

No. 62  
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**House of Representatives**  
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REGULAR SESSION OF 2011

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House Chamber, Lansing, Wednesday, June 29, 2011.

10:00 a.m.

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

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

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

e/d/s = entered during session

Pastor Brent Nelson, Pastor of Five Points Community Church in Auburn Hills, offered the following invocation:

“Almighty God and heavenly Father, eternal Son of God, the Lord Jesus Christ, near and sovereign Holy Spirit of God I stand before Your triune glory among those gathered in this honorable assembly to cherish Your worth and grace over all that exists.

When we cherish You as You deserve, Your glory is maximized and our good is optimized for this life and the life to come.

To that end I would ask of You these things, O Lord:

That You would strengthen and establish Christ-exalting churches in this state, in that Your presence resides with us by their presence, and because the church will outlast every other institution.

I ask that You would strengthen the communities of this great State by sustaining the schools, businesses, health providers and governments, and thus preserve honor and order in our society.

I ask that You would protect healthy families and marriages from all that threatens them and make every home an emotionally, physically and spiritually safe place in which to grow.

I pray that You grant an atmosphere of respect, kindness, and dignity for all persons in this state. As bearers of Your image, each person would be afforded the value that is theirs intrinsically.

To that end, I pray that You would make abortion as unthinkable as slavery.

I pray that You would bless the economic climate of this state. Grant us to be wise stewards of the wealth You have entrusted to us, knowing that to the one who is faithful with little, more will be given and that to whom much is given, much is required.

I would ask for all those in state public service, these Representatives, Governor Snyder, Lt. Governor Calley, State Supreme Court Justices and all others, that You would bless them with Your wisdom, grace and insight. Continue to guard them from the moral pitfalls that can endanger their office of public service. Grant them foresight to craft laws and enact policies that best serve the State of Michigan. Bless them as they serve with the knowledge that they have been instituted by God in their role and for this time.

Because of their leadership, cause the citizens of this ‘pleasant peninsula’ to be both thankful to You O God, and well-prepared to hear the gospel of Your Son. The news that it is by Your grace alone, O God, than any can respond by faith alone - trusting wholly in Christ’s payment for sin and in His righteousness unto salvation — for the glory of God alone.”

In all these things, dear Lord, the priceless worth of Your glory will be seen yet not only seen, but cherished, and this most plainly in the face of Your Son. In whose name, I pray all these things. Amen.”

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Rep. Stamas moved that Rep. Shaughnessy be excused from today’s session.  
The motion prevailed.

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

### Messages from the Senate

The Speaker laid before the House

**House Bill No. 4350, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16277 (MCL 333.16277), as added by 2001 PA 172.

(The bill was received from the Senate on June 28, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 61, p. 1969.)

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 245****Yeas—68**

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

**Nays—40**

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

In The Chair: Walsh

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Womack, under Rule 31, made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 245 because of a possible conflict of interest.”

**Third Reading of Bills****Senate Bill No. 28, 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 19 (MCL 205.19), as amended by 2002 PA 657.

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

**Roll Call No. 246****Yeas—109**

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

**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.

**House Bill No. 4284, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 167d (MCL 750.167d), as added by 2006 PA 148.

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

**Roll Call No. 247****Yeas—108**

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

**Nays—1**

Irwin

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.

**House Bill No. 4745, 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. 248****Yeas—107**

Agema	Genetski	Lindberg	Pscholka
Ananich	Gilbert	Lipton	Rendon
Barnett	Glardon	Liss	Rogers
Bauer	Goike	Lori	Rutledge

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

**Nays—2**

Irwin Nathan

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. 371, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81131 (MCL 324.81131), as amended by 2009 PA 175.

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

**Roll Call No. 249****Yeas—81**

Agema	Goike	Lindberg	Potvin
Ananich	Haines	Liss	Price
Bolger	Haugh	Lori	Pscholka
Brunner	Haveman	Lund	Rendon
Bumstead	Heise	Lyons	Rogers
Byrum	Hobbs	MacGregor	Rutledge
Callton	Hooker	MacMaster	Schmidt, R.
Clemente	Horn	McBroom	Schmidt, W.
Constan	Hughes	McMillin	Scott
Cotter	Huuki	Melton	Segal
Crawford	Irwin	Moss	Shirkey
Daley	Jacobsen	Muxlow	Smiley

Damrow	Jenkins	Nesbitt	Somerville
Denby	Johnson	O'Brien	Stamas
Farrington	Kandrevas	Olson	Stapleton
Forlini	Knollenberg	Opsommer	Townsend
Foster	Kowall	Ouimet	Tyler
Franz	Kurtz	Outman	Walsh
Genetski	LaFontaine	Pettalia	Yonker
Gilbert	Lane	Poleski	Zorn
Glardon			

**Nays—28**

Barnett	Durhal	Lipton	Slavens
Bauer	Geiss	McCann	Stallworth
Bledsoe	Hammel	Meadows	Stanley
Brown	Hovey-Wright	Nathan	Switalski
Cavanagh	Howze	Oakes	Talabi
Darany	Jackson	Olumba	Tlaib
Dillon	LeBlanc	Santana	Womack

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

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. 24, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1505 (MCL 500.1505).

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

**Roll Call No. 250****Yeas—109**

Agema	Gilbert	Lindberg	Price
Ananich	Glardon	Lipton	Pscholka
Barnett	Goike	Liss	Rendon
Bauer	Haines	Lori	Rogers
Bledsoe	Hammel	Lund	Rutledge
Bolger	Haugh	Lyons	Santana
Brown	Haveman	MacGregor	Schmidt, R.
Brunner	Heise	MacMaster	Schmidt, W.
Bumstead	Hobbs	McBroom	Scott
Byrum	Hooker	McCann	Segal
Callton	Horn	McMillin	Shirkey
Cavanagh	Hovey-Wright	Meadows	Slavens
Clemente	Howze	Melton	Smiley
Constan	Hughes	Moss	Somerville
Cotter	Huuki	Muxlow	Stallworth

Crawford	Irwin	Nathan	Stamas
Daley	Jackson	Nesbitt	Stanley
Damrow	Jacobsen	O'Brien	Stapleton
Darany	Jenkins	Oakes	Switalski
Denby	Johnson	Olson	Talabi
Dillon	Kandrevas	Olumba	Tlaib
Durhal	Knollenberg	Opsommer	Townsend
Farrington	Kowall	Ouimet	Tyler
Forlini	Kurtz	Outman	Walsh
Foster	LaFontaine	Pettalia	Womack
Franz	Lane	Poleski	Yonker
Geiss	LeBlanc	Potvin	Zorn
Genetski			

### 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, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation 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.

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Committee on Appropriations, by Rep. Moss, Chair, reported

#### Senate Bill No. 422, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3104, 3118, 3120, 3122, 3306, 11135, 11153, 12103, 12109, 12112, 30104, 30109, 32312, 32513, 80130, 80315, 81114, and 82156



(MCL 324.3104, 324.3118, 324.3120, 324.3122, 324.3306, 324.11135, 324.11153, 324.12103, 324.12109, 324.12112, 324.30104, 324.30109, 324.32312, 324.32513, 324.80130, 324.80315, 324.81114, and 324.82156), sections 3104, 3306, 30109, and 32312 as amended by 2008 PA 276, sections 3118 and 3120 as amended by 2009 PA 102, sections 3122 and 12109 as amended by 2007 PA 75, section 11135 as amended by 2008 PA 403, section 11153 as amended by 2010 PA 357, sections 12103 and 12112 as amended by 2008 PA 8, section 30104 as amended by 2009 PA 139, section 32513 as amended by 2009 PA 120, and sections 80130, 80315, 81114, and 82156 as amended by 2009 PA 100.

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. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin and Durhal

Nays: None

The Committee on Appropriations, by Rep. Moss, Chair, reported

#### **Senate Bill No. 441, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3101a (MCL 500.3101a), as amended by 1996 PA 456; and to repeal acts and parts of acts.

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. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, LeBlanc, Ananich, Bauer, Dillon, Durhal and Lindberg

Nays: None

The Committee on Appropriations, by Rep. Moss, Chair, reported

#### **Senate Bill No. 442, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 227 (MCL 257.227), as amended by 1995 PA 287; and to repeal acts and parts of acts.

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. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, LeBlanc, Ananich, Bauer, Dillon, Durhal and Lindberg

Nays: None

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 29, 2011

Present: Reps. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Lindberg, Lipton, McCann and Tlaib

Absent: Rep. Jackson

Excused: Rep. Jackson

The Committee on Education, by Rep. Scott, Chair, reported

**Senate Bill No. 446, entitled**

A bill to amend 2007 PA 106, entitled "Public employees health benefit act," by amending sections 5 and 15 (MCL 124.75 and 124.85).

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. Scott, Hooker, Crawford, McMillin, Franz, Heise, Hughes, Nesbitt, O'Brien, Price, Yonker, Darany, Howze, Hobbs, Rutledge, Stallworth and Geiss

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 29, 2011

Present: Reps. Scott, Hooker, Crawford, McMillin, Franz, Heise, Hughes, Nesbitt, O'Brien, Price, Yonker, Brown, Darany, Howze, Hobbs, Rutledge, Stallworth and Geiss

Absent: Rep. Shaughnessy

Excused: Rep. Shaughnessy

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 29, 2011

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

Absent: Reps. Shaughnessy, Melton and Olumba

Excused: Reps. Shaughnessy, Melton and Olumba

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The Speaker Pro Tempore called Associate Speaker Pro Tempore Opsommer to the Chair.

**Third Reading of Bills**

**Senate Bill No. 333, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7340b.

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

**Roll Call No. 251**

**Yeas—105**

Agema	Gilbert	Lindberg	Pscholka
Ananich	Glardon	Lipton	Rendon
Barnett	Goike	Liss	Rogers
Bauer	Haines	Lori	Rutledge
Bledsoe	Hammel	Lund	Santana
Bolger	Haugh	Lyons	Schmidt, R.

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

#### Nays—4

Franz

Irwin

McMillin

Opsommer

In The Chair: Opsommer

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 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding section 7340a.

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.

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The Speaker Pro Tempore resumed the Chair.

By unanimous consent the House returned to the order of

**Messages from the Senate**

**House Bill No. 4522, entitled**

A bill to amend 1969 PA 312, entitled “An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof,” by amending sections 2, 5, 6, 8, and 9 (MCL 423.232, 423.235, 423.236, 423.238, and 423.239).

The Senate has amended the bill as follows:

1. Amend page 2, line 12, by striking out all of subsection (D) and inserting:

**“(D) AN EMPLOYEE OF AN AUTHORITY THAT IS IN EXISTENCE ON JUNE 1, 2011, UNLESS THE EMPLOYEE IS REPRESENTED BY A BARGAINING REPRESENTATIVE ON THAT DATE OR A CONTRACT IN EFFECT ON THAT DATE SPECIFICALLY PROVIDES THE EMPLOYEE WITH COVERAGE UNDER THIS ACT. AN EXCLUSION UNDER THIS SUBDIVISION TERMINATES IF THE AUTHORITY COMPOSITION CHANGES TO INCLUDE AN ADDITIONAL GOVERNMENTAL UNIT OR PORTION OF A GOVERNMENTAL UNIT. THIS SUBDIVISION DOES NOT APPLY TO TERMINATE AN EXCLUSION CREATED UNDER SUBDIVISIONS (A) TO (C).”**

The Senate has passed the bill as amended and ordered that it be given immediate effect.

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

Rep. Stamas moved that Rule 42 be suspended.

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

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 252**

**Yeas—109**

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

**Nays—0**

In The Chair: Walsh

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**Third Reading of Bills****Senate Bill No. 350, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17766e (MCL 333.17766e), as added by 2005 PA 87.

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

**Roll Call No. 253****Yeas—108**

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

**Nays—1**

Irwin

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

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. 138, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; and to provide for the expenditure of the appropriations.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Lori moved to amend the bill as follows:

1. Amend page 4, line 6, by striking out “47,292,000” and inserting “83,542,000”.
2. Amend page 4, line 7, by striking out “47,292,000” and inserting “83,542,000”.
3. Amend page 4, line 10, by striking out “45,825,300” and inserting “82,075,300” and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Haveman moved to amend the bill as follows:

1. Amend page 13, following line 2, by inserting:

“Sec. 272. Any contract for prisoner telephone services shall impose fee schedules for prisoner telephone calls that are no greater than the fee schedules for standard calls placed by residential users in the area surrounding the correctional facility.”.

2. Amend page 15, line 17, after “207a,” by inserting “219,”.

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

The question being on the passage of the bill,

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

#### **Roll Call No. 254**

#### **Yeas—66**

Agema	Gilbert	Lund	Price
Ananich	Glardon	Lyons	Pscholka
Bolger	Goike	MacGregor	Rendon
Brunner	Haines	MacMaster	Rogers
Bumstead	Haveman	McBroom	Schmidt, R.
Callton	Heise	Melton	Schmidt, W.
Cotter	Hooker	Moss	Scott
Crawford	Horn	Muxlow	Shirkey
Daley	Hughes	Nesbitt	Smiley
Damrow	Huuki	O'Brien	Somerville

Denby	Jacobsen	Olson	Stamas
Dillon	Jenkins	Opsommer	Stanley
Farrington	Knollenberg	Ouimet	Tyler
Forlini	Kowall	Outman	Walsh
Foster	Kurtz	Pettalia	Yonker
Franz	LaFontaine	Poleski	Zorn
Genetski	Lori		

**Nays—43**

Barnett	Hammel	Lindberg	Santana
Bauer	Haugh	Lipton	Segal
Bledsoe	Hobbs	Liss	Slavens
Brown	Hovey-Wright	McCann	Stallworth
Byrum	Howze	McMillin	Stapleton
Cavanagh	Irwin	Meadows	Switalski
Clemente	Jackson	Nathan	Talabi
Constan	Johnson	Oakes	Tlaib
Darany	Kandrevas	Olumba	Townsend
Durhal	Lane	Potvin	Womack
Geiss	LeBlanc	Rutledge	

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 make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

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.

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

“Mr. Speaker and members of the House:

Until good metrics and dashboards are in place to ensure value for money budgeting of taxpayer money, I am inclined to vote ‘no’ on any additional supplemental spending. We need in place ways to ensure the spending of taxpayer money is being done efficiently and is measureable.”

Rep. Hovey-Wright, 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:

Though I support some of these supplemental appropriations, I cannot support this bill without the amendment raised by Rep. Linberg requiring a 90 day notice and cost analysis before privatizing prison services. Privatizing doesn’t always save money in the long run and sometimes has unintended consequences.”

Rep. Segal, 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:

Earlier this year, the legislature passed harmful, punitive and, quite frankly, needless tax hikes on seniors, the working poor and a host of others (HB 4361). I voted against that bill because I did not believe in the substance of it. I also voted

against it, in part, because it contained \$1 million allegedly to help the Treasury Department to implement the tax hike changes. The real reason this appropriation was inserted in the bill was to make sure that it could not be put to a vote of the people in Michigan because any bill with an appropriation in it cannot be subject to such a referendum vote of the people. I said as much at the time.

Now comes SB 138 that contains an additional amount of \$19.7 million to help Treasury implement the very same new income tax changes. The large amount of money in SB 138 is proof that the earlier appropriation was just a hoax purely designed to make the new income tax hikes referenda-proof. The Governor and the Republican leadership knew there was no reason to put the smaller appropriation into HB 4361 because they knew they were going to have to put the real implementation money into a subsequent supplemental appropriation bill such as SB138. This is the height of political chicanery and a waste of taxpayer money.

On May 29th, a very severe storm system did major damage to the Battle Creek area. To date, the City of Battle Creek has spent in excess of \$430,000 just to gather up the debris. It faces even more unexpected costs to properly dispose of the debris and for other cleanup activities.

Within SB 138 is an appropriation line that would provide 'up to' \$250,000 to help with disaster cleanup costs for Calhoun County. The language of 'up to' is not at all definite. The final amount could be much less when all is said and done. The City and people of Battle Creek desperately need that disaster relief money. I sponsored an amendment to SB 138 that would have removed the 'up to' language. This was summarily gavelled down without a record roll call vote even though there was plenty of support for one.

I voted no on SB 138 because I could not reconcile the astronomical amount of money being appropriated in the bill for implementing tax hikes on some of our most overburdened citizens with the fact that—in the same bill—the state will not commit to a set dollar amount to helping the City of Battle Creek and the surrounding areas to recoup costs for this disaster—despite the fact that the damage was of such a large scale that Governor Snyder toured the area in person and subsequently declared it a state disaster area.”

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The Speaker Pro Tempore called Associate Speaker Pro Tempore Opsommer to the Chair.

### **Second Reading of Bills**

#### **House Bill No. 4349, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7524 (MCL 333.7524), as amended by 2006 PA 558.

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

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

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

The motion prevailed.

#### **Senate Bill No. 223, entitled**

A bill to amend 2005 PA 210, entitled “Commercial rehabilitation act,” by amending sections 2 and 8 (MCL 207.842 and 207.848), as amended by 2008 PA 500.

The bill was read a second time.

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

The motion did not prevail and the substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

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

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

The motion prevailed.



**House Bill No. 4403, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1313 (MCL 600.1313), as amended by 2004 PA 12.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4295, entitled**

A bill to regulate amateur mixed martial arts; to create certain commissions and provide certain powers and duties for certain state agencies and departments; to license and regulate certain persons engaged in, and connected to, the business of amateur mixed martial arts and certain persons conducting certain contests and exhibitions; to confer immunity under certain circumstances; to provide for the conducting of certain tests; to assess certain fees and fines; to create certain funds; to promulgate rules; and to provide for penalties and remedies.

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

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

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

The motion prevailed.

**House Bill No. 4296, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2010 PA 317.

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

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

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

The motion prevailed.

**House Bill No. 4298, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2123 and 2124 (MCL 324.2123 and 324.2124), as added by 1995 PA 60, and by adding section 2123a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Natural Resources, Tourism, and Outdoor Recreation,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

**Senate Bill No. 229, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7b (MCL 722.627b), as added by 1997 PA 167.

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

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

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

The motion prevailed.

**Senate Bill No. 422, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3104, 3118, 3120, 3122, 3306, 11135, 11153, 12103, 12109, 12112, 30104, 30109, 32312, 32513, 80130, 80315, 81114, and 82156 (MCL 324.3104, 324.3118, 324.3120, 324.3122, 324.3306, 324.11135, 324.11153, 324.12103, 324.12109, 324.12112, 324.30104, 324.30109, 324.32312, 324.32513, 324.80130, 324.80315, 324.81114, and 324.82156), sections 3104, 3306, 30109, and 32312 as amended by 2008 PA 276, sections 3118 and 3120 as amended by 2009 PA 102, sections 3122 and 12109 as amended by 2007 PA 75, section 11135 as amended by 2008 PA 403, section 11153 as amended by 2010 PA 357, sections 12103 and 12112 as amended by 2008 PA 8, section 30104 as amended by 2009 PA 139, section 32513 as amended by 2009 PA 120, and sections 80130, 80315, 81114, and 82156 as amended by 2009 PA 100.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 441, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3101a (MCL 500.3101a), as amended by 1996 PA 456; and to repeal acts and parts of acts.

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

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

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

The motion prevailed.

**Senate Bill No. 442, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 227 (MCL 257.227), as amended by 1995 PA 287; and to repeal acts and parts of acts.

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

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

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

The motion prevailed.

**Senate Bill No. 446, entitled**

A bill to amend 2007 PA 106, entitled "Public employees health benefit act," by amending sections 5 and 15 (MCL 124.75 and 124.85).

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

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

Rep. Lyons 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

**Reports of Standing Committees**

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

**Senate Bill No. 490, entitled**

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," (MCL 41.1a to 41.110c) by adding section 3a.

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. Ouimet, Pettalia, Crawford, Daley, Hughes, LaFontaine, Price and Rendon

Nays: Reps. Stanley, Constan, Townsend, Stapleton, Rutledge and Lane

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 29, 2011

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

Absent: Rep. Shaughnessy

Excused: Rep. Shaughnessy

The Speaker Pro Tempore resumed the Chair.

### Third Reading of Bills

#### Senate Bill No. 165, entitled

A bill to provide for fair and open competition in governmental construction contracts, grants, tax abatements, and tax credits; to prohibit requirements for certain terms in government contracts and contracts supported through government grants and tax subsidies and abatements; to prohibit expenditure of public funds under certain conditions; to prohibit certain terms in procurement documents for certain expenditures involving public facilities; and to provide for powers and duties of certain public officers, employees, and contractors.

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

#### Roll Call No. 255

#### Yeas—62

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

#### Nays—47

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

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. 4464, entitled**

A bill to designate the period beginning on September 11 through September 17 of each year as Patriot Week in the state of Michigan.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 8, entitled**

A bill to provide for certain municipal joint endeavors; to provide standards for those municipal joint endeavors; to provide powers and duties of a municipal joint endeavor; to authorize the levy of a property tax by a municipal joint endeavor; and to provide for the powers and duties of certain government officials.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 9, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," (MCL 423.201 to 423.217) by adding section 1a.

The bill was read a second time.

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

**Motions and Resolutions**

Rep. Stamas moved that when the House adjourns today it stand adjourned until Thursday, June 30, at 10:00 a.m.

The motion prevailed.

**Reports of Standing Committees**

The Committee on Transportation, by Rep. Opsommer, Chair, reported

**House Bill No. 4029, entitled**

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 3 (MCL 46.403).

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. Opsommer, Glardon, Wayne Schmidt, Huuki, Jacobsen, Olson, Ouimet, Somerville, Geiss, Talabi, Liss and Byrum

Nays: Rep. Smiley

The Committee on Transportation, by Rep. Opsommer, Chair, reported

**House Bill No. 4030, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 252, 254, 267, and 269 (MCL 168.252, 168.254, 168.267, and 168.269), section 254 as amended by 1999 PA 218 and section 269 as amended by 1990 PA 7.

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. Opsommer, Glardon, Wayne Schmidt, Huuki, Jacobsen, Olson, Ouimet, Somerville, Geiss, Talabi, Liss and Byrum

Nays: Rep. Smiley

The Committee on Transportation, by Rep. Opsommer, Chair, reported

**House Bill No. 4031, entitled**

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending sections 6 and 8 of chapter IV (MCL 224.6 and 224.8), section 6 as amended by 2009 PA 39 and section 8 as amended by 1994 PA 320.

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. Opsommer, Glardon, Wayne Schmidt, Huuki, Jacobsen, Olson, Ouimet, Somerville, Geiss, Talabi, Liss and Byrum

Nays: Rep. Smiley

The Committee on Transportation, by Rep. Opsommer, Chair, reported

**House Bill No. 4642, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 2 (MCL 257.2), as amended by 2004 PA 19.

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. Opsommer, Glardon, Daley, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Geiss, Talabi, Liss, Byrum and Smiley

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 29, 2011

Present: Reps. Opsommer, Glardon, Daley, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Geiss, Talabi, Liss, Byrum and Smiley

Absent: Reps. Nathan and Roy Schmidt

Excused: Reps. Nathan and Roy Schmidt

**Messages from the Senate****House Bill No. 4192, entitled**

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

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4233, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1229 (MCL 380.1229), as added by 1995 PA 289.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4234, entitled**

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending section 3a (MCL 15.323a), as amended by 1996 PA 203.

The Senate has passed the bill and ordered that it be given immediate effect.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4436, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 44 and 44a (MCL 211.44 and 211.44a), section 44 as amended by 2008 PA 352 and section 44a as amended by 2008 PA 498.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4315, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 72.

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 amended the title to read as follows:

A bill to amend 2001 PA 142, entitled "An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions," (MCL 250.1001 to 250.2080) by adding section 1072.

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

**House Bill No. 4456, entitled**

A bill to amend 1915 PA 58, entitled "An act to provide for the incorporation of cremation companies and associations; and to impose certain duties upon the department of commerce," by amending section 6 (MCL 456.206); and to repeal acts and parts of acts.

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 amended the title to read as follows:

A bill to amend 1915 PA 58, entitled "An act to provide for the incorporation of cremation companies and associations; and to impose certain duties upon the department of commerce," by amending section 6 (MCL 456.206).

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

**House Concurrent Resolution No. 9.**

A concurrent resolution to urge the Federal Energy Regulatory Commission to grant a rehearing and modify its December 16, 2010 order approving the Midwest Independent Transmission System Operator's cost allocation proposal to socialize transmissions costs.

(For text of concurrent resolution, see House Journal No. 25, p. 311.)

The Senate has substituted (S-1) the concurrent resolution as follows:

A concurrent resolution to urge the Federal Energy Regulatory Commission to grant a rehearing and modify its December 16, 2010, order approving the Midwest Independent Transmission System Operator's cost allocation proposal to share transmission costs.

Whereas, The need for and cost of new, long distance transmission lines are important challenges facing the electric industry in the United States. New transmission facilities are needed to provide essential electric reliability and meet the future demands of a technologically-driven economy. However, the U.S. Department of Energy estimates that expanding the use of wind power could require transmission expansion costs of \$60 billion by 2030; and

Whereas, Ultimately, the costs of new transmission and who pays these costs are determined by the Federal Energy Regulatory Commission (FERC). Under the Federal Power Act, the FERC has the authority to regulate interstate transmission and must ensure that transmission rates are just and reasonable. Justness is also a centerpiece of FERC's Order 890, first issued in 2007, which establishes the commission's transmission cost allocation principles. Under Order 890, the FERC stated that when determining who pays for new transmission, it will first consider whether the cost allocation proposal fairly assigns costs among participants, including those who cause them to be incurred and those who otherwise benefit from them. The FERC also stated the intent to consider the support of state authorities and participants when approving cost allocation proposals; and

Whereas, The transmission tariff proposed by the Midwest Independent Transmission System Operator (MISO), which controls the grid in Michigan, 12 other states, and the province of Manitoba, proposes to allocate 100 percent of the costs of certain transmission projects designated as "multi-value projects" (MVP) to all customers in the MISO region. The tariff does not consider the unique situation of Michigan as a peninsular state that may not benefit from the construction of transmission lines in other parts of the MISO region. Additionally, the tariff includes allocation of lower voltage transmission facilities that may not provide benefits to Michigan; and

Whereas, Since Michigan accounts for 20 percent of the MISO load, Michigan consumers would be responsible for one-fifth of any new MVP transmission facilities approved to be built in the MISO region. The FERC's ruling allows for an uncommon method of allocating costs on a regional basis. There are concerns that Michigan will not receive benefits that align with the costs it will bear for these facilities; and

Whereas, Several states, utilities, and ratepayer groups have filed for rehearing and clarification, including the Michigan Public Service Commission; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we support the Michigan Public Service Commission's and the MISO Northeast Transmission Customers' requests for clarification and applications for rehearing of the FERC's December 16 order approving the Midwest Independent Transmission System Operator's cost allocation proposal to share transmission costs; and be it further

Resolved, That copies of this resolution be transmitted to the chairman of the Federal Energy Regulatory Commission, the chairman of the Michigan Public Service Commission, the president and chief executive officer of the Midwest Independent Transmission System Operator, and the members of the Michigan congressional delegation.

The Senate has adopted the concurrent resolution as substituted (S-1) and named Senators Hansen and Proos as co-sponsors.

The question being on concurring in the substitute (S-1) made to the concurrent resolution by the Senate,

The concurrent resolution will remain under Messages from the Senate.

### **Messages from the Governor**

The following message from the Governor was received June 29, 2011 and read:

#### **EXECUTIVE ORDER 2011 - 8**

#### **DEPARTMENT OF EDUCATION**

#### **DEPARTMENT OF HUMAN SERVICES**

#### **MICHIGAN OFFICE OF GREAT START**

#### **EXECUTIVE REORGANIZATION**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, there is a continued need to reorganize functions among state departments to ensure efficient administration; and

WHEREAS, Section 3 of Article VIII of the Michigan Constitution of 1963, section 14 of Act No. 287 of the Public Acts of 1964, as amended, being section 388.1014 of the Michigan Compiled Laws, and section 305 of Act No. 380 of the Public Acts of 1965, as amended, being section 16.405 of the Michigan Compiled Laws, provide that the Superintendent of Public Instruction is the principal executive and administrative officer of the Department of Education; and

WHEREAS, there is a need to create a coherent system of health and early learning that aligns, integrates and coordinates Michigan's investments from prenatal to third grade; and

WHEREAS, Michigan's early childhood development programs and funding are fragmented across state government; and

WHEREAS, Michigan's approach to investing in school readiness and early elementary success should be values-based and founded on sound scientific and economic evidence; and

WHEREAS, we must refocus the state's early childhood investment, policy, and administrative structures by adopting a single set of early childhood outcomes and measuring performance against those outcomes; and

WHEREAS, Michigan children should be developmentally ready to succeed at the time of school entry;

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

#### **I. MICHIGAN OFFICE OF GREAT START**

A. The Michigan Office of Great Start is created within the Michigan Department of Education.

B. The Superintendent of Public Instruction shall exercise all administrative powers, duties, functions, and responsibilities of the Michigan Office of Great Start.

C. All authority, powers, duties, functions, and responsibilities of the Office of Child Development and Care within the Department of Human Services, including the functions of budgeting, procurement, and management-related functions, are transferred to the Michigan Office of Great Start.

D. All authority, powers, duties, functions, and responsibilities of the Head Start Collaboration Office within the Department of Human Services, including the functions of budgeting, procurement, and management-related functions, are transferred to the Michigan Office of Great Start.

E. All authority, powers, duties, functions, and responsibilities of the Office of Early Childhood Education and Family Services within the Michigan Department of Education, including the functions of budgeting, procurement, and management-related functions, are transferred to the Michigan Office of Great Start.

#### **II. MISCELLANEOUS**

A. All rules, orders, opinions, contracts, and agreements relating to the functions of the Office of Child Development and Care, the Head Start Collaboration Office, and the Office of Early Childhood Education and Family Services, transferred to the Michigan Office of Great Start under this Order, and lawfully adopted prior to the issuance of this Order, shall continue to be effective until revised, amended, or rescinded.

B. All records, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Department of Human Services and the Department of Education for the activities, powers, duties, functions, and responsibilities transferred under this Order, are transferred to the Michigan Office of Great Start.

C. The Superintendent of Public Instruction shall provide executive direction and supervision for the implementation of the transfers. The Superintendent of Public Instruction shall administer the assigned functions in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

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

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

F. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

G. The Superintendent of Public Instruction and the Director of the Department of Human Services shall immediately initiate coordination to facilitate the transfers set forth in this Order and shall develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Departments of Human Services and Education.



H. The Director of the Department of Community Health (“Department”) shall coordinate with the Superintendent of Public Instruction concerning administration of the programs and services the Department provides that affect early childhood development. The programs and services the Department provides shall to the extent practicable complement and support the efforts of the Office of Great Start, and the Department and the Superintendent shall utilize their early childhood resources in a coordinated fashion.

In fulfilment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order shall be effective 60 days after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 29th day of June in the year of our Lord, two thousand eleven.

Richard D. Snyder  
Governor  
By the Governor:  
Ruth A. Johnson  
Secretary of State

The message was referred to the Clerk.

Date: June 28, 2011  
Time: 10:38 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4111 (Public Act No. 65, I.E.), being**

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 503 (MCL 324.503), as amended by 2004 PA 587.

(Filed with the Secretary of State June 28, 2011, at 3:42 p.m.)

Date: June 28, 2011  
Time: 3:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4385 (Public Act No. 67, I.E.), being**

An act to amend 1975 PA 238, entitled “An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,” (MCL 722.621 to 722.638) by adding section 7k.

(Filed with the Secretary of State June 28, 2011, at 3:46 p.m.)

Date: June 28, 2011  
Time: 3:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4387 (Public Act No. 68, I.E.), being**

An act to amend 1975 PA 238, entitled “An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for

confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending section 7b (MCL 722.627b), as added by 1997 PA 167.

(Filed with the Secretary of State June 28, 2011, at 3:48 p.m.)

### Explanation of “No” Votes

Rep. Talabi, having reserved the right to explain her protest against the passage of the **Senate Bill No. 498**, made the following statement:

“Mr. Speaker and members of the House:

IN OPPOSITION TO SB 0498

Today, those of us who fought hard for the principles of fairness, equality, the right to representative government stand in absolute shock as we look at the voting district boundaries presented in SB 498.

Gerrymandering is defined as the practice that attempts to establish a political advantage for a particular party or group by manipulating geographic boundaries to create partisan, incumbent-protected districts. SB 498 is a clear and certain example of political party gerrymandering. Under SB 498 voting districts are not aligned based on municipalities with common interests. In certain instances political subdivisions have been completely ignored. SB 498 makes it clear that the voting district is designed to ensure the election of candidates from a certain political party.

The voting districts as presented in SB 498 are far from ensuring a representative government for all people. The plan also does not accept the principle that minority populations should have the right to be fairly represented. Instead the districts as presented are a clear plan to ‘divide and conquer.’ It is clear to see that the design of the districts is to give the current majority party the means by which to split the minority vote. Minority populations and the communities they live in are with little or no regard for municipal boundaries aligned with districts with large non-minority populations.

This is a clear violation of the Voting Rights Act. A primary tenet of the Act is to ensure districts where minority voters constitute well more than 50% of eligible voters (also referred to as ‘minority majority’ districts. Instead SB 498 seeks to minimize the effective exercise of the statutory right to representative government by spreading out minority voters over a number of districts where they will no longer be able through their vote to assure themselves that they will be represented by a minority member.

I believe that the term ‘we the people’ in the Constitution expresses the right that all people should have equal access to the protections and guarantees of a constitutional government. This access is attained through the right to vote and to be fairly represented within the respective legislative bodies.

Voting districts in Michigan should continue to be based on the Apol standards that assure that voting districts not only contain equal populations but also that the feature contiguous and compact boundaries, maintain respect for municipal and county boundaries, and assure representation for minority groups. These standards represent a ‘common-sense’ approach to ensuring a representative government for all people.

SB 498 is a travesty to the principle of fair and equal representation. It is an insult to those of us who know that without equal representation there cannot be equal protection under the law. I strenuously oppose SB 498 and know that this is not how we can maintain representative government in Michigan.

State Representative Alberta Tinsley-Talabi District 3”

### Introduction of Bills

Reps. Haines, Haveman, McBroom, Franz, Horn, Jacobsen, MacGregor, Knollenberg, Bumstead, Wayne Schmidt, Glardon, Opsommer, MacMaster, Moss, Huuki, Crawford, Kowall, Liss, Heise, Cotter and Tyler introduced

#### **House Bill No. 4834, entitled**

A bill to amend 2008 IL 1, entitled “Michigan medical marihuana act,” by amending section 6 (MCL 333.26426).

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

### Announcements by the Clerk

June 28, 2011

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

Financial audit, including the provisions of the Single Audit Act, of the Department of Energy, Labor & Economic Growth (DELEG) for the period October 1, 2008 through September 30, 2010.

Gary L. Randall  
Clerk of the House

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 had been printed and placed upon the files of the members on Wednesday, June 29:

<b>House Bill Nos.</b>	<b>4817</b>	<b>4818</b>	<b>4819</b>	<b>4820</b>	<b>4821</b>	<b>4822</b>	<b>4823</b>	<b>4824</b>	<b>4825</b>	<b>4826</b>	<b>4827</b>	<b>4828</b>	<b>4829</b>	<b>4830</b>
	<b>4831</b>	<b>4832</b>	<b>4833</b>											
<b>Senate Bill Nos.</b>	<b>524</b>	<b>525</b>	<b>526</b>	<b>527</b>	<b>528</b>	<b>529</b>	<b>530</b>	<b>531</b>	<b>532</b>	<b>533</b>				

The Clerk announced that the following Senate bill had been received on Wednesday, June 29:

**Senate Bill No. 386**

### Messages from the Senate

#### **House Bill No. 4780, entitled**

A bill to amend 1964 PA 282, entitled "An act to divide the state into 15 congressional districts; to prescribe the powers and duties of certain state departments and officers; and to repeal acts and parts of acts," by amending the title and sections 3 and 5 (MCL 3.53 and 3.55), the title as amended and sections 3 and 5 as added by 2001 PA 115, and by adding sections 1a and 4a.

The Senate has passed the bill.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

#### **House Bill No. 4366, entitled**

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2009 PA 210.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

#### **House Bill No. 4584, entitled**

A bill to amend 2010 PA 370, entitled "Michigan professional employer organization regulatory act," by amending sections 7, 9, 15, 17, 21, 23, and 27 (MCL 338.3727, 338.3729, 338.3735, 338.3737, 338.3741, 338.3743, and 338.3747).

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 amended the title to read as follows:

A bill to amend 2010 PA 370, entitled "An act to license and regulate professional employer organizations; to define certain relationships and allocate certain rights and duties between those relationships; to provide for certain powers and duties for state agencies; to impose certain fees and provide for certain security devices; and to provide for penalties and remedies," by amending sections 7, 9, 13, 15, 17, 21, 23, and 27 (MCL 338.3727, 338.3729, 338.3733, 338.3735, 338.3737, 338.3741, 338.3743, and 338.3747).

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

#### **Senate Bill No. 386, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 286.

The Senate has passed the bill.

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

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Rep. Knollenberg moved that the House adjourn.  
 The motion prevailed, the time being 6:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 30, at 10:00 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives