

No. 26  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
95th Legislature  
REGULAR SESSION OF 2010

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House Chamber, Lansing, Tuesday, March 16, 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—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.—e/d/s
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
Coulouris—present	Jackson—present	Moore—present	Switalski—present
Crawford—present	Johnson—present	Moss—present	Tlaib—present
Cushingberry—e/d/s	Jones, Rick—present	Nathan—present	Tyler—present
Daley—present	Jones, Robert—present	Nerat—present	Valentine—excused
Dean—present	Kandrevas—present	Neumann—present	Walsh—present
Denby—present	Kennedy—present	Opsommer—present	Warren—present
DeShazor—present	Knollenberg—present	Pavlov—present	Womack—present
Dillon—present	Kowall—present	Pearce—present	Young—present
Donigan—present			

e/d/s = entered during session

Rep. Fred Durhal Jr., from the 6th District, offered the following invocation:

“Precious Lord, thank You for allowing us to gather here together again today, to be able to set policy and set direction for the state of Michigan. As we deliberate, Lord, let us make sure that we keep in mind those who are the least fortunate of us, keep in mind the babies, keep in mind the senior citizens. Lord, bless our troops who are fighting for us in lands other than this one. Make sure, Lord, that each and every member of this House of Representatives and our whole Legislature remembers that we have the public trust, that the Lord trusts us and that the people trust us to do His work. We ask, Lord, for the continued blessings and as everyone leaves here today that You keep them from hurt, harm and danger and that You accompany them safely to their places. We ask this in Jesus’ name, Amen.”

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

### Second Reading of Bills

#### House Bill No. 5550, entitled

A bill to amend 2001 PA 34, entitled “Revised municipal finance act,” by amending section 611 (MCL 141.2611), as amended by 2002 PA 500.

The bill was read a second time.

Rep. Mayes moved to amend the bill as follows:

1. Amend page 1, line 2, after “(2)” by striking out “**OR (3)**”.
2. Amend page 2, line 21, by striking out all of subsection (3) and inserting:

**“(E) A MUNICIPALITY MAY ISSUE A REFUNDING SECURITY TO REFUND ALL OR ANY PART OF ITS OUTSTANDING SECURITIES BEFORE DECEMBER 31, 2012 IF THOSE SECURITIES ARE NOT SECURED BY THE UNLIMITED FULL FAITH AND CREDIT PLEDGE OF THE MUNICIPALITY AND THE REFUNDING IS APPROVED BY THE DEPARTMENT. THE DEPARTMENT SHALL NOT UNREASONABLY WITHHOLD APPROVAL. THE DEPARTMENT SHALL HAVE 60 DAYS FROM THE DATE IT RECEIVES A COMPLETED REQUEST TO ISSUE A REFUNDING SECURITY PURSUANT TO THIS SUBDIVISION TO APPROVE OR DENY THE REQUEST. IF THE DEPARTMENT FAILS TO APPROVE OR DENY THE REQUEST WITHIN 60 DAYS OF RECEIVING THE COMPLETED REQUEST, THE MUNICIPALITY’S REQUEST IS DEEMED APPROVED BY THE DEPARTMENT. IF THE DEPARTMENT DENIES THE REQUEST, IT SHALL ADVISE THE MUNICIPALITY IN WRITING OF THE REASONS FOR THE DENIAL.”.**

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

Rep. Mayes 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. 5550, entitled

A bill to amend 2001 PA 34, entitled “Revised municipal finance act,” by amending section 611 (MCL 141.2611), as amended by 2002 PA 500.

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

#### Roll Call No. 73

Yeas—98

Angerer  
Ball

Ebli  
Elsenheimer

Kurtz  
Lahti

Proos  
Roberts

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

### Nays—8

Agema	Bolger	Lund	Meltzer
Amash	Genetski	McMillin	Opsommer

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. 5551, entitled

A bill to amend 2001 PA 34, entitled “Revised municipal finance act,” by amending section 305 (MCL 141.2305).

The bill was read a second time.

Rep. Moore 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. 5551, entitled

A bill to amend 2001 PA 34, entitled “Revised municipal finance act,” by amending section 305 (MCL 141.2305).

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

**Roll Call No. 74****Yeas—100**

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

**Nays—6**

Amash	Genetski	McMillin	Meltzer
Bolger	Lund		

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. 5552, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 2008 PA 225.

The bill was read a second time.

Rep. Mayes moved to amend the bill as follows:

1. Amend page 11, line 16, after “(iii)” by striking out the balance of the subparagraph and inserting “**THE REFUNDING OBLIGATION IS ISSUED TO REFUND AN OTHER PROTECTED OBLIGATION OR AN ELIGIBLE OBLIGATION AND THAT REFUNDING OBLIGATION IS ISSUED BEFORE DECEMBER 31, 2012. A REFUNDING OBLIGATION ISSUED UNDER THIS SUBPARAGRAPH IS A QUALIFIED REFUNDING OBLIGATION ONLY TO THE EXTENT OF THE PRINCIPAL AND INTEREST OUTSTANDING ON THE OBLIGATION BEING REFUNDED AT THE TIME THE REFUNDING OBLIGATION IS ISSUED.**”.

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

Rep. Hammel 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.

Rep. Bettie Scott entered the House Chambers.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5552, entitled

A bill to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending section 1 (MCL 125.1651), as amended by 2008 PA 225.

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

#### Roll Call No. 75

#### Yeas—99

Angerer	Ebli	Kurtz	Roberts
Ball	Elsenheimer	Lahti	Rocca
Barnett	Espinoza	LeBlanc	Rogers
Bauer	Geiss	Leland	Schmidt, R.
Bennett	Gonzales	Lemmons	Schmidt, W.
Bledsoe	Green	Lindberg	Schuitmaker
Booher	Gregory	Lipton	Scott, B.
Brown, L.	Griffin	Liss	Scott, P.
Brown, T.	Haase	Lori	Scripps
Byrnes	Haines	Marleau	Segal
Byrum	Hammel	Mayes	Sheltrown
Calley	Hansen	McDowell	Slavens
Caul	Haugh	Meadows	Slezak
Clemente	Haveman	Meekhof	Smith
Constan	Hildenbrand	Melton	Spade
Corriveau	Horn	Miller	Stamas
Coulouris	Huckleberry	Moore	Stanley
Crawford	Jackson	Moss	Switalski
Daley	Johnson	Nathan	Tlaib
Dean	Jones, Rick	Nerat	Tyler
Denby	Jones, Robert	Neumann	Walsh

DeShazor	Kandreas	Pavlov	Warren
Dillon	Kennedy	Pearce	Womack
Donigan	Knollenberg	Polidori	Young
Durhal	Kowall	Proos	

**Nays—8**

Agema	Bolger	Lund	Meltzer
Amash	Genetski	McMillin	Opsommer

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. 5553, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 2008 PA 453.

The bill was read a second time.

Rep. Mayes moved to amend the bill as follows:

1. Amend page 11, line 3, after "2012." by inserting "A REFUNDING OBLIGATION ISSUED UNDER THIS SUBPARAGRAPH IS A QUALIFIED REFUNDING OBLIGATION ONLY TO THE EXTENT OF THE PRINCIPAL AND INTEREST OUTSTANDING ON THE OBLIGATION BEING REFUNDED AT THE TIME THE REFUNDING OBLIGATION IS ISSUED."

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

Rep. Melton 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. 5553, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 2008 PA 453.

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

**Roll Call No. 76****Yeas—99**

Angerer	Ebli	Kurtz	Roberts
Ball	Elsenheimer	Lahti	Rocca
Barnett	Espinoza	LeBlanc	Rogers
Bauer	Geiss	Leland	Schmidt, R.
Bennett	Gonzales	Lemmons	Schmidt, W.
Bledsoe	Green	Lindberg	Schuitmaker

Booher	Gregory	Lipton	Scott, B.
Brown, L.	Griffin	Liss	Scott, P.
Brown, T.	Haase	Lori	Scripps
Byrnes	Haines	Marleau	Segal
Byrum	Hammel	Mayes	Sheltrown
Calley	Hansen	McDowell	Slavens
Caul	Haugh	Meadows	Slezak
Clemente	Haveman	Meekhof	Smith
Constan	Hildenbrand	Melton	Spade
Corriveau	Horn	Miller	Stamas
Coulouris	Huckleberry	Moore	Stanley
Crawford	Jackson	Moss	Switalski
Daley	Johnson	Nathan	Tlaib
Dean	Jones, Rick	Nerat	Tyler
Denby	Jones, Robert	Neumann	Walsh
DeShazor	Kandrevas	Pavlov	Warren
Dillon	Kennedy	Pearce	Womack
Donigan	Knollenberg	Polidori	Young
Durhal	Kowall	Proos	

#### Nays—8

Agema	Bolger	Lund	Meltzer
Amash	Genetski	McMillin	Opsommer

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. 5554, entitled

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending section 2 (MCL 125.2152), as amended by 2007 PA 200.

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

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

Rep. Mayes moved to amend the bill as follows:

1. Amend page 14, line 8, after “2012.” by inserting “**A REFUNDING OBLIGATION ISSUED UNDER THIS SUBPARAGRAPH IS A QUALIFIED REFUNDING OBLIGATION ONLY TO THE EXTENT OF THE PRINCIPAL AND INTEREST OUTSTANDING ON THE OBLIGATION BEING REFUNDED AT THE TIME THE REFUNDING OBLIGATION IS ISSUED.**”.

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

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. 5554, entitled**

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending section 2 (MCL 125.2152), as amended by 2007 PA 200.

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

**Roll Call No. 77**

**Yeas—99**

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

**Nays—8**

Agema	Bolger	Lund	Meltzer
Amash	Genetski	McMillin	Opsommer

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 1986 PA 281, entitled “The local development financing act,” by amending section 2 (MCL 125.2152), as amended by 2009 PA 162.

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.



### Second Reading of Bills

#### House Bill No. 5937, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 27a (MCL 205.27a), as amended by 2003 PA 23.

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. 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. 5937, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 27a (MCL 205.27a), as amended by 2003 PA 23.

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

#### Roll Call No. 78

#### Yeas—107

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	Mayer	Segal
Byrnes	Hammel	McDowell	Sheltrown
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
Daley	Jones, Rick	Nathan	Tyler
Dean	Jones, Robert	Nerat	Walsh
Denby	Kandrevas	Neumann	Warren
DeShazor	Kennedy	Opsommer	Womack
Dillon	Knollenberg	Pavlov	Young
Donigan	Kowall	Pearce	

### Nays—0

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.

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

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Rep. Cushingberry entered the House Chambers.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Reps. Agema, Sheltroun, LeBlanc, Pavlov, Lahti, Crawford, Kurtz, McMillin, Daley, Stamas, Hansen, Elsenheimer, Meekhof, Green, Rogers, Horn, Walsh, Meltzer, Denby, Bolger, Tyler, Lori, Calley, Booher, Rick Jones, Wayne Schmidt, Bennett, Lemmons, Leland, Pearce, Opsommer, Amash, Moss, Genetski, Haveman, Hildenbrand, Lund, Knollenberg, Haines, Marleau, Paul Scott, Proos, Terry Brown, Mayes, DeShazor, Schuitmaker, Caul, Kowall, Ball, Moore, Rocca, Dean, Durhal, Tlaib, Young, Gregory, Johnson, Bettie Scott, Geiss and Cushingberry offered the following concurrent resolution:

#### House Concurrent Resolution No. 45.

A concurrent resolution to memorialize Congress to adopt and present to the states for ratification an amendment to the Constitution of the United States to establish fundamental parental rights.

Whereas, The rights of parents to direct the upbringing and education of their children is a fundamental right that must be protected by the Constitution of the United States and the Michigan Constitution; and

Whereas, Our nation has historically relied first and foremost on parents to meet the real and constant needs of children; and

Whereas, The interests of children are best served when parents are free to make childrearing decisions about education, religion, and other areas of a child's life without state interference; and

Whereas, The United States Supreme Court in *Wisconsin v. Yoder* (1972) has held that "This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition"; and

Whereas, However, the United States Supreme Court in *Troxel v. Granville* (2000) produced 6 different opinions on the nature and enforceability of parental rights under the Constitution of the United States; and

Whereas, This decision has created confusion and ambiguity about the fundamental nature of parental rights in the laws and society of several states; and

Whereas, Senator James DeMint of South Carolina and Representative Peter Hoekstra of Michigan have introduced in the United States Congress a proposed amendment to the Constitution of the United States (Senate Joint Resolution 16 and House Joint Resolution 42) that would prevent erosion of the enduring American tradition of treating parental rights as fundamental rights:

Section One: The liberty of parents to direct the upbringing and education of their children is a fundamental right.

Section Two: Neither the United States nor any state shall infringe upon this right without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

Section Three: No treaty may be adopted nor shall any source of international law be employed to supercede, modify, interpret, or apply to the rights guaranteed by this article.  
; and

Whereas, This amendment will add explicit text to the Constitution of the United States to protect in perpetuity the rights of parents as they are now enjoyed, without substantive change to current state or federal laws respecting these rights; and

Whereas, Such enumeration of these rights in the text of our nation's constitution will preserve them from being infringed upon by the shifting ideologies and interpretations of the United States Supreme Court; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize Congress to adopt and present to the states for ratification an amendment to the Constitution of the United States to establish fundamental parental rights; and be it further

Resolved, That copies of this resolution be transmitted to 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 concurrent resolution was referred to the Committee on Judiciary.

#### **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, March 12:

<b>House Bill Nos.</b>	<b>5949</b>	<b>5950</b>	<b>5951</b>	<b>5952</b>	<b>5953</b>	<b>5954</b>
<b>Senate Bill Nos.</b>	<b>1221</b>	<b>1223</b>	<b>1224</b>	<b>1225</b>	<b>1226</b>	<b>1227</b>

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 15, for her approval of the following bills:

**Enrolled House Bill No. 4172 at 1:53 p.m.**  
**Enrolled House Bill No. 5621 at 1:55 p.m.**  
**Enrolled House Bill No. 5645 at 1:57 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, March 16:

<b>Senate Bill Nos.</b>	<b>1228</b>	<b>1229</b>
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The Clerk announced that the following Senate bills had been received on Tuesday, March 16:

<b>Senate Bill Nos.</b>	<b>26</b>	<b>27</b>	<b>28</b>
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#### **Reports of Standing Committees**

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

**Senate Bill No. 750, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7523, 7524, and 7524a (MCL 333.7523, 333.7524, and 333.7524a), section 7523 as amended by 2006 PA 130, section 7524 as amended by 2006 PA 558, and section 7524a as amended by 1994 PA 8.

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. 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, March 16, 2010

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

Absent: Reps. Bledsoe and Young

Excused: Reps. Bledsoe and Young

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported

**House Bill No. 5850, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3206 and 3209 (MCL 700.3206 and 700.3209), section 3206 as amended by 2008 PA 41 and section 3209 as added by 2006 PA 299.

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. Polidori, Roberts, Byrnes, Liss, Roy Schmidt, Rick Jones, Agema, Amash and Kurtz

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported

**House Concurrent Resolution No. 17.**

A concurrent resolution to urge Michigan's public institutions of higher education to adopt veteran-friendly policies.

(For text of concurrent resolution, see House Journal No. 33 of 2009, p. 691.)

With the recommendation that the concurrent resolution be adopted.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Polidori, Roberts, Byrnes, Liss, Roy Schmidt, Rick Jones, Agema, Amash and Kurtz

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Polidori, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Tuesday, March 16, 2010

Present: Reps. Polidori, Roberts, Byrnes, Liss, Roy Schmidt, Rick Jones, Agema, Amash and Kurtz

## 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, March 16, 2010

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

Absent: Reps. Ebli and Horn

Excused: Reps. Ebli and Horn

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Griffin, Chair, of the Committee on Oversight and Investigations, was received and read:

Meeting held on: Tuesday, March 16, 2010

Present: Reps. Griffin, Bledsoe, Angerer, Warren, Bolger and Horn

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 16, 2010

Present: Reps. Meadows, Lipton, Constan, Corriveau, Coulouris, Kandrevas, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

Absent: Reps. Lisa Brown and Bettie Scott

Excused: Reps. Lisa Brown and Bettie Scott

**Messages from the Senate****Senate Bill No. 26, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17048 (MCL 333.17048), as amended by 1996 PA 355.

The Senate has passed the bill.

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

**Senate Bill No. 27, entitled**

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending sections 2 and 4 (MCL 450.222 and 450.224), section 2 as amended by 1998 PA 48 and section 4 as amended by 2000 PA 335.

The Senate has passed the bill.

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

**Senate Bill No. 28, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending sections 902 and 904 (MCL 450.4902 and 450.4904), section 902 as amended by 1997 PA 52 and section 904 as amended by 2000 PA 333.

The Senate has passed the bill.

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

**Notices**

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Concurrent Resolution No. 42**.

Rep. Hildenbrand

**Messages from the Governor**

Date: March 16, 2010

Time: 8:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5658 (Public Act No. 13, 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 section 12431 (MCL 333.12431), as amended by 2005 PA 43.

(Filed with the Secretary of State March 16, 2010, at 9:50 a.m.)

Date: March 16, 2010

Time: 8:28 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5657 (Public Act No. 14, 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 section 12412 (MCL 333.12412).

(Filed with the Secretary of State March 16, 2010, at 9:52 a.m.)

### Introduction of Bills

Reps. Gregory, Haugh, Stanley, Tlaib, Young, LeBlanc, Womack and Leland introduced

**House Bill No. 5955, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 1205 (MCL 339.1205), as amended by 1997 PA 97.

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

Reps. Scripps, Tlaib, Robert Jones, Durhal, Gregory, Johnson, Angerer, Dean and Lisa Brown introduced

**House Bill No. 5956, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 109k.

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

### Announcements by the Clerk

March 10, 2010

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

Financial audit of the Michigan Legislative Retirement System (MLRS) for the period October 1, 2006 through September 30, 2008.

Richard J. Brown  
Clerk of the House

March 10, 2010

Received from the Legislative Retirement System (LRS), information in regard to companies that the LRS may be required to divest from its pension fund due to their activities in Sudan and Iran, in accordance with Public Acts 232 and 233 of 2008, the Michigan Sudan and Iran divestiture laws.

Richard J. Brown  
Clerk of the House

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Rep. Bettie Scott moved that the House adjourn.  
The motion prevailed, the time being 2:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 17, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

