

No. 1
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
96th Legislature
REGULAR SESSION OF 2011

House Chamber, Lansing, Wednesday, January 12, 2011.

12:00 Noon.

Pursuant to the requirements of the Constitution, the Representatives-elect to the House of Representatives of the State of Michigan for the years 2011 and 2012, assembled in Representative Hall in the Capitol at Lansing on the second Wednesday in January, the 12th of January, 2011 at 12:00 o'clock noon, and in accordance with law, were called to order by Richard J. Brown, Clerk of the preceding House.

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

“May we all bow in silence and respect to offer our personal prayers and thoughts to the tragic loss of life and the injured along with their families that took place in Tucson, Arizona this past weekend. Public Servants, community leaders, citizens and a child, let us offer our silent prayers.

Our Heavenly Father, we ask for comfort to those who mourn, healing to those who physically suffer, understanding to the confused, strength to the weak, mercy to the wayward and grace to the repentant.

As this body of public servants now gather, along with family and friends, may each one recommit themselves to the highest ideals and actions that the citizens of this great state entrusted unto them. As this body will now deliberate over the course of many months, may we do so with respect, with courage, with conviction, with honor and with wisdom. May we be bold and also understanding. May we take on the spirit of humility and when need be, be brave.

As we seek to respect and honor one another, may we always practice Your command to: ‘Do unto others as you would have them do unto you’.

We now ask for Your blessing as we face the challenges that lie before us and at the end of our day in this chamber may we each be found faithful.

And all God’s people said:

Amen.”

Communications from State Officers

November 29, 2010

The Honorable Rich Brown
Clerk of the House of Representatives
State Capitol Building, Room 69
Lansing, MI 48909

Dear Mr. Brown:

Enclosed, please find a certified listing of the candidates elected to the office of State Representative at the November 2, 2010 general election. A copy of the official returns certified for the election is also provided for your reference.

Please do not hesitate to contact this office if we can be of any further assistance.

Sincerely,
Christopher M. Thomas
Director of Elections

THE STATE OF MICHIGAN

DEPARTMENT OF STATE

I, Terri Lynn Land, Secretary of State and Custodian of the Great Seal of the State of Michigan, certify that the persons named on the attached listing were duly elected at the November 2, 2010 General Election to the Office of State Representative for a term commencing on January 1, 2011 and ending January 1, 2013, as shown by the official returns certified for the election and placed on file in this office.

[SEAL]

In witness whereof, I have hereto attached my signature and the Great Seal of the State of Michigan, at Lansing, on November 19, 2010.

Terri Lynn Land
Secretary of State

State of Michigan

General Election - November 2, 2010

Representatives Elect

State Legislature

House District	Party	Name	Address
1	DEM	Timothy Bledsoe	936 Lincoln Rd., Grosse Pointe, MI 48230
2	DEM	Lisa L. Howze	2550 West Grand Blvd Ste. 101, Detroit, MI 48208
3	DEM	Alberta Tinsley Talabi	2229 Pennsylvania, Detroit, MI 48214
4	DEM	Maureen L. Stapleton	1300 East Lafayette #1207, Detroit, MI 48207
5	DEM	John Olumba	18410 Wexford, Detroit, MI 48234
6	DEM	Fred Durhal Jr.	5085 Underwood, Detroit, MI 48204
7	DEM	Jimmy Womack	2310 West McNichols Rd., Detroit, MI 48221
8	DEM	Thomas F. Stallworth III	18684 Whitcomb, Detroit, MI 48235
9	DEM	Shanelle Jackson	9730 West Outer Dr. #102, Detroit, MI 48223
10	DEM	Harvey Santana	5700 Brace, Detroit, MI 48228
11	DEM	David E. Nathan	18701 Grand River Avenue, Detroit, MI 48223
12	DEM	Rashida Tlaib	Post Office Box 9380, Detroit, MI 48209
13	DEM	Andrew J. Kandrevas	14220 Reeck, Southgate, MI 48195
14	DEM	Paul Clemente	2235 Fort Park Blvd., Lincoln Park, MI 48146
15	DEM	George T. Darany	17835 Oakwood Blvd., Dearborn, MI 48124
16	DEM	Bob Constan	5527 Heather Lane, Dearborn Heights, MI 48125
17	DEM	Phil Cavanagh	12126 Centralia, Redford Township, MI 48239
18	DEM	Richard LeBlanc	36267 Canyon Dr., Westland, MI 48186
19	REP	John J. Walsh	35041 Pembroke, Livonia, MI 48152
20	REP	Kurt Heise	9054 Muirland, Plymouth, MI 48170
21	DEM	Dian Slavens	6000 Hidden Ct., Canton, MI 48187
22	DEM	Douglas A. Geiss	25680 Greenlawn, Taylor, MI 48180
23	REP	Pat Somerville	Post Offie Box 681, New Boston, MI 48164
24	REP	Anthony G. Forlini	39273 Chart, Harrison Twp., MI 48045
25	DEM	Jon M. Switalski	31705 Forest Lane, Warren, MI 48093
26	DEM	Jim Townsend	Post Office Box 213, Royal Oak, MI 48068
27	DEM	Ellen Cogen Lipton	Post Office Box 7026, Huntington Woods, MI 48070

28	DEM	Lesia Liss	27472 Haverhill Dr., Warren, MI 48092
29	DEM	Tim Melton	4169 Arcadia, Auburn Hills, MI 48326
30	REP	Jeff Farrington	8830 Summers Ct., Utica, MI 48317
31	DEM	Marilyn Lane	16558 Woodlane, Fraser, MI 48026
32	REP	Andrea LaFontaine	37565 Hebel Rd., Richmond, MI 48062
33	REP	Ken Goike	22440 32 Mile Rd., Ray Township, MI 48096
34	DEM	Woodrow Stanley	2211 Brownell Blvd., Flint, MI 48504
35	DEM	Rudy Hobbs	28684 Blackstone Dr., Lathrup Village, MI 48076
36	REP	Pete Lund	6881 Muirfield, Shelby Township, MI 48316
37	DEM	Vicki Barnett	29271 Glencastle Ct., Farmington Hills, MI 48336
38	REP	Hugh D. Crawford	46275 West 11 Mile Rd., Novi, MI 48374
39	DEM	Lisa Brown	Post Office Box 251532, West Bloomfield, MI 48325
40	REP	Chuck Moss	1184 Dorchester, Birmingham, MI 48009
41	REP	Marty Knollenberg	5064 Christy Ct., Troy, MI 48098
42	DEM	Harold L. Haugh	19464 Candlelight, Roseville, MI 48066
43	REP	Gail Haines	2384 Lake Angelus Lane, Lake Angelus, MI 48326
44	REP	Eileen Kowall	2333 Cumberland Dr., White Lake, MI 48383
45	REP	Tom McMillin	1261 Oakwood Ct., Rochester Hills, MI 48307
46	REP	Bradford C. Jacobsen	Post Office Box 250, Oxford, MI 48371
47	REP	Cindy Denby	9787 Amanda Dr., Fowlerville, MI 48836
48	DEM	Richard E. Hammel	6343 West Clovis Avenue, Flushing, MI 48433
49	DEM	Jim Ananich	932 Maxine St, Flint, MI 48503
50	DEM	Charles Smiley	2253 McLaren, Burton, MI 48529
51	REP	Paul Scott	8412 Cranbrook Lane, Grand Blanc, MI 48439
52	REP	Mark Ouimet	3502 River Pines Dr., Ann Arbor, MI 48103
53	DEM	Jeff Irwin	2542 Bellwood Avenue, Ann Arbor, MI 48104
54	DEM	David E. Rutledge	8585 Durham Ct., Ypsilanti, MI 48198
55	REP	Rick Olson	525 Judd Rd., Saline, MI 48176
56	REP	Dale W. Zorn	Post Office Box 2, Ida, MI 48140
57	REP	Nancy E. Jenkins	9417 West Carleton Rd., Clayton, MI 49235
58	REP	Kenneth L. Kurtz	233 West Pearl St., Coldwater, MI 49036
59	REP	Matt Lori	14941 Roberts Shores Dr., Constantine, MI 49042
60	DEM	Sean McCann	3025 Morgan St., Kalamazoo, MI 49001
61	REP	Margaret E. O'Brien	1625 Bellaire Avenue, Portage, MI 49024
62	DEM	Kate Segal	108 Pinehurst Lane, Battle Creek, MI 49015
63	REP	James Bolger	Post Office Box 638, Marshall, MI 49068
64	REP	Earl Poleski	5354 Reynolds Road, Jackson, MI 49201
65	REP	Mike Shirkey	11757 Sutfin Rd., Clark Lake, MI 49234
66	REP	Bill Rogers	4878 Pine Eagles Ct., Brighton, MI 48116
67	DEM	Barb Byrum	Post Office Box 27344, Lansing, MI 48909
68	DEM	Joan Bauer	PMB 226 3105 South MLK Blvd., Lansing, MI 48910
69	DEM	Mark S. Meadows	Post Office Box 4041, East Lansing, MI 48826
70	REP	Rick Outman	6481 Miles Rd., Six Lakes, MI 48886
71	REP	Deb Shaughnessy	956 Chads Way, Charlotte, MI 48813
72	REP	Ken Yonker	8300 Patterson SE, Caledonia, MI 49316
73	REP	Peter MacGregor	8209 Vista Royal Lane NE, Rockford, MI 49341
74	REP	Dave Agema	Post Office Box 855, Jenison, MI 49429
75	DEM	Brandon Dillon	1213 Lewison Avenue NE, Grand Rapids, MI 49505
76	DEM	Roy Schmidt	1127 Van ess NW, Grand Rapids, MI 49504
77	REP	Thomas B. Hooker	1739 108th St., Byron Center, MI 49315
78	REP	Sharon Tyler	Post Office Box 964, Niles, MI 49120
79	REP	Al Pscholka	5810 Longhorn Tr., Stevensville, MI 49127
80	REP	Aric Nesbitt	Post Office Box 400, Lawton, MI 49065
81	REP	Jud Gilbert	Post Office Box 10201, Lansing, MI 48901
82	REP	Kevin Daley	3387 Daley Rd., Lum, MI 48412
83	REP	Paul Muxlow	4473 Parkside Dr. Box 70, Brown City, MI 48416
84	REP	Kurt E. Damrow	1031 Port Austin Rd., Austin, MI 48467
85	REP	Ben Glardon	Post Office Box 1746, Owosso, MI 48867
86	REP	Lisa Posthumus Lyons	12020 100th St., Alto, MI 49302

87	REP	Mike Callton	Post Office Box 676, Nashville, MI 49073
88	REP	Bob Genetski	Post Office Box 475, Saugatuck, MI 49453
89	REP	Amanda Price	3975 Lakeridge Dr., Holland, MI 49424
90	REP	Joe Haveman	Post Office Box 457, Zeeland, MI 49464
91	REP	Holly Hughes	8801 Lehman Rd., Montague, MI 49437
92	DEM	Marcia Hovey-Wright	452 West Webster Avenue, Muskegon, MI 49440
93	REP	Paul E. Opsommer	315 East Main St., Dewitt, MI 48820
94	REP	Ken Horn	1 Sunburst Ct., Frankenmuth, MI 48734
95	DEM	Stacy Erwin Oakes	3309 Carter, Saginaw, MI 48601
96	DEM	Charles M. Brunner	208 Murphy St., Bay City, MI 48706
97	REP	Joel Johnson	Post Office Box 280, Clare, MI 48617
98	REP	Jim Stamas	Post Office Box 592, Midland, MI 48640
99	REP	Kevin Cotter	2767 Eland Ct., Mt. Pleasant, MI 48858
100	REP	Jon Bumstead	2186 East 72nd St., Newaygo, MI 49337
101	REP	Ray A. Franz	Post Office Box 25, Onkama, MI 49675
102	REP	Philip N. Potvin	Post Office Box 609, Cadillac, MI 49601
103	REP	Bruce R. Rendon	Post Box 809, Lake City, MI 49651
104	REP	Wayne A. Schmidt	623 Washington St., Traverse City, MI 49686
105	REP	Greg MacMaster	5966 Beaver Creek Tr., Kewadin, MI 49648
106	REP	Peter Pettalia	11617 Bell Bay Rd., Presque Isle, MI 49777
107	REP	Frank Foster	Post Office Box 452, Pellston, MI 49769
108	REP	Ed McBroom	N873 Thaler Dr., Vulcan, MI 49892
109	DEM	Steven W. Lindberg	Post Office Box 322, Marquette, MI 49855
110	REP	Matt E. Huuki	13895 Rova Rd., Atlantic Mine, MI 49905

The roll of the House was called by the Assistant Clerk, who announced that all of the Representatives-elect were present.

Oath of Office

The Representatives-elect appeared at the Clerk's desk and took and subscribed the constitutional oath of office, which was administered by the Hon. Robert P. Young, Jr., Chief Justice of the Michigan Supreme Court.

The Clerk announced that the first business in order was the selection of seats in accordance with the Statute.

The Statute having been read, the members in the order or their total length of service in the House selected seats as their names were called by the Clerk. Adelinn Huuki, David E. Nathan, Jr., Grace Anne Opsommer and Will Townsend drew numbers for the selection of seats for members as provided, by Statute, all seats being selected as follows:

1—Bob Genetski	56—Kate Segal
2—Aric Nesbitt	57—Richard E. Hammel
3—Ben Glardon	58—Lesia Liss
4—Dave Agema	59—Lisa L. Howze
5—James Bolger	60—Thomas F. Stallworth III
6—Jim Stamas	61—David E. Rutledge
7—Matt Lori	62—Richard LeBlanc
8—Peter Pettalia	63—Mark S. Meadows
9—Ray A. Franz	64—Vicki Barnett
10—Chuck Moss	65—Fred Durhal Jr.
11—Pete Lund	66—Alberta Tinsley Talabi
12—John J. Walsh	67—Jim Townsend
13—Lisa Posthumus Lyons	68—Jeff Irwin
14—Anthony G. Forlini	69—Jimmy Womack
15—Earl Poleski	70—Jon M. Switalski
16—Gail Haines	71—Shanelle Jackson
17—Marty Knollenberg	72—Harvey Santana
18—Amanda Price	73—Phil Cavanagh

19—Margaret E. O'Brien	74—Jim Ananich
20—Jeff Farrington	75—Tim Melton
21—Sharon Tyler	76—Bob Constan
22—Matt E. Huuki	77—Dian Slavens
23—Hugh D. Crawford	78—Joan Bauer
24—Greg MacMaster	79—Lisa Brown
25—Ken Horn	80—David E. Nathan
26—Dale W. Zorn	81—Charles Smiley
27—Paul E. Opsommer	82—Charles M. Brunner
28—Mike Shirkey	83—Kevin Daley
29—Kevin Cotter	84—Al Pscholka
30—Pat Somerville	85—Rashida Tlaib
31—Peter MacGregor	86—Marcia Hovey-Wright
32—Bradford C. Jacobsen	87—Rudy Hobbs
33—Bruce R. Rendon	88—Maureen L. Stapleton
34—Kenneth L. Kurtz	89—Marilyn Lane
35—Rick Olson	90—Thomas B. Hooker
36—Mike Callton	91—Ken Yonker
37—Eileen Kowall	92—Steven W. Lindberg
38—Tom McMillin	93—George T. Darany
39—Ed McBroom	94—Harold L. Haugh
40—Frank Foster	95—Sean McCann
41—Nancy E. Jenkins	96—Andrew J. Kandrevas
42—Deb Shaughnessy	97—Kurt Heise
43—Andrea LaFontaine	98—Joe Haveman
44—Cindy Denby	99—Barb Byrum
45—Mark Ouimet	100—John Olumba
46—Joel Johnson	101—Paul Clemente
47—Holly Hughes	102—Brandon Dillon
48—Jud Gilbert	103—Douglas A. Geiss
49—Paul Muxlow	104—Paul Scott
50—Ken Goike	105—Philip N. Potvin
51—Rick Outman	106—Ellen Cogen Lipton
52—Bill Rogers	107—Roy Schmidt
53—Kurt E. Damrow	108—Timothy Bledsoe
54—Jon Bumstead	109—Stacy Erwin Oakes
55—Wayne A. Schmidt	110—Woodrow Stanley

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Stamas and Segal offered the following resolution:

House Resolution No. 1.

A resolution prescribing the Standing Rules of the House of Representatives.

Resolved by the House of Representatives, That the following rules be adopted as the Standing Rules of the House of Representatives:

STANDING RULES OF THE HOUSE OF REPRESENTATIVES IN ACCORDANCE WITH THE MICHIGAN CONSTITUTION ARTICLE IV, SECTION 16

CHAPTER I GENERAL PROVISIONS

Meetings, Officers and Quorum.

Rule 1. (1) The House shall meet in regular session at the seat of government on the second Wednesday in January of each year at twelve o'clock noon. In each odd-numbered year, it shall proceed with its organization, the election of

a Speaker and a Clerk for the ensuing term of the Legislature. The Speaker shall appoint the Speaker Pro Tempore and Associate Speaker(s) Pro Tempore from the membership. All elections shall be by roll call and shall require a majority of the Members voting to elect.

(2) A majority of the Members elected to and serving in the House shall constitute a quorum to do business, but a smaller number may adjourn from day to day and not less than 15 Members voting in favor thereof may compel the attendance of absent Members and prescribe penalties for non-attendance. (See Const 1963, Art 4 §§ 13 and 14)

Admission to Floor—Defined.

Rule 2. (1) No person shall be admitted on the floor of the House for a period of 30 minutes immediately preceding the time set for any call to order during any session of the House through adjournment, except as follows:

- (a) Representatives and Senators;
- (b) Former Legislators, unless otherwise restricted;
- (c) Sergeants at arms, pages, Clerk's staff, and legislative staff who are specifically designated to be working on the House floor during session;
- (d) Directors of Michigan Departments and the Governor's legislative liaisons shall be admitted to the Thatcher or Document room and may have floor access with the permission of the Majority Floor Leader;
- (e) Immediate family of Representatives who have obtained and are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Majority Floor Leader;
- (f) Media correspondents accredited by the Clerk of the House who are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Clerk. Media correspondents shall not use the center aisle or be at the Members' desks during roll call votes; and
- (g) Such other persons as may be invited by the Speaker or Majority Floor Leader.

(2) No group or individual shall be allowed access to the floor when the House is not in session unless permission is granted by the Majority Floor Leader or Clerk. The Majority Floor Leader and Clerk shall issue guidelines to ensure that guests using the floor are responsible for costs incurred by the House. If permission is given to a Member to bring guests on the floor when the House is not in session, the Member shall accompany the guests.

(3) Only Members shall sit in Members' chairs.

(4) Any person who is a lobbyist or employed by a lobbyist shall not be admitted on the floor of the House at any time. A former Legislator shall not lobby on the floor, except if they are admitted under rule 2(1)(d). The words "floor of the House," when used in these rules, shall mean the space of the main floor of Representative Hall, together with adjacent rooms on the second floor of the Capitol under the jurisdiction of the Clerk, including the Democrat and Republican caucus rooms and the corridor behind the House rostrum.

(5) Guests may be introduced only by permission of the Presiding Officer. Guests shall not be introduced during a roll call vote. Guests are to use the center aisle only if being escorted by a Member or House staff.

(6) Use of the center aisle should be kept at a minimum.

(7) The Majority Floor Leader must grant approval for the distribution of items on the floor and items must pertain to that day's agenda. All printed material intended for distribution on the floor shall be clearly identified by the Member requesting the distribution.

Bar of the House.

Rule 3. (1) Any Member, having answered attendance roll call at the opening of any session, or who enters after attendance roll call, shall be considered present until leave of absence is obtained from the House. Any Member having entered upon the floor of the House after the House has been called to order, shall be considered present if within the bar of the House.

(2) The words "within the bar of the House," when used in these rules, shall mean the space occupied and used by the House or any legislative room or office under the jurisdiction of the Clerk.

(3) Cell phones on the floor shall not ring audibly.

(4) All persons within the bar of the House shall be in acceptable business attire.

**CHAPTER II
OFFICERS
SPEAKER**

Definitions.

Rule 4. Speaker is any Member elected as Speaker under Rule 1 of these rules.

Duties as Presiding Officer.

Rule 5. The Speaker, or the designee of the Speaker, shall take the Chair each day at the hour to which the House shall have adjourned or recessed. The Presiding Officer shall call the House to order and lead the Members in reciting the

Pledge of Allegiance and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules. In the absence of the Speaker, or the designee of the Speaker, the Clerk or Assistant Clerk may call the House to order.

Rule 6. (1) The Presiding Officer shall preserve order and decorum; may speak to points of order, rising for that purpose; and shall decide questions of order, subject to an appeal to the House. When two or more Members rise at once, the Presiding Officer shall name the Member who is first to speak.

(2) Only the Presiding Officer shall lead the House in observing a moment of silence.

Duties of Speaker as Chief Administrator.

Rule 7. (1) Payment to all persons, authorized under paragraphs (2), (3), and (4) to expend House funds for transportation, lodging, meals, registration fees and related items, shall be made in accordance with expenditure regulations as predetermined and republished to Members by the Speaker. The regulations shall set forth the guidelines for amounts, methods of payment and time of payment for such items. The Speaker may revise the regulations upon 15-day notice to all Members.

(2) The Speaker may authorize persons to make expenditures from the general funds of the House for administrative purposes. The Speaker may enter into contracts for the purchase and payment of benefits affecting employees, Members of the House, retirees and their successors in interest.

(3) Regular standing committees of the House shall be allotted such funds as the Speaker may authorize. The Speaker may restrict selected expenditures to a lesser number of Members, alternates or substitute Members, than the number of Members of the standing committee. The funds may be expended for items specified in paragraph (1) and for contractual services, publications and supplies. All expenditures under this paragraph shall be approved by the committee Chair and the Speaker and for items specified in paragraph (1) shall be in accordance with the regulations and guidelines provided for by paragraph (1).

(4) Additional committees may be authorized by resolution. The resolutions shall set the maximum budget of such committees. Members, alternates and substitute Members of such additional committees shall be appointed by the Speaker unless otherwise specified in the resolution. The Speaker may restrict selected expenditures to a lesser number of Members, alternates or substitute Members than the number of Members specified in the resolution. Budgeted funds may be expended for items specified in paragraph (1), for contractual services, publications, supplies and any other items specified in the resolution. Payments for contractual services may be authorized by the committee Chair and the Speaker. All expenditures under this paragraph for items specified in paragraph (1) shall be in accordance with the regulations and guidelines provided for by paragraph (1).

Appointments by the Speaker.

Rule 8. The Speaker shall appoint all committees, except where the House shall otherwise order. If the Speaker makes permanent or temporary additions to or removals from any standing or special committee, the names and the appointments or removals shall take effect when the Clerk and Minority Leader are notified by letter and shall appear in the next House Journal.

Appointment of Employees by Speaker.

Rule 9. Except as otherwise provided in these rules, the Speaker, or the Speaker's designee, shall appoint all employees of the House. Unless otherwise provided by law, the compensation for all employees and officers of the House shall be fixed by the Speaker, or the Speaker's designee. All employees of the House shall maintain a status as non-tenured, at-will employees. All employees of the House work at the pleasure of the Speaker, or the Speaker's designee, shall be subject to the Speaker's, or the Speaker's designee's, orders, and may be transferred to a different position, demoted, suspended, or summarily removed by the Speaker, or the Speaker's designee.

Naming of Acting Speaker.

Rule 10. The Speaker, may, by filing a written notice with the Clerk, appoint any Member to perform the duties of the Presiding Officer, but not for a longer time than one day without leave of the House. Such notice shall be spread upon the House Journal.

Voting.

Rule 11. The Speaker and Presiding Officer may vote on all elections and on all questions.

Putting the Question.

Rule 12. (1) The Presiding Officer shall pose all questions to the Members. If in doubt the Presiding Officer may order a division of the House. A division of the House may be had on the demand of ten Members. A vote taken by division

is not printed in the House Journal. A roll call of the House may be demanded by one-fifth of the Members present (see Const 1963, Art 4 § 18) on any pending question and in such case the record of the votes and names of the voting Members shall be entered in the House Journal.

(2) When a division of the House is ordered, the voting board shall be used, and the Clerk shall announce the vote and the Presiding Officer shall declare the result. On a tie vote the question shall be deemed as lost. A majority of those voting shall decide any question unless otherwise provided.

Recognition During Roll Call.

Rule 13. (1) After a question has been stated by the Presiding Officer, and the calling of the roll has been started by the Clerk, the Presiding Officer shall not recognize a Member for any purpose, until after the announcement of the vote by the Clerk except:

- (a) To raise a point of order;
- (b) To request an excuse for another Member;
- (c) To announce intent not to vote for reason of potential conflict of interest; and
- (d) To request that the board be cleared.

(2) The Clerk shall enter upon the House Journal the names of those voting “aye” and the names of those voting “nay”. Roll calls shall be consecutively numbered in the House Journal.

SPEAKER PRO TEMPORE

Powers and Duties.

Rule 14. (1) The Speaker, the Speaker Pro Tempore, or an Associate Speaker Pro Tempore shall preside over the House, unless the Speaker has designated another Member to preside.

(2) In the absence of a designated Presiding Officer, the Clerk shall preside and if a quorum is present may designate a temporary Presiding Officer of the same party as the Speaker.

CLERK

Roll Call.

Rule 15. The Clerk shall serve as parliamentarian of the House. The Clerk shall take the roll at the opening of each session of the House and announce whether or not a quorum is present. The Clerk shall enter upon the House Journal the names of the Members present for attendance roll call, the names of the Members specifically excused from session, and the names of the Members absent from session. The term “roll call” as used in these rules shall mean a record roll call.

Conduct of Religious Exercises.

Rule 16. The Clerk shall arrange for a Member to offer an invocation which will not exceed 2 minutes in length at the opening of each session of the House. This invocation shall be general in nature, may be delivered by the Member or a Member’s guest, and must be submitted to the Clerk electronically 1 day in advance. For special occasions, the Clerk may arrange for religious services as needed.

Publication and Correction of House Journal.

Rule 17. (1) The Clerk shall make up and complete the House Journal, supervise its daily publication, and make corrections. The Clerk is authorized to correct totals that may have been affected by amendments made to appropriations bills.

(2) The House Journal is the only official record of the proceedings of the House.

(3) Written or verbal remarks made under the order of business of Comments and Recommendations shall not be printed in the House Journal except for remarks regarding departing Members.

House Calendar.

Rule 18. The Clerk shall prepare and make available to each Member each session day a list of the business under each order of business.

Printing, Announcement of Printing and Enrollment of Bills.

Rule 19. The Clerk shall ensure the printing or reproduction of all bills, acts or documents ordered printed or reproduced by the House. The Clerk shall announce each day the numbers of all bills and letters of all joint resolutions which have been printed or reproduced and placed upon the files of the Members, and the numbers of House bills which have been enrolled and presented to the Governor.

Responsibility for Care of Bills; Presentation of Enrolled Bills to Governor.

Rule 20. The Clerk shall be responsible for the care and preservation of each bill introduced into the House, and for each bill received from the Senate up to the time of its return to that body. This responsibility shall only be relieved by a receipt from a person when the bill passes from his or her possession. The Clerk shall enroll a House bill while the House is not in session if that bill has passed both houses and no action is pending. The Clerk shall notify the House of such action on the next House legislative day. When a House bill has been finally passed by the two houses, the Clerk shall present to the Governor an enrolled copy thereof, taking a receipt showing the day, hour and minute at which such copy was deposited in the executive office.

Appointment of Assistants.

Rule 21. The Clerk shall, with the consent of the Speaker, appoint an Assistant Clerk and other assistants. All assistants of the Clerk and employees of the House assigned to the Clerk's office shall maintain a status as non-tenured, at-will employees. All assistants and employees of the House assigned to the Clerk's office work at the pleasure of the Clerk and Speaker, shall be subject to the orders of the Clerk and Speaker, and may be transferred to a different position, demoted, suspended, or summarily removed by the Clerk or Speaker.

Accreditation of News Media.

Rule 22. (1) The Clerk shall receive the applications of all members of the news media. Persons desiring to be accredited as official media correspondents at the two-year session shall file a written application with the Clerk. When issuing credentials, the Clerk shall instruct the media person as to conduct on the House floor.

(2) Members of the press corps shall comply with all House rules and guidelines and shall, while on the House floor during session, display credentials at all times.

Responsibility for Care of House and Televising House Session.

Rule 23. (1) The Clerk shall exercise supervisory care and control of the Hall of the House of Representatives and all House rooms and equipment assigned to the office of the Clerk. The Clerk shall, upon prior written authorization by the Speaker, provide for repairs and alterations in the House Chambers and the connected rooms and corridors and their furniture and equipment.

(2) The Clerk shall be responsible for televised coverage of House session and committee meetings.

(3) As directed by the Speaker, the Clerk shall enter into contractual agreements for rental of House facilities.

Incapacity of Clerk.

Rule 24. In case of the inability of the Clerk to perform the duties of that office, the Assistant Clerk shall be charged with the responsibility of the Clerk and shall perform the Clerk's duties. In case a vacancy exists in the office of Clerk, the Assistant Clerk shall assume the Clerkship and perform the duties of Clerk until a successor has been elected.

Notices in Cases of Extra Sessions.

Rule 25. Whenever the Legislature shall be called to meet in extraordinary session or in case of emergency, the Clerk shall notify Members and staff of the date and time of convening.

SERGEANT AT ARMS**Definitions.**

Rule 26. The Sergeant at Arms shall be the chief police officer of the House and shall be appointed by the Speaker. Under the direction of the Speaker, the Clerk shall supervise and direct the work of the Sergeant at Arms and Assistant Sergeants at Arms, and may commission the Sergeant at Arms and Assistant Sergeants at Arms, who meet the certification requirements of this state, as law enforcement officers with the powers provided under the Legislative Sergeant at Arms Police Powers Act. (See MCL 4.381 - 4.382)

Powers and Duties.

Rule 27. The Sergeant at Arms shall have charge, under the direction of the Clerk, of the Assistant Sergeants at Arms, pages, and session interns, and control of all police, safety and security regulations. The Sergeant at Arms shall have authority to serve subpoenas and warrants issued by the House or any duly authorized officer or committee, or cause the same to be done by one of the Assistant Sergeants at Arms, or a duly authorized agent. The Sergeant at Arms shall see that all visitors are seated and at no time are standing on the floor or balconies of the House. The Sergeant at Arms shall ensure that reasonable decorum is maintained in the lobby immediately in front of the entrance to Representative Hall to ensure access for Representatives and to ensure equal treatment for all citizens.

CHAPTER III MEMBERS

Conduct in Debate.

Rule 28. When any Member is about to speak in debate or present any matter to the House, the Member shall rise and respectfully address the Presiding Officer, confine remarks to the question under debate, and avoid personalities.

Members Called to Order.

Rule 29. If any Member in speaking transgresses the rules of the House, the Presiding Officer shall, or any Member may, call the transgressor to order, in which case the Member so called to order shall immediately sit down and shall not rise unless to explain or proceed in order.

VOTING

Voting by the Electronic Roll Call System.

Rule 30. (1) When taking the roll call on any question, the electronic roll call system may be used, and shall have the same force and effect as a roll call taken as otherwise provided in these rules.

(2) When the House is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electronic roll call system, the Presiding Officer shall state the question to the Members. The Presiding Officer shall inform Members that the board is open to record their votes. When sufficient time has been allowed the Members to vote, the Presiding Officer shall direct the Clerk to close the board. Any Member can vote or change his or her vote after the board has been closed by rising and, when recognized by the Presiding Officer, announcing his or her vote before the result of the vote has been announced by the Clerk. After a sufficient time has passed to allow late voting, the Presiding Officer shall direct the Clerk to tally, display and announce the vote. The Clerk shall record the vote in the House Journal.

(3) No Member shall vote for another Member, nor shall any person not a Member cast a vote for a Member. In addition to such penalties as may be prescribed by law, any Member who shall vote or attempt to vote for another Member may be punished in such manner as the House may determine. A person who votes or attempts to vote for a Member shall be barred from the floor of the House for the remainder of the session and may be further punished in such manner as the House may deem proper.

(4) Any vote shall be taken by the ayes and nays and entered upon the House Journal on request of one-fifth of the Members present. (See Const 1963, Art 4 § 18)

Vote Explanations.

Rule 31. (1) A Member may dissent from and protest against any act, proceeding or resolution which the Member deems injurious to any person or the public, and have the reason for dissent, referred to as a "no vote explanation", printed in the House Journal. (See Const 1963, Art 4 § 18)

(2) If a Member desires to abstain from voting because of a potential conflict of interest, the Member may rise, announce his or her intent not to vote, and reserve the right to explain the abstention. The Member shall be granted the right to have the explanatory statement printed in the House Journal. To be printed in the House Journal, the abstention from voting explanation shall be submitted to the Clerk.

(3) No vote explanations or explanations of abstention from voting shall not be substantively edited by the Clerk before publication in the House Journal.

Conduct.

Rule 32. (1) No person shall pass between the Presiding Officer and a Member who has the floor.

(2) The Members shall keep their seats until the Majority Floor Leader announces that no further voting will occur or the Presiding Officer announces that the House is adjourned.

CHAPTER IV COMMITTEES STANDING COMMITTEES

Names and Number of Members.

Rule 33. (1) All standing committees shall be appointed by the Speaker, except where the House shall otherwise order.

(2) The standing committees of the House and the number of Members shall be as follows:

- (a) Agriculture (16)
- (b) Appropriations (27)

- (c) Banking and Financial Services (11)
 - (d) Commerce (19)
 - (e) Education (19)
 - (f) Energy and Technology (21)
 - (g) Families, Children, and Seniors (9)
 - (h) Government Operations (5)
 - (i) Health Policy (17)
 - (j) Insurance (17)
 - (k) Judiciary (17)
 - (l) Local, Intergovernmental, and Regional Affairs (15)
 - (m) Military and Veterans Affairs and Homeland Security (11)
 - (n) Natural Resources, Tourism, and Outdoor Recreation (11)
 - (o) Oversight, Reform, and Ethics (6)
 - (p) Redistricting and Elections (9)
 - (q) Regulatory Reform (15)
 - (r) Tax Policy (17)
 - (s) Transportation (17)
 - (3) Statutory Standing Committees:
 - (a) Joint Committee on Administrative Rules (5)
 - (b) House Fiscal Agency Governing Committee (6)
 - (c) Legislative Council (6)
 - (d) Michigan Legislative Retirement System (4)
 - (e) Michigan Capitol Committee (4)
- (4) The House Journal shall report the roll call on all motions to report bills, resolutions and reorganization orders.
(See Const 1963, Art 4 § 17)

(5) Committees shall adopt a meeting schedule at the commencement of each term which shall be printed in the House Journal. Additional meetings may be called by the Chair or by a majority of the Members in writing to the Clerk. The Chair may cancel any scheduled meeting, except one called by a majority of the Members, by notice to the Members.

Uniform Committee Rules.

Rule 34. (1) The Clerk of the House shall assign committee clerks with the approval of the respective committee Chairs. Duties of committee clerks shall be prescribed by the Clerk.

(2) Special committees shall operate under the same rules as standing committees insofar as practical. Conference committees on House bills shall meet at a place assigned by the Clerk.

(3) All committees will operate under the following rules:

- (a) A quorum of a committee shall consist of a majority of the Members appointed and serving;
- (b) Members of standing committees may not check in for a committee meeting and leave their vote. Members of committees may only cast a vote if they are present at the meeting during the vote;

(c) It shall require an affirmative vote of a majority of the Members appointed to and serving on a committee in order to:

- (i) Report a bill or resolution out of committee
 - (ii) Recommend an amendment to a bill or resolution
 - (iii) Reconsider a vote to report a bill or resolution from committee
- (d) Provided a quorum of a committee is present, it shall require an affirmative vote of a majority of the Members voting in order to:

- (i) Table a bill or resolution
 - (ii) Take a bill or resolution from the table
 - (iii) Reconsider a vote, other than in subdivision (c)(iii)
- (e) It shall require an affirmative vote of a majority of the Members voting in order to:
- (i) Postpone action on a bill or resolution
 - (ii) Recess
 - (iii) Adjourn a meeting

(f) The Chair of a standing committee shall determine the agenda for a committee meeting; and

(g) The Chair of a standing committee may create subcommittees and shall designate what is to be considered by each subcommittee. The Chair of the standing committee shall designate a Chair of the subcommittee and shall appoint Members to each subcommittee.

(4) The Speaker may designate additional Members to serve on any subcommittee of a standing committee as voting members who do not serve on the full committee.

(5) Subcommittees shall follow the same rules as standing committees.

(6) Meetings or public hearings of committees may be scheduled outside of Lansing with prior written approval of the Speaker. Subcommittees must have the prior written approval of the Chair of the standing committee and the Speaker in order to conduct a public hearing or meeting outside of Lansing.

(7) All meetings or public hearings of committees or subcommittees shall comply with the following procedures in order to assure public access (See Const 1963, Art 4 §§ 16 and 17):

(a) All meetings or public hearings shall be open to the public and accessible;

(b) The right of any person to attend a meeting or public hearing includes the right to tape-record, videotape, and/or broadcast live;

(c) The right of any person to attend a meeting or public hearing may not be conditioned on prior approval of, or notice to, the committee or subcommittee;

(d) All decisions of a committee or subcommittee shall be made at a public meeting;

(e) The right of a person to attend a meeting or public hearing shall not be limited by a requirement that she or he register or otherwise provide her or his name or other identifying information;

(f) A person shall not be excluded from a meeting or public hearing of a committee or subcommittee except for a breach of the peace or in order to protect the health and safety of persons in attendance at the meeting;

(g) A rescheduled or a special meeting of a committee or subcommittee shall be posted at least 18 hours before the scheduled meeting time. No committee or subcommittee shall remain in session or stand in recess beyond the hour of 12:00 midnight; and

(h) Notice of committee or subcommittee meetings or public hearings shall include notice that individuals needing special services to fully participate in the meeting or public hearing may contact the committee or subcommittee Chair to request the necessary assistance.

(8) Each committee shall have written minutes prepared of each meeting. The minutes shall include the date, time, place, Members present, Members absent, Members excused, and any decisions which were made. The minutes shall also include all roll call votes taken at the meeting. The proposed minutes of a meeting shall be available for inspection by the public within 8 working days of the meeting. Minutes shall be approved by the committee at the next meeting. Approved minutes shall be available for public inspection no later than 5 working days after approval.

(9) Committees may excuse a Member from attending a committee meeting.

(10) Committees shall not meet after a session of the House has been called to order without the consent of the House.

(11) To the extent practical, special committees shall follow the same rules as standing committees of the House.

(12) With approval of a majority of the Members appointed and serving on the committee, a committee may adopt additional rules provided they do not conflict with the Uniform Standing Committee Rules or with the Standing Rules of the House.

(13) A motion for previous question is not in order.

Chair of Committee.

Rule 35. The first named Member of any committee shall be the Chair, and the second named Member shall be Vice-Chair. In the absence of both the Chair and Vice-Chair the next named Member of the Majority party in attendance shall act as Chair. The Chair or any Member of the committee may place under oath or affirmation any person who appears to testify before the committee.

Oversight, Reform, and Ethics Committee and Auditor General Reports.

Rule 36. Upon receipt of Auditor General reports, the Oversight, Reform, and Ethics Committee shall review the reports and, if appropriate, refer the reports to the appropriate standing committee for consideration. Consideration by the standing committee shall not impede or preclude any Member from initiating any action in response to an Auditor General report.

Subpoena Power.

Rule 37. The right of a special or standing committee to subpoena shall be granted by resolution of the House in accordance with Mason's Manual of Legislative Procedure - current edition. The vote on adoption of a subpoena power resolution shall be by record roll call vote. The votes of a majority of the Members elected and serving shall be required for adoption. The right to subpoena shall not be granted to subcommittees.

Reports of Committees.

Rule 38. (1) A committee may recommend amendments, a substitute, or referral to another committee, with or without recommendation as to passage or adoption. A substitute is an amendment that replaces all of the language in a bill or resolution.

(2) Substitutes reported by the committee shall include all adopted amendments and shall be prepared by the Legislative Service Bureau. A majority of the Members serving on a committee shall be necessary to report a bill or resolution out of the committee. A majority of the Members appointed to a committee and serving shall constitute a quorum. Minority

reports shall not be permitted or received by the House. Bills or resolutions reported without recommendation as to passage or adoption shall lie on the table.

(3) All bills favorably reported back to the House shall be referred to second reading together with amendments recommended by the standing committee. All resolutions reported back to the House shall be referred to reports of standing committees together with amendments recommended by the standing committee. If more than one standing committee has considered a bill, the amendments recommended by each committee shall be considered in the chronological order of committee consideration and the report of the last committee to consider the bill shall contain the amendments recommended by the previous committees.

Public Hearings.

Rule 39. A committee may provide for a public hearing. Notice of such hearing, its subject, time and place, shall be given in writing to the Clerk of the House who shall announce the hearing to the House, publish it in the House Journal and in the House calendar and post it on the bulletin board designated by the Clerk for the posting of such notices.

CHAPTER V TRANSACTION OF BUSINESS

Order of Business.

Rule 40. (1) The order of business of the House shall be as follows, unless otherwise ordered by the House:

- (a) Motions and Resolutions;
- (b) Announcement by the Clerk of Printing and Enrollment;
- (c) Reports of Select Committees;
- (d) Reports of Standing Committees;
- (e) Messages from the Senate;
- (f) Third Reading;
- (g) Second Reading;
- (h) Notices;
- (i) Messages from the Governor;
- (j) Comments and Recommendations;
- (k) Explanation of "No" Votes;
- (l) Communications from State Officers;
- (m) Introduction of Bills;
- (n) Announcements by the Clerk; and
- (o) Presentation of Petitions.

(2) Routine business on which no vote of the House is required may be disposed of on any day, with or without a quorum present. If a quorum is not present, any item of business becoming the subject of a floor motion shall be postponed to the next legislative day.

(3) The business of the House shall not be delayed or interrupted by speeches by nonmembers, presentations, awards, ceremonies or musical programs.

BILLS

Introduction.

Rule 41. (1) All bills to be introduced shall be approved as to form and numbering of sections by the Legislative Service Bureau and be signed by the Member introducing them. Ten copies of each shall be delivered to the office of the Clerk not later than 3 hours prior to calling the House to order. The Clerk shall number bills in the order of receiving, and present the same to the House at the next session of the House. All bills shall be introduced in typewritten or printed form.

(2) Once a bill has been turned in to the Clerk's office for introduction, up to 3 hours prior to calling the House to order, a Member may add his or her signature as a co-sponsor only with the permission of the sponsor.

(3) No person may add or remove any signature, other than his or her own, from a bill being introduced.

(4) The Speaker shall refer all bills and joint resolutions to a standing committee no later than one House legislative day after being submitted to the Clerk.

(5) The Speaker may change the original referral of a bill or resolution by written communication submitted to the Clerk before the end of session on the next House legislative day following the day of the original referral. Notice of the re-referral shall be announced by the Clerk and printed in the Journal.

Order of Consideration.

Rule 42. (1) The order to be taken by bills introduced in the House shall be as follows:

- (a) Notice of introduction;

- (b) Introduction, first reading of title, order printed or reproduced and reference to a standing committee designated by the Speaker;
- (c) Report by the committee and placing on Second Reading;
- (d) Consideration of Second Reading;
- (e) Third Reading and vote on passage;
- (f) Transmission to Senate if passed;
- (g) Returned by the Senate, and, if not amended by the Senate, reference to the Clerk for enrollment printing; if amended by the Senate, laying over one day, and consideration under the same order of business (Messages from the Senate); and (if amendments are concurred in) reference to the Clerk for enrollment printing; and
- (h) Report by Clerk of enrollment printing and presentation to the Governor. Senate bills shall, as far as possible, take the same course as House bills.

(2) All joint resolutions shall take the same course as bills and shall be identified by letter, i.e., "A", "B", "C", etc.

(3) Nothing in these rules shall prevent a majority of the Members elected to and serving in the House from discharging a committee from further consideration of any measure. (See Const 1963, Art 4 § 16) A notice of one session day shall be given of a motion to discharge any such committee, the notice to be in writing and entered upon the House Journal. If a committee of the House is discharged from further consideration of a bill, the bill shall be placed on the order of Second Reading and if a committee of the House is discharged from further consideration of a resolution the resolution shall be placed on the order of Motions and Resolutions.

Reading.

Rule 43. (1) Every bill shall be read three times in the House before its final passage. (See Const 1963, Art 4 § 26) The first and second readings may be by its title only; the third reading may be by its title unless there is a motion to read the bill in full supported by 1/3 of Members voting.

(2) No bill shall be passed or become a law at any regular session until it has been printed or reproduced and in the possession of the House for at least five days. (See Const 1963, Art 4 § 26)

(3) The Speaker or his or her designee may direct that a bill be printed or reproduced out of order.

Commitment and Amendment.

Rule 44. No bill shall be referred to a committee until it has been read a first time. No bill shall be altered or amended on its passage through the House so as to change its original purpose as determined by its total content and not alone by its title. (See Const 1963, Art 4 § 24)

Referral to Second Reading.

Rule 45. All bills reported favorably by any committee of the House shall be referred to the order of Second Reading. Such bills shall be kept on file in the order of referral for consideration, and the file shall be called "Second Reading".

Second Reading.

Rule 46. When the House is under the order of "Second Reading" it shall consider the bills in such order as may be determined by a majority of those voting. Appropriation bills shall be placed at the head of the calendar for that order each day and shall be given preference in printing and reproduction over other bills.

Second Reading Amendment.

Rule 47. (1) Under the order of Second Reading, bills shall be read a second time by their title. Committee recommendations, including amendments and substitutes, shall be considered first. Amendments to committee substitutes or committee amendments shall not be considered until such committee substitutes or amendments have been adopted by the House. Amendments offered from the floor shall be submitted to the Clerk and shall be approved as to form by the Clerk before consideration.

(2) When a substitute is offered, amendments to the proposed substitute shall not be considered before the proposed substitute is adopted.

(3) A bill may be advanced to the order of Third Reading by a vote of a majority of the Members voting. Such motion shall take precedence following the motion to amend.

Amendment; Vote.

Rule 48. No bill shall be amended prior to its Second Reading. Bills which have been considered on Second Reading shall be advanced to the order of Third Reading, either by motion and concurrence of a majority of the Members voting or in the absence of objection. Bills shall be subject to all subsidiary motions on Third Reading. Amendments offered on Third Reading shall not be considered, nor printed in the House Journal, unless seconded by a majority of the Members voting. Amendments on Second or Third Reading shall require a majority of the Members elected and serving for adoption. This requirement shall apply to amendments in the first and second degree and no further degree shall be permitted.

Third Reading.

Rule 49. (1) Bills may not be considered for final passage without having been considered on Second Reading. Bills considered on Second Reading may be placed on Third Reading for immediate passage by motion and concurrence of a majority of the Members elected and serving.

(2) Bills failing of passage are subject to reconsideration and if reconsidered are subject to consideration on the order of Third Reading.

Amendment; co-sponsors.

Rule 50. After an amendment has been turned into the Clerk, a Member may not add his or her name as a co-sponsor without the approval of the sponsor.

Majority Vote on Bills.

Rule 51. (1) No bill shall become a law without the concurrence of a majority of the Members elected to and serving in the House. On the final passage of bills, the votes and names of the Members voting thereon shall be entered in the House Journal. (See Const 1963, Art 4 § 26)

(2) After a House bill has been passed, or upon final action on a House bill returned from the Senate, a Member may add his or her name as a co-sponsor to a bill with the approval of the sponsor.

Extraordinary Vote Requirements.

Rule 52. (1) Action by the House on any of the following matters shall require the vote of two-thirds of the Members elected and serving:

- (a) Expulsion of Member (See Const 1963, Art 4 § 16);
- (b) Immediate Effect (See Const 1963, Art 4 § 27);
- (c) Local or Special Act (See Const 1963, Art 4 § 29);
- (d) Private or Local Purpose Appropriation (See Const 1963, Art 4 § 30);
- (e) Overriding Veto or Line Item Veto (See Const 1963, Art 4 § 33);
- (f) Bank and Trust Company Laws (See Const 1963, Art 4 § 43);
- (g) Create Courts of Limited Jurisdiction (See Const 1963, Art 6 § 1);
- (h) Removal of Judges (See Const 1963, Art 6 §25);
- (i) Long Term State Borrowing (See Const 1963, Art 9 § 15);
- (j) State Land Reserve Designation (See Const 1963, Art 10 § 5);
- (k) Rejection or Reduction of Civil Service Pay Increases (See Const 1963, Art 11 § 5);
- (l) Constitutional Amendment (See Const 1963, Art 12 § 1);
- (m) Exceed Revenue Limits (See Const 1963, Art 9 §27); and
- (n) Mackinac Bridge Bonds Refunding (See Const 1963, Schedule § 14).

(2) Action by the House on any of the following matters shall require the vote of three-fourths of the Members elected and serving:

- (a) Any law which increases the February 1, 1994, statutory limits on the maximum amount of ad valorem property taxes that may be levied for school district operating purposes (See Const 1963, Art 9 § 3); and
- (b) Amendment or Repeal of Initiated Law (See Const 1963, Art 2 § 9).

Title; Object; Reference to Compiler's Sections.

Rule 53. No bill shall embrace more than one object, which shall be expressed in its title. No bill shall be altered or amended on its passage through the House so as to change its original purpose as determined by its total content and not alone by its title. (See Const 1963, Art 4 § 24) If the bill proposes any amendment to existing laws, the sections of which have been assigned compiler's section numbers in the last general compilation of public acts, the title shall contain also a reference to the compiler's sections.

**MOTIONS AND RESOLUTIONS
IN GENERAL****Stating Motions.**

Rule 54. When a motion is made, and when necessary under the rules, seconded, it shall be stated by the Presiding Officer; or, if in writing, it shall be read aloud by the Clerk before being debated.

Reduced to Writing.

Rule 55. The Presiding Officer may require that a motion be submitted in writing. The motion shall be entered upon the House Journal, together with the name of the Member making it, unless withdrawn upon request of the Member making it and by a majority vote of those voting, or ruled out of order by the Presiding Officer.

When in Possession; Withdrawal.

Rule 56. After a motion has been stated by the Presiding Officer, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn at any time before decision or amendment upon request of the Member making it and by a majority vote of those voting.

Precedence of Motions.

Rule 57. (1) When a question is under debate, no motion shall be received except:

- (a) To adjourn;
- (b) To take a recess;
- (c) To reconsider;
- (d) To lay on the table;
- (e) For the previous question;
- (f) To postpone to a day certain;
- (g) To commit;
- (h) To amend; and
- (i) To postpone indefinitely.

(2) Such motions shall take precedence in that order, and shall be decided by a majority vote of those Members voting, except the motion to postpone indefinitely and the motion to amend shall be decided by a majority vote of the Members elected and serving. When a recess is taken with a question pending, the consideration of the question shall be resumed upon reassembling unless otherwise determined. No motion to postpone to a day certain, or to commit, being decided shall be again allowed on the same day and at the same stage of the question. A motion to postpone indefinitely having been decided shall not be subject to reconsideration. When a bill is up for consideration at any stage of procedure, and a motion is made to postpone indefinitely, or to strike out all after the style clause, amendments shall be in order before taking a vote on any such motion.

Always in Order; Not Debatable.

Rule 58. (1) The following motions are not debatable:

- (a) Adjourn;
- (b) Call of the House;
- (c) Recess;
- (d) Previous Question;
- (e) Table or take from the table; and
- (f) Decision of Presiding Officer unless an appeal is taken.

(2) The following motions are debatable but do not open the main question to debate:

- (a) Commit;
- (b) Discharge a committee;
- (c) Postpone to a time certain; and
- (d) Suspension of the Rules.

Order of Putting Questions.

Rule 59. All questions shall be put in the order they were moved, except in the case of privileged questions which take precedence as follows:

- (a) Call of the House when quorum is not present;
- (b) Make or give notice of a motion to reconsider;
- (c) Adjourn;
- (d) Recess;
- (e) Raise a question of privilege.

Amendments to be Germane.

Rule 60. No independent or new proposition or new question shall be introduced under color of an amendment. All amendments must be germane to the main question. When the question of germaneness is raised, the Presiding Officer shall rule on the question.

Division of Question.

Rule 61. Any Member may call for a division of the question, and if supported by a majority vote of the Members voting, the question shall be divided if its components are so distinct that if one is taken away a substantive proposition shall remain. A motion to strike out and insert shall be deemed indivisible.

MOTIONS FOR THE PREVIOUS QUESTION

Method of Ordering.

Rule 62. (1) The method of ordering the previous question shall be as follows: Any Member may move the previous question, and the motion shall apply to the pending question only. If the motion is seconded by at least ten Members, the Presiding Officer shall put the question of whether the main question shall be put. After the seconding of the motion for the previous question and prior to ordering the same, a Call of the House may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question, except:

- (a) Demands for the ayes and nays;
- (b) Points of order;
- (c) Appeals from the decision of the Presiding Officer; and
- (d) A motion to adjourn or to take a recess, which shall be decided without debate.

(2) The effect of the previous question shall be to put an end to all debate and bring the House to a direct vote upon the pending question. If the House shall refuse to order the pending question, the consideration on the subject shall be resumed.

MOTION TO RECONSIDER

Motions for Reconsideration.

Rule 63. Any Member may move for a reconsideration of any question on the same or next succeeding legislative session day, if the bill or resolution is still in the possession of the House. Reconsideration of the vote by which a bill passed the House, or any proposition requiring a vote in excess of a majority of Members elected and serving for adoption, shall require a majority of the Members elected and serving. The motion to reconsider shall not be renewed the same day. A motion to reconsider any question shall not be subject to any subsidiary motion except to postpone for the day. The question of passing a bill the objections of the Governor notwithstanding shall not be reconsidered more than twice.

Notice of Reconsideration.

Rule 64. A notice of intention to move for a reconsideration of any bill that is still in the possession of the House may be given by any Member from the floor or in writing to the Clerk, with the support of 1/3 of the Members elected and serving, which shall be immediately announced by the Clerk, spread upon the House Journal, and the bill shall be retained by the Clerk of the House until after the time expires during which under Rule 63 the motion can be made, either by the Member serving such notice or by any other Member. Notice of intention shall not be in order on the day preceding a recess of one week or more, unless supported by two-fifths of the Members shown to be present by the House Journal entries, or at a time which would prevent passage of the bill. No other Members may move for reconsideration on the same day that notice of intention to move for a reconsideration is given.

MOTIONS FOR CALLS OF THE HOUSE

Ordering Calls of the House.

Rule 65. Calls of the House may be ordered upon motion by a majority of the Members present but the total vote in favor of such Call shall not be less than fifteen in number. A motion for a Call of the House shall not be entertained after the previous question is ordered.

Procedure.

Rule 66. After a Call of the House is ordered, the doors shall be closed and the Members shall not be allowed to leave the floor of the House without permission of the Speaker or the Speaker's designees. The roll of the House shall be called by the Clerk. The Sergeant at Arms may be dispatched after the absentees. In such case a list of the absentees shall be furnished by the Clerk to the Sergeant at Arms, who shall deliver such absentees at the bar of the House with all possible speed. In case the Sergeant at Arms shall require assistance in addition to the regularly appointed Assistant Sergeants at Arms of the House, during an authorized Call of the House, the Speaker or Presiding Officer may, upon motion, deputize any person properly qualified, including any member of the Michigan State Police, as a special assistant Sergeant at Arms. The House may proceed to business under a Call of the House pending the arrival of any absentees.

APPEALS

Form of Question.

Rule 67. On all appeals from the decisions of the Presiding Officer, the question shall be decided by a majority vote of those voting, by a roll call vote. A tie vote sustains the judgment of the Presiding Officer.

Tabling Appeals.

Rule 68. An appeal may be laid on the table but shall not carry with it the subject matter before the House at the time such appeal is taken.

Amendment or Suspension of Rules.

Rule 69. (1) Any rule of the House may be amended by a majority vote of the Members elected and serving. No rule shall be amended unless the amendment is in writing and in possession of the House five days prior to its consideration. A rule may be suspended by a vote of three-fifths of the Members shown to be present by the House Journal entries.

(2) Suspension of the rules as applied to matters pertaining to order of business, schedule of legislative sessions and adjournment may be by a majority vote of the Members elected and serving.

Practice.

Rule 70. In all cases not provided by the Constitution, the House Rules, or the Joint Rules of the Senate and House of Representatives, the authority shall be Mason's Manual of Legislative Procedure - most current edition.

House and Concurrent Resolutions.

Rule 71. (1) The order to be taken by resolutions introduced in the House and received from the Senate shall be as follows:

(a) Every resolution, both House and Concurrent, shall be read to the House, if not otherwise provided for, and shall be referred by the Speaker to a committee unless the Speaker and Minority Leader agree to immediate consideration.

(b) Reported by the committee and placed on reports of standing committees.

(c) Consideration on reports of standing committees unless discharged from further consideration under Rule 42(3) and placed on the order of Motions and Resolutions.

(d) Transmission to Senate if a concurrent resolution is adopted.

(e) Concurrent resolutions returned with amendment, may be taken up or remain on the order of Messages from the Senate.

(2) Resolutions of sorrow may be considered immediately upon presentation.

(3) The adoption of any concurrent resolution approving any intertransfer or transfer of any appropriation shall be by record roll call vote.

CHAPTER VI PUBLIC ACCESS FINANCIAL RECORDS

Access to Financial Records.

Rule 72. (1) The financial records of the House of Representatives shall be open for public inspection. Upon a written request which describes the financial record sufficiently to enable the House of Representatives to find the financial record, a person has a right to inspect, copy, or receive copies of that financial record of the House of Representatives. Documents shall be available for inspection during normal business hours.

(2) A copy of the House financial records shall be on file with the House Business Office, which shall have overall authority to administer the House financial records under the direction of the Speaker of the House.

(3) As used in this section, "financial record" means a budget, contract, purchase order, an expenditure authorization, voucher, check, warrant, lease, audit report, balance sheet, travel voucher, or allotment account.

(4) The following information contained in legislative financial records is exempt from disclosure under this rule:

(a) Information of a personal nature contained in financial records where the public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy. Such information would include, but not be limited to, the following:

(i) An employee's social security account number, financial institution record, electronic transfer fund number, deferred compensation, savings bonds, W-2 and W-4 forms, and any court-enforced judgments.

(ii) An employee's health care benefit selection.

(iii) Telephone bill detail including the telephone number and name of individual called.

(iv) Unemployment Compensation and Workers' Disability Compensation records.

(b) Records and information specifically described and exempted from disclosure under statute or subject to attorney-client privilege;

(c) A bid or proposal by a person to enter into a contract or agreement, until the time for the public opening of bids or proposals, or if a public opening is not to be conducted, until the time for the receipt of bids or proposals has expired;

(d) Commercial or financial information or trade secrets voluntarily provided to the House of Representatives;

(e) Communications, notes, and electronic data within the House of Representatives or between the Legislature and other public bodies of an advisory nature;

- (f) Internet - use records; and
 - (g) Any other document or record protected from public disclosure by agreement, contract, House rule, or law.
- (5) The House of Representatives may charge a reasonable fee for providing a copy of a financial record. The fee shall be limited to actual mailing costs and to the actual incremental cost of duplication or publication including labor, the cost of search, examination, review, and the deletion of exempt from nonexempt information.
- (6) The House of Representatives may also charge a reasonable fee for providing for the inspection of financial records. This fee may include the actual incremental cost of supervising the inspection including labor, the cost of search, examination, review, and the deletion of exempt from nonexempt information.

Televising of House Session.

Rule 73. (1) Nothing in these rules shall prohibit the televising of sessions or committee meetings of the Michigan House of Representatives.

(2) The televised coverage of sessions and committee meetings of the Michigan House of Representatives by House television shall be made available for dissemination, pursuant to subsection (4).

(3) All televised coverage of House session and committee meetings shall be unedited.

(4) No portion of the coverage (either live or taped) authorized pursuant to subsection (2) may be utilized in any fashion for campaign or political purposes or to promote or oppose a ballot issue or the candidacy of any person for any elective office. Only accredited news organizations, educational institutions, and non-profit public affairs documentary programs may utilize any portion of the House television feed. No part of the House television feed may be used in any paid commercial advertisements.

CHAPTER VII

Personal Privilege and Conduct.

Rule 74. (1) Matters involving personal privilege are limited and include only the following:

- (a) Anything tending to subject a Member to ridicule or contempt;
 - (b) Charges in news media accounts relating to a Member in his or her representative capacity only;
 - (c) News media accounts attributing to a Member remarks he or she has not made;
 - (d) Accusation by another Member in debate of intentional misrepresentation;
 - (e) Assault on a Member for words spoken in debate; and
 - (f) Arrest of a Member except for treason, felony or breach of the peace.
- (2) A Member shall not use his or her position in any manner to solicit or obtain anything of value for himself or herself, House employees or any other Member which tends to influence the manner in which the Member performs his or her official duties.
- (3) Sexual harassment of Members or House employees is prohibited and will not be tolerated by the House.
- (4) A Member shall not convert for personal, business and/or campaign use, unrelated to House business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines.
- (5) A Member shall not solicit or accept any type of campaign contribution in any House facility or building.

Expungement of Records and Petitions.

Rule 75. (1) Any Member may dissent from and protest against any act, proceeding or resolution which he or she deems injurious to any person or the public and have the reason for such dissent entered in the House Journal. Any matter may be expunged from the record as not being privileged by order of the House by a majority of the Members elected and serving. When any matter is ordered expunged from the record, as above provided, no mention shall be made of the same, nor of the action of the House in ordering such expungement.

(2) No memorial, remonstrance or petition, except recount petitions, shall be printed in the House Journal without having been read to the House and ordered printed in the House Journal by a majority vote.

QUALIFICATIONS OF MEMBERS

Oath of Office.

Rule 76. Upon objection by any Representative or Representative-elect, no Representative-elect shall be given the oath of office or be permitted to be seated as a Member if he or she has previously been convicted of any election law violation which contributed to his or her election to the House of Representatives, subversion or has within the preceding 20 years been convicted of a felony involving a breach of public trust. (See Const 1963, Art 4 § 7) Upon a finding by a majority vote of the Members elected and serving in the House that the offense committed by such Representative-elect is within the provisions of this rule, that person shall be declared to be not qualified for membership in the House, and the office shall be declared vacant. The question of a Member's qualifications shall be presented only by a Member.

CHAPTER VIII

Equally Divided House.

Rule 77. If at any time during the Ninety-sixth legislative session, there are 55 Members duly elected and serving as Democrats as evidenced by the party he or she represented on the general or special election ballot from which he or she was elected to the Ninety-sixth legislative session, and 55 Members duly elected and serving as Republicans as evidenced by the party he or she represented on the general or special election ballot from which he or she was elected to the Ninety-sixth legislative session, then the House of Representatives shall proceed with the election of a Speaker and other officers provided for in Rule 1 by at least 56 votes.

The question being on the adoption of the resolution,
The resolution was adopted.

The Clerk announced that the next business in order was the election of a Speaker.

Rep. Opsommer placed in nomination the name of Rep. Bolger.

Rep. Stamas moved that Rule 17 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

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

Rep. Opsommer:

“The month of November 2010 was an historic month. Perhaps the biggest tidal wave in American political history. It was a month when voters in Michigan stood up shoulder to shoulder and said with vigor, strength and dogged determination that we want the type of change that creates jobs not talk, not excuses and not the blame game.

The voters said they want bold, decisive action that allow job creators to flourish and not drown in a sea of red tape, conflicting rules and a burdensome tax structure.

They asked us to put our personal ambitions and political careers aside for two years and do what’s right for Michigan! In essence they asked us to re-invent Michigan so it can compete in the 21st century.

This type of radical departure from the old ways, this concept of re-inventing Michigan will take a new dynamic type of leader, one who can take risks, one who can say no to special interest groups and one who can forge a coalition of legislators into a strong and forceful team.

Mr. Clerk there is only one person among us who possesses the needed qualities to turn Michigan around and that person is the Honorable Representative from the 63rd District James ‘Jase’ Bolger.

Mr. Clerk, therefore place into nomination for the position of ‘Speaker of the House’ Rep. Bolger.”

Rep. Hammel seconded the nomination of Rep. Bolger.

Rep. Hammel:

“Thank you, Mr. Clerk, on behalf of the House Democrats, I would like to second the motion made by Representative Opsommer and encourage all of my colleagues to support Representative Jase Bolger for Speaker of the House. If in our short time of working together thus far is any indicator of the term to come, the House and the State of Michigan will be well served.”

The question being on the election of a Speaker,
The roll of the House was called by the Assistant Clerk and the members voted as follows:

Roll Call No. 1

Yeas—110

Agema
Ananich

Gilbert
Glardon

Lipton
Liss

Pscholka
Rendon

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

Nays—0

The Clerk announced that Rep. Bolger, having received a majority vote of the members present and voting, was duly elected Speaker of the House of Representatives.

The Chair named as a committee to conduct the Speaker to the Chair, Reps. O'Brien, Nesbitt and LeBlanc.

The Speaker assumed the Chair.

Speaker Bolger:

“Great Responsibility; Responsible Leadership

Good afternoon.

Let me begin by recognizing and congratulating all of my colleagues who have just been sworn in to serve in the 96th Legislature!

I'd also like to recognize our family and friends. Here today for me are: my wife Molly; our son Nick and our daughter Megan. Also joining us are my Dad, Jim — and Betty; and my brother Matt.

They represent all of the family members here today. Our families sacrifice in their time and our attention.

They never stop believing in us and give us unwavering support in our efforts to serve the citizens of this great state.

Let's give all our family members a round of applause; though we owe them so much more!

On a day like today we also pause to reflect on those who cannot be here in person. Colleagues, friends, and family whom we have lost from this life. In particular for me today, I pause to think of my Mother and Molly's mom, who our families lost to illness in the past few years.

Though he is alive and, literally, fighting, my brother Eric could not be here today because he is serving with the 82nd Airborne Division of the United States Army.

He had a calling to an even higher service and we owe him and all of his colleagues a debt of gratitude that can never be fully repaid. So, thank you, Eric and all the men and women serving our country in uniform!

To my colleagues here in the Michigan House, I appreciate the faith you have shown in me through electing me your Speaker. Thank you. It is an honor and responsibility that I do not take lightly. I look forward to working with each of you to enhance the quality of life for citizens in each of our districts throughout the state.

Michigan is at an historic crossroads.

Those of us serving in this chamber over the next two years have more than just a front row seat to history. We also have the responsibility to drive the future of our beloved state.

The responsibilities and tasks before us are monumental. I don't need to give you the statistics about unemployment, population loss, and budget deficits because I know you've been watching them as closely as I have. I know you've seen the pain that economic struggles have caused the families of our districts.

But I believe in the people of our great state. I believe in Michigan's future. I believe in us, as a new legislature.

I believe in our ability to achieve the goals necessary to allow Michiganders to restore economic prosperity to our state. I believe that — working together — we can turn our state around. And I know that by sitting here, accepting this challenge, you believe, too.

The voters sent a clear message in November — they were united and bold. We have to live up to what the voters expect of us. We must be united and we must be bold.

I speak to each and every one of you who are so privileged to be in this chamber — work together to respect, earn and maintain the privilege bestowed upon us by the people of Michigan.

The status quo has not been working for the people of Michigan, and too many people in Michigan are not working. To help Michigan workers prosper we must make Michigan a more competitive state in which to create jobs.

I believe we must devote ourselves to reforming spending and government services. We must reform Michigan taxes. And we must reform the bureaucracy and red tape that stand in the way of growth.

To REFORM SPENDING AND GOVERNMENT SERVICES we must shed the status quo. The lessons of the past show that a focus on revenue has led to perpetual budget deficits.

We must focus on jobs, for our state's success will come from our families' successes. We must always remember all the money we spend belongs to Michigan's families.

One of my role models is President Ronald Reagan. However, one of my goals is to prove President Reagan wrong. Reagan said the closest thing to eternal life on earth is a government program. We can no longer afford to fund everything. We must measure our spending to determine if it is successful. Not all spending is equal; we must prioritize.

If we can no longer afford it, or a spending effort does not provide results, then we must have the courage to end it. And we must set high expectations to deliver results for what we do fund.

Michigan taxpayers can no longer afford to be as generous with their tax dollars as they have in the past. If we seek their long-term gain, we must have the stomach for short-term pain.

As we seek to contain costs, we must lead by example. That is why, as we start our session today, each of us begins with a 10-percent pay cut from last year's legislature.

That's why, before we started serving this year, we reduced our office budgets up to 10 percent in leadership offices and 5 percent in member offices. We must continue that start as we look to trim our benefits and open our checkbook to the public.

And we must empower our citizens to take control of their destinies.

That's why we will implement a strict, 48-month time limit for able-bodied adults to receive welfare.

Michigan should help its citizens break the cycle of dependency, not create one for them.

Preserving services for those who need it most also means cracking down on abuse occurring within the system, particularly the Bridge Card program.

Too many stories are circulating about college students using Bridge Cards to buy food for parties and state prisoners receiving welfare benefits. We must take control of these problems and restore credibility to our welfare system if it is to remain viable for those who truly need it.

As we balance the budget, we will need to make tough decisions to live within our means. So we can help our cities, schools and families plan for these difficult decisions, I challenge us to complete our next budget by June 1st.

Further, I challenge us to look forward and set a two-year budget plan this and every year.

As we REFORM TAXES I challenge us to encourage and not punish success. We should trust our citizens to make the best decisions for their family and their small business.

That is why I challenge us to repeal the job killing Michigan Business Tax and Surcharge.

We also must stop the tax credit pursuit of economic development that puts decisions in the hands of elected officials instead of working families.

Instead, I ask that we adopt a lower, simpler, and broader tax structure so our citizens can choose the path to follow their dreams and chase their goals.

We need our high school and college graduates – our kids and grandkids – to be able to realize their dreams right here in Michigan.

As we REFORM REGULATIONS and cut red tape, I ask us to remove the barriers that stand in the way of job creation. I urge us to learn from the painful examples of Michigan job providers.

Consider air quality permits. In 2009, Michigan issued 422 permits within two months of receiving the application. But Iowa issued three times as many within an average of just 29 days. Even more startling is the fact that Michigan has **10 times** as many employees working on permits.

And look at the investors who wanted to bring new development to one of our core cities. They waited a year and still couldn't get their necessary approvals in Michigan.

So, instead, they developed their business in another state, where they received all the necessary permits and licenses in just two weeks.

We must consider all things that stand in the way of creating jobs for our citizens.

Gone must be the days where things were taken off the table because they were uncomfortable to talk about. We must be willing to have difficult conversations and explore all options that will make Michigan more competitive.

I challenge us to work together, creating an economic environment that matches our breathtaking natural environment – one that says to the world: 'Michigan is open for business.'

While we perform these difficult tasks, I challenge this legislature to perform with RESPONSIBLE LEADERSHIP.

Beginning with simple changes like a stricter dress code, a timely start to meetings and session, and a predictable calendar, we will operate with professionalism.

And even when we are not here in Lansing, we will be committed to serving our constituents in the most professional manner while working in our districts.

We are going to take our responsibilities seriously and we are going to lead. We are going to put families and jobs first.

Our focus will be on the issues – reforming government, reforming regulation and reforming taxes – that will empower our citizens to turn our state around. Political efforts should be left to the campaign trail.

We can and must work together.

I will caution, however, that 'bipartisan' does not mean we will always agree. We each bring a unique perspective to every action, whether we are coming from across the aisle or across the state.

'Bipartisan' does mean we will each treat ideas, perspectives and individuals with respect and proper consideration.

That is why no idea for recovery will be shunned in this chamber because of its origin. The committee process should be a place of robust deliberation.

This chamber should welcome debate, but its members should be constructive in doing so. I call on us to move forward, united, with one agenda – creating an environment that supports job creation and economic growth.

Michigan cannot rebound until our families rebound. And the families of Michigan are hurting. We are their servants and it is time to serve.

So let's get to work with a vision that is bold, meaningful and lasting.

Let us have people remember the 96th Legislature not because of some individual legacy, but because of what we accomplished for our state and her people.

Let's do this together. Let's do this for **Michigan!**"

Reps. Stamas and Segal offered the following resolution:

House Resolution No. 2.

A resolution to provide for the Clerk of the House of Representatives for the Ninety-sixth Legislature.

Resolved by the House of Representatives, That Gary L. Randall is elected to the office of Clerk of the House of Representatives for the Ninety-sixth Legislature.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 2

Yeas—110

Agema
Ananich

Gilbert
Glardon

Lipton
Liss

Pscholka
Rendon

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

Nays—0

Reps. Stamas and Segal offered the following resolution:

House Resolution No. 3.

A resolution fixing the hour for daily sessions.

Resolved, That unless otherwise ordered, the daily sessions of the House of Representatives commence on Tuesday and Wednesday at 1:30 p.m. and on Thursday at 12:00 noon.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Stamas and Segal offered the following resolution:

House Resolution No. 4.

A resolution directing the Clerk to notify the Governor that the House of Representatives has assembled and is ready to proceed with the business of the session.

Resolved, That the Clerk of the House is hereby directed to notify the Governor that the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Stamas and Segal offered the following resolution:

House Resolution No. 5.

A resolution directing the Clerk to notify the Senate that the House of Representatives has assembled and is ready to proceed with the business of the session.

Resolved, That the Clerk of the House is hereby directed to notify the Senate that the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

The question being on the adoption of the resolution,

The resolution was adopted.

Messages from the Senate

January 12, 2011

The Honorable Jase Bolger
Speaker of the House of Representatives
Capitol Building
Lansing, Michigan 48913

Dear Mr. Speaker:

By direction of the Senate, I hereby notify you that a quorum of the Senate has assembled and is ready to proceed with the business of the session.

Very respectfully,
Carol Morey Viveni, J.D.
Secretary of the Senate

Senate Concurrent Resolution No. 1.

A concurrent resolution granting authority for adjournment for more than 2 days.

Resolved by the Senate (the House of Representatives concurring), That each house hereby grants unto the other permission to adjourn for not more than 15 intervening calendar days at such times as each house shall determine at any time during the 2011 and 2012 regular sessions.

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senate Concurrent Resolution No. 2.

A concurrent resolution prescribing the Joint Convention Rules for the Legislature.

Resolved by the Senate (the House of Representatives concurring), That the following be and are hereby adopted as the Joint Convention Rules of the Senate and House of Representatives:

**JOINT CONVENTION RULES OF THE
SENATE AND HOUSE OF REPRESENTATIVES****Held in Hall of House.**

Rule 1. Joint conventions shall be held in the Hall of the House of Representatives, or such other location as may be agreed to by the Speaker of the House of Representatives and the Majority Leader of the Senate. The President of the Senate or, in the absence of the President of the Senate, the Speaker of the House shall preside. Before the two houses shall meet in joint convention, a concurrent resolution shall be introduced in one house setting forth the date and hour at which the joint convention shall meet, which, if adopted, shall be transmitted to the other house for concurrence.

Secretaries-Journals.

Rule 2. The Secretary of the Senate and Clerk of the House of Representatives shall be the secretaries of the joint convention. The proceedings of the joint convention shall be published with the Journals of the House, and the final result, as announced by the President on the return of the Senate to its chamber, shall be entered on the Journals of the Senate.

Rules of House to Govern.

Rule 3. The rules of the House of Representatives, so far as the same may be applicable, shall govern the proceedings in joint convention.

President pro tempore of Convention.

Rule 4. Whenever the Speaker of the House presides, he or she shall be entitled to vote on all occasions, and in case of a tie, the question shall be declared lost.

Power to Compel Attendance.

Rule 5. Joint conventions shall have the power to compel the attendance of absent members in the mode and under the penalties prescribed in the rules of the house to which such members respectively belong, and for that purpose the Sergeant at Arms of each house shall attend.

May Adjourn from Time to Time.

Rule 6. Joint conventions may adjourn from time to time, as may be found necessary, and it shall be the duty of the House of Representatives to prepare to receive the Senate, and of the Senate to proceed to the joint convention, at the time fixed by law or resolution, or to which the joint convention may have adjourned.

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senate Concurrent Resolution No. 3.

A concurrent resolution providing for a joint convention of the Senate and House of Representatives.

Resolved by the Senate (the House of Representatives concurring), That the Senate and House of Representatives meet in joint convention in the Hall of the House of Representatives, Wednesday, January 19, 2011, at 6:30 p.m. to receive the message of Governor Rick Snyder.

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Messages from the Governor

The following message from the Governor was received January 4, 2011 and read:

**EXECUTIVE ORDER
NO. 2011-1**

**EXECUTIVE REORGANIZATION
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT**

**CREATING THE
DEPARTMENT OF NATURAL RESOURCES AND
DEPARTMENT OF ENVIRONMENTAL QUALITY**

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, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department of state government shall be under the supervision of the Governor, unless otherwise provided in the Constitution; and

WHEREAS, Section 52 of Article IV of the Michigan Constitution of 1963 declares the conservation and development of the natural resources of this state to be of paramount public concern in the interest of the health, safety, and general welfare of the people; and

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to change the organization of the executive branch of state government by dividing the functions of the Department of Natural Resources and Environment between two newly created departments;

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

I. DEFINITIONS

As used in this Order:

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

B. "Department of Environmental Quality" means the principal department of state government created under Section IV of this Order.

C. "Department of Technology Management and Budget" means the principal department of state government created under Section 121 of The Management and Budget Act, 1984 PA 431, MCL 18.1121, as amended by Executive Order 2001-3 and Executive Order 2009-55.

D. "Department of Natural Resources" means the principal department of state government created under Section III of this Order.

E. "Department of Natural Resources and Environment" or "Department" means the principal department of state government created under Section II of Executive Order 2009-45.

F. "Department of Treasury" means the principal department of state government created under Section 75 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.175.

G. "Environmental Science Review Boards" means the boards provided for under Section II.C. of Executive Order 2009-45.

H. "Natural Resources Commission" means the commission provided for under Section II.B. of Executive Order 2009-45.

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

J. "Type I transfer" means that phrase as defined in Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

K. "Type II transfer" means that phrase as defined in Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

L. "Type III transfer" means that phrase as defined in Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

II. ABOLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT

A. The Department of Natural Resources and Environment created by Section II of Executive Order 2009-45 is abolished.

B. The powers, duties, functions, responsibilities, personnel, equipment, and unexpended appropriations of the Department of Natural Resources and Environment are transferred as provided in this Order.

III. CREATION OF THE DEPARTMENT OF NATURAL RESOURCES

A. Establishment of the Department of Natural Resources as a Principal Department in the Executive Branch

1. The Department of Natural Resources is created as a principal department in the executive branch. The Department shall protect, conserve and manage the natural resources of this state.

2. The Director of the Department of Natural Resources shall be the head of the Department.

B. Natural Resources Commission

1. The Natural Resources Commission is transferred by Type II transfer from the Department of Natural Resources and Environment to the Department of Natural Resources. This paragraph does not affect the continued service or terms of office of the current members of the Natural Resources Commission.

2. The Governor shall designate a member of the Natural Resources Commission to serve as its Chairperson at the pleasure of the Governor. The Commission may select a member of the Commission to serve as Vice-Chairperson of the Commission.

3. The Natural Resources Commission shall have and continue to exercise the authority, powers, duties, functions, and responsibilities previously vested in it under all of the following:

a. Part 435 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.43501 to 324.43561.

b. Section 40111a of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.40111a.

c. Section 40113a of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.40113a.

4. The Natural Resources Commission shall utilize administrative law judges and hearing officers employed by the State Office of Administrative Hearings and Rules created by Executive Order 2005-1, MCL 445.2021, to conduct contested case hearings and to issue proposals for decisions as provided by law or rule.

5. The Natural Resources Commission shall advise the Director of the Department of Natural Resources on matters related to natural resources and conservation and may perform additional duties as provided by this Order, other law, or as requested by the Governor.

6. Members of the Natural Resources Commission shall serve without compensation. Members of the Commission may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Technology Management and Budget, subject to available funding.

C. Director of the Department of Natural Resources

1. The Director of the Department of Natural Resources shall be appointed by the Governor and shall serve at the pleasure of the Governor.

2. The Director of the Department of Natural Resources shall establish the internal organization of the Department and allocate and reallocate duties and functions to promote economic and efficient administration and operation of the Department. The Director of the Department of Natural Resources shall supervise the staff of the Department and shall be responsible for its day-to-day operations.

3. The Director of the Department of Natural Resources may promulgate rules as may be necessary to carry out functions vested in the Director under this Order or other law in accordance with the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

4. The Director of the Department of Natural Resources shall utilize administrative law judges and hearing officers employed by the State Office of Administrative Hearings and Rules created by Executive Order 2005-1, MCL 445.2021, to conduct contested case hearings and to issue proposals for decisions as provided by law or rule.

5. The position of the Director of the Department of Natural Resources and Environment as a member or chairperson of all of the following boards or commissions is transferred to the Director of the Department of Natural Resources:

a. Ex officio member of the Michigan Historical Commission under Section 1 of the Michigan Historical Commission Act, 1913 PA 271, MCL 399.1.

b. Member of the Michigan Freedom Trail Commission under Section 3 of the Michigan Freedom Trail Commission Act, 1998 PA 409, MCL 399.83.

- c. Ex officio member of the Michigan Public Safety Communications System Advisory Board created under Executive Order 2005-8.
- d. Member and Chairperson of the Michigan Commission on the Commemoration of the Bicentennial of the War of 1812 created by Executive Order 2007-51.
- e. Non-voting member of the Complete Streets Advisory Council, 2010 PA 135, MCL 247.660p(6)(q).

D. Transfers from the Department of Natural Resources and Environment to the Department of Natural Resources

1. Except as otherwise provided in this Order, all of the authority, powers, duties, functions, responsibilities, personnel, equipment, property, and unexpended appropriations of the Department of Natural Resources and Environment that were transferred to it from the former Department of Natural Resources by Executive Order 2009-45, are transferred by Type II transfer to the Department of Natural Resources, including, but not limited to, the authority, powers, duties, functions, and responsibilities under all of the following:

- a. 1974 PA 359, MCL 3.901 to 3.910 (“Sleeping Bear Dunes National Lakeshore”).
- b. The Executive Organization Act of 1965, 1965 PA 380, MCL 16.350 to 16.360.
- c. The Property Rights Preservation Act, 1996 PA 101, MCL 24.421 to 24.425.
- d. Section 4c of 1913 PA 172, MCL 32.224c (“Crawford County land”).
- e. Section 48 of the State Employees’ Retirement Act, 1943 PA 240, MCL 38.48.
- f. Section 8b of the Township and Village Public Improvement and Public Service Act, 1923 PA 116, MCL 41.418b.
- g. Section 26 of The Home Rule Village Act, 1909 PA 278, MCL 78.26.
- h. Section 10 of 1957 PA 185, MCL 123.740 (“county department and board of public works”).
- i. 1990 PA 182, MCL 141.1301 to 141.1304 (“county redistribution of federal payments”).
- j. Sections 7g and 7jj of The General Property Tax Act, 1893 PA 206, MCL 211.7g and MCL 211.7jj.
- k. 1943 PA 92, MCL 211.371 to 211.375 (“withholding lands from sale”).
- l. Section 18 of 1909 PA 283, MCL 224.18 (“public highways and private roads”).
- m. Sections 3 and 4 of 1927 PA 341, MCL 247.43 and 247.44 (“discontinuation of highway bordering lake or stream”).
- n. Section 4 of 1941 PA 359, MCL 247.64 (“noxious weeds”).
- o. Sections 602a and 660 of the Michigan Vehicle Code, 1949 PA 300, MCL 257.602a and 257.660.
- p. Section 4 of the Michigan Aquaculture Development Act, 1996 PA 199, MCL 286.874.
- q. 1976 PA 308, MCL 287.251 to 287.258 (“disposal of livestock”).
- r. Section 14 of the Animal Industry Act, 1988 PA 466, MCL 287.714.
- s. Privately Owned Cervidae Producers Marketing Act, 2000 PA 190, MCL 287.951 to 287.969.
- t. 1986 PA 109, MCL 300.21 to 300.22 (“conservation officers”).
- u. The Right to Forest Act, 2002 PA 676, MCL 320.2031 to 320.2036.
- v. The Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 to 324.90106.
- w. The Clean Michigan Initiative Act, 1998 PA 284, MCL 324.95101 to 324.95108.
- x. 2008 PA 290, MCL 324.95151 to 324.95155 (“control of gray wolves”).
- y. 2008 PA 318, MCL 324.95161 to 324.95167 (“removal, capture, or lethal control of gray wolf”).
- z. The Michigan Civilian Conservation Corps Act, 1984 PA 22, MCL 409.301 to 409.314.
- aa. Sections 167a and 167c of The Michigan Penal Code, 1931 PA 328, MCL 750.167a and 750.167c.
- bb. Section 7 of the Hazardous Materials Transportation Act, 1998 PA 138, MCL 29.477.
- cc. Executive Order 1973-2, MCL 299.11.
- dd. Executive Order 1973-12, MCL 125.241.
- ee. Executive Order 1988-4, MCL 299.12.
- ff. Executive Order 1991-31, MCL 299.13.
- gg. Executive Order 1995-7, MCL 324.99901.
- hh. Executive Order 2004-3, MCL 287.981.
- ii. Executive Order 2007-14, MCL 324.99910.
- jj. Executive Order 2009-14, MCL 324.99916.
- kk. Executive Order 2009-15, MCL 324.99917.

2. **Mackinac Island State Park Commission.** The Mackinac Island State Park Commission provided for under 1958 PA 201, MCL 318.201 to 318.208, transferred under Section 256 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.356, and created by Section 76503 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.76503, transferred to the Department of Natural Resources under Executive Order 2009-36, and transferred to the Department of Natural Resources and Environment by Executive Order 2009-45, is transferred by Type I transfer to the Department of Natural Resources. This transfer includes, but is not limited to, the authority, powers, duties, functions, and responsibilities of the Commission under all of the following:

- a. Sections 76501 to 76509, 76701 to 76709, 76901 to 76903, 77101, 77301, 77302, 77701 to 77704, and 77901 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.76501 to 324.76509, 324.76701 to 324.76709, 324.76901 to 324.76903, 324.77101, 324.77301, 324.77302, 324.77701 to 324.77704, and 324.77901.

b. Section 511 of the Michigan Liquor Control Code of 1998, 58 PA 1998, MCL 436.1511.

3. **Michigan Forest Finance Authority.** The Michigan Forest Finance Authority created under Section 50503 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.50503, and transferred to the Department of Natural Resources and Environment by Executive Order 2009-45, is transferred by Type I transfer to the Department of Natural Resources. The position of the Director of the Department of Natural Resources and Environment or his or her designee from within that Department as a member of the Board of Directors of the Michigan Forest Finance Authority under Section 50504 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.50504, is transferred to the Director of the Department of Natural Resources or his or her designee from within that Department.

4. **Michigan Natural Resources Trust Fund Board.** The Michigan Natural Resources Trust Fund Board, created under Section 1905 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.1905, and transferred to the Department of Natural Resources and Environment by Executive Order 2009-45, is transferred by Type I transfer to the Department of Natural Resources. The position of the Director of the Department of Natural Resources and Environment as a member of the Michigan Natural Resources Trust Fund Board under Section 1905 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.1905, is transferred to the Director of the Department of Natural Resources or his or her designee from within the Department, including, but not limited to, a member of the Natural Resources Commission.

IV. CREATION OF DEPARTMENT OF ENVIRONMENTAL QUALITY

A. Establishment of the Department of Environmental Quality as a Principal Department in the Executive Branch

1. The Department of Environmental Quality is created as a principal department in the executive branch. The Department shall protect the environment of this state.

2. The head of the Department of Environmental Quality shall be the director, who shall be appointed by the Governor with the advice and consent of the Senate, and shall serve at the pleasure of the Governor.

B. Director of the Department of Environmental Quality

1. The Director of the Department of Environmental Quality shall establish the internal organization of the Department and allocate and reallocate duties and functions to promote economic and efficient administration and operation of the Department. The Director of the Department of Environmental Quality shall supervise the staff of the Department and shall be responsible for its day-to-day operations.

2. The Director of the Department of Environmental Quality may promulgate rules as may be necessary to carry out functions vested in the Director under this Order or other law in accordance with the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

3. The Director of the Department of Environmental Quality shall utilize administrative law judges and hearing officers employed by the State Office of Administrative Hearings and Rules created by Executive Order 2005-1, MCL 445.2021, to conduct contested case hearings and to issue proposals for decisions as provided by law or rule.

4. The Director of the Department of Environmental Quality may from time to time create one or more environmental science review boards to advise the Department of Environmental Quality and the Governor on scientific issues affecting the protection and management of Michigan's environment and natural resources, or affecting a program administered by the Department of Environmental Quality.

5. The position of the Director of the Department of Natural Resources and Environment as a member or chairperson of all of the following boards or commissions is transferred to the Director of the Department of Environmental Quality:

- a. Member of the Michigan Supply Chain Management Development Commission created within the Department of Treasury under Section 3 of 2008 PA 398, MCL 125.1893. Nothing in this paragraph shall be construed to authorize the use of state funds for the operations of the Michigan Supply Chain Management Development Commission.
- b. Member and Chairperson of the Brownfield Redevelopment Board created under Section 20104a of the Natural Resources and Protection Act, 1994 PA 451, MCL 324.20104a, as modified by Executive Order 2003-18, MCL 445.2011, and Executive Order 2006-13, MCL 125.1991.
- c. Ex officio member of the State Plumbing Board created within the Department of Energy, Labor, and Economic Growth under Section 13 of the State Plumbing Act, 2002 PA 733, MCL 338.3523.
- d. Member of the Michigan Homeland Protection Board created within the Department of State Police under Executive Order 2003-6.
- e. Member of the Michigan Citizen-Community Emergency Response Coordinating Council created within the Department of State Police under Executive Order 2007-18.
- f. Member of the Great Lakes Wind Council created within the Department of Energy, Labor, and Economic Growth under Executive Order 2009-1.

C. Transfers from the Department of Natural Resources and Environment to the Department of Environmental Quality

1. Except as otherwise provided in this Order, all of the authority, powers, duties, functions, responsibilities, personnel, equipment, and unexpended appropriations of the Department of Natural Resources and Environment that were

transferred to it from the former Department of Environmental Quality by Executive Order 2009-45, are transferred by Type II transfer to the Department of Environmental Quality, including, but not limited to, the authority, powers, duties, functions, and responsibilities under all of the following:

- a. Sections 2b and 2d of 1855 PA 105, MCL 21.142b and 21.142d (“surplus funds in treasury”).
- b. The Property Rights Preservation Act, 1996 PA 101, MCL 24.421 to 24.425.
- c. The Fire Prevention Code, 1941 PA 207, MCL 29.1 to 29.34.
- d. The Hazardous Materials Transportation Act, 1998 PA 138, MCL 29.472 to 29.480.
- e. Section 8a of the Urban Cooperation Act of 1967, 1967 (Ex Sess) PA 7, MCL 124.508a.
- f. Sections 7, 9, and 10 of the Land Bank Fast Track Act, 2003 PA 258, MCL 124.757, 124.759, and 124.760.
- g. Section 10 of the Water Resource Improvement Tax Increment Finance Authority Act, 2008 PA 94, MCL 125.1780.
- h. The Mobile Home Commission Act, 1987 PA 96, MCL 125.2301 to 125.2349.
- i. The Brownfield Redevelopment Financing Act, 1996 PA 381, MCL 125.2651 to 125.2672.
- j. The Safe Drinking Water Financial Assistance Act, 2000 PA 147, MCL 141.1451 to 141.1455.
- k. Section 437 of the Michigan Business Tax Act, 2007 PA 436, MCL 208.1437.
- l. Sections 9, 24, 34c, 34d, 53, 78g, and 78m of The General Property Tax Act, 1893 PA 206, MCL 211.9, 211.24, 211.34c, 211.34d, 211.53, 211.78g, and 211.78m.
- m. Section 4 of 1951 PA 77, MCL 211.624 (“tax on low grade iron ore”).
- n. Sections 5 to 8 of 1963 PA 68, MCL 207.275 to 207.278 (“iron ore tax”).
- o. Section 811i of the Michigan Vehicle Code, 1949 PA 300, MCL 257.811i.
- p. Section 204 of the Aeronautics Code of the State of Michigan, 1945 PA 327, MCL 259.204.
- q. Section 423 of The Drain Code of 1956, 1956 PA 40, MCL 280.423.
- r. Section 3 of the Julian-Stille Value-Added Act, 2000 PA 322, MCL 285.303.
- s. Section 3 of 2008 PA 330, MCL 285.343 (“publication of information establishing alternative fuels facilities”).
- t. Section 4 of the Michigan Right to Farm Act, 1981 PA 93, MCL 286.474.
- u. Section 14 of the Animal Industry Act, 1988 PA 466, MCL 287.714.
- v. Sections 3, 6, 7, and 14 of the Privately Owned Cervidae Producers Marketing Act, 2000 PA 190, MCL 287.953, 287.956, 287.957, and 287.964.
- w. Section 20 of the Grade A Milk Law of 2001, 2001 PA 266, MCL 288.490.
- x. Sections 2 and 4 of the Michigan Agricultural Processing Act, 1998 PA 381, MCL 289.822 and 289.824.
- y. Section 7107 of the Food Law of 2000, 2000 PA 92, MCL 289.7107.
- z. Sections 9j and 10d of the Motor Fuels Quality Act, 1984 PA 44, MCL 290.649j and 290.650d.
- aa. The Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 to 324.90106.
- bb. The Safe Drinking Water Act, 1976 PA 399, MCL 325.1001 to 325.1023.
- cc. Sections 9601, 12103, 12501 to 12563, 12701 to 12771, 13501 to 13536, 13716, 13801 to 13831, and 16631 of the Public Health Code, 1978 PA 368, MCL 333.9601, 333.12103, 333.12501 to 333.12563, 333.12701 to 333.12771, 333.13501 to 333.13536, 333.13716, 333.13801 to 333.13831, and 333.16631.
- dd. The Low-Level Radioactive Waste Authority Act, 1987 PA 204, MCL 333.26201 to 333.26226.
- ee. Section 3f of 1976 Initiated Law 1, MCL 445.573f (“beverage containers”).
- ff. Sections 27 and 77 of the Clean, Renewable, and Efficient Energy Act, 2008 PA 295, MCL 460.1027 and 460.1077.
- gg. Sections 71 and 71a of the Condominium Act, 1978 PA 59, MCL 559.171 and 559.171a.
- hh. Sections 105, 116 to 118, 194, and 254 of the Land Division Act, 1967 PA 288, MCL 560.105, 560.116 to 560.118, 560.194, and 560.254.
 - ii. Executive Order 1995-18, MCL 324.99903.
 - jj. Executive Order 1996-1, MCL 330.3101.
 - kk. Executive Order 1996-2, MCL 445.2001.
 - ll. Executive Order 1997-2, MCL 29.451.
 - mm. Executive Order 1997-3, MCL 324.99904.
 - nn. Executive Order 1998-2, MCL 29.461.
 - oo. Executive Order 2007-6, MCL 324.99905.
 - pp. Executive Order 2007-7, MCL 324.99906.
 - qq. Executive Order 2007-8, MCL 324.99907.
 - rr. Executive Order 2007-10, MCL 324.99908.
 - ss. Executive Order 2007-13, MCL 324.99909.
 - tt. Executive Order 2007-21, MCL 324.99911.
 - uu. Executive Order 2007-29, MCL 324.99912.
 - vv. Executive Order 2007-33, MCL 324.99913.
 - ww. Executive Order 2007-34, MCL 324.99914.

xx. Executive Order 2009-13, MCL 324.99915.

yy. Executive Order 2009-17, MCL 333.26365.

zz. Executive Order 2009-26, MCL 324.99918.

aaa. Executive Order 2009-28, MCL 333.26367.

bbb. Section 7 of the Hazardous Materials Transportation Act, 1998 PA 138, MCL 29.477.

ccc. The Great Lakes Water Quality Bond Authorization Act, 2002 PA 396, MCL 324.95201 to 324.95208, to the extent that functions under or related to that act are currently performed by the Department of Natural Resources and Environment.

2. Office of the Great Lakes. The Office of the Great Lakes created under Section 32903 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.32903, subsequently transferred to the Department of Environmental Quality by Executive Order 1995-18, MCL 324.99903, and transferred by Type I transfer to the Department of Natural Resources and Environment by Executive Order 2009-45, is transferred by Type I transfer to the Department of Environmental Quality. The Director of the Office of the Great Lakes shall continue to serve as a member of the Governor's Cabinet.

3. Low-Level Radioactive Waste Authority. The Low-Level Radioactive Waste Authority, created within the Department of Management and Budget under Section 3 of the Low-Level Radioactive Waste Authority Act, 1987 PA 204, MCL 333.26203, transferred to the Department of Commerce under Executive Order 1991-23, MCL 333.26251, and to the Department of Environmental Quality under Executive Order 1996-2, MCL 445.2001, and transferred to the Department of Natural Resources and Environment by Executive Order 2009-45, is transferred by Type I transfer to the Department of Environmental Quality.

V. MISCELLANEOUS TRANSFERS

A. References to the Department of Natural Resources and Environment in the following public acts adopted since Executive Order 2009-45 became effective shall be to the Department of Natural Resources created by this Order:

1. 2010 PA 35

2. 2010 PA 46

3. 2010 PA 70

B. References to the Department of Natural Resources and Environment in the following public acts adopted since Executive Order 2009-45 became effective shall be to the Department of Environmental Quality created by this Order:

1. 2010 PA 229

2. 2010 PA 231

3. 2010 PA 232

VI. IMPLEMENTATION OF TRANSFERS TO THE DEPARTMENT OF NATURAL RESOURCES AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY

A. The Director of the Department of Natural Resources and Environment shall immediately initiate coordination with departments and agencies within the executive branch of state government to facilitate the transfers made under this Order. State departments and agencies shall actively cooperate with the Director of the Department of Natural Resources and Environment as the Director performs duties and functions relating to the implementation of this Order. Except as otherwise provided in this Order, the Director of the Department of Natural Resources and Environment shall provide executive direction and supervision for the implementation of the transfers made by this Order.

B. The Director of the Department of Natural Resources shall administer the assigned functions transferred to that Department under this Order 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 under this Order.

C. The Director of the Department of Environmental Quality shall administer the assigned functions transferred to that Department under this Order 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 under this Order.

D. Any records, personnel, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to any entity for the authority, activities, powers, duties, functions, and responsibilities transferred by this Order are transferred to the Department of Natural Resources and the Department of Environmental Quality along with the transferred functions.

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

F. 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.

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

H. This Order shall not abate any criminal action commenced by this state prior to the effective date of this Order.

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

This Executive Order shall become effective on March 13, 2011, consistent with Section 2 of Article V of the Michigan Constitution of 1963.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 4th day of January in the year of our Lord, two thousand eleven.

Richard D. Snyder

Governor

By the Governor:

Ruth Johnson

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received January 11, 2011 and read:

EXECUTIVE ORDER

No. 2011-2

DEPARTMENT OF AGRICULTURE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT
DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

EXECUTIVE REORGANIZATION

AND

AMENDMENT OF EXECUTIVE ORDER

2009 - 54

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, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department of state government shall be under the supervision of the Governor, unless otherwise provided in the Constitution; and

WHEREAS, appropriate organization of the Department of Agriculture and the Commission of Agriculture will help assure the protection, promotion, and preservation of the food, agricultural, conservation, and economic interests of the People of the State of Michigan; and

WHEREAS, rural development is integral to the growth of Michigan's rural housing and infrastructure, the agricultural and food processing industries, and the overall economy of the state; and

WHEREAS, certain modifications in Executive Order 2009-54 are necessary; and

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to change the organization of the executive branch of state government;

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

I. DEFINITIONS

As used in this Order:

A. "Commission of Agriculture" means the commission created under Section 1 of 1921 PA 13, MCL 285.1, and continued under Section 179 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.279.

B. "Department of Agriculture" means the principal department of state government created under Section 1 of 1921 PA 13, MCL 285.1, and Section 175 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.275.

C. "Department of Natural Resources" means the principal department by that name created by Executive Order 2011-1.

D. "Natural Resources Commission" means the commission created under Section 1 of 1921 PA 17, MCL 299.1, continued under Section 254 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.354, transferred to the Department of Natural Resources under Executive Order 1991-22, MCL 299.13, continued under Section 501 of

the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.501, renamed the Natural Resources Commission by Executive Order 2009-45, and transferred to the Department of Natural Resources by Executive Order 2011-1.

II. DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT; and the COMMISSION OF AGRICULTURE AND RURAL DEVELOPMENT

A. The Department of Agriculture is renamed the Department of Agriculture and Rural Development; the Commission of Agriculture is renamed the Commission of Agriculture and Rural Development.

B. The Department of Agriculture and Rural Development and the Commission of Agriculture and Rural Development shall utilize their statutory powers and authority to further the goal of developing the rural areas of this state.

C. The following parts of Executive Order 2009-54 concerning the Commission of Agriculture and Rural Development are rescinded:

1. Section II(A)(2);
2. Section II(A)(5);
3. Section II(A)(17);
4. Section II(B)(7), II(B)(8), and II(B)(9); and
5. Section II(C)(15).

III. DEPARTMENT OF NATURAL RESOURCES AND NATURAL RESOURCES COMMISSION

A. The following parts of Executive Order 2009-54 concerning the Department of Natural Resources and the Natural Resources Commission are rescinded:

1. Section III(A)(2);
2. Section III(A)(4); and
3. Section III(B) (The Michigan Snowmobile and Trails Advisory Council having been established by 2010 PA 46.

This Executive Order shall become effective on March 13, 2011, consistent with Section 2 of Article V of the Michigan Constitution of 1963.

[SEAL]

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

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

The message was referred to the Clerk.

Communications from State Officers

The following communications from the Department of Treasury were received and read:

January 7, 2011

In accordance with Act No.191, Public Acts of 2010, section 916, the Department of Treasury collected \$14,987.76 from the sale of unclaimed property lists for the period October 1, 2009 to September 30, 2010.

Should you have any questions, please contact Gonzalo Llano, Administrator, Unclaimed Property Division at (517) 636-5307.

January 7, 2011

In accordance with Act No.191, Public Acts of 2010, section 919(2), listed below are the auditing firms contracted by the Michigan Department of Treasury, the amount of unclaimed property collections, and the fees paid to each for the period October 1, 2009 to September 30, 2010.

<u>Auditing Firm</u>	<u>Collections</u>	<u>Fees Paid</u>
ACS	\$ 7,122,835	\$605,441
Audit Services	37,590	3,759
Abandoned Property Experts	4,842	581
Tichenor & Associates	0	0
Kelmar Associates	1,716,375	205,965
PRA Govt. Services	0	0
Verus Financial	0	0
Totals:	\$ 8,881,642	\$815,746

Should you have any questions, please contact Gonzalo Llano, Administrator, Unclaimed Property Division at (517) 636-5307.

Sincerely,
Mary G. MacDowell, Director
Financial Services Bureau

The communications were referred to the Clerk.

Rep. Zorn moved that the House adjourn.
The motion prevailed, the time being 1:40 p.m.

The Speaker declared the House adjourned until Thursday, January 13, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives