

No. 54
STATE OF MICHIGAN
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House of Representatives
95th Legislature
REGULAR SESSION OF 2010

House Chamber, Lansing, Tuesday, June 1, 2010.

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—excused	Kurtz—present	Polidori—present
Amash—present	Ebli—present	Lahti—present	Proos—present
Angerer—present	Elsenheimer—present	LeBlanc—present	Roberts—present
Ball—present	Espinoza—excused	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—excused
Cushingberry—present	Johnson—present	Moss—present	Tlaib—e/d/s
Daley—present	Jones, Rick—present	Nathan—present	Tyler—present
Dean—present	Jones, Robert—present	Nerat—present	Valentine—present
Denby—present	Kandreas—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. Darwin L. Booher, from the 102nd District, offered the following invocation:

“Almighty God, I stand before You today thanking You for the great privilege You have granted each one of us. Currently our state and our nation are at major crossroads. Many of the decisions we make today will have lasting impacts on the future of our state and nation. Our Forefathers before us also faced many of the same challenges as we are facing and like them we must look within ourselves to do what is right for the people who elected us. During times like these there can be no party-lines and there can be no agenda. Right now we must all be Americans! As Americans we have been granted special rights and freedoms that came at a terrible price. We have fought many battles in many countries and many lives have been lost to preserve these rights. But now the time for fighting is over and we all need to stand united and rise up to the challenges that this state and nation have elected us to do. Our districts have elected us because they have faith in us. Our state needs us to do what is right. I know what my heart is telling me, and I know each of you are feeling the same way. We must join as one people and as one voice to meet these challenges. Let’s stand as one nation under God and give liberty and justice for all.

Lord give us wisdom in this process. In Gods name we pray, Amen.

Written by Chad Booher, son of Representative Booher.”

Rep. Segal moved that Reps. Durhal, Espinoza and Switalski be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 171.

A resolution to memorialize Congress to enact the FAA Reauthorization Act of 2009 with language that treats all employees of the express carrier industry equally under federal labor laws.

(For text of resolution, see House Journal No. 90 of 2009, p. 2126.)

(The resolution was reported by the Committee on Labor on May 26.)

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

Senate Bill No. 1097, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 11a (MCL 380.11a), as amended by 2006 PA 515.

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. Tyler moved to amend the bill as follows:

1. Amend page 5, line 14, by striking out all of subdivisions (A) and (B) and inserting:

“(A) THAT A STUDENT OR GRADUATE IS NOT ELIGIBLE TO BE AWARDED A SCHOLARSHIP UNLESS THE STUDENT OR GRADUATE IS ENROLLED IN THE SCHOOL DISTRICT FOR ALL OF GRADES 9 TO 12 AND MEETS 1 OF THE FOLLOWING:

(i) IS A RESIDENT OF THE SCHOOL DISTRICT FOR ALL OF GRADES 9 TO 12.

(ii) WAS ENROLLED IN THE SCHOOL DISTRICT FOR THE 2009-2010 SCHOOL YEAR BUT WAS NOT A RESIDENT OF THE SCHOOL DISTRICT FOR THAT SCHOOL YEAR, AND IS ENROLLED IN THE SCHOOL DISTRICT CONTINUOUSLY AFTER THAT SCHOOL YEAR UNTIL GRADUATION.

(B) THAT THE AMOUNT OF A SCHOLARSHIP AWARDED TO A STUDENT OR GRADUATE WHO WAS NOT ENROLLED IN AND A CONTINUOUS RESIDENT OF THE SCHOOL DISTRICT FOR ALL OF

GRADES K TO 12 SHALL BE ADJUSTED BASED ON LENGTH OF ENROLLMENT AND CONTINUOUS RESIDENCY OR, FOR A STUDENT OR GRADUATE DESCRIBED IN SUBDIVISION (A)(ii), BASED ON LENGTH OF ENROLLMENT.”

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

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

The motion prevailed.

Rep. Segal 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. 1097, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 11a (MCL 380.11a), as amended by 2006 PA 515.

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

Roll Call No. 230

Yeas—97

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

Nays—7

Agema	Haveman	McMillin	Pearce
Amash	Horn	Opsommer	

In The Chair: Byrnes

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

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

Rep. Tlaib entered the House Chambers.

Second Reading of Bills

House Bill No. 6168, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 9928 (MCL 600.9928).
The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Segal moved that Rep. Dean be excused temporarily from today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6168, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 9928 (MCL 600.9928).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 231

Yeas—104

Agema
Amash

Ebli
Elsenheimer

Lahti
LeBlanc

Polidori
Proos

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Segal 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. 6169, entitled

A bill to amend 1956 PA 5, entitled “Michigan uniform municipal court act,” (MCL 730.501 to 730.534) by adding section 8a.

The bill was read a second time.

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

The motion prevailed.

Rep. Segal 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. 6169, entitled

A bill to amend 1956 PA 5, entitled “Michigan uniform municipal court act,” (MCL 730.501 to 730.534) by adding section 8a.

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

Roll Call No. 232**Yeas—104**

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Segal 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. 6170, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 10, 11, and 492 (MCL 168.10, 168.11, and 168.492), section 492 as amended by 1989 PA 142.

The bill was read a second time.

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

The motion prevailed.

Rep. Segal 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. 6170, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 10, 11, and 492 (MCL 168.10, 168.11, and 168.492), section 492 as amended by 1989 PA 142.

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

Roll Call No. 233**Yeas—104**

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.
Rep. Segal 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. 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 second time.

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

The motion prevailed.

Rep. Segal 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. 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.

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

Roll Call No. 234**Yeas—105**

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

Senate Bill No. 1154, 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, 2011; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade and Tlaib

Nays: Reps. Moss, Agema, Booher, Caul, Genetski, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

Second Reading of Bills

Senate Bill No. 1154, 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, 2011; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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 17, following line 21, by inserting:

“Sec. 228. (1) The department shall provide a detailed monthly spending report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget director if the department was found to have exceeded its spending authority in the immediately preceding fiscal year.

(2) The monthly report shall be provided by the department director no later than the 15th day of each month and shall innumerate all expenditures made in the previous month. This report shall be provided to the senate and house appropriations committees through testimony delivered under oath.”

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

Rep. Haines moved to amend the bill as follows:

1. Amend page 9, following line 27, by inserting:

“Sec. 116. STATE EMPLOYEE-RELATED SALARY SAVINGS

State employee-related salary savings.....	\$	(1,363,400)
GROSS APPROPRIATION	\$	(1,363,400)

Appropriated from:

Federal revenues:

Federal revenues		(1,147,100)
State general fund/general purpose	\$	(216,300)”

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

2. Amend page 17, following line 21, by inserting:

“Sec. 228. The negative appropriation for state employee-related salary savings in part 1 shall be satisfied by the approval of transfers by the legislature under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, in order to recognize savings equal to the scheduled salary increase for classified state civil service employees for fiscal year 2011 pursuant to section 5, article XI of the state constitution of 1963.”

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

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

The motion prevailed.

Rep. Segal 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. 1154, 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, 2011; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Roll Call No. 235

Yeas—61

Angerer
Bauer

Geiss
Gonzales

Leland
Lemmons

Schmidt, R.
Scott, B.

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

Nays—44

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

In The Chair: Byrnes

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

Rep. Segal moved that Rep. Spade be excused temporarily from today's session.
 The motion prevailed.

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported
House Concurrent Resolution No. 58.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Control of Saginaw Valley State University relative to the Saginaw Valley State University Health Sciences Facility.

(For text of concurrent resolution, see House Journal No. 52, p. 826.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Gregory, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 1, 2010

Present: Reps. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

Absent: Reps. Durhal, Espinoza and Switalski

The Speaker laid before the House

House Concurrent Resolution No. 58.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Control of Saginaw Valley State University relative to the Saginaw Valley State University Health Sciences Facility.

(For text of concurrent resolution, see House Journal No. 52, p. 826.)

(The concurrent resolution was reported by the Committee on Appropriations on June 1.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 236**Yeas—102**

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

Dillon
DoniganKowall
Kurtz

Pearce

Young

Nays—2

Amash

McMillin

In The Chair: Byrnes

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

Rep. Segal moved that when the House adjourns today it stand adjourned until Wednesday, June 2, at 10:00 a.m.
The motion prevailed.

Reps. Agema, Daley, Amash, Green, McMillin, Wayne Schmidt, DeShazor, Meekhof, Pavlov, Horn, Rogers, Pearce, Tyler, Hildenbrand, Kowall, Moss, Denby, Lori, Ball, Calley, Haveman, Hansen, Walsh, Sheltroun, Crawford, Griffin, Lund, Mayes and Stamas offered the following resolution:

House Resolution No. 293.

A resolution to urge the U.S. Environmental Protection Agency to rescind rules that would require dairy farms to have oil spill prevention plans for milk storage tanks.

Whereas, The U.S. Environmental Protection Agency (EPA) has classified milk as an oil subject to federal regulation. The EPA will soon be requiring small and large dairy farms to prepare and implement oil spill prevention plans for potential spills from milk bulk tanks; and

Whereas, The EPA has stretched common sense in subjecting farmers to laws clearly never intended to apply to milk. The federal Clean Water Act requirements to prevent oil spills were obviously directed at petroleum-based oils, not milk. EPA's actions represent a clear overreach and an example of misplaced priorities that will apply more unnecessary government regulation to our nation's farmers while more serious problems are not addressed; and

Whereas, The preparation and implementation of an oil spill, prevention, control, and countermeasure plan will cost thousands of dairy farmers time and money with little discernible environmental benefit. The EPA has created an onerous solution searching for a problem; now, therefore, be it

Resolved by the House of Representatives, That we urge the U.S. Environmental Protection Agency to rescind rules that would require dairy farms to have oil spill prevention plans for milk storage tanks; and be it further

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

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, May 28:

House Bill Nos. 6214 6215 6216 6217 6218 6219 6220 6221 6222 6223 6224 6225

Reports of Standing Committees

The Committee on Urban Policy, by Rep. Leland, Chair, reported

House Bill No. 6223, entitled

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 5 (MCL 213.55), as amended by 2006 PA 439.

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. Leland, Nathan, Meadows, Segal, Stanley and Hansen

Nays: Reps. Meltzer and Pavlov

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 1, 2010

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

Absent: Reps. Barnett and Womack

Excused: Reps. Barnett and Womack

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

House Bill No. 6124, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 9 (MCL 46.9), as amended by 1982 PA 344.

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, 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 1, 2010

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

Absent: Rep. Young

Excused: Rep. Young

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

House Bill No. 5681, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 51108 (MCL 324.51108), as amended by 2008 PA 299.

With the recommendation that the substitute (H-3) 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, LeBlanc, Stamas, Bolger, Hansen and Horn

Nays: Reps. Ebli and Lindberg

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

House Bill No. 6053, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224d (MCL 750.224d), as amended by 2006 PA 401.

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, Ebli, Huckleberry, LeBlanc, 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 1, 2010

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

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 1, 2010

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

Absent: Reps. Clemente, Johnson and Marleau

Excused: Reps. Clemente, Johnson and Marleau

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 1, 2010

Present: Reps. Corriveau, Segal, Byrum, Haase, Liss, Roy Schmidt, Slavens, Valentine, Ball, Calley, Denby and Green

Absent: Reps. Donigan, Griffin, Johnson, Neumann, Womack, Marleau, Crawford, Moore and Paul Scott

Excused: Rep. Johnson

Messages from the Governor

The following message from the Governor was received June 1, 2010 and read:

EXECUTIVE ORDER

No. 2010 - 5

MICHIGAN CENTER FOR INNOVATION AND REINVENTION BOARD**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT**

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

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, the Governor is responsible for the faithful execution of the laws;

WHEREAS, the Michigan Center for Innovation and Reinvention Board was created within the Department of Natural Resources and Environment by Executive Order 2009-36;

WHEREAS, it is necessary and desirable to extend the date until which members shall serve on the Michigan Center for Innovation and Reinvention Board, as well as to extend the date by which the Michigan Center for Innovation and Reinvention Board must complete its work;

NOW, THEREFORE, I, Jennifer M. Granholm, 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:

A. Members of the Michigan Center for Innovation and Reinvention Board shall serve until July 1, 2010, by which date the Michigan Center for Innovation and Reinvention Board shall complete its work and submit a final report to the Governor.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 1st day of June, in the year of our Lord, two thousand and ten.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

Introduction of Bills

Reps. Lisa Brown and Rick Jones introduced

House Bill No. 6226, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7403 and 7404 (MCL 333.7403 and 333.7404), as amended by 2002 PA 710.

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

Reps. Haines, Rick Jones, Agema, Lund, Calley, Pearce and Opsommer introduced

House Bill No. 6227, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17015 (MCL 333.17015), as amended by 2006 PA 77.

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

Reps. Wayne Schmidt, Roy Schmidt, Lori, Mayes, Meekhof and Rogers introduced

House Bill No. 6228, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 296.

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

Reps. Roy Schmidt, Wayne Schmidt, Lori, Mayes, Meekhof and Rogers introduced

House Bill No. 6229, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 160 of chapter XVII (MCL 777.160), as amended by 2004 PA 457.

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

Rep. Opsommer introduced

House Bill No. 6230, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make

pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1m.

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

Reps. Constan, Miller, Bettie Scott, Switalski, Geiss, Kandrevas, Scripps, Liss, Walsh and Young introduced

House Bill No. 6231, entitled

A bill to amend 2006 PA 593, entitled "An act to provide for the sharing of certain health care coverage information; to provide for the powers and duties of certain departments and agencies; and to provide penalties and fines," by amending sections 1, 3, and 7 (MCL 550.281, 550.283, and 550.287) and by adding section 6.

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

Rep. Neumann introduced

House Bill No. 6232, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 642a (MCL 168.642a), as amended by 2005 PA 71.

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

Reps. McMillin, Calley, Daley, Pavlov, Stamas, Moore, Rocca, Moss, Bolger, Tyler, Denby, Rick Jones, Walsh, Proos, Meadows, Lund, Knollenberg, Haines and Crawford introduced

House Bill No. 6233, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 601b (MCL 257.601b), as amended by 2008 PA 296.

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

Reps. Meadows, Lahti, Sheltroun, Lindberg, Scripps, McDowell and Angerer introduced

House Bill No. 6234, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111a (MCL 324.40111a), as amended by 2009 PA 199.

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

Rep. Lori moved that the House adjourn.

The motion prevailed, the time being 4:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 2, at 10:00 a.m.

RICHARD J. BROWN
Clerk of the House of Representatives