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House Chamber, Lansing, Tuesday, September 25, 2012.

1:30 p.m.

The House was called to order by Associate Speaker Pro Tempore Opsommer.

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

Rep. Matt Lori, from the 59th District, offered the following invocation:

“Dear Lord,

We thank You for the many opportunities You give us everyday. We thank You for the opportunity to serve You in public service. We thank You for the opportunity to observe the change in seasons. We thank You for the many opportunities that we have in our lifetimes. Sometimes we fail to recognize You and Your transformation that You give us in our lives. Please give us the wisdom, the knowledge and the courage to observe Your laws, and be of help to the citizens of this state. We thank You, again, for all You do. Amen.”

Motions and Resolutions

Rep. Franz offered the following resolution:

House Resolution No. 325.

A resolution to memorialize the Congress of the United States to provide funding to the United States Army Corps of Engineers for dredging recreational harbors in Michigan, particularly Portage Lake Harbor located in Onekama, MI.

Whereas, Recreational boating is a popular activity and a key component of Michigan’s and the other Great Lakes states’ tourism industries. Michigan has nearly 1 million registered boats, more than any other Great Lakes state. These boaters generate over \$4 billion in economic activity in Michigan and help support over 34,000 jobs. In the Great Lakes region, the impact is even greater, with over \$34 billion in economic activity generated and 244,000 jobs supported; and

Whereas, Nearly half of sportfishing in the Great Lakes region occurs from boats. Currently, Michigan ranks 5th in the nation in the number of licensed resident and nonresident anglers, and these anglers contribute \$2 billion annually to our economy and generate \$225 million in state tax revenue each year. Charter fishing operations play an important role in providing access to the Great Lakes to non-boating owning anglers; and

Whereas, Regular dredging is needed to keep recreational harbors open to boaters in Michigan and the other Great Lakes states. Natural shoaling exacerbated by continued low lake levels has left many recreational harbors too shallow for boaters to enter safely, which is jeopardizing charter fishing operations, local communities, and other businesses that depend on boating. Portage Lake Harbor, Leland Harbor, and Arcadia Harbor are just a few of the fifteen Great Lakes harbors of concern that are dangerously shallow for boaters; and

Whereas, Not only is dredging needed to accommodate recreational boaters, but also to provide safe harbor to all types of boaters, including commercial shippers. Maintaining harbors of refuge is a requirement to ensure that our obligation of

providing safe shipping lanes for trade is met. With Portage Lake Harbor being one of the four Michigan harbors of refuge along the western side of the state and one of the thirteen statewide, it is a necessity that it be maintained and dredged to a proper depth; and

Whereas, The federal budget did not include funding for dredging recreational harbors maintained in the past by the United States Army Corp of Engineers. This lack of funding will cripple the Great Lakes recreational boating and charter fishing industry, impacting millions of boaters, businesses, and communities that they support. Because no funding has been provided, local Great Lakes communities have had to acquire private funding to be able to keep tourism alive during the boating season; and

Whereas, It is necessary, for the safety of commercial shippers and all other Great Lakes traffic, to maintain harbors of refuge and, therefore, it should be deemed worthy to appropriate funds from the federal Harbor Maintenance Trust Fund, which holds surplus funds in excess of \$5 billion, to Great Lakes harbors. The relatively small federal investment needed to maintain these harbors is insignificant compared to the billions of dollars and thousands of jobs generated; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide funding to the United States Army Corps of Engineers for dredging recreational harbors in Michigan, particularly Portage Lake Harbor located in Onekama, MI; and be it further

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

The resolution was referred to the Committee on Natural Resources, Tourism, and Outdoor Recreation.

Rep. Franz offered the following concurrent resolution:

House Concurrent Resolution No. 62.

A concurrent resolution to memorialize the Congress of the United States to provide funding to the United States Army Corps of Engineers for dredging recreational harbors in Michigan, particularly Portage Lake Harbor located in Onekama, MI.

Whereas, Recreational boating is a popular activity and a key component of Michigan's and the other Great Lakes states' tourism industries. Michigan has nearly 1 million registered boats, more than any other Great Lakes state. These boaters generate over \$4 billion in economic activity in Michigan and help support over 34,000 jobs. In the Great Lakes region, the impact is even greater, with over \$34 billion in economic activity generated and 244,000 jobs supported; and

Whereas, Nearly half of sportfishing in the Great Lakes region occurs from boats. Currently, Michigan ranks 5th in the nation in the number of licensed resident and nonresident anglers, and these anglers contribute \$2 billion annually to our economy and generate \$225 million in state tax revenue each year. Charter fishing operations play an important role in providing access to the Great Lakes to non-boating owning anglers; and

Whereas, Regular dredging is needed to keep recreational harbors open to boaters in Michigan and the other Great Lakes states. Natural shoaling exacerbated by continued low lake levels has left many recreational harbors too shallow for boaters to enter safely, which is jeopardizing charter fishing operations, local communities, and other businesses that depend on boating. Portage Lake Harbor, Leland Harbor, and Arcadia Harbor are just a few of the fifteen Great Lakes harbors of concern that are dangerously shallow for boaters; and

Whereas, Not only is dredging needed to accommodate recreational boaters, but also to provide safe harbor to all types of boaters, including commercial shippers. Maintaining harbors of refuge is a requirement to ensure that our obligation of providing safe shipping lanes for trade is met. With Portage Lake Harbor being one of the four Michigan harbors of refuge along the western side of the state and one of the thirteen statewide, it is a necessity that it be maintained and dredged to a proper depth; and

Whereas, The federal budget did not include funding for dredging recreational harbors maintained in the past by the United States Army Corp of Engineers. This lack of funding will cripple the Great Lakes recreational boating and charter fishing industry, impacting millions of boaters, businesses, and communities that they support. Because no funding has been provided, local Great Lakes communities have had to acquire private funding to be able to keep tourism alive during the boating season; and

Whereas, It is necessary, for the safety of commercial shippers and all other Great Lakes traffic, to maintain harbors of refuge and, therefore, it should be deemed worthy to appropriate funds from the federal Harbor Maintenance Trust Fund, which holds surplus funds in excess of \$5 billion, to Great Lakes harbors. The relatively small federal investment needed to maintain these harbors is insignificant compared to the billions of dollars and thousands of jobs generated; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to provide funding to the United States Army Corps of Engineers for dredging recreational harbors in Michigan, particularly Portage Lake Harbor located in Onekama, MI; and be it further

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

The concurrent resolution was referred to the Committee on Natural Resources, Tourism, and Outdoor Recreation.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, September 21:

House Bill Nos. 5929 5930 5931 5932 5933 5934 5935 5936 5937 5938 5939 5940 5941
Senate Bill Nos. 1295 1296 1297 1298 1299 1300 1301 1302 1303 1304 1305

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, September 25:

Senate Bill Nos. 1307 1313 1314

The Clerk announced that the following Senate bill had been received on Tuesday, September 25:

Senate Bill No. 1222

Messages from the Senate

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 9156. The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Senate Bill No. 1222, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 25 (MCL 432.25), as amended by 1998 PA 465.

The Senate has passed the bill.

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

Communications from State Officers

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

September 20, 2012

This report is provided in compliance with Public Act 388 of 2008, the Beverage Container Redemption Antifraud Act (Public Act 388 of 2008, Section(7)(4)) which mandates:

Beginning 1 year after the effective date of this act [December 1, 2009 (the date when monies were allocated for the Act), the department [Treasury] by September 1 of each year shall report to the legislature on the progress it has made in reducing the redemption of nonreturnable containers, including the total number of distributors who were overredeemers in the immediately preceding calendar year, before trading, as well as the average amount of overredemption.

Please contact Tom Patchak-Schuster or me at 3-2697 if you have any questions.

Sincerely,
 Howard Heideman
 Director, Tax Analysis/Division
 Office of Revenue and Tax Analysis

The communication was referred to the Clerk.

Introduction of Bills

Reps. Muxlow, Hughes, LaFontaine, Callton, Zorn, Ananich, Ouimet, Damrow, Foster, Stapleton, Wayne Schmidt and Gilbert introduced

House Bill No. 5942, entitled

A bill to require individuals convicted of animal abuse offenses to register; to provide for the powers and duties of certain state and local governmental officers and entities; to impose fees; to prescribe penalties and provide remedies; and to require the promulgation of rules.

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

Reps. Muxlow, Hughes, LaFontaine, Callton, Zorn, Ananich, Ouimet, Damrow, Stapleton, Wayne Schmidt and Gilbert introduced

House Bill No. 5943, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," (MCL 287.331 to 287.340) by adding section 8b.

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

Reps. McBroom, McMillin, Foster, Gilbert, Opsommer, Shirkey, Cotter, Huuki, Somerville, Agema, MacMaster, Pscholka, Horn, Yonker, Bumstead, Farrington, Daley, Johnson, Franz, Poleski, Pettalia, Genetski and Kowall introduced

House Bill No. 5944, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1907 (MCL 324.1907), as amended by 2008 PA 229.

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

Rep. Somerville introduced

House Bill No. 5945, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," (MCL 45.501 to 45.521) by amending the title, as amended by 1998 PA 147, and by adding section 14a.

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

Rep. Somerville introduced

House Bill No. 5946, entitled

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," by amending the title and sections 9 and 9a (MCL 45.559 and 45.559a), the title as amended by 1998 PA 201 and section 9 as amended and section 9a as added by 2003 PA 281, and by adding section 9b.

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

Reps. Somerville and Yonker introduced

House Bill No. 5947, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 87c (MCL 211.87c), as amended by 2002 PA 165.

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

Rep. Price introduced

House Bill No. 5948, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2006 PA 482.

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

Announcements by the Clerk

September 21, 2012

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

Performance audit of the Central Michigan Correctional Facility, Department of Corrections, September 2012.

September 21, 2012

Received from the Auditor General a copy of the following audit report and/or report summary:
Follow-up of the performance audit of Data Center Operations, Department of Technology, Management, and Budget,
September 2012.

Gary L. Randall
Clerk of the House

Rep. Lori announced that pursuant to House Rule 1(2), the House will stand adjourned until Thursday, September 27, at 12:00 Noon.

Associate Speaker Pro Tempore Opsommer declared the House adjourned until Thursday, September 27, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

