

**No. 58**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**95th Legislature**  
**REGULAR SESSION OF 2009**

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House Chamber, Lansing, Tuesday, June 23, 2009.

1:30 p.m.

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

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

Agema—present	Durhal—present	Lahti—present	Proos—present
Amash—present	Ebli—present	LeBlanc—present	Roberts—present
Angerer—present	Elsenheimer—present	Leland—present	Rocca—present
Ball—present	Espinoza—present	Lemmons—present	Rogers—present
Barnett—present	Geiss—present	Lindberg—present	Schmidt, R.—present
Bauer—present	Genetski—present	Lipton—present	Schmidt, W.—present
Bennett—present	Gonzales—present	Liss—present	Schuitmaker—present
Bledsoe—present	Green—present	Lori—present	Scott, B.—present
Bolger—present	Gregory—present	Lund—present	Scott, P.—present
Booher—present	Griffin—present	Marleau—present	Scripps—present
Brown, L.—present	Haase—present	Mayes—present	Segal—present
Brown, T.—present	Haines—present	McDowell—present	Sheltrown—present
Byrnes—present	Hammel—present	McMillin—present	Simpson—present
Byrum—present	Hansen—present	Meadows—present	Slavens—present
Calley—present	Haugh—present	Meekhof—present	Slezak—present
Caul—present	Haveman—present	Melton—present	Smith—present
Clemente—present	Hildenbrand—present	Meltzer—present	Spade—present
Constan—present	Horn—present	Miller—present	Stamas—present
Corriveau—present	Huckleberry—present	Moore—present	Stanley—present
Coulouris—present	Jackson—present	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—present	Tlaib—present
Cushingberry—e/d/s	Jones, Rick—present	Nerat—present	Tyler—present
Daley—present	Jones, Robert—present	Neumann—present	Valentine—present
Dean—present	Kandrevas—present	Opsommer—present	Walsh—present
Denby—present	Kennedy—present	Pavlov—present	Warren—present
DeShazor—present	Knollenberg—present	Pearce—present	Womack—present
Dillon—present	Kowall—present	Polidori—present	Young—present
Donigan—present	Kurtz—present		

e/d/s = entered during session

Rep. David E. Nathan, from the 11th District, offered the following invocation:

“Thank You Jesus, thank You Jesus, thank You Jesus for allowing us to gather in this chamber this afternoon. Lord come in this place, come in this place with Your Holy Spirit. Touch every heart, every soul, and every mind. Allow us to do the work of the people, of this great state Lord. When people are suffering, we need to offer hope, now is the time when government is needed the most. Give us the strength to do Your work Lord, to make it better for the less fortunate in this state. In Your name Jesus Christ we pray. Amen.”

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

### **Second Reading of Bills**

#### **House Bill No. 5087, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81101 (MCL 324.81101), as amended by 2004 PA 587.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **House Bill No. 5087, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81101 (MCL 324.81101), as amended by 2004 PA 587.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

### **Second Reading of Bills**

#### **House Bill No. 4744, entitled**

A bill to amend 1913 PA 380, entitled “An act to regulate gifts of real and personal property to cities, villages, townships, and counties, and the use of those gifts and other funds; and to validate all gifts made before the enactment of this act,” by amending section 2 (MCL 123.872), as amended by 2003 PA 122.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **House Bill No. 4744, entitled**

A bill to amend 1913 PA 380, entitled “An act to regulate gifts of real and personal property to cities, villages, townships, and counties, and the use of those gifts and other funds; and to validate all gifts made before the enactment of this act,” by amending section 2 (MCL 123.872), as amended by 2003 PA 122.

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

**Roll Call No. 324****Yeas—105**

Agema	Ebli	Lahti	Roberts
Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Espinoza	Leland	Rogers
Barnett	Geiss	Lemmons	Schmidt, R.
Bauer	Gonzales	Lindberg	Schmidt, W.
Bennett	Green	Lipton	Schuitmaker
Bledsoe	Gregory	Liss	Scott, B.
Bolger	Griffin	Lori	Scott, P.
Booher	Haase	Lund	Scripps
Brown, L.	Haines	Marleau	Segal
Brown, T.	Hammel	Mayes	Sheltrown
Byrnes	Hansen	McDowell	Simpson
Byrum	Haugh	Meadows	Slavens
Calley	Haveman	Meekhof	Slezak
Caul	Hildenbrand	Melton	Smith
Clemente	Horn	Meltzer	Spade
Constan	Huckleberry	Miller	Stamas
Corriveau	Jackson	Moore	Stanley
Coulouris	Johnson	Moss	Switalski
Crawford	Jones, Rick	Nathan	Tlaib
Daley	Jones, Robert	Nerat	Tyler
Dean	Kandrevas	Opsommer	Valentine
Denby	Kennedy	Pavlov	Walsh
DeShazor	Knollenberg	Pearce	Warren
Dillon	Kowall	Polidori	Womack
Donigan	Kurtz	Proos	Young
Durhal			

**Nays—4**

Amash	Genetski	McMillin	Neumann
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In The Chair: Espinoza

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Angerer moved that Rule 42 be suspended.

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

Rep. Angerer moved that the Committee on Regulatory Reform be discharged from further consideration of **Senate Bill No. 586**.

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

The bill was placed on the order of Second Reading of Bills.

Rep. Angerer moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that the Committee on Regulatory Reform be discharged from further consideration of **Senate Bill No. 588**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### Senate Bill No. 586, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending section 5 (MCL 141.475), as amended by 2008 PA 586.

The bill was read a second time.

Rep. Nathan moved to substitute (H-1) the bill.  
The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.  
Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.  
Rep. Angerer moved that the bill be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 586, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending section 5 (MCL 141.475), as amended by 2008 PA 586.

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

#### Roll Call No. 325

#### Yeas—84

Angerer	Ebli	Knollenberg	Opsommer
Ball	Elsenheimer	Kowall	Polidori
Barnett	Espinoza	Lahti	Roberts
Bauer	Geiss	LeBlanc	Schmidt, R.
Bennett	Gonzales	Leland	Schmidt, W.
Bledsoe	Green	Lemmons	Scripps
Bolger	Gregory	Lindberg	Segal
Brown, L.	Griffin	Lipton	Sheltrown
Brown, T.	Haase	Liss	Simpson
Byrnes	Haines	Lori	Slavens
Byrum	Hammel	Marleau	Slezak
Clemente	Haugh	Mayes	Smith
Constan	Hildenbrand	McDowell	Spade
Corriveau	Horn	Meadows	Stamas
Coulouris	Huckleberry	Melton	Stanley
Crawford	Jackson	Meltzer	Switalski
Dean	Johnson	Miller	Tlaib
Denby	Jones, Rick	Moss	Valentine
Dillon	Jones, Robert	Nathan	Walsh
Donigan	Kandrevas	Nerat	Warren
Durhal	Kennedy	Neumann	Womack

**Nays—25**

Agema	Genetski	Meekhof	Rogers
Amash	Hansen	Moore	Schuitmaker
Booher	Haveman	Pavlov	Scott, B.
Calley	Kurtz	Pearce	Scott, P.
Caul	Lund	Proos	Tyler
Daley	McMillin	Rocca	Young
DeShazor			

In The Chair: Espinoza

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

“An act to provide for the creation of the health and safety fund; to provide for the deposit of certain money in that fund; to provide for the distribution of the money in that fund and to limit its use; to prescribe the powers and duties of certain state officials; and to provide for an appropriation.”

The House agreed to the full title.

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

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

**Second Reading of Bills****Senate Bill No. 588, entitled**

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending section 7 (MCL 12.257), as amended by 2008 PA 256.

The bill was read a second time.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 588, entitled**

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending section 7 (MCL 12.257), as amended by 2008 PA 256.

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

**Roll Call No. 326****Yeas—80**

Angerer	Ebli	Kowall	Roberts
Ball	Elsenheimer	Lahti	Rogers
Barnett	Espinoza	LeBlanc	Schmidt, R.
Bauer	Geiss	Leland	Schmidt, W.
Bennett	Gonzales	Lemmons	Scripps
Bledsoe	Green	Lindberg	Segal
Bolger	Gregory	Lipton	Sheltrown

Brown, L.	Haase	Liss	Simpson
Brown, T.	Haines	Marleau	Slavens
Byrnes	Hammel	Mayer	Slezak
Byrum	Haugh	McDowell	Smith
Clemente	Hildenbrand	Meadows	Spade
Constan	Huckleberry	Melton	Stamas
Corriveau	Jackson	Meltzer	Stanley
Coulouris	Johnson	Miller	Switalski
Dean	Jones, Rick	Moss	Tlaib
Denby	Jones, Robert	Nathan	Valentine
Dillon	Kandrevas	Nerat	Walsh
Donigan	Kennedy	Neumann	Warren
Durhal	Knollenberg	Polidori	Womack

### Nays—29

Agema	Genetski	Lund	Proos
Amash	Griffin	McMillin	Rocca
Booher	Hansen	Meekhof	Schuitmaker
Calley	Haveman	Moore	Scott, B.
Caul	Horn	Opsommer	Scott, P.
Crawford	Kurtz	Pavlov	Tyler
Daley	Lori	Pearce	Young
DeShazor			

In The Chair: Espinoza

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

“An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials,”

The House agreed to the full title.

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

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

Rep. Cushingberry entered the House Chambers.

The House returned to the consideration of

#### **House Bill No. 5087, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81101 (MCL 324.81101), as amended by 2004 PA 587.

(The bill was considered earlier today, see today’s Journal, p. 1154.)

The question being on the passage of the bill,

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

#### **Roll Call No. 327**

#### **Yeas—109**

Agema	Durhal	Kurtz	Polidori
Amash	Ebli	Lahti	Proos
Angerer	Elsenheimer	LeBlanc	Roberts

Ball	Espinoza	Leland	Rocca
Barnett	Geiss	Lemmons	Rogers
Bauer	Genetski	Lindberg	Schmidt, R.
Bennett	Gonzales	Lipton	Schmidt, W.
Bledsoe	Green	Liss	Schuitmaker
Bolger	Gregory	Lori	Scott, B.
Booher	Griffin	Lund	Scott, P.
Brown, L.	Haase	Marleau	Scripps
Brown, T.	Haines	Mayes	Segal
Byrnes	Hammel	McDowell	Sheltrown
Byrum	Hansen	McMillin	Simpson
Calley	Haug	Meadows	Slezak
Caul	Haveman	Meekhof	Smith
Clemente	Hildenbrand	Melton	Spade
Constan	Horn	Meltzer	Stamas
Corriveau	Huckleberry	Miller	Stanley
Coulouris	Jackson	Moore	Switalski
Crawford	Johnson	Moss	Tlaib
Cushingberry	Jones, Rick	Nathan	Tyler
Daley	Jones, Robert	Nerat	Valentine
Dean	Kandrevas	Neumann	Walsh
Denby	Kennedy	Opsommer	Warren
DeShazor	Knollenberg	Pavlov	Womack
Dillon	Kowall	Pearce	Young
Donigan			

**Nays—1**

Slavens

In The Chair: Espinoza

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

**Second Reading of Bills**

**Senate Bill No. 243, entitled**

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

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

Rep. Moss moved to amend the bill as follows:

1. Amend page 4, line 11, by striking out “4,916,200” and inserting “100,000”.
2. Amend page 4, line 12, by striking out “1,000” and inserting “4,817,200”.
3. Amend page 6, line 14, by striking out all of section 105 and inserting:

“**Sec. 105. LIQUOR CONTROL COMMISSION**

Full-time equated classified positions ..... 152.0

Management support services—28.0 FTE positions .....	\$ 3,570,800
Liquor licensing and enforcement—124.0 FTE positions.....	12,609,200
GROSS APPROPRIATION .....	\$ 16,180,000
Appropriated from:	
Special revenue funds:	
Direct shipper enhancement revolving fund.....	120,000
Liquor license revenue .....	6,526,500
Liquor purchase revolving fund .....	9,533,500
State general fund/general purpose .....	\$ 0”.

4. Amend page 11, by striking out all of line 13.

5. Amend page 11, line 14, by striking out “1,000” and inserting “123,200”.

6. Amend page 12, by striking out all of line 18.

7. Amend page 12, line 19, by striking out “1,000” and inserting “2,490,500” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Moss,

Rep. Hammel moved to amend the Moss amendment as follows:

1. Amend Amendment No. 3, page 6, line 14, by striking out “Liquor purchase revolving fund..	9,533,500”
and inserting “State restricted funds .....	9,533,500”.

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

The question being on the adoption of the amendments offered by Rep. Moss,

Rep. Angerer moved that amendment Nos. 2, 5 and 7 be considered separately.

The motion prevailed.

The question being on the adoption of amendment Nos. 1, 3, 4 and 6 offered by Rep. Moss,

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

The question being on the adoption of amendment Nos. 2, 5 and 7 offered by Rep. Moss,

The amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Rogers moved to amend the bill as follows:

1. Amend page 22, following line 22, by inserting:

“Sec. 216. It is the intent of the legislature that all revenue sources for funds appropriated in part 1 shall not be aggregated into general categories and shall be specifically identified and detailed as much as possible.”.

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

Rep. Rogers moved to amend the bill as follows:

1. Amend page 20, following line 24, by inserting:

“Sec. 205. (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The state budget director may grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring approved during the previous quarter and the reasons to justify the exception.”.

2. Amend page 26, following line 1, by inserting:

“Sec. 224. The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless a professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from a department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise.”.

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

Rep. Rogers moved to amend the bill as follows:

1. Amend page 27, following line 18, by inserting:

“Sec. 230. (1) It is the intent of the legislature that any federal dollars appropriated in part 1 from the American Recovery and Reinvestment Act of 2009, Public Law 111-5 shall not be included in the base funding for any program but will be maintained in separate line items.

(2) In addition to the funds appropriated in part 1, any additional federal funding awarded to Michigan through recalculation of formulas and under the redistribution provisions of the American Recovery and Reinvestment Act of 2009, Public Law 111-5 shall also be allocated in separate line items and will not be included in base funding for any program.

Sec. 231. On a bimonthly basis, the department shall report on the number of FTEs in pay status by civil service classification to the house and senate appropriations subcommittees on economic development, and the house and senate fiscal agencies.

Sec. 232. From the funds appropriated in part 1, the department shall develop, post, and maintain on a user-friendly and publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. Funds appropriated in part 1 from the federal American Recovery and Reinvestment Act shall also be included on a publicly accessible website maintained by the Michigan economic recovery office. The department shall not provide financial information on its website under this section if doing so would violate an applicable federal or state law, rule, regulation, or guideline that establishes privacy or security standards.”

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

Rep. Hammel moved to amend the bill as follows:

- 1. Amend page 4, following line 26, by inserting:  
“State restricted funds ..... 4,816,200”.
- 2. Amend page 11, following line 19, by inserting:  
“State restricted funds ..... 122,200”.
- 3. Amend page 13, following line 4, by inserting:  
“State restricted funds ..... 2,489,500”

and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Hammel moved to amend the bill as follows:

- 1. Amend page 3, line 1, by striking out “11,382,100” and inserting “11,382,200”.
- 2. Amend page 4, line 27, by striking out “1,448,600” and inserting “1,448,700”.
- 3. Amend page 7, following line 4, by inserting:  
“State historic preservation programs—1.0 FTE position..... 200”.
- 4. Amend page 7, following line 7, by inserting:  
“DOI-NPS, historic preservation grants-in-aid..... 100”.
- 5. Amend page 7, line 12, by striking out “100” and inserting “200”.
- 6. Amend page 11, line 22, by striking out “44,645,500” and inserting “44,645,600”.
- 7. Amend page 13, line 5, by striking out “0” and inserting “100” and adjusting the subtotals, totals, and section 201 accordingly.

and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Hammel moved to amend the bill as follows:

- 1. Amend page 27, following line 18, by inserting:  
“Sec. 230. From the funds appropriated in part 1, the department shall use an amount not to exceed \$10,000.00 to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the department within a fiscal year. The posting shall include the purpose for which each expenditure is made. The department is not required to hire additional employees in order to comply with this section.”

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

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

The motion prevailed.

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

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

Rep. Angerer moved that Reps. Dillon and Bettie Scott be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 243, entitled**

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to provide for

the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

**Roll Call No. 328****Yeas—108**

Agema	Durhal	Kurtz	Polidori
Amash	Ebli	Lahti	Proos
Angerer	Elsenheimer	LeBlanc	Roberts
Ball	Espinoza	Leland	Rocca
Barnett	Geiss	Lemmons	Rogers
Bauer	Genetski	Lindberg	Schmidt, R.
Bennett	Gonzales	Lipton	Schmidt, W.
Bledsoe	Green	Liss	Schuitmaker
Bolger	Gregory	Lori	Scott, P.
Booher	Griffin	Lund	Scripps
Brown, L.	Haase	Marleau	Segal
Brown, T.	Haines	Mayes	Sheltrown
Byrnes	Hammel	McDowell	Simpson
Byrum	Hansen	McMillin	Slavens
Calley	Haugh	Meadows	Slezak
Caul	Haveman	Meekhof	Smith
Clemente	Hildenbrand	Melton	Spade
Constan	Horn	Meltzer	Stamas
Corriveau	Huckleberry	Miller	Stanley
Coulouris	Jackson	Moore	Switalski
Crawford	Johnson	Moss	Tlaib
Cushingberry	Jones, Rick	Nathan	Tyler
Daley	Jones, Robert	Nerat	Valentine
Dean	Kandrevas	Neumann	Walsh
Denby	Kennedy	Opsommer	Warren
DeShazor	Knollenberg	Pavlov	Womack
Donigan	Kowall	Pearce	Young

**Nays—0**

In The Chair: Espinoza

The House agreed to the title of the bill.

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

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

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

By unanimous consent the House returned to the order of

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following Senate bills had been received on Thursday, June 18:

**Senate Bill Nos. 428 493**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, June 19:

**House Bill No. 5125**  
**Senate Bill Nos. 647 648 649 650 651 652 653**

The Clerk announced that the following Senate bills had been received on Friday, June 19:

**Senate Bill Nos. 253 334**

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, June 23, for her approval of the following bill:

**Enrolled House Bill No. 4930 at 10:40 a.m.**

### Reports of Standing Committees

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

**House Bill No. 5094, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending section 10 (MCL 28.610), as amended by 1998 PA 237.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Constan, Kandrevas, Bettie Scott, Warren, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

**House Bill No. 5095, entitled**

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending sections 2, 3, 4, 7, 8, 9, 17, and 29 (MCL 338.1052, 338.1053, 338.1054, 338.1057, 338.1058, 338.1059, 338.1067, and 338.1079), sections 2, 3, 7, 17, and 29 as amended by 2002 PA 473, sections 4 and 8 as amended by 2000 PA 411, and section 9 as amended by 2004 PA 270, and by adding sections 6a, 37, 38, 39, 40, 41, 42, and 43.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Constan, Kandrevas, Bettie Scott, Warren, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Friday, June 19, 2009

Present: Reps. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Kandrevas, Bettie Scott, Warren, Amash, Haveman, Rick Jones, Kowall and Rocca

Absent: Reps. Coulouris and Schuitmaker

Excused: Reps. Coulouris and Schuitmaker

The Committee on Health Policy, by Rep. Corriveau, Chair, reported  
**House Resolution No. 102.**

A resolution to memorialize the United States Congress to enact H.R. 521, the Stillbirth Awareness and Research Act of 2009.

(For text of resolution, see House Journal No. 43, p. 906.)

With the recommendation that the resolution be adopted.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Corriveau, Segal, Byrum, Coulouris, Donigan, Johnson, Liss, Neumann, Roy Schmidt, Simpson, Slavens, Valentine, Womack, Marleau, Ball, Calley, Crawford, Denby, Green and Paul Scott

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Corriveau, Chair, of the Committee on Health Policy, was received and read:  
Meeting held on: Tuesday, June 23, 2009

Present: Reps. Corriveau, Segal, Byrum, Coulouris, Donigan, Johnson, Liss, Neumann, Roy Schmidt, Simpson, Slavens, Valentine, Womack, Marleau, Ball, Calley, Crawford, Denby, Green and Paul Scott

Absent: Rep. Moore

Excused: Rep. Moore

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported  
**House Bill No. 5017, entitled**

A bill to impose a state assessment on persons engaged in the business of leasing or renting a motor vehicle; to provide for the levy, collection, and administration of the state assessment; to provide for the disposition of the proceeds of the state assessment; to prescribe the powers and duties of certain state departments and certain public entities; and to provide for certain exemptions.

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

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Hansen and Horn

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported  
**House Bill No. 5018, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 3A.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Hansen and Horn

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported  
**House Bill No. 5058, entitled**

A bill to authorize the department of natural resources to convey certain state owned property in Iosco county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Huckleberry, Simpson, Stanley, Stamas, Bolger and Hansen

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported  
**House Bill No. 5088, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 21 (MCL 205.111), as amended by 1994 PA 34.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Hansen and Horn

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported  
**House Bill No. 5089, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2008 PA 361.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Hansen and Horn

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported  
**Senate Bill No. 483, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43523, 43528, and 43531 (MCL 324.43523, 324.43528, and 324.43531), as amended by 2008 PA 347.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Huckleberry, Lindberg, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheltroun, Chair, of the Committee on Tourism, Outdoor Recreation and Natural Resources, was received and read:

Meeting held on: Tuesday, June 23, 2009

Present: Reps. Sheltroun, Slezak, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Bolger, Hansen and Horn

Absent: Rep. Ebli

Excused: Rep. Ebli

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

**House Bill No. 5052, entitled**

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," (MCL 141.1201 to 141.1291) by adding sections 21a and 41a.

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

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

## Favorable Roll Call

To Report Out:

Yeas: Reps. Donigan, Barnett, Bledsoe, Haugh, Kennedy, Young, Lund, Denby, Meekhof and Wayne Schmidt

Nays: None

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

**Senate Bill No. 430, entitled**

A bill to amend 1950 (Ex Sess) PA 23, entitled "Airport zoning act," (MCL 259.431 to 259.465) by adding section 24a.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

To Report Out:

Yeas: Reps. Donigan, Barnett, Bledsoe, Haugh, Robert Jones, Kennedy, Lund, Denby, Meekhof and Wayne Schmidt

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 23, 2009

Present: Reps. Donigan, Barnett, Bledsoe, Haugh, Robert Jones, Kennedy, Young, Lund, Denby, Meekhof and Wayne Schmidt

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Friday, June 19, 2009

Present: Reps. Leland, Nathan, Meadows, Segal, Stanley, Meltzer and Pavlov

Absent: Reps. Barnett, Womack, Paul Scott and Hansen

Excused: Reps. Barnett, Womack, Paul Scott and Hansen

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 23, 2009

Present: Reps. Mayes, Geiss, Lisa Brown, Huckleberry, Johnson, Lindberg, Lipton, Melton, Roberts, Scripps, Horn, Crawford, Opsommer, Proos, Wayne Schmidt and Schuitmaker

Absent: Reps. Clemente, Ebli and Marleau

Excused: Reps. Clemente, Ebli and Marleau

**Messages from the Senate****House Bill No. 4435, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

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

**House Bill No. 4438, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

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

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

**House Bill No. 4998, entitled**

A bill to amend 2008 PA 554, entitled "Regional convention facility authority act," by amending sections 5, 7, 11, and 19 (MCL 141.1355, 141.1357, 141.1361, and 141.1369).

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 253, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The Senate has passed the bill.

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

**Senate Bill No. 334, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**Senate Bill No. 428, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 2, 3, 12, and 12a (MCL 125.2152, 125.2153, 125.2162, and 125.2162a), section 2 as amended by 2007 PA 200, sections 3 and 12 as amended by 2000 PA 248, and section 12a as amended by 2008 PA 105, and by adding section 12c.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

**Senate Bill No. 493, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 431c (MCL 208.1431c), as added by 2008 PA 88.

The Senate has passed the bill.

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

**House Bill No. 4441, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

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

**Introduction of Bills**

Rep. McDowell introduced

**House Bill No. 5126, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 226 (MCL 330.1226), as amended by 2004 PA 497.

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

Reps. Simpson, Huckleberry, Mayes, Espinoza, Terry Brown, Daley, Kurtz, Tyler, Hansen, Cushingberry, Valentine, Segal, Barnett, Haase, Byrum, Nerat, Schuitmaker, Melton, Gonzales, Spade, Sheltroun, Byrnes, Angerer, Kandrevas, Ball, Neumann and Haveman introduced

**House Bill No. 5127, entitled**

A bill to amend 1988 PA 466, entitled "Animal industry act," (MCL 287.701 to 287.745) by adding section 8a.

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

Reps. Mayes, Simpson, Huckleberry, Espinoza, Terry Brown, Daley, Kurtz, Tyler, Hansen, Cushingberry, Valentine, Segal, Barnett, Haase, Byrum, Nerat, Schuitmaker, Melton, Gonzales, Spade, Sheltroun, Byrnes, Angerer, Kandrevas, Ball, Neumann and Haveman introduced

**House Bill No. 5128, entitled**

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending section 3 (MCL 287.703), as amended by 2002 PA 458, and by adding section 7a.

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

Reps. Wayne Schmidt, Mayes, Meekhof, Kowall, Hansen, LeBlanc, Terry Brown, Sheltroun, Spade, Lahti, McDowell, Opsommer, Espinoza, Green, Horn, Crawford, Rogers, Elsenheimer, Tyler, DeShazor, Kurtz, Pearce, Neumann, Bolger, Meltzer, Marleau, Proos, Pavlov, Haveman, Hildenbrand, Calley, Dean, Ball, Lund, Stamas, Lori, Walsh, Moss, Booher, Caul, Agema, McMillin, Paul Scott, Rick Jones, Genetski and Amash introduced

**House Bill No. 5129, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16v of chapter XVII (MCL 777.16v), as amended by 2008 PA 412.

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

Reps. Meekhof, Mayes, Kowall, Hansen, LeBlanc, Terry Brown, Sheltroun, Spade, Lahti, McDowell, Opsommer, Espinoza, Green, Horn, Crawford, Rogers, Tyler, DeShazor, Kurtz, Pearce, Neumann, Bolger, Elsenheimer, Meltzer, Proos, Pavlov, Marleau, Haveman, Calley, Hildenbrand, Ball, Dean, Lund, Stamas, Lori, Walsh, Moss, Booher, Caul, Agema, McMillin, Paul Scott, Rick Jones, Genetski and Amash introduced

**House Bill No. 5130, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 430a (MCL 750.430a), as added by 1998 PA 110.

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

Reps. LeBlanc, Meltzer, Meekhof, Mayes, Kowall, Hansen, Terry Brown, Sheltroun, Spade, Lahti, McDowell, Opsommer, Espinoza, Green, Horn, Crawford, Rogers, Elsenheimer, Tyler, DeShazor, Kurtz, Pearce, Agema, Marleau, Neumann, Dean, Proos, Pavlov, Haveman, Hildenbrand, Calley, Ball, Lund, Stamas, Lori, Walsh, Moss, Bolger, Booher, Caul, McMillin, Paul Scott, Rick Jones, Genetski and Amash introduced

**House Bill No. 5131, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2685, 2690, 2691, and 2692 (MCL 333.2685, 333.2690, 333.2691, and 333.2692) and by adding sections 2693 and 2696.

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

Reps. Kowall, Mayes, Meekhof, Hansen, LeBlanc, Terry Brown, Sheltroun, Spade, Lahti, McDowell, Opsommer, Espinoza, Green, Horn, Crawford, Rogers, Elsenheimer, Tyler, DeShazor, Kurtz, Pearce, Marleau, Neumann, Bolger, Meltzer, Proos, Dean, Pavlov, Haveman, Hildenbrand, Calley, Ball, Lund, Stamas, Lori, Walsh, Moss, Booher, Caul, Agema, McMillin, Paul Scott, Rick Jones, Genetski and Amash introduced

**House Bill No. 5132, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as added by 2002 PA 30.

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

Reps. Mayes, Meekhof, Kowall, Hansen, LeBlanc, Terry Brown, Sheltroun, Spade, Lahti, McDowell, Opsommer, Espinoza, Green, Horn, Crawford, Rogers, Elsenheimer, Tlaib, DeShazor, Kurtz, Pearce, Marleau, Neumann, Bolger, Booher, Meltzer, Agema, Proos, Pavlov, Haveman, Calley, Hildenbrand, Ball, Dean, Lund, Stamas, Lori, Walsh, Moss, Caul, McMillin, Paul Scott, Rick Jones, Genetski and Amash introduced

**House Bill No. 5133, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 2694 and 2695.

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

Reps. Sheltroun, Meekhof, Mayes, Kowall, Hansen, LeBlanc, Terry Brown, Spade, Lahti, McDowell, Opsommer, Espinoza, Green, Horn, Crawford, Rogers, Elsenheimer, Tyler, DeShazor, Kurtz, Pearce, Marleau, Neumann, Bolger, Meltzer, Agema, Proos, Pavlov, Haveman, Calley, Hildenbrand, Ball, Dean, Lund, Stamas, Lori, Walsh, Moss, Booher, Caul, McMillin, Paul Scott, Rick Jones, Genetski and Amash introduced

**House Bill No. 5134, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as added by 2002 PA 30.

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

Rep. Paul Scott introduced

**House Bill No. 5135, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2006 PA 562, and by adding section 811r.

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

Reps. Young, Geiss and Dean introduced

**House Bill No. 5136, entitled**

A bill to allow inclusionary zoning; to prescribe the powers and duties of certain local agencies and officials; and to provide certain restrictions for dwelling units built within the inclusionary zone.

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

Reps. Robert Jones, Haugh, Kandrevas, Huckleberry, DeShazor, Liss, Scripps and Denby introduced **House Bill No. 5137, entitled**  
A bill to amend 1919 PA 339, entitled "Dog law of 1919," by amending section 29a (MCL 287.289a).  
The bill was read a first time by its title and referred to the Committee on Agriculture.

Reps. Melton, Kowall, Mayes, Coulouris, Angerer, Sheltroun, Roy Schmidt and Meadows introduced **House Bill No. 5138, entitled**  
A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2 and 4 (MCL 205.92 and 205.94), section 2 as amended by 2008 PA 439 and section 4 as amended by 2008 PA 314.  
The bill was read a first time by its title and referred to the Committee on Tax Policy.

#### Announcements by the Clerk

Received from the Auditor General a copy of the following audit report and/or report summary:  
Financial audit, including the provisions of the Single Audit Act, of the State-Funded Judicial Operations for the period October 1, 2006 through September 30, 2008.

June 18, 2009

Received from the Auditor General a copy of the following audit report and/or report summary:  
Financial audit, including the provisions of the Single Audit Act, of the Department of Attorney General for the period October 1, 2006 through September 30, 2008.

June 18, 2009

Richard J. Brown  
Clerk of the House

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Rep. Lahti moved that the House adjourn.  
The motion prevailed, the time being 4:35 p.m.

Associate Speaker Pro Tempore Espinoza declared the House adjourned until Wednesday, June 24, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives