

**No. 50**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**95th Legislature**  
**REGULAR SESSION OF 2010**

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House Chamber, Lansing, Thursday, May 20, 2010.

12:00 Noon.

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

e/d/s = entered during session

Rep. Larry DeShazor, from the 61st District, offered the following invocation:

“Heavenly Father, As we begin our work today, may we remind ourselves of the tremendous honor the people of Michigan have given us. Our responsibilities are many, and we are called upon to offer a vision and direction that will serve the needs of our great State. May our decisions be based upon what is right, just and fair. In the spirit of cooperation and unity, may we work together to give our citizens every ability to prosper.

May God bless our efforts today, and bless the people of the state of Michigan. We ask all of this in the name of the God we serve.

Amen.”

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Rep. Melton moved that Rep. Tlaib be excused from today’s session.  
The motion prevailed.

### Comments and Recommendations

Rep. Dean moved that Rule 75 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

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

Rep. Hildenbrand:

“I rise today to honor the life of Sgt. Lucas Tyler Beachnaw.

Sgt. Beachnaw was a 23 year-old soldier serving in the United States Army when he gave his life, the ultimate sacrifice, for our great country. Sgt. Beachnaw and fellow soldiers came under small arms fire on January 13, 2010 when several of them lost their lives. Although it has been several months since his passing, the gallery today is filled with family and friends of Sgt. Beachnaw who dearly miss him everyday.

While Sgt Beachnaw and I grew up in the same town, I never had the opportunity to meet him. Word traveled fast through our small town and it didn’t take me long to realize that Luke was a special young man who was loved by so many in our community.

The same day that Sgt Beachnaw’s body was being brought back to Grand Rapids - I will never forget seeing dozens of large beautiful American flags that blew in the wind as they lined the bridge over the Grand River to honor Sgt. Beachnaw and his family.

I was privileged to join with Senator Hardiman and the hundreds of others from our community, at Sgt Beachnaw’s memorial service. His life, character and love for this country are truly admirable to us all.

I would like to read the words that are etched on Sgt. Beachnaw’s headstone that are an important reminder for all of us. It’s a Winston Churchill quote that says:

‘We sleep soundly in our beds because rough men stand ready in the night to visit violence on those who would do us harm.’

Sgt. Beachnaw lived by those words everyday and in his service to our great nation.

Senator Hardiman and I presented a memorial tribute over in the Senate to the family. In addition, I have a U.S. and Michigan Flag that were both flown over this State Capitol on January 22, 2010 the day of Sgt. Beachnaw’s memorial service and funeral to present to his mother and father.

Would my colleagues please rise and honor the many family and friends here in the gallery and honor the passing of Sgt. Lucas Tyler Beachnaw.”

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Speaker laid before the House  
**House Concurrent Resolution No. 52.**

A concurrent resolution to approve certain designated open space land applications for property in Kent County.  
(For text of concurrent resolution, see House Journal No. 32, p. 492.)

(The concurrent resolution was reported by the Committee on Appropriations on May 12.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor.

### Second Reading of Bills

#### House Bill No. 5244, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 74a.

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

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

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

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

Rep. McMillin moved to amend the bill as follows:

1. Amend page 6, line 2, after “unless” by striking out the balance of the enacting section and inserting “all of the following bills of the 95th Legislature are enacted into law:

(a) House Bill No. 5771.

(b) House Bill No. 5838.”.

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

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

The motion prevailed.

Rep. Melton 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. 5244, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 74a.

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

#### Roll Call No. 206

#### Yeas—94

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

**Nays—13**

Agema	Haveman	Lipton	Pearce
Amash	Horn	Moore	Scott, B.
Crawford	Kurtz	Opsommer	Stamas
Genetski			

In The Chair: Byrnes

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

**Second Reading of Bills****House Bill No. 5838, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74d.  
 Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Families and Children's Services,  
 The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Agema moved to amend the bill as follows:

1. Amend page 2, following line 4, by inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 95th Legislature are enacted into law:

(a) Senate Bill No. 1173.

(b) Senate Bill No. 1179.".

The question being on the adoption of the amendment offered by Rep. Agema,

Rep. Agema demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Agema,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 207****Yeas—44**

Agema	Elsenheimer	Kurtz	Pavlov
Amash	Genetski	LeBlanc	Pearce
Ball	Green	Lori	Proos
Bolger	Haines	Lund	Rocca
Booher	Hansen	Marleau	Rogers
Calley	Haveman	McMillin	Schmidt, W.
Caul	Hildenbrand	Meekhof	Schuitmaker
Crawford	Horn	Meltzer	Scott, P.
Daley	Jones, Rick	Moore	Stamas
Denby	Knollenberg	Moss	Tyler
DeShazor	Kowall	Opsommer	Walsh

**Nays—62**

Angerer	Durhal	Lahti	Roberts
Barnett	Ebli	Leland	Schmidt, R.
Bauer	Espinoza	Lemmons	Scott, B.

Bennett	Geiss	Lindberg	Scripps
Bledsoe	Gonzales	Lipton	Segal
Brown, L.	Gregory	Liss	Sheltrown
Brown, T.	Griffin	Mayes	Slavens
Byrnes	Haase	McDowell	Slezak
Byrum	Hammel	Meadows	Smith
Clemente	Haugh	Melton	Stanley
Constan	Huckleberry	Miller	Switalski
Corriveau	Jackson	Nathan	Valentine
Cushingberry	Johnson	Nerat	Warren
Dean	Jones, Robert	Neumann	Womack
Dillon	Kandrevas	Polidori	Young
Donigan	Kennedy		

In The Chair: Byrnes

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

The motion prevailed.

Rep. Melton 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. 5838, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74d.

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

#### Roll Call No. 208

#### Yeas—74

Angerer	Dillon	Lahti	Rocca
Ball	Donigan	LeBlanc	Schmidt, R.
Barnett	Durhal	Leland	Schmidt, W.
Bauer	Ebli	Lemmons	Scott, B.
Bennett	Espinoza	Lindberg	Scripps
Bledsoe	Geiss	Lipton	Segal
Bolger	Gonzales	Liss	Sheltrown
Booher	Green	Mayes	Slavens
Brown, L.	Gregory	McDowell	Slezak
Brown, T.	Griffin	Meadows	Smith
Byrnes	Haase	Melton	Spade
Byrum	Hammel	Miller	Stanley
Caul	Haugh	Nathan	Switalski
Clemente	Huckleberry	Nerat	Tyler
Constan	Jackson	Neumann	Valentine
Corriveau	Johnson	Polidori	Warren
Cushingberry	Jones, Robert	Proos	Womack
Dean	Kandrevas	Roberts	Young
Denby	Kennedy		

#### Nays—33

Agema	Hansen	Lori	Opsommer
Amash	Haveman	Lund	Pavlov

Calley	Hildenbrand	Marleau	Pearce
Crawford	Horn	McMillin	Rogers
Daley	Jones, Rick	Meekhof	Schuitmaker
DeShazor	Knollenberg	Meltzer	Scott, P.
Elsenheimer	Kowall	Moore	Stamas
Genetski	Kurtz	Moss	Walsh
Haines			

In The Chair: Byrnes

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

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

“Mr. Speaker and members of the House:  
Due to the failure of the Agema amendment, I vote no.”

### Second Reading of Bills

#### House Bill No. 5934, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14a of chapter XVII (MCL 777.14a), as added by 2002 PA 29.

The bill was read a second time.

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

The motion prevailed.

Rep. Melton 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. 5934, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14a of chapter XVII (MCL 777.14a), as added by 2002 PA 29.

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

### Roll Call No. 209

### Yeas—80

Angerer	Ebli	Kennedy	Polidori
Ball	Elsenheimer	Kowall	Proos
Bauer	Espinoza	Lahti	Roberts
Bennett	Geiss	LeBlanc	Rocca
Bledsoe	Gonzales	Leland	Rogers
Bolger	Green	Lemmons	Schmidt, R.
Booher	Gregory	Lindberg	Schmidt, W.
Brown, T.	Griffin	Liss	Scripps
Byrnes	Haase	Lori	Sheltrown

Byrum	Haines	Marleau	Slavens
Caul	Hammel	Mayes	Slezak
Clemente	Hansen	McDowell	Smith
Constan	Haugh	McMillin	Spade
Corriveau	Hildenbrand	Meadows	Stanley
Cushingberry	Huckleberry	Melton	Switalski
Dean	Jackson	Miller	Tyler
Denby	Johnson	Moss	Valentine
Dillon	Jones, Rick	Nathan	Warren
Donigan	Jones, Robert	Nerat	Womack
Durhal	Kandrevas	Neumann	Young

**Nays—27**

Agema	DeShazor	Lund	Schuitmaker
Amash	Genetski	Meekhof	Scott, B.
Barnett	Haveman	Meltzer	Scott, P.
Brown, L.	Horn	Moore	Segal
Calley	Knollenberg	Opsommer	Stamas
Crawford	Kurtz	Pavlov	Walsh
Daley	Lipton	Pearce	

In The Chair: Byrnes

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

**Second Reading of Bills****House Bill No. 6071, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 34 (MCL 42.34), as amended by 2003 PA 300.

The bill was read a second time.

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

The motion prevailed.

Rep. Melton 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. 6071, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 34 (MCL 42.34), as amended by 2003 PA 300.

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

**Roll Call No. 210****Yeas—101**

Agema	Elsenheimer	Lahti	Proos
Angerer	Espinoza	LeBlanc	Roberts

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

### Nays—6

Amash	Calley	Lund	McMillin
Bolger	Haveman		

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

### Second Reading of Bills

#### House Bill No. 6072, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 9b (MCL 117.9b), as added by 1982 PA 465.

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

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

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

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

Rep. Meadows moved to amend the bill as follows:

1. Amend page 2, line 7, after “CITY” by inserting “OR VILLAGE”.

2. Amend page 6, line 25, after “CITY” by inserting “OR VILLAGE”.

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



Rep. Meadows moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed.  
 Rep. Melton 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. 6072, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 9b (MCL 117.9b), as added by 1982 PA 465.

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

**Roll Call No. 211**

**Yeas—100**

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

**Nays—7**

Amash	Calley	Lund	Opsommer
Bolger	Haveman	McMillin	

In The Chair: Byrnes

The question being on agreeing to the title of the bill,  
 Rep. Melton moved to amend the title to read as follows:  
 A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 6 and 9b (MCL 117.6 and 117.9b), section 6 as amended by 1984 PA 352 and section 9b as added by 1982 PA 465.  
 The motion prevailed.

The House agreed to the title as amended.  
 Rep. Melton 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  
**Messages from the Senate**

**Senate Concurrent Resolution No. 41.**

A concurrent resolution to memorialize the President, the Congress, and the Federal Communications Commission of the United States to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.

Whereas, Due in large part to the unregulated efforts of private enterprise over the past 25 years, the development of the Internet has dramatically transformed the way Michigan citizens work, live, and learn. The deployment of efficient, fast, and reliable broadband networks throughout Michigan has created thousands of jobs and economic benefits for local economies; and

Whereas, In order to encourage the growth and development of the Internet, the Federal Communications Commission (FCC) has historically followed a policy to refrain from regulating broadband Internet services as common carrier services under Title II of the Communications Act of 1934. As a result, the United States has been at the forefront of technological, business, and social innovation on the Internet; and

Whereas, On May 6, 2010, the chairman of the FCC announced a proposal to reclassify broadband Internet services as common carrier services so that they can be more tightly regulated, together with a proposal to forbear from imposing certain common carrier obligations on broadband Internet providers; and

Whereas, It is the judgment of the Michigan Senate that using monopoly-era provisions of Title II of the Communications Act of 1934 to regulate the Internet will slow investment in Michigan's Internet broadband infrastructure and jeopardize future job growth; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the President, the Congress, and the Federal Communications Commission of the United States to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934; and be it further

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

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

Rep. Melton moved that consideration of the concurrent resolution be postponed for the day.  
 The motion prevailed.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Reps. Warren, Ball, Lisa Brown, Terry Brown, Constan, Donigan, Robert Jones, LeBlanc, Liss, Lori, Mayes, Miller, Neumann, Polidori, Roberts, Rogers, Slavens, Smith, Spade and Valentine offered the following resolution:

**House Resolution No. 287.**

A resolution to declare May 2010 as Drinking Water Month in the state of Michigan.

Whereas, Water is a basic and essential need for the health, comfort and well-being of all things that depend on it to live; and

Whereas, The Michigan Section of the American Water Works Association and the Detroit Water and Sewerage Department's (DWSD) have observed Drinking Water Month during May each year since 1985 to promote tap water as high quality drinking water and to expand upon the annual national observance of Drinking Water Week; and,

Whereas, Municipal tap water supplies safe, reliable drinking water; attracts industry and investment; creates jobs; and provides for the health and welfare of citizens with very little cost to our residents; and

Whereas, Americans drink more than 1 billion glasses of tap water per day and families turn on the faucet an average of 70 times in one day; and

Whereas, In an average year, the DWSD treats and pumps 228,490,000,000 gallons of water to 4 million customers. All of the water treated by the DWSD is surface water from lakes and rivers; and

Whereas, Municipal water systems must test for harmful microbiological content in water several times a day and the drinking water produced by DWSD meets or exceeds all regulatory standards; and

Whereas, As the Great Lakes State, we are blessed to be surrounded by nearly 40,000 square miles of lake water, to have 11,000 inland lakes, and to have 36,000 miles of flowing rivers and streams; and

Whereas, As stewards of the environment, citizens of the state of Michigan hold the responsibility of preserving and protecting our most precious resource, the Great Lakes; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2010 as Drinking Water Month in the state of Michigan; and be it further

Resolved, That we encourage citizens to become personally involved in the wise and efficient use of water, to recognize the importance of protecting the quality of our water resources, to learn about local water issues, and to pay tribute to the dedicated efforts of the members of these two organizations.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. McDowell, Lahti, Sheltrown, Nerat, Lindberg, Neumann, Polidori, Constan, Ball, Lisa Brown, Terry Brown, Kennedy, Kurtz, LeBlanc, Liss, Mayes, Roberts, Rogers, Slavens, Smith and Valentine offered the following resolution:

**House Resolution No. 288.**

A resolution to encourage Michigan residents to boycott the city of Chicago the weekend of June 12th and 13th to show the seriousness of the economic and environmental impact of the Asian carp problem.

Whereas, The encroaching threat of the arrival of Asian carp to the Great Lakes, a situation long anticipated but clearly a problem not taken seriously enough, has finally reached public attention. Reports indicating that Asian carp DNA has been found in Lake Michigan have generated activity at the federal level and a proposal from Michigan and other Great Lake states to shut all access by, in essence, halting shipping between the Chicago River system and Lake Michigan. The lawsuit filed with the U.S. Supreme Court in December 2009, seeking the immediate closure of the Chicago Sanitary and Ship Canal, reflects the magnitude of this threat; and

Whereas, Given the magnitude of the threat that this voracious invasive species poses to the entire Great Lakes, it is clear that muted responses are not enough to protect the lakes. With both the financial and environmental havoc that could be wreaked upon the Great Lakes by the Asian carp, no half measure will be sufficient to contain the movement of this fish. It is significant to emphasize that the Asian carp has already defied a range of containment efforts as it has worked its way up the Mississippi River system over the years; and

Whereas, While Illinois officials and commercial entities have expressed concerns over the economic impact of closing the canal to shipping, it is imperative for Michigan to do all it can to illustrate the fact that the economic costs extend far beyond any single industry or group of activities. Perhaps a public action could demonstrate the urgency of the matter and could prove productive in showing the level of concern that the people of Michigan feel about the problems posed by this unique invasive species; and

Whereas, The weekend of June 12-13 is a designated free fishing weekend across Michigan. This event promotes one of our state's most beloved and important outdoor activities by inviting citizens and visitors to enjoy fishing in Michigan's lakes and streams. This year, this weekend will also serve to remind people of the need to protect our natural resources against all threats; now, therefore, be it

Resolved by the House of Representatives, That we encourage Michigan residents to boycott the city of Chicago the weekend of June 12th and 13th to show the seriousness of the economic and environmental impact of the Asian carp problem. We also call upon Michigan residents to take advantage of the opportunity to enjoy this weekend fully by taking their families fishing.

The resolution was referred to the Committee on Great Lakes and Environment.

Reps. Polidori, Constan, Ball, Lisa Brown, Crawford, Donigan, Horn, Robert Jones, Kennedy, LeBlanc, Liss, Mayes, Neumann, Roberts, Rogers, Slavens, Smith, Spade, Valentine and Walsh offered the following resolution:

**House Resolution No. 289.**

A resolution supporting Rima Fakhri, reigning Miss Michigan 2010, the newly crowned Miss USA 2010.

Whereas, Rima Fakhri was raised in Queens, New York and attended St. John's Preparatory School, a Catholic high school, Rima moved with her family to Dearborn, Michigan in 2003. As a Lebanese American, her family celebrates elements of both Muslim and Christian faith; and

Whereas, Rima Fakhri graduated with economic and business management degrees from the University of Michigan-Dearborn, she displayed exceptional leadership as she rose to the role of class senator and acted as president of the students in the school's Free Enterprise Group. In addition to her roles at the University of Michigan-Dearborn, Rima volunteered as a social worker for various organizations; and

Whereas, Rima Fakhri won the Miss Michigan USA pageant on September 19, 2009, for the 2010 reigning year. Rima serves as the first official pageant ambassadors for women's self-defense awareness. Rima advocates the education of women and the importance of taking the necessary precautions to protect themselves from unwelcome situations. Rima Fakhri won the Miss USA pageant on May 16, 2010, and continues as an advocate for breast cancer and ovarian cancer awareness; and

Whereas, Rima Fakih was crowned as Miss USA 2010 marks a historic moment as it gives extraordinary pride for Lebanese and Arab Americans across the nation. As a part of a misunderstood community whose beliefs and culture have been misconstrued, Rima embodies confidence, determination, and commitment that reflect upon the Arab American community and their proud heritage. As Miss USA 2010, Rima continues to advocate community service, charity, and educational growth; and

Whereas, Rima Fakih is a hometown hero that reminds Michigan residents both young and old that they can overcome adversity through hard work and dedication; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body support Rima Fakih. It is with great respect for her commitment to the high standards in her role as Miss Michigan 2010 that we honor and applaud Rima Fakih for her accomplishments so far in her young life and commend her on her efforts as she is crowned Miss USA 2010; and be it further

Resolved, That a copy of this resolution be transmitted to the Miss USA Pageant, in recognition of our most sincere congratulations and support for Rima Fakih receiving the crown for Miss USA 2010.

The question being on the adoption of the resolution,

The resolution was adopted.

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, May 20:

<b>House Bill Nos.</b>	<b>6189</b>	<b>6190</b>	<b>6191</b>	<b>6192</b>	<b>6193</b>	<b>6194</b>	<b>6195</b>	<b>6196</b>
<b>Senate Bill No.</b>	<b>1340</b>							

### Reports of Standing Committees

The Committee on Insurance, by Rep. Byrum, Chair, reported

**House Bill No. 6141, entitled**

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending section 404 (MCL 451.2404).

With the recommendation that the substitute (H-4) 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. Byrum, Neumann, Segal, Sheltroun, Denby, Green, Haveman, Lund, Marleau and Moore

Nays: Reps. Constan, Lemmons, Lipton, Polidori and Womack

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 20, 2010

Present: Reps. Byrum, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack, Denby, Green, Haveman, Lund, Marleau and Moore

Absent: Reps. Young and Rocca

Excused: Reps. Young and Rocca

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Byrnes, Chair, of the Committee on Public Employee Health Care Reform, was received and read:

Meeting held on: Thursday, May 20, 2010

Present: Reps. Byrnes, Melton, Haugh, Lahti, Scripps, Segal, Stanley, Pavlov, Bolger, Genetski, Lori and Rogers

Absent: Rep. Johnson

Excused: Rep. Johnson

**Messages from the Senate****House Bill No. 5749, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17967 (MCL 333.17967), as added by 2008 PA 471.

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

The House agreed to the full title.

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

**Messages from the Governor**

Date: May 19, 2010

Time: 12:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5672 (Public Act No. 73, I.E.), being**

An act to amend 1937 PA 72, entitled "An act to establish the division on deafness and the advisory council on deafness within the department of labor; to prescribe the powers and duties of the department, the division, the council, and certain state officers; to establish a fund and provide for expenditures from that fund; and to provide for an appropriation," by amending section 8 (MCL 408.208), as added by 1988 PA 434.

(Filed with the Secretary of State May 19, 2010, at 1:15 p.m.)

Date: May 19, 2010

Time: 12:06 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5900 (Public Act No. 76, I.E.), being**

An act to amend 2009 PA 148, entitled PA Missing An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," (MCL 339.101 to 339.2919) by adding section 1809b,"by amending enacting section 1.

(Filed with the Secretary of State May 19, 2010, at 1:21 p.m.)

Date: May 19, 2010

Time: 12:08 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4073 (Public Act No. 77, I.E.), being**

An act to authorize and create irrevocable trusts for the purpose of holding, investing, and distributing assets to be used for certain postemployment health care benefits; to set forth certain rights that public employees have in retirement health care benefits under certain circumstances; to provide for the establishment and amendment of certain irrevocable trust agreements; and to prescribe certain powers and duties of certain retirement systems, state departments, public officials, and public employees.

(Filed with the Secretary of State May 19, 2010, at 1:23 p.m.)

Date: May 19, 2010

Time: 12:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5899 (Public Act No. 78, I.E.), being**

An act to amend 2009 PA 149, entitled PA Missing An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers

and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” (MCL 339.101 to 339.2919) by amending the title, as amended by 1993 PA 93, and by adding section 1809a,” by amending enacting section 1.

(Filed with the Secretary of State May 19, 2010, at 1:25 p.m.)

Date: May 20, 2010

Time: 10:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5765 (Public Act No. 79, I.E.), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 16521, 17025, 17903, and 18705 (MCL 333.16521, 333.17025, 333.17903, and 333.18705), section 16521 as amended by 2006 PA 397, section 17025 as amended by 2006 PA 161, section 17903 as amended by 2006 PA 387, and section 18705 as amended by 2006 PA 407.

(Filed with the Secretary of State May 20, 2010, at 11:16 a.m.)

### Introduction of Bills

Rep. Kandrevas introduced

**House Bill No. 6197, entitled**

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 1213 (MCL 700.1213), as amended by 2000 PA 54, and by adding section 2723.

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

Rep. Knollenberg introduced

**House Bill No. 6198, entitled**

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 3, 5, and 6 (MCL 445.1563, 445.1565, and 445.1566), sections 3 and 5 as amended by 1998 PA 456 and section 6 as amended by 1983 PA 188, and by adding section 14a.

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

Reps. Jackson and Smith introduced

**House Bill No. 6199, entitled**

A bill to amend 1990 PA 72, entitled “Local government fiscal responsibility act,” by amending sections 40 and 41 (MCL 141.1240 and 141.1241) and by adding section 41b.

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

Rep. McDowell introduced

**House Bill No. 6200, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1062.

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

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

**House Bill No. 6201, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3407c.

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

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

**House Bill No. 6202, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402d.

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

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Rep. McDowell moved that the House adjourn.

The motion prevailed, the time being 1:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, May 25, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

