Snowmobile trail improvement fund.....	1,874,800
State general fund/general purpose	\$ 266,000
Sec. 110. MACKINAC ISLAND STATE PARK COMMISSION	
Full-time equated classified positions	15.0
Historical facilities system—13.0 FTE positions	\$ 1,784,400
Mackinac Island state park operations—2.0 FTE positions	187,500
GROSS APPROPRIATION	\$ 1,971,900
Appropriated from:	
Special revenue funds:	
Mackinac Island state park fund	1,784,400
Mackinac Island state park operation fund	187,500
State general fund/general purpose	\$ 0
Sec. 111. FOREST RESOURCES DIVISION	
Full-time equated classified positions	332.0
Adopt-a-forest program	\$ 25,000
Cooperative resource programs—10.0 FTE positions.....	1,207,300
Forest management and timber market development—177.0 FTE positions.....	25,353,900

	For Fiscal Year Ending Sept. 30, 2013
Forest fire equipment.....	431,500
Wildfire protection—110.0 FTE positions	12,753,700
Forest management initiatives—10.0 FTE positions.....	987,600
Minerals management—25.0 FTE positions	3,200,200
GROSS APPROPRIATION.....	\$ 43,959,200
Appropriated from:	
Interdepartmental grant revenue:	
Federal revenues:	
Federal funds	2,987,500
Special revenue funds:	
Private funds.....	998,000
Aircraft fees.....	301,400
Commercial forest fund.....	47,500
Forest development fund	31,268,700
Forest land user charges	486,500
Game and fish protection fund.....	1,808,300
Michigan state parks endowment fund.....	2,507,300
Michigan state waterways fund.....	48,000
State general fund/general purpose	\$ 3,506,000
Sec. 112. GRANTS	
Dam management grant program	\$ 350,000
Deer habitat improvement partnership initiative	50,000
Federal - clean vessel act grants	400,000
Federal - forest stewardship grants.....	3,125,000
Federal - land and water conservation fund payments.....	2,566,900
Federal - rural community fire protection.....	300,000
Federal - urban forestry grants	3,024,000
Game and nongame wildlife fund grants	8,900
Grants to communities - federal oil, gas, and timber payments	3,450,000
Grant to counties - marine safety	3,647,400
National recreational trails	3,900,000
Off-road vehicle safety training grants.....	150,000
Off-road vehicle trail improvement grants	1,742,200
Recreation improvement fund grants.....	918,900
Recreation passport local grants.....	771,300
Snowmobile law enforcement grants.....	604,800
Snowmobile local grants program.....	7,489,400
Trail easements	700,000
GROSS APPROPRIATION.....	\$ 33,198,800
Appropriated from:	
Federal revenues:	
Federal funds	18,333,300
Special revenue funds:	
Private funds.....	100,000
Game and fish protection fund - deer habitat reserve.....	50,000
Local public recreation facilities fund.....	771,300
Marine safety fund	1,980,000
Nongame wildlife fund.....	8,900
Off-road vehicle safety education fund	150,000
Off-road vehicle trail improvement fund.....	1,742,200
Permanent snowmobile trail easement fund.....	700,000
Recreation improvement account	918,900
Snowmobile registration fee revenue	604,800
Snowmobile trail improvement fund	7,489,400
State general fund/general purpose	\$ 350,000
Sec. 113. INFORMATION TECHNOLOGY	
Information technology services and projects.....	\$ 9,723,400
GROSS APPROPRIATION.....	\$ 9,723,400

For Fiscal Year
Ending Sept. 30,
2013

Appropriated from:	
Interdepartmental grant revenues:	
Special revenue funds:	
Commercial forest fund.....	4,500
Forest development fund	1,662,700
Forest land user charges	54,400
Forest recreation account.....	54,000
Game and fish protection fund.....	3,811,600
Game and fish protection fund - deer habitat reserve.....	125,800
Game and fish protection fund - turkey permit fees	88,500
Game and fish protection fund - waterfowl fees.....	2,200
Game and fish protection fund - wildlife resource protection fund.....	49,800
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	5,400
Land exchange facilitation fund	66,500
Marine safety fund	84,700
Michigan natural resources trust fund.....	21,000
Michigan state parks endowment fund.....	645,000
Michigan state waterways fund.....	468,500
Michigan trailways fund.....	100
Nongame wildlife fund.....	35,100
Off-road vehicle safety education fund.....	12,400
Off-road vehicle trail improvement fund.....	18,500
Park improvement fund	1,208,900
Recreation improvement account	19,800
Snowmobile registration fee revenue	48,900
Snowmobile trail improvement fund	119,000
Sportsmen against hunger fund.....	600
State general fund/general purpose	\$ 1,115,500
Sec. 114. CAPITAL OUTLAY	
(a) STATE PARK AND FOREST AREA IMPROVEMENTS	
State parks repair and maintenance.....	\$ 12,125,900
GROSS APPROPRIATION	\$ 12,125,900
Appropriated from:	
Federal revenues:	
Special revenue funds:	
Michigan state parks endowment fund.....	4,553,100
Recreation passport fees.....	7,572,800
State general fund/general purpose	\$ 0
(b) WATERWAYS BOATING PROGRAM	
Infrastructure improvements - local projects.....	\$ 737,000
Boating program, state boating access projects:	
State infrastructure improvement and land acquisition	2,091,400
Port Austin state harbor, Huron County, dredging, utilities, and replacement of docks and piers, phase III (total authorized cost is increased from \$5,000,000 to \$7,283,600; federal share \$1,100,000; state share is increased from \$3,900,000 to \$6,183,600)	2,283,600
Presque Isle, Marquette County, removal and reconstruction of boat launch, phase I (total authorized cost is \$402,400; state share is \$201,200; local share is \$201,200).....	201,200
Munising, Alger County, east breakwall extension, phase I (total authorized cost is \$874,800; state share is \$437,400; local share is \$437,400).....	437,400
Boating program, harbors and docks, state facilities:	
Boating program, harbors and docks, local facilities:	
Manistique, Schoolcraft County, floating docks, and replacement of bin-walls, phase II (total authorized cost is increased from \$1,660,000 to \$2,660,000; state share is increased from \$830,000 to \$1,330,000; local share is increased from \$830,000 to \$1,330,000)	500,000
GROSS APPROPRIATION	\$ 6,250,600
Appropriated from:	
Federal revenues:	
Federal funds	1,300,000

	For Fiscal Year Ending Sept. 30, 2013
Special revenue funds:	
Michigan state waterways fund.....	4,950,600
State general fund/general purpose	\$ 0
Sec. 115. ONE-TIME BASIS ONLY APPROPRIATIONS	
State employee lump-sum payments	\$ 1,892,600
Dam management program.....	2,000,000
GROSS APPROPRIATION.....	\$ 3,892,600
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant revenues.....	11,300
Federal revenues:	
Federal funds	260,500
Special revenue funds	
Private funds.....	15,500
State restricted revenues	1,509,100
State general fund/general purpose	\$ 2,096,200

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2012-2013 is \$262,091,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$5,921,100.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF NATURAL RESOURCES

GRANTS

Dam management grant program	\$ 175,000
Grants to counties – marine safety.....	1,980,000
Off-road vehicle safety training grants.....	150,000
Off-road vehicle trail improvement grants	272,500
Recreation improvement fund grants.....	91,900
Recreation passport local grants.....	771,300
Snowmobile law enforcement grants.....	604,800

CAPITAL OUTLAY

Waterways boating program	\$ 1,875,600
TOTAL.....	\$ 5,921,100

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) “Commission” means the natural resources commission.
- (b) “Department” means the department of natural resources.
- (c) “FTE” means full-time equated.
- (d) “IDG” means interdepartmental grant.
- (e) “IDT” means intradepartmental transfer.

Sec. 204. The civil service commission shall bill the department and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 206. Appropriations of state restricted game and fish protection funds have been made in the following amounts to the following departments and agencies in their respective appropriation acts:

Legislative auditor general	\$ 25,800
Attorney general	838,000
Department of technology, management, and budget	475,400
Department of treasury.....	1,205,500

Sec. 207. Pursuant to section 43703(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43703, there is appropriated from the game and fish protection trust fund to the game and fish protection account of the Michigan conservation and recreation legacy fund, \$6,000,000.00 for the fiscal year ending September 30, 2013.

Sec. 208. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of technology, management, and budget for technology-related services and projects. The user fees shall be subject to provisions of an interagency agreement between the department and agencies and the department of technology, management, and budget.

Sec. 210. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 211. The director of the department shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 212. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

Sec. 214. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 215. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$3,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$10,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 216. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 217. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 218. The departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the house and senate standing committees on appropriations, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 219. It is the intent of the legislature that all principal executive departments and agencies cooperate with the development and implementation of the department of technology, management, and budget statewide office space consolidation plan.

Sec. 220. Not later than November 15, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

Sec. 222. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on natural resources, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2012 and September 30, 2013.

Sec. 223. Before January 31, 2013, the department, in cooperation with the Michigan state waterways commission, shall provide to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies a list of projects completed by the commission in fiscal year 2011-2012, including the county and municipality in which each project is located.

Sec. 230. By October 31, 2012, the department shall identify 10 principal measurable outcomes to be affected by expenditure of the funds appropriated in part 1 of this act and submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director that ranks the outcomes by level of importance and contains current data on those outcomes. Beginning on April 1, 2013, the department shall provide biannual updates to the house and senate appropriations committees on changes in those measurable outcomes and departmental efforts to improve the outcomes.

Sec. 233. On a quarterly basis, the department shall report on the number of FTEs in pay status by civil service classification to the senate and house appropriations subcommittees on natural resources and environment and the senate and house fiscal agencies.

Sec. 234. The department shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

- (a) Fiscal year-to-date expenditures by category.
- (b) Fiscal year-to-date expenditures by appropriation unit.
- (c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.
- (d) The number of active department employees by job classification.
- (e) Job specifications and wage rates.

DEPARTMENT SUPPORT SERVICES

Sec. 302. The department may charge land acquisition projects appropriated for the fiscal year ending September 30, 2013, and for prior fiscal years, a standard percentage fee to recover actual costs, and may use the revenue derived to support the land acquisition service charges provided for in part 1.

Sec. 303. As appropriated in part 1, the department may charge both application fees and transaction fees related to the exchange or sale of state-owned land or rights in land authorized by part 21 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2101 to 324.2162. The fees shall be set by the director of the department at a rate which allows the department to recover its costs for providing these services.

COMMUNICATION AND CUSTOMER SERVICES

Sec. 404. For the purposes of administering the museum store as provided in section 7a of 1913 PA 271, MCL 399.7a, the department is exempt from section 261 of the management and budget act, 1984 PA 431, MCL 18.1261.

Sec. 405. As appropriated in part 1, proceeds in excess of costs incurred in the conduct of auctions, sales, or transfers of artifacts no longer considered suitable for the collections of the state historical museum may be expended upon receipt for additional material for the collection. The department shall notify the chairpersons, vice chairpersons, and minority vice chairpersons of the senate and house appropriations subcommittees on natural resources 1 week prior to any auctions or sales. Any unexpended funds may be carried forward into the next succeeding fiscal year.

Sec. 406. As appropriated in part 1, funds collected by the department for historical markers; document reproduction and services; conferences, admissions, workshops, and training classes; and the use of specialized equipment, facilities, exhibits, collections, and software shall be used for expenses necessary to provide the required services. The department may charge fees for the aforementioned services, including admission fees. It is the intent of the legislature that if sufficient revenues are available, as a condition of the expenditure of revenue from admission fees to the Michigan historical museum, admission to the museum shall be free for children under 18 years of age. The department may accept voluntary admissions contributions of \$2.00 for children under 18 years of age. Any unexpended funds may be carried forward into the next succeeding fiscal year.

Sec. 408. By October 21, 2012, the department shall submit to the senate and house appropriations subcommittees on natural resources a report on all land transactions approved by the commission in the fiscal year ending September 30, 2012. For each land transaction, the report shall include the size of the parcel, the county and municipality in which the parcel is located, the dollar amount of the transaction, the fund source affected by the transaction, and whether the transaction is by purchase, public auction, transfer, exchange, or conveyance.

Sec. 409. By January 1, 2013, the department shall produce a report identifying active oil and gas leases entered into before July 1995 which are larger than 160 acres in size and where the acreage held in a producing unit is less than or equal to 1/4 of the total lease acreage.

WILDLIFE DIVISION

Sec. 503. From the funds appropriated in part 1, the department shall produce a report detailing any efforts undertaken to enforce the invasive species order on swine raised under the husbandry of residents of this state. The report shall include fund sources used and the amount of expenditures and shall be submitted to the legislature by December 31, 2012.

Sec. 504. From the funds appropriated in part 1, the department shall provide a report to the legislature on the use of registration fees collected from privately owned cervid operations. Appropriations in part 1 from cervidae licensing and inspection fees shall not be used for anything other than work directly related to the regulation of privately owned cervids in this state.

FISHERIES DIVISION

Sec. 601. (1) From the appropriation in part 1 for aquatic resource mitigation, not more than \$758,000.00 shall be allocated for grants to watershed councils, resource development councils, soil conservation districts, local governmental units, and other nonprofit organizations for stream habitat stabilization and soil erosion control.

(2) The fisheries division in the department shall develop priority and cost estimates for all projects recommended for grants under subsection (1).

Sec. 602. As a condition of expenditure of fisheries management appropriations under part 1, the department of natural resources shall not impede the certification process for water control structures on Michigan waterways. The department of natural resources shall fund from funds appropriated in part 1 all non-water-quality studies or requirements that the department requests of either of the following:

(a) The department of environmental quality as a condition for issuance of a certification under section 401 of the federal water pollution control act, 33 USC 1341.

(b) The federal energy regulatory commission as a condition of licensing under the federal power act, 16 USC 791a to 825r.

Sec. 603. The department shall provide a quarterly report to the legislature on use of funding provided for cormorant management. The department shall use general fund/general purpose revenue for this purpose and submit revenue appropriated in this act for cormorant management to the United States department of agriculture animal and plant health inspection service to allow for increased taking of cormorants and their nests.

PARKS AND RECREATION DIVISION

Sec. 702. The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies if it intends to reduce operations or reduce recreation opportunities in any state park or recreation area.

FOREST RESOURCES DIVISION

Sec. 801. In addition to the funds appropriated in part 1, \$350,000.00 is appropriated to the department to cover costs related to any declared emergency involving the collapse of any abandoned mine shaft located on state land. This appropriation shall not be expended unless the state budget director recommends the expenditure and the department notifies the house and senate committees on appropriations.

Sec. 802. Of the funds appropriated in part 1, the department shall, subject to the forest certification process, prescribe treatment on 79,000 acres, prepare appropriate treatment for not less than 67,500 acres at the current average rate of 12.5 to 15 cords per acre, and offer those cords for sale in the 2012-2013 fiscal year, provided that the department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department shall, subject to the forest certification process, increase marking or treatment of hardwood timber for sale and harvest by 10% over 2011-2012 fiscal year levels. In addition, the department shall take into consideration silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management of timber. The department shall increase the number of prepared acres if it appears that regional market demand requires increased volumes of harvested timber. The department shall provide quarterly reports on the number of acres treated, pursuant to this section, to the senate and house appropriations subcommittees on natural resources and the standing committees of the senate and house of representatives with primary responsibility for natural resources issues. The department shall complete and deliver these reports no later than 45 days after the end of the fiscal quarter.

Sec. 803. In addition to the money appropriated in this act, the department may receive and expend money from federal sources for the purpose of providing response to wildfires as required by a compact with the federal government. If additional expenditure authorization is required, the department shall notify the state budget office that expenditure under this section is required. The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies of the expenditures under this section by November 1, 2013.

Sec. 804. The department shall continue to work cooperatively with horseback riding interests to maximize riding opportunities in the state.

Sec. 805. The department shall spend amounts appropriated in part 1 for forest-related activities to employ or contract for sufficient foresters to mark timber, pursuant to section 802.

Sec. 806. It is the intent of the legislature that forest campgrounds proposed for closure by the department will be open and accessible to the general public.

LAW ENFORCEMENT

Sec. 901. The appropriation in part 1 for snowmobile law enforcement grants shall be used by the department to provide grants to county law enforcement agencies to enforce part 821 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82101 to 324.82160, including rules promulgated under that part and ordinances enacted pursuant to that part. The department shall consider the number of enforcement hours and the number of miles of snowmobile trails in each county in allocating these grants. Any funds not distributed to counties revert back to the snowmobile registration fee subaccount created under section 82111 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82111. Counties shall provide semiannual reports to the department on the use of grant money received under this section.

Sec. 902. The department shall provide a report on the marine safety grant program to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies by December 1, 2012. The report shall include the following information for the preceding year: the total amount of revenue received for watercraft registrations, the amount deposited into the marine safety fund, and the expenditures made from the marine safety fund, including the

amounts expended for department administration, other state agencies, the law enforcement division, and grants to counties. The report shall also include the distribution methodology used by the department to distribute the marine safety grants and a list of the grants and the amounts awarded by county.

GRANTS

Sec. 1001. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 for grants to communities - federal oil, gas, and timber payments and that do not require additional state matching funds are appropriated for the purposes intended. By November 30, 2012, the department shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director on all amounts appropriated under this section during the fiscal year ending September 30, 2012.

Sec. 1002. Subject to part 811 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81101 to 324.81150, from the funds appropriated in part 1 for off-road vehicle trail improvements grants, not less than \$980,000.00 shall be spent on the development of new trails in accordance with the off-road vehicle trail expansion plan submitted to the legislature pursuant to section 807 of article 14 of 2005 PA 154.

Sec. 1003. (1) The appropriation in part 1 for the dam management grant program shall be used by the department to provide grants for the maintenance, repair, or removal of failing dams. The department shall require each grant application to include a written long-term plan for each dam that is covered by the application.

(2) The unexpended funds appropriated in part 1 for the dam management grant program are considered work project appropriations, and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to provide for maintenance, repair, or removal of dams.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is \$2,000,000.00.
- (d) The tentative completion date is September 30, 2017.

CAPITAL OUTLAY

Sec. 1101. The appropriation made in this act for the harbors and docks program is for the purpose of participating with the federal government and assisting local units of government, public colleges and universities, or other governmental entities in this state with the construction and improvement of recreational boating facilities within this state. Subject to the approval of the state administrative board, this money shall be allocated by the department to the federal government, or to the governmental entities involved in the particular projects. An allocation shall not exceed the state portion as listed with each project description. The department shall take the steps necessary to match federal money available for the construction and improvement of recreational boating facilities within the state, and to meet requirements of the federal government.

Sec. 1102. (1) The director of the department shall allocate lump-sum appropriations to the department made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1103. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS FOR FISCAL YEAR 2013-2014

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2013 consensus revenue estimating conference.

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Mike Green
Roger Kahn
Hoon-Yung Hopgood
Conferees for the Senate

Jon Bumstead
Eileen Kowall
Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Reports of Standing Committees

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

House Bill No. 5572, entitled

A bill to support voluntary home visitation programs; to authorize the promulgation of rules regarding home visitation programs; and to prescribe the powers and duties of certain state departments and agencies.

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. Kurtz, Haines, Heise, Hooker, Rendon, Slavens, Lane and Stapleton

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kurtz, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Tuesday, May 29, 2012

Present: Reps. Kurtz, Haines, Heise, Hooker, Rendon, Slavens, Lane and Stapleton

Absent: Rep. O'Brien

Excused: Rep. O'Brien

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

House Bill No. 5617, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 44a (MCL 125.1444a), as amended by 2004 PA 549.

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. Wayne Schmidt, Tyler, Gilbert, Denby, Glardon, Shaughnessy, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente, Townsend and Olumba

Nays: Reps. Lund, Farrington and Somerville

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

House Bill No. 5618, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 44c (MCL 125.1444c), as amended by 2004 PA 535.

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

Nays: None

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

House Bill No. 5620, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 32b (MCL 125.1432b), as amended by 2004 PA 549.

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

Nays: Rep. Somerville

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

House Bill No. 5646, entitled

A bill to amend 2003 PA 260, entitled "Tax reverted clean title act," by amending section 5 (MCL 211.1025) and by adding section 5a; and to repeal acts and parts of acts.

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. Wayne Schmidt, Tyler, Gilbert, Denby, Farrington, Glardon, Shaughnessy, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente, Townsend and Olumba

Nays: Reps. Lund and Somerville

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 29, 2012

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

Absent: Rep. Shirkey

Excused: Rep. Shirkey

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Franz, Chair, reported

Senate Bill No. 543, entitled

A bill to amend 1953 PA 192, entitled "An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties," by amending section 1 (MCL 35.621), as amended by 2004 PA 11.

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. Franz, Zorn, Haines, Tyler, Callton, Hughes, Graves, Darany, Smiley, Liss, Clemente and Greimel

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 29, 2012

Present: Reps. Franz, Zorn, Haines, Tyler, Callton, Hughes, Graves, Darany, Smiley, Liss, Clemente and Greimel

Absent: Rep. Nathan

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 29, 2012

Present: Reps. Horn, Opsommer, Crawford, Kowall, Franz, Jacobsen, McBroom, Nesbitt, Outman, Price, Zorn, Stallworth, Santana, Irwin, Brunner, Cavanagh, Smiley and Greimel

Absent: Reps. Shirkey, Roy Schmidt and Switalski

Excused: Reps. Shirkey, Roy Schmidt and Switalski

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 29, 2012

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

Messages from the Senate**Senate Bill No. 797, entitled**

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12b, 12c, 13, 14, 15, 17, 19, 19a, 20c, 20d, 20h, 20k, and 20m (MCL 38.1132b, 38.1132c, 38.1133, 38.1134, 38.1135, 38.1137, 38.1139, 38.1139a, 38.1140c, 38.1140d, 38.1140h, 38.1140k, and 38.1140m), sections 12b, 12c, 14, 17, and 20c as amended by 2000 PA 307, section 13 as amended by 2009 PA 84, section 15 as amended and section 20k as added by 1996 PA 485, sections 19 and 20d as amended and section 19a as added by 2008 PA 425, section 20h as amended by 2002 PA 728, and section 20m as amended by 2007 PA 22, and by adding sections 13e, 13f, and 21.

The Senate has passed the bill.

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

Messages from the Governor

The following message from the Governor was received May 29, 2012 and read:

EXECUTIVE ORDER**No. 2012-8****ACTIVATION OF NATIONAL GUARD TO LUCE COUNTY
and SCHOOLCRAFT COUNTY**

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, Under Section 12 of Article V of the Michigan Constitution of 1963 the Governor is the Commander-in-Chief of the state armed forces and may call them out to execute the laws; and

WHEREAS, Section 151 of the Michigan Military Act, No. 150 of the Public Acts of 1967, MCL 32.551, authorizes the Governor to order to activate state service any members of the organized militia for service in the aid of civil authority in times of public danger, disaster, crisis, catastrophe, or other public emergency within the state; and

WHEREAS, by Executive Proclamation, on May 25, 2012, the Governor declared a state of disaster in Luce County and Schoolcraft County due to a wildfire that had consumed over 19,000 acres of land, causing severe damage and loss of property; and

WHEREAS, the wildfire continues to grow due to exceptionally dry and hot weather conditions and shifting wind patterns; and

WHEREAS, additional assistance is needed to supplement existing firefighting capabilities to lessen or avert the threat of a catastrophe, and to protect and preserve the lives and property, and public health and safety in Luce County and Schoolcraft County;

WHEREAS, by Executive Proclamation, on May 25, 2012, the Governor directed, consistent with the Michigan Emergency Management Plan, that the Director of the Department of State Police, or her designee within the Department of State Police, coordinate and maximize all state efforts to assist political subdivisions and officials in Luce County and Schoolcraft County, and has authority to call upon all state departments and agencies to utilize available resources, including, but not limited to, manpower, supplies, equipment, materials, or facilities, to assist with response to the state of disaster;

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

1. THE ADJUTANT GENERAL is directed to order to active state service, units and individuals of the Michigan National Guard that in his discretion he deems appropriate to meet general mission assignments as determined by the Director of the Department of State Police, or her designee within the Department of State Police.

2. The Director of the Department of State Police, or her designee within the Department of State Police shall coordinate and maximize all state efforts, including such units and individuals of the Michigan National Guard that may be activated to state service, to assist Luce County and Schoolcraft County and other units of government affected pursuant to the Michigan Emergency Management Plan.

3. The Michigan National Guard is activated until such time as determined by the Adjutant General, after consultation with the Director of the Department of State Police, or her designee within the Department of State Police.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this twenty-fifth day of May in the year of our Lord, two thousand and twelve.

RICHARD D. SNYDER
GOVERNOR
BY THE GOVERNOR:
RUTH A. JOHNSON
SECRETARY OF STATE

The message was referred to the Clerk.

Introduction of Bills

Rep. LeBlanc introduced

House Bill No. 5680, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3020 (MCL 500.3020), as amended by 2006 PA 106.

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

Reps. LeBlanc, Liss, Callton and Walsh introduced

House Bill No. 5681, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7212 and 7214 (MCL 333.7212 and 333.7214), section 7212 as amended by 2011 PA 88 and section 7214 as amended by 1982 PA 352, and by adding article 8; and to repeal acts and parts of acts.

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

Reps. Heise, Meadows, Horn, Constan, Lipton, Irwin and Cavanagh introduced

House Bill No. 5682, entitled

A bill to amend 1991 PA 46, entitled "Eligible domestic relations order act," by amending section 2 (MCL 38.1702), as amended by 2008 PA 348.

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

Rep. Johnson introduced

House Bill No. 5683, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2011 PA 257.

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

Reps. Lyons, Horn, Jenkins, Hooker and Yonker introduced

House Bill No. 5684, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30e (MCL 206.30e), as added by 2000 PA 43.

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

Reps. Gilbert, Horn, Hooker, Yonker and Graves introduced

House Bill No. 5685, 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.

Rep. Farrington introduced

House Bill No. 5686, entitled

A bill to repeal 2010 PA 370, entitled "Michigan professional employer organization regulatory act," (MCL 338.3721 to 338.3747).

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

Reps. Brunner, Dillon, Smiley, Ananich and Cavanagh introduced

House Bill No. 5687, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 617b.

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

Reps. Stapleton, Talabi, Jackson, Cavanagh, Stanley, Bledsoe, Ananich, Townsend, Hobbs, Dillon, Rutledge, Lane, Ouimet, Walsh, Lyons, Price, Pettalia and Greimel introduced

House Bill No. 5688, entitled

A bill to provide for the creation of certain lighting authorities for the purpose of operating lighting systems; to provide for the powers and duties of the authorities; to provide for the conveyance of operational jurisdiction over certain operations to authorities; to provide for the assumption of certain contracts, bonds, notes, and other evidences of indebtedness and liabilities related to the provision of lighting authorities; to authorize expenditures from certain funds; to finance the acquisition of property and the development of certain public improvements or related facilities; to provide for the issuance of bonds and notes; to authorize certain investments; and to impose certain powers and duties upon state and local departments, agencies, and officers.

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

Rep. Walsh introduced

House Bill No. 5689, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 6104, 6501, and 6502 (MCL 333.6104, 333.6501, and 333.6502), section 6104 as amended by 1990 PA 179, and by adding section 6501a.

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

Reps. Nesbitt and Tyler introduced

House Bill No. 5690, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30103 (MCL 324.30103), as amended by 2009 PA 139.

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

Reps. Howze, Liss, Talabi, Irwin, Durhal, Stallworth, Stapleton, Rutledge, Santana, Jackson, Tlaib, Bledsoe, Stanley, Walsh, Gilbert, Kowall, Wayne Schmidt, Dillon, Hobbs, Ananich and Oakes introduced

House Bill No. 5691, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), 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. Walsh, Heise, Zorn, MacGregor, LeBlanc, Horn and Lyons introduced

House Bill No. 5692, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 71, 72, and 73 (MCL 750.71, 750.72, and 750.73).

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

Reps. Cotter, Heise, Zorn, MacGregor, LeBlanc, Horn and Lyons introduced

House Bill No. 5693, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 74, 75, and 76 (MCL 750.74, 750.75, and 750.76), section 74 as amended by 1998 PA 312.

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

Reps. Graves, Heise, Zorn, MacGregor, LeBlanc, Horn and Lyons introduced

House Bill No. 5694, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 77, 78, and 79 (MCL 750.77, 750.78, and 750.79), section 77 as amended by 1998 PA 312.

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

Reps. Oakes, Zorn, MacGregor, Heise, LeBlanc, Horn and Lyons introduced

House Bill No. 5695, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16c of chapter XVII (MCL 777.16c), as amended by 2000 PA 279.

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

Reps. LaFontaine, Foster, Kowall, Wayne Schmidt, Graves, Horn, Johnson, McBroom, MacGregor, Jacobsen, Daley, Kurtz, Roy Schmidt, Lyons, Lund, Agema, Franz, Lori, Haugh, Kandrevas, Denby, Gilbert, Hughes, Heise, Shaughnessy, McMillin, Goike, Ananich, Stanley, Bledsoe, Somerville, Farrington, Price, Knollenberg, Hobbs, Pscholka, Yonker, Haveman, Muxlow, Outman, Lane, Cotter, Townsend, Barnett, Forlini, Liss, Crawford, Haines, Opsommer, Oakes, Genetski, Rutledge, Stapleton and Glardon introduced

House Bill No. 5696, entitled

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

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

Reps. Hooker, Yonker, Heise, Kurtz, Pscholka, Rendon, Jenkins, Potvin, Lyons, Ouimet, Johnson, Haines, Rutledge, Liss, Walsh and Outman introduced

House Bill No. 5697, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9155.

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

Rep. Walsh introduced

House Bill No. 5698, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2912i.

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

Reps. McBroom, Hughes, Heise, Bumstead, Horn, MacMaster, Denby, Graves, Cotter, Glardon, Gilbert and Price introduced

House Bill No. 5699, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), 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. Hughes, Heise, Bumstead, Horn, MacMaster, Denby, Graves, Cotter, Glardon, Gilbert, McBroom and Price introduced

House Bill No. 5700, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 30a.

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

Rep. Lund introduced

House Bill No. 5701, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending the title, the heading of chapter 61, and sections 3301, 3330, 4501, 6101, 6105, 6107, and 6110 (MCL 500.3301, 500.3330, 500.4501, 500.6101, 500.6105, 500.6107, and 500.6110), the title as amended by 2002 PA 304, section 4501 as amended by 2012 PA 39, and sections 6101, 6105, 6107, and 6110 as added by 1992 PA 174, and by adding sections 6104, 6104a, 6104b, and 6108; and to repeal acts and parts of acts.

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

Rep. MacGregor moved that the House adjourn.
The motion prevailed, the time being 5:00 p.m.

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

GARY L. RANDALL
Clerk of the House of Representatives

