

No. 83
STATE OF MICHIGAN
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House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Thursday, October 1, 2009.

12:05 a.m.

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

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

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

e/d/s = entered during session

Rep. Sharon Tyler, from the 78th District, offered the following invocation:

“Our Father,

We thank You for Your love, Your mercy and Your never-ending blessings. We ask You to fill our hearts with Your peace and help us to be the servants You’ve called us to be. Help us to put away selfish ambitions, to work together for the good of the whole, and to make decisions that would lead us to that end. Please bless the state of Michigan. In Jesus’ name we ask these things. Amen.”

Rep. Miller moved that Reps. Bennett and Nerat be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Rep. Angerer moved that there be a Call of the House.
The motion prevailed, a majority of the members present voting therefor.

Proceedings Under the Call

The roll of the House was called by the Clerk and Reps. Bennett and Nerat were reported absent.

Rep. Angerer moved that the Sergeant at Arms be dispatched after the absentees.
The motion prevailed.

Rep. Angerer moved that the House proceed with the business under the Call.
The motion prevailed.

Reports of Select Committees

The Speaker laid before the House the conference report relative to
Senate Bill No. 245, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2010; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

(The conference report was received from the Senate on September 29; considered on Reports of Select Committees and postponed temporarily on September 30, see House Journal No. 82, p. 1946.)

(For conference report, see House Journal No. 81, p. 1875.)

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 481**Yeas—56**

Agema	DeShazor	Kowall	Opsommer
Amash	Dillon	Kurtz	Pavlov
Angerer	Ebli	Lahti	Pearce
Ball	Elsenheimer	LeBlanc	Proos
Bolger	Espinoza	Lori	Rogers
Booher	Genetski	Lund	Schmidt, W.
Byrnes	Haines	Marleau	Schuitmaker
Calley	Hammel	McDowell	Scott, P.
Caul	Hansen	McMillin	Simpson
Constan	Haveman	Meekhof	Slezak
Crawford	Hildenbrand	Melton	Spade
Cushingberry	Horn	Meltzer	Stamas
Daley	Jones, Rick	Moore	Tyler
Denby	Knollenberg	Moss	Walsh

Nays—52

Barnett	Gonzales	Lemmons	Scott, B.
Bauer	Green	Lindberg	Scripps
Bledsoe	Gregory	Lipton	Segal
Brown, L.	Griffin	Liss	Sheltrown
Brown, T.	Haase	Mayes	Slavens
Byrum	Haugh	Meadows	Smith
Clemente	Huckleberry	Miller	Stanley
Corriveau	Jackson	Nathan	Switalski
Coulouris	Johnson	Neumann	Tlaib
Dean	Jones, Robert	Polidori	Valentine
Donigan	Kandrevas	Roberts	Warren
Durhal	Kennedy	Rocca	Womack
Geiss	Leland	Schmidt, R.	Young

In The Chair: Byrnes

Senate Bill No. 253, entitled

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

The Senate has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 253, entitled

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

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of state police for the fiscal year ending September 30, 2010, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF STATE POLICE

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	2.0	
Full-time equated classified positions	2,866.0	
GROSS APPROPRIATION		\$ 527,312,700
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		26,108,400
ADJUSTED GROSS APPROPRIATION		\$ 501,204,300
Federal revenues:		
Total federal revenues.....		93,839,000
Special revenue funds:		
Total local revenues		8,545,500
Total private revenues		273,300
Total state restricted revenues		131,287,300
State general fund/general purpose		\$ 267,259,200

Sec. 102. EXECUTIVE DIRECTION

Full-time equated unclassified positions.....	2.0	
Full-time equated classified positions	43.5	
Unclassified positions.....		\$ 260,400
Executive direction—22.0 FTE positions.....		2,623,600
Special operations and events—17.5 FTE positions		2,106,200
Auto theft prevention program—4.0 FTE positions.....		8,022,800
GROSS APPROPRIATION		\$ 13,013,000

Appropriated from:

Interdepartmental grant revenues:		
IDT, truck safety fund		22,700
Special revenue funds:		
Auto theft prevention fund		8,022,800
Motor carrier fees		32,000
Criminal justice information center fees		47,600
Forensic science reimbursement fees		24,700
Highway safety fund		32,900
Traffic law enforcement and safety fund.....		128,100
State general fund/general purpose		\$ 4,702,200

Sec. 103. DEPARTMENTWIDE APPROPRIATIONS

Special maintenance and utilities		\$ 447,600
Rent and building occupancy charges		9,633,100
Worker's compensation.....		3,151,300
Fleet leasing.....		14,037,500
In-service training - law enforcement distribution		450,000
In-service training - competitive		1,000,000
Narcotics investigation funds		265,100
GROSS APPROPRIATION		\$ 28,984,600

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Appropriated from:	
Interdepartmental grant revenues:	
IDG, training academy charges	277,500
IDT, Michigan justice training fund	1,450,000
Federal revenues:	
Federal narcotics investigation revenues	95,000
DOT	24,700
DHS	173,700
Special revenue funds:	
Forensic science reimbursement fee	98,500
Narcotics investigation revenues	170,100
State forensic laboratory fund	98,500
Criminal justice information center service fees	195,200
Secondary road patrol and training fund	17,500
Hazardous materials training center fees	102,900
Michigan justice training fund	29,200
Motor carrier fees	7,300
Highway safety fund	7,800
Traffic law enforcement and safety fund	15,400
State general fund/general purpose	\$ 26,221,300

Sec. 104. SUPPORT SERVICES

Full-time equated classified positions	192.5	
Management services—136.0 FTE positions		\$ 11,846,600
Training administration—33.0 FTE positions		6,708,000
Budget and financial services—23.5 FTE positions		2,269,000
GROSS APPROPRIATION		\$ 20,823,600

Appropriated from:

Interdepartmental grant revenues:	
IDT, auto theft funds	3,800
IDG, training academy charges	3,272,400
IDG-MDOT, state trunkline fund	4,200
IDG-MDTR, casino gaming fees	63,400
IDG-MDTR, emergency telephone fund coordinator	520,400
IDG-MDTR, emergency telephone fund operations	477,800
IDG-MDOS	2,000
IDG-MDOC, contract	1,100,000
Federal revenues:	
DOT	473,200
Special revenues funds:	
Local - LEIN fees	2,800
Local - MPSCS subscriber fees	27,100
Local - school bus revenue	1,700
Highway safety fund	202,400
Nuclear plant emergency planning reimbursement	20,800
Precision driving track fees	287,200
Criminal justice information center service fees	681,600
Traffic law enforcement and safety fund	414,000
Reimbursed services	1,253,200
Forensic science reimbursement fees	7,800
Hazardous materials training center fees	5,100
Michigan justice training fund	1,600
Narcotics investigation revenues	33,800
Motor carrier fees	19,200
State general fund/general purpose	\$ 11,948,100

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Sec. 105. HIGHWAY SAFETY PLANNING

Full-time equated classified positions	30.0	
State program planning and administration—8.0 FTE positions		\$ 1,236,200
Secondary road patrol program—2.0 FTE positions.....		14,034,500
Truck safety program—1.0 FTE positions		3,005,700
Federal highway traffic safety coordination—19.0 FTE positions.....		10,568,000
GROSS APPROPRIATION		<u>\$ 28,844,400</u>
Appropriated from:		
Interdepartmental grant revenues:		
Federal revenues:		
DOT		10,716,300
DOJ.....		576,900
Special revenue funds:		
Truck driver safety fund		3,005,700
Secondary road patrol and training fund.....		14,034,500
State general fund/general purpose		<u>\$ 511,000</u>

Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER

Full-time equated classified positions	136.0	
Criminal justice information center division—116.0 FTE positions.....		\$ 10,745,700
Criminal records improvement—1.0 FTE position		2,244,000
Traffic safety—19.0 FTE positions		1,879,100
GROSS APPROPRIATION		<u>\$ 14,868,800</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDOS		329,500
IDG-MDCH, crime victim’s rights fund		483,600
IDG-MDOT, state trunkline fund		854,500
Federal revenues:		
DOJ.....		2,244,000
DOT		507,000
Special revenue funds:		
Traffic crash revenue		78,200
Motor carrier fees.....		109,900
Sex offender registration fund.....		61,400
Criminal justice information center service fees.....		9,414,900
State general fund/general purpose		<u>\$ 785,800</u>

Sec. 107. FORENSIC SCIENCES

Full-time equated classified positions	239.5	
Laboratory operations—182.0 FTE positions		\$ 29,745,000
DNA analysis program—57.5 FTE positions.....		7,970,600
Marquette laboratory		100
Detroit laboratory		100
GROSS APPROPRIATION		<u>\$ 37,715,800</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDCH, crime victims rights fund		443,300
Federal revenues:		
DOJ.....		4,117,700
DOT		634,000
Federal narcotics investigation revenues		493,200
Special revenue funds:		
Forensic science reimbursement fees		1,455,000
State forensic laboratory fund		1,733,000
Narcotic investigation revenues.....		1,648,000
Criminal justice information center service fees.....		319,400

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State services fee fund.....	9,283,100
State general fund/general purpose	\$ 17,589,100
Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS	
Full-time equated classified positions	26.0
Standards and training/justice training grants—24.0 FTE positions	\$ 9,175,500
Concealed weapons enforcement training	240,000
Training only to local units—2.0 FTE positions.....	618,900
Mental health awareness training	100,000
Officer’s survivor tuition program.....	48,500
Public safety officers benefit program	150,000
GROSS APPROPRIATION	\$ 10,332,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOC.....	100,000
Federal revenues:	
DOJ.....	175,000
Special revenue funds:	
Secondary road patrol and training fund.....	618,900
Michigan justice training fund	7,948,600
Licensing fees.....	9,100
Concealed weapons enforcement fee	240,000
State general fund/general purpose	\$ 1,241,300
Sec. 109. EMERGENCY MANAGEMENT	
Full-time equated classified positions	87.5
Emergency management planning and administration—56.0 FTE positions.....	\$ 4,976,900
Grants to local government	2,482,100
FEMA program assistance—6.0 FTE positions	1,936,100
Nuclear power plant emergency planning—6.0 FTE positions.....	1,529,300
Hazardous materials programs—19.5 FTE positions	51,079,100
GROSS APPROPRIATION	\$ 62,003,500
Appropriated from:	
Federal revenues:	
DOT	583,800
DHS	56,161,600
Special revenue funds:	
Nuclear plant emergency planning reimbursement	1,529,300
Hazardous materials training center fees.....	1,507,600
State general fund/general purpose	\$ 2,221,200
Sec. 110. POST UNIFORM SERVICES	
Full-time equated classified positions	1,492.0
Uniform services—385.0 FTE positions	\$ 46,361,300
Capitol security guards—7.0 FTE positions	518,000
Reimbursed services—11.0 FTE positions.....	1,812,700
At-post troopers—1,089.0 FTE positions.....	143,803,900
GROSS APPROPRIATION	\$ 192,495,900
Appropriated from:	
Interdepartmental grant revenues:	
Special revenue funds:	
Criminal justice information center service fees.....	760,300
Narcotics investigation revenues	1,000,000
Highway safety fund	15,421,800
Traffic law enforcement and safety fund.....	29,097,100
Trooper school recruitment fund	1,000
State police service fees	1,812,700
State general fund/general purpose	\$ 144,403,000

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Sec. 111. STATEWIDE FIELD OPERATIONS

Full-time equated classified positions	61.0	
Operational support—54.0 FTE positions		\$ 6,258,100
Aviation program—7.0 FTE positions		1,478,100
GROSS APPROPRIATION		<u>\$ 7,736,200</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDCH, crime victim’s rights fund		126,400
IDG-MDOC, contract		101,600
Federal revenues:		
Special revenue funds:		
Private donations		273,300
Rental of department aircraft.....		51,800
State general fund/general purpose		<u>\$ 7,183,100</u>

Sec. 112. SPECIAL INVESTIGATIONS

Full-time equated classified positions	329.0	
Criminal investigations—217.0 FTE positions.....		\$ 30,677,900
Federal antidrug initiatives—49.5 FTE positions.....		6,650,100
Reimbursed services, materials, and equipment—3.5 FTE positions		2,669,200
Auto theft prevention—13.0 FTE positions		1,794,800
Casino gaming oversight—32.0 FTE positions.....		4,564,900
Fire investigation—14.0 FTE positions.....		1,662,900
Fire investigation training to locals		50,000
Parole absconder sweeps		10,500
GROSS APPROPRIATION		<u>\$ 48,080,300</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDT, auto theft funds		1,409,000
IDG-MDTR, casino gaming fees.....		4,564,900
Federal revenues:		
Federal investigations - reimbursed services		758,400
DOJ.....		3,611,700
Federal narcotics investigation revenues		483,000
Special revenue funds:		
Local - reimbursed services.....		1,910,800
Narcotics investigation revenues		694,500
Michigan merit award trust fund.....		610,000
Forfeiture funds		557,600
State general fund/general purpose		<u>\$ 33,480,400</u>

Sec. 113. TRAFFIC SAFETY

Full-time equated classified positions	229.0	
Motor carrier enforcement—106.0 FTE positions		\$ 10,568,100
Truck safety enforcement team operations—10.0 FTE positions		1,345,900
Safety inspections—63.0 FTE positions.....		8,283,200
School bus inspections—15.0 FTE positions		1,432,900
Safety projects—18.0 FTE positions.....		2,165,000
Traffic services—17.0 FTE positions.....		5,233,900
GROSS APPROPRIATION		<u>\$ 29,029,000</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDT, truck safety fund		1,345,900
IDG-MDOT, state trunkline fund		8,706,900
Federal revenues:		
DOT		10,748,100
Special revenue funds:		
Local school bus revenue		1,432,900

	For Fiscal Year Ending Sept. 30, 2010
Drunk driving prevention and training fund.....	1,344,800
Motor carrier fees.....	3,911,100
State general fund/general purpose	\$ 1,539,300
Sec. 114. INFORMATION TECHNOLOGY	
Information technology services and projects.....	20,627,200
Michigan public safety communications system.....	12,757,500
GROSS APPROPRIATION	\$ 33,384,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDTR, casino gaming fees.....	88,800
IDG-MDOT, state trunkline fund	242,400
IDG, training academy charges	31,300
IDG-MDOS	4,500
IDG-MDTR, emergency telephone fund coordinator.....	1,800
IDG-MDTR, emergency telephone fund operations.....	64,100
IDG-auto theft funds	8,300
IDT-truck safety fund	7,400
Federal revenues:	
DOJ.....	518,400
DHS	570,100
DOT	173,200
Special revenue funds:	
Local - LEIN fees.....	3,565,800
Local - AFIS fees	39,200
Local - MPSCS subscriber fees.....	1,563,300
Local - school bus revenue.....	1,900
Criminal justice information center service fees.....	4,095,300
Forensic science reimbursement fees	84,800
Michigan justice training fund	38,800
Narcotics investigation revenue.....	900
Nuclear plant emergency planning reimbursement	4,900
Precision driving track fees	300
Secondary road patrol and training fund.....	387,400
Sex offender registration fund.....	210,900
State forensic laboratory fund	162,700
Reimbursed services	156,000
Motor carrier fees.....	583,600
Commercial mobile radio service fees	5,000,000
Traffic law enforcement and safety fund.....	77,000
Highway safety fund	42,700
Traffic crash revenue	225,500
State general fund/general purpose	\$ 15,433,400

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2009-2010 is \$398,546,500.00 and state spending from state resources to be paid to local units of government for fiscal year 2009-2010 is \$20,366,500.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF STATE POLICE

OFFICE OF HIGHWAY SAFETY PLANNING

Secondary road patrol program	\$ 13,894,200
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MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Training only to local units	\$ 410,800
Justice training grants.....	\$ 5,533,700

SPECIAL INVESTIGATIONS

Fire investigation training for locals	\$ 50,000
SUPPORT SERVICES	
Management services	\$ 477,800
Total.....	\$ 20,366,500

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "AFIS" means the automated fingerprint identification system.
- (b) "Department" means the department of state police.
- (c) "DHS" means the United States department of homeland security.
- (d) "DNA" means deoxyribonucleic acid.
- (e) "DOJ" means the United States department of justice.
- (f) "DOT" means the United States department of transportation.
- (g) "FEMA" means the federal emergency management agency.
- (h) "FTE" means full-time equated.
- (i) "IDG" means interdepartmental grant.
- (j) "IDT" means intradepartmental transfer.
- (k) "LEIN" means law enforcement information network.
- (l) "MCOLES" means the Michigan commission on law enforcement standards.
- (m) "MDCH" means the Michigan department of community health.
- (n) "MDMB" means the Michigan department of management and budget.
- (o) "MDOC" means the Michigan department of corrections.
- (p) "MDOS" means the Michigan department of state.
- (q) "MDOT" means the Michigan department of transportation.
- (r) "MDTR" means the Michigan department of treasury.
- (s) "MPSCS" means the Michigan public safety communications system.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

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

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

Sec. 207. At least 60 days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies within 30 months.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 210. The director of each department receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the department. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

Sec. 211. It is the intent of the legislature that personnel of the department who request and are eligible for reimbursement of expenses related to the operation of the department be reimbursed from the appropriations provided in this act within 30 days after submitting a request, or the eligible personnel shall be paid an additional amount equal to 0.75% of the payment due. The department shall pay an additional amount equal to 0.75% of the payment due for the first month and each succeeding month or portion of a month the payment remains past due.

Sec. 213. (1) It is the intent of the legislature that the department shall not provide any subsidy for contractual services it provides.

(2) When the department provides contractual services to a local unit of government, the department shall be reimbursed for all costs incurred in providing the services, including, but not limited to, retirement and overtime costs.

(3) Contractual services provided to an entity other than a local unit of government may be provided by department personnel, but only on an overtime basis outside the normal work schedule of the personnel.

(4) This section does not apply to state agencies.

Sec. 214. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. The department shall follow all federal guidelines and state laws regarding short-term and long-term retention of records.

Sec. 215. Not later than January 1, 2010, the department shall report to the state police appropriations subcommittees of the house and senate and the house and senate fiscal agencies. The report shall contain the following information regarding the department's activities related to casino gaming oversight during fiscal year 2008-2009:

(a) The amount of money received and expended.

(b) The nature and structure of the casino gaming oversight unit.

(c) The positions and classifications of employees assigned.

(d) The number of full-time and part-time employees and the aggregate number of FTEs.

(e) The number of enlisted and civilian positions.

(f) The duties and responsibilities of the assigned employees.

(g) The immediate past position of the enlisted employees assigned.

Sec. 216. The department shall collect and computerize the vehicle identification number (VIN) of all vehicles that are entered into the state accident data collection system and make this and other vehicle information available to the public at cost. For bulk access to the accident records in which the VIN has been collected and computerized, the department shall make those records available to the public at cost, provided that the name and address have been excluded.

Sec. 217. From the funds appropriated in part 1, the department shall maintain a toll-free hotline in collaboration with the department of education. The toll-free hotline shall be operated 24 hours per day, 7 days per week, and shall provide students, school officials, and other individuals an opportunity to report specific threats of imminent school violence or other suspicious or criminal conduct by juveniles to the appropriate local law enforcement entities for investigation. The department may expend funds for the promotion of the hotline.

Sec. 218. (1) Funds appropriated in part 1 for at-post troopers shall only be expended for trooper salaries, wages, benefits, retirement, equipment, supplies, and other expenses directly related to state troopers assigned to general law enforcement duties at a department post, detachment, satellite office, or a resident trooper function.

(2) It is the intent of the legislature that every effort be made to identify funding sufficient to conduct a trooper school for the purpose of working toward the goal of establishing a minimum at-post trooper strength of 1,075 in this state.

(3) The department shall submit quarterly written reports to the senate and house appropriations subcommittees on state police and military and veterans affairs no later than December 1, 2009, March 1, 2010, June 1, 2010, and September 1, 2010 which shall include a trooper strength report and the status of the department's plan for accomplishing the goal of subsection (2). If the department determines that insufficient appropriations exist under part 1 to accomplish the goal of subsection (2), the department shall submit a proposal outlining a plan to accomplish the goal, including an accounting of any additional funding necessary to that end.

Sec. 219. The department of state police shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies not less than 180 days before recommending to close or consolidate any state police posts. The notification shall include a local and state impact study of the proposed post closure or consolidation.

Sec. 220. The department of state police, in keeping with its role as the general law enforcement agency of the state and as the law enforcement agency of last resort for communities that are either without local law enforcement resources or are seriously underserved by local law enforcement resources, shall provide general law enforcement assistance to those communities until adequate law enforcement services can be provided to those communities by other means.

Sec. 221. The department of state police may pursue entering into an agreement with Calhoun County to build a new facility in Marshall which would serve as a new state police post to replace the current state police post in Battle Creek.

Sec. 223. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2010 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the senate and house of representatives standing committees on appropriations.

(3) Not later than January 1, 2010, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the senate and house of representatives standing committees on appropriations, the fiscal agencies, and the state budget director. The report shall include the following information:

(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 224. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

Sec. 226. The department of state police, in cooperation with the department of information technology and others, shall take steps to encourage the development of state, local, and regional tactical interoperable communication plans with the ultimate goal being to ensure that effective and efficient communication interoperability between radio communication systems of local, regional, state, and federal agencies is established in every area of the state. The department shall provide a written report to the senate and house appropriations subcommittees on state police and military and veterans affairs no later than April 1, 2010 on the current status of reaching this objective. The report shall include an accounting of exactly where within the state desired interoperability has been achieved and what cooperative measures and use of technology were used to achieve this interoperability, and which areas of the state have not yet achieved such status. The report shall also include a description of what strategies need to be employed to ensure that the remaining areas of the state, and the state as a whole, will have a communication system with efficient and effective interoperability, particularly on occasions when a multijurisdictional response to an emergency is warranted.

Sec. 232. The department shall place emphasis on recruiting MCOLES certified police officers for the trooper recruit school. Emphasis shall be given in the hiring process to those officers who are on layoff and possess valid MCOLES certification. Any emphasis given in the recruiting and selection process shall be consistent with the department's hiring standards and in accordance with civil service rules. The department shall report to the chairpersons of the senate and house of representatives standing committees on appropriations the results of its recruitment and selection process, including the actual number of certified officers selected for any recruit school that is held by September 30, 2010.

Sec. 234. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 235. (1) If a spending plan for the funds appropriated in part 1 for special operations and events, or sources of financing related to the spending plan, do not provide the level of program service provided for in the current fiscal year, the funds appropriated in part 1 for post uniform services or forensic sciences shall not be used to fund the shortfall.

(2) If a spending plan for the funds appropriated in part 1 for special operations and events, or sources of financing related to the spending plan, are in excess of that necessary to provide the level of program service provided for in the current fiscal year, the department shall take steps to transfer whatever excess funding may exist to the funds appropriated in part 1 for post uniform services and forensic sciences.

Sec. 238. The department of management and budget shall work with the department of state police to reduce building operations and leasing costs for all Michigan state police facilities and to identify efficiencies and savings.

Sec. 239. It is the intent of the legislature that, should funding become available, funds may be appropriated to the department for traffic control purposes at the Michigan international speedway.

Sec. 240. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$3,500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$200,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 242. Not later than September 30, 2010, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 245. The department shall work cooperatively with the department of human services to coordinate the functions of the state police LEIN system and the department of human services bridges case management system to provide obtainable data that will allow authorized users of the bridges case management system to identify those persons who may be ineligible to receive certain assistance services due to their law enforcement status. The department shall deliver a report on this effort to the senate and house appropriations subcommittees on state police and military and veterans affairs not later than May 1, 2010.

Sec. 253. From the funds appropriated in part 1, the department, working with MDMB, shall use an amount not to exceed \$10,000.00 to develop and maintain a publicly accessible Internet site to post all expenditures made by the department for the fiscal year. The posting of expenditures shall include the purpose for which each expenditure was made. The department is not required to hire additional employees to comply with this section.

Sec. 254. On a bimonthly basis, the department shall report on the number of FTEs in pay status by civil service classification to the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies.

Sec. 255. It is the intent of the legislature that the state honor its lease contracts to avoid the depreciation of the state's credit ratings and to uphold credibility with the state's current and future business relationships.

Sec. 256. (1) This state is authorized to acquire title to property for the purpose of providing office space for state agencies by exercising the purchase option in state lease number 11319, and to transfer title to the state building authority, with the approval of the state administrative board, for an amount necessary to pay off any debt instruments that financed the property, in an aggregate cost not to exceed \$52,000,000.00. This state is also authorized to pay any ancillary costs including estimated real estate taxes.

(2) All documents regarding the acquisition of the property described in subsection (1) shall be approved by the attorney general.

(3) The acquisition by the state and subsequent conveyance to the state building authority shall conform to the provisions of 1964 PA 183, MCL 830.411 to 830.425.

INFORMATION TECHNOLOGY

Sec. 301. The money appropriated in part 1 for computer services shall be funded by LEIN user fees sufficient to pay 1/3 of the state's service and contract maintenance costs of the LEIN.

Sec. 302. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of information technology for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 303. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 304. A portion of the funds appropriated in part 1 shall be used by the department to produce a written report detailing departmental policies regarding access to and use of information from the LEIN system. The report shall include a description of departmental measures to protect the security of information in the LEIN system including safeguards that would prevent unauthorized persons from obtaining information from the LEIN system. The department shall submit a copy of this report to the senate and house appropriations committees not later than April 1, 2010.

Sec. 305. The criminal justice information systems policy council shall encourage members of the law enforcement agencies in the state to be sensitive to, and note when necessary, activities or circumstances that may suggest the unauthorized access or misuse of information from the LEIN system. The criminal justice information systems policy council

shall advise LEIN auditors, as a part of their audit of law enforcement agencies, to investigate in depth all suspected incidents of improper access or improper use of information from the LEIN system and determine whether or not those incidents were illegal. In those incidents that may be determined to be illegal, the executive secretary for the council shall determine whether those incidents were of a negligent or criminal nature. If an incident is determined to be an illegal act, the council shall inform the chairs of both the senate and house appropriations committees.

Sec. 306. (1) The department of state police, working with the criminal justice information systems policy council, shall implement procedures by which all probation information is placed on the LEIN system. The LEIN system shall include information on each probationer, including any probation conditions placed on a probationer and the name of the probation officer assigned to a probationer. The LEIN system shall also include any nonstandard probation terms.

(2) If the department determines that amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are required to include all probation information on the LEIN system, the department shall deliver to members of the senate and house appropriations subcommittees on state police and military affairs amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, that, in the department's view, are necessary to accomplish this goal. These proposed amendments shall be delivered to subcommittee members not later than December 1, 2009.

Sec. 307. The department of state police shall serve as an active liaison between the department of information technology and local public safety agencies to facilitate the use of the Michigan public safety communications system towers by those local public safety agencies that have an interest in using the towers as a part of their own communications system. The department of state police shall deliver a written report to the senate and house appropriations subcommittees on state police and military and veterans affairs by April 1, 2010, which shall include an assessment of the progress toward establishing local public safety agency use of the Michigan public safety communications system towers, an accounting of problems that may be preventing local use of the towers, and any recommendations the department has that may foster this utilization.

Sec. 308. The department of state police shall report any LEIN fee increase to the senate and house appropriations subcommittees on state police and military and veterans affairs 60 days prior to the effective date of that increase. The report shall contain the following information: the current fee structure and the total revenue earned each year; the new fee structure and the total revenue it is expected to earn annually; the total annual cost of the LEIN system; and the total amount of LEIN fees paid by the department under both the old and the new structure.

Sec. 309. From the funds appropriated in part 1 for information technology, the department may develop and issue a request for proposal for the development, implementation, and maintenance of an electronic system for real-time enforcement of section 3101 of the insurance code of 1956, 1956 PA 218, MCL 500.3101.

Sec. 310. It is the intent of the legislature that the Michigan public safety communications system (MPSCS) begin the necessary expansion and upgrade of the system to allow for more local users to utilize the system. The MPSCS shall use restricted fund dollars, federal funds, and other non-general fund/general purpose funds for this purpose.

HIGHWAY SAFETY PLANNING

Sec. 401. On a quarterly basis, the department shall report to the senate and house appropriations subcommittees on state police and military affairs on the status of assessments collected and authorized under section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, for the purposes of supporting the secondary road patrol grant program. Each quarterly report shall contain updated information on collection levels, revised projected grant allotments to counties for the year, a comparison of projected collections and grant distribution levels with the funds appropriated in part 1 for the secondary road patrol program, and the extent collection levels have exceeded or failed to meet appropriated levels for the current fiscal year or expenditure levels from the previous fiscal year.

FORENSIC SCIENCES

Sec. 501. (1) The department shall distribute a copy of the department's protocol for retaining and purging DNA analysis samples and records to each police agency in this state.

(2) The department shall report to the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies when any changes to the department's DNA protocol are made.

Sec. 502. The department shall work with the department of community health, the Michigan health and hospital association, the Michigan state medical society, and the Michigan nurses association to ensure that the recommendations included in the "Standard Recommended Procedures for the Emergency Treatment of Sexual Assault Victims" are followed in the collection of evidence.

MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Sec. 601. The money appropriated to the MCOLES for maintenance and delivery of training to locals is provided in accordance with a state reimbursement policy in which 100% of the determined state reimbursement rate shall be distributed upon certification by the MCOLES.

Sec. 603. The appropriation in part 1 for mental health awareness training and coordination shall be expended for training law enforcement officers, mental health practitioners, and other criminal justice personnel in effective and safe ways of assisting people with mental illness and directing people with mental disorders to treatment programs.

Sec. 604. From the funds appropriated in part 1 to the Michigan commission on law enforcement standards funds may be used to provide training for motor carrier officers and capitol security officers for the purpose of qualifying them for MCOLES certification.

EMERGENCY MANAGEMENT

Sec. 801. (1) The state director of emergency management may expend money appropriated under this act to call upon any agency or department of the state or any resource of the state to protect life or property or to provide for the health or safety of the population in any area of the state in which the governor proclaims a state of emergency or state of disaster under 1945 PA 302, MCL 10.31 to 10.33, or under the emergency management act, 1976 PA 390, MCL 30.401 to 30.421. The state director of emergency management may expend the amounts the director considers necessary to accomplish these purposes. The director shall submit to the state budget director as soon as possible a complete report of all actions taken under the authority of this section. The report shall contain, as a separate item, a statement of all money expended that is not reimbursable from federal money. The state budget director shall review the expenditures and submit recommendations to the legislature in regard to any possible need for a supplemental appropriation.

(2) In addition to the money appropriated in this act, the department may receive and expend money from local, private, federal, or state sources for the purpose of providing emergency management training to local or private interests and for the purpose of supporting emergency preparedness, response, recovery, and mitigation activity. If additional expenditure authorization in the Michigan administrative information network is approved by the state budget office under this section, the department and the state budget office shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 10 days after the approval. The notification shall include the amount and source of the additional authorization, the date of its approval, and the projected use of funds to be expended under the authorization.

Sec. 803. The department's emergency management division shall make every effort to ensure both of the following:

(a) That homeland security grants offered by the federal government and channeled through the department are allocated to first responder entities in the highest percentage possible.

(b) That homeland security grants awarded to the city of Detroit shall not be used to supplant city general funds designated to support first responder operations.

POST UNIFORM SERVICES

Sec. 901. State police enlisted personnel who are employed to enforce traffic laws as provided in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited from responding to crimes in progress or other emergency situations, and are responsible for protecting every citizen of this state from harm.

Sec. 902. From the funds appropriated in part 1 for capitol security guards, the department shall only use these funds for security services at the state capitol building.

STATEWIDE FIELD OPERATIONS

Sec. 1002. Money privately donated to the department is appropriated under part 1 to be used for the purposes designated by the donor of the money. Money privately donated to the department's canine unit shall be used to purchase equipment and other items to enhance the operation of the canine unit. It is the intent of the legislature that money from private donations not supplant general fund appropriations.

SPECIAL INVESTIGATIONS

Sec. 1101. (1) There is sufficient money appropriated in part 1 to special investigations to ensure that the citizens in a service area of any state police post in the vicinity of a state prison do not experience a downgrading of state police services in their area. Special investigations shall be available by temporary or permanent assignment of a detective when either a temporary or permanent prison facility is opened.

(2) If the department is unable to comply with subsection (1) and there is a prison scheduled to open, the department shall provide troopers to serve as investigators on an interim basis.

Sec. 1102. From the funds appropriated in part 1 for special investigations, the department shall provide a report to the chairpersons of the senate and house of representatives standing committees on appropriations no later than April 1, 2010 concerning methamphetamine-related criminal activities.

MOTOR CARRIER ENFORCEMENT

Sec. 1201. (1) The department shall report to the house and senate appropriations subcommittees on state police and the house and senate fiscal agencies by March 1, 2010 regarding the inspection of school buses and other motor vehicles under section 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839. The report shall include the following information regarding inspections conducted in calendar year 2009:

(a) The number of buses and vehicles inspected by the department.

(b) The number of buses and vehicles passing and failing inspection.

(c) The estimated number of buses and vehicles not inspected.

(2) If each school bus within a school system receives a 100% successful state inspection on its first inspection in a given year, the department shall award a certificate to that school system.

Third: That the Senate and House agree to the title of the bill to read as follows:

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

Valde Garcia
Alan L. Cropsey
Jim Barcia
Conferees for the Senate

Richard LeBlanc
John Espinoza
Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Angerer moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 482

Yeas—64

Angerer	Elsenheimer	Kennedy	Rocca
Bauer	Espinoza	Lahti	Rogers
Booher	Geiss	LeBlanc	Schmidt, R.
Brown, T.	Gonzales	Leland	Scott, B.
Byrnes	Green	Lindberg	Scripps
Byrum	Gregory	Lipton	Slezak
Clemente	Griffin	Mayes	Smith
Corriveau	Hammel	McDowell	Spade
Coulouris	Haugh	Meadows	Stamas
Crawford	Haveman	Meekhof	Stanley
Cushingberry	Hildenbrand	Melton	Switalski
Dean	Horn	Moss	Tlaib
DeShazor	Jackson	Nathan	Walsh
Dillon	Johnson	Neumann	Warren
Durhal	Jones, Robert	Pearce	Womack
Ebli	Kandrevas	Polidori	Young

Nays—44

Agema	Denby	Lemmons	Proos
Amash	Donigan	Liss	Roberts
Ball	Genetski	Lori	Schmidt, W.
Barnett	Haase	Lund	Schuitmaker
Bledsoe	Haines	Marleau	Scott, P.
Bolger	Hansen	McMillin	Segal
Brown, L.	Huckleberry	Meltzer	Sheltrown
Calley	Jones, Rick	Miller	Simpson
Caul	Knollenberg	Moore	Slavens

Constan
Daley

Kowall
Kurtz

Opsommer
Pavlov

Tyler
Valentine

In The Chair: Byrnes

Rep. Angerer moved that the Call of the House be lifted.
The motion prevailed.

Quorum Call

Rep. Gonzales questioned the presence of a quorum and moved that the roll be called and printed in the Journal.
The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.
The following is the roll call:

Roll Call No. 483

Yeas—105

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

In The Chair: Byrnes

Notices

The Speaker appointed as second conferees, on the part of the House of Representatives for **House Bill No. 4447**, Reps. Terry Brown, Cushingberry and Moss.

By unanimous consent the House returned to the order of
Messages from the Senate

House Bill No. 4447, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8b, 11, 11a, 11g, 11j, 11k, 11m, 11n, 15, 18, 20, 20d, 20j, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 32n, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 54c, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99a, 99n, 99p, 101, 104, 107, 147, and 164c (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1611n, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1622e, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1632n, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1654c, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699a, 388.1699n, 388.1699p, 388.1701, 388.1704, 388.1707, 388.1747, and 388.1764c), sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 20d, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32c, 32d, 32j, 32l, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 54c, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99p, 104, 107, 147, and 164c as amended and sections 11n, 22e, and 99a as added by 2008 PA 268, section 8b as amended by 2007 PA 92, sections 20, 20j, and 32b as amended by 2008 PA 561, section 32n as added by 2007 PA 137, section 99n as added by 2008 PA 112, and section 101 as amended by 2006 PA 342, and by adding sections 22f, 32a, and 98a; and to repeal acts and parts of acts.

The Senate has appointed Senators Jelinek, Brown and Switalski as second conferees to join with Representatives Terry Brown, Cushingberry and Moss.

The bill was referred to the Conference Committee.

Second Reading of Bills

House Bill No. 5463, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 30105, 30301, 30303, 30306, 30306b, 30311, 30312, 30317, 32512a, and 32513 (MCL 324.1301, 324.30105, 324.30301, 324.30303, 324.30306, 324.30306b, 324.30311, 324.30312, 324.30317, 324.32512a, and 324.32513), section 1301 as amended by 2008 PA 18, section 30105 as amended by 2006 PA 531, sections 30301, 30306, and 30312 as amended and section 32512a as added by 2003 PA 14, sections 30303 and 30311 as added by 1995 PA 59, section 30306b as added by 2006 PA 435, section 30317 as amended by 1998 PA 228, and section 32513 as amended by 2008 PA 276, and by adding sections 30303b, 30303d, 30305b, 30311b, 30311d, 30312b, 30312d, 30325, 30327, and 30329; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Great Lakes and Environment,

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

Rep. Scripps moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5463, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 30105, 30301, 30303, 30306, 30306b, 30311, 30312, 30317, 32512a, and 32513 (MCL 324.1301, 324.30105, 324.30301, 324.30303, 324.30306, 324.30306b, 324.30311, 324.30312, 324.30317, 324.32512a, and 324.32513), section 1301 as amended by 2008 PA 18, section 30105 as amended by 2006 PA 531, sections 30301, 30306, and 30312 as amended and section 32512a as added by 2003 PA 14, sections 30303 and 30311 as added by 1995 PA 59, section 30306b as added by 2006 PA 435, section 30317 as amended by 1998 PA 228, and section 32513 as amended by 2008 PA 276, and by adding

sections 30303b, 30303d, 30305b, 30311b, 30311d, 30312b, 30312d, 30325, 30327, and 30329; and to repeal acts and parts of acts.

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

Roll Call No. 484**Yeas—106**

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

Nays—2

Amash

Denby

In The Chair: Byrnes

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 30105, 30301, 30303, 30306, 30306b, 30311, 30312, 30317, 32512a, and 32513 (MCL 324.1301, 324.30105, 324.30301, 324.30303, 324.30306, 324.30306b, 324.30311, 324.30312, 324.30317, 324.32512a, and 324.32513), section 1301 as amended by 2008 PA 18, section 30105 as amended by 2006 PA 531, sections 30301, 30306, and 30312 as amended and section 32512a as added by 2003 PA 14, sections 30303 and 30311 as added by 1995 PA 59, section 30306b as added by 2006 PA 435, section 30317 as amended by 1998 PA 228, and section 32513 as amended by 2008 PA 276, and by adding sections 30303b, 30303d, 30304b, 30305b, 30311a, 30311b, 30311d, 30312b, 30312d, 30325, 30327, and 30329; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 785, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 8807, 30105, 30301, 30303, 30306, 30306b, 30311, 30312, 30317, 32512a, and 32513 (MCL 324.1301, 324.8807, 324.30105, 324.30301, 324.30303, 324.30306, 324.30306b, 324.30311, 324.30312, 324.30317, 324.32512a, and 324.32513), section 1301 as amended by 2008 PA 18, section 8807 as added by 1998 PA 287, section 30105 as amended by 2006 PA 531, sections 30301, 30306, and 30312 as amended and section 32512a as added by 2003 PA 14, sections 30303 and 30311 as added by 1995 PA 59, section 30306b as added by 2006 PA 435, section 30317 as amended by 1998 PA 228, and section 32513 as amended by 2008 PA 276, and by adding sections 30303b, 30303d, 30304b, 30305b, 30311b, 30311d, 30312b, 30312d, 30325, 30327, and 30329; and to repeal acts and parts of acts.

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

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

Rep. Warren moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 785, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 8807, 30105, 30301, 30303, 30306, 30306b, 30311, 30312, 30317, 32512a, and 32513 (MCL 324.1301, 324.8807, 324.30105, 324.30301, 324.30303, 324.30306, 324.30306b, 324.30311, 324.30312, 324.30317, 324.32512a, and 324.32513), section 1301 as amended by 2008 PA 18, section 8807 as added by 1998 PA 287, section 30105 as amended by 2006 PA 531, sections 30301, 30306, and 30312 as amended and section 32512a as added by 2003 PA 14, sections 30303 and 30311 as added by 1995 PA 59, section 30306b as added by 2006 PA 435, section 30317 as amended by 1998 PA 228, and section 32513 as amended by 2008 PA 276, and by adding sections 30303b, 30303d, 30304b, 30305b, 30311b, 30311d, 30312b, 30312d, 30325, 30327, and 30329; and to repeal acts and parts of acts.

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

Roll Call No. 485

Yeas—106

Agema	Elsenheimer	LeBlanc	Roberts
Angerer	Espinoza	Leland	Rocca
Ball	Geiss	Lemmons	Rogers
Barnett	Genetski	Lindberg	Schmidt, R.
Bauer	Gonzales	Lipton	Schmidt, W.
Bledsoe	Green	Liss	Schuitmaker
Bolger	Gregory	Lori	Scott, B.
Booher	Griffin	Lund	Scott, P.
Brown, L.	Haase	Marleau	Scripps
Brown, T.	Haines	Mayes	Segal
Byrnes	Hammel	McDowell	Sheltrown
Byrum	Hansen	McMillin	Simpson
Calley	Haugh	Meadows	Slavens
Caul	Haveman	Meekhof	Slezak
Clemente	Hildenbrand	Melton	Smith
Constan	Horn	Meltzer	Spade
Corriveau	Huckleberry	Miller	Stamas
Coulouris	Jackson	Moore	Stanley

Crawford	Johnson	Moss	Switalski
Cushingberry	Jones, Rick	Nathan	Tlaib
Daley	Jones, Robert	Neumann	Tyler
Dean	Kandrevas	Opsommer	Valentine
DeShazor	Kennedy	Pavlov	Walsh
Dillon	Knollenberg	Pearce	Warren
Donigan	Kowall	Polidori	Womack
Durhal	Kurtz	Proos	Young
Ebli	Lahti		

Nays—2

Amash Denby

In The Chair: Byrnes

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 1301, 30105, 30301, 30303, 30306, 30306b, 30311, 30312, 30317, 32512a, and 32513 (MCL 324.1301, 324.30105, 324.30301, 324.30303, 324.30306, 324.30306b, 324.30311, 324.30312, 324.30317, 324.32512a, and 324.32513), section 1301 as amended by 2008 PA 18, section 30105 as amended by 2006 PA 531, sections 30301, 30306, and 30312 as amended and section 32512a as added by 2003 PA 14, sections 30303 and 30311 as added by 1995 PA 59, section 30306b as added by 2006 PA 435, section 30317 as amended by 1998 PA 228, and section 32513 as amended by 2008 PA 276, and by adding sections 30303b, 30303d, 30304b, 30305b, 30311a, 30311b, 30311d, 30312b, 30312d, 30325, 30327, and 30329; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5127, entitled

A bill to amend 1988 PA 466, entitled “Animal industry act,” (MCL 287.701 to 287.745) by adding section 46.

(The bill was received from the Senate on September 30, with substitute (S-2) and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 1950.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 486

Yeas—86

Angerer	Donigan	LeBlanc	Rocca
Ball	Durhal	Leland	Schmidt, R.
Barnett	Ebli	Lemmons	Scott, B.
Bauer	Espinoza	Lindberg	Scott, P.
Bledsoe	Geiss	Lipton	Scripps
Bolger	Genetski	Liss	Segal

Booher	Gonzales	Lund	Sheltrown
Brown, L.	Gregory	Marleau	Simpson
Brown, T.	Griffin	Mayes	Slavens
Byrnes	Haase	McDowell	Slezak
Byrum	Hammel	Meadows	Smith
Calley	Hansen	Meekhof	Spade
Caul	Haugh	Melton	Stanley
Clemente	Huckleberry	Meltzer	Switalski
Constan	Jackson	Miller	Tlaib
Corriveau	Johnson	Nathan	Tyler
Coulouris	Jones, Rick	Neumann	Valentine
Cushingberry	Jones, Robert	Opsommer	Walsh
Dean	Kandrevas	Polidori	Warren
Denby	Kennedy	Proos	Womack
DeShazor	Kurtz	Roberts	Young
Dillon	Lahti		

Nays—22

Agema	Haines	Lori	Pearce
Amash	Haveman	McMillin	Rogers
Crawford	Hildenbrand	Moore	Schmidt, W.
Daley	Horn	Moss	Schuitmaker
Elsenheimer	Knollenberg	Pavlov	Stamas
Green	Kowall		

In The Chair: Byrnes

The House agreed to the full title.

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

Senate Bill No. 252, entitled

A bill to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 11, 11j, 17b, and 147 (MCL 388.1611, 388.1611j, 388.1617b, and 388.1747), sections 11 and 11j as amended by 2009 PA 73, section 17b as amended by 2007 PA 137, and section 147 as amended by 2008 PA 268.

The Senate has amended the House substitute (H-2) as follows:

1. Amend page 2, line 9, after “**OF**” by striking out “**\$1,087,000,000.00**” and inserting “**\$1,052,000,000.00**”.
2. Amend page 2, line 15, by striking out all of subdivision “(A)” and inserting:

“(A) EXCEPT FOR FUNDS ALLOCATED UNDER SECTION 11J, ALL STATE FUNDS ARE ALLOCATED FOR THE SAME PURPOSES, FROM THE SAME FUNDING SOURCES, AND UNDER THE SAME CONDITIONS AS STATE FUNDS WERE ALLOCATED UNDER THIS ACT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2009, AND ARE ALLOCATED IN AN AMOUNT EQUAL TO 9.09% OF THE AMOUNT ALLOCATED FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2009 FOR EACH OF THE PURPOSES PROVIDED UNDER EACH FUNDING SECTION OF THIS ACT. HOWEVER, THE DEPARTMENT SHALL DEDUCT THE FOLLOWING AMOUNTS FROM THE TOTAL STATE SCHOOL AID OTHERWISE ALLOCATED TO DISTRICTS AND INTERMEDIATE DISTRICTS RECEIVING FUNDING UNDER THIS SUBDIVISION:

(i) FOR DISTRICTS, THE DEPARTMENT SHALL DEDUCT FROM THE TOTAL STATE SCHOOL AID OTHERWISE ALLOCATED UNDER THIS SUBDIVISION TO EACH DISTRICT AN AMOUNT EQUAL TO \$20.00 PER MEMBERSHIP PUPIL.

(ii) FOR INTERMEDIATE DISTRICTS, THE DEPARTMENT SHALL DEDUCT FROM THE TOTAL STATE SCHOOL AID OTHERWISE ALLOCATED UNDER THIS SUBDIVISION TO EACH INTERMEDIATE DISTRICT AN AMOUNT EQUAL TO 44.36% OF THE AMOUNT OTHERWISE ALLOCATED TO THE INTERMEDIATE DISTRICT UNDER THIS SUBDIVISION.”

3. Amend page 9, line 2, by striking out “\$1,089,900,000.00” and inserting “\$1,054,900,000.00”.

4. Amend page 9, line 4, after “at” by striking out “\$1,047,000,000.00” and inserting “\$1,012,000,000.00”.

The Senate has concurred in the House substitute (H-2) as amended and agreed to the title as amended.

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

Rep. Angerer moved that Rule 42 be suspended.

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

The question being on concurring in the amendments to the House substitute (H-2) made to the bill by the Senate,

Rep. Terry Brown moved to amend the Senate amendments as follows:

1. Amend Senate Amendment No. 1, page 2, line 9, after “inserting” by striking out ““\$1,052,000,000.00”” and inserting ““\$1,087,000,100.00””.

2. Amend Senate Amendment No. 2, page 2, line 15, subdivision (A)(i), after “TO EACH DISTRICT AN AMOUNT EQUAL TO” by striking out “\$20.00” and inserting “\$0.00”.

3. Amend Senate Amendment No. 2, page 2, line 15, subdivision (A)(ii), after “TO EACH INTERMEDIATE DISTRICT AN AMOUNT EQUAL TO” by striking out “44.36%” and inserting “0.0%”.

4. Amend Senate Amendment No. 3, page 9, line 2, after “inserting” by striking out ““\$1,054,900,000.00”” and inserting ““\$1,089,900,100.00””.

5. Amend Senate Amendment No. 4, page 9, line 4, after “inserting” by striking out ““\$1,012,000,000.00”” and inserting ““\$1,047,000,100.00””.

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

The question being on concurring in the amendments to the House substitute (H-2) made to the bill by the Senate,

The amendments, as amended, were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 487

Yeas—67

Angerer	Ebli	Leland	Scott, B.
Barnett	Espinoza	Lemmons	Scripps
Bauer	Geiss	Lindberg	Segal
Bledsoe	Gonzales	Lipton	Sheltrown
Brown, L.	Gregory	Liss	Simpson
Brown, T.	Griffin	Mayer	Slavens
Byrnes	Haase	McDowell	Slezak
Byrum	Hammel	Meadows	Smith
Clemente	Haugh	Melton	Spade
Constan	Huckleberry	Miller	Stanley
Corriveau	Jackson	Moore	Switalski
Coulouris	Johnson	Nathan	Tlaib
Cushingberry	Jones, Robert	Neumann	Valentine
Dean	Kandreas	Polidori	Warren
Dillon	Kennedy	Roberts	Womack
Donigan	Lahti	Rocca	Young
Durhal	LeBlanc	Schmidt, R.	

Nays—41

Agema	Elsenheimer	Kowall	Pavlov
Amash	Genetski	Kurtz	Pearce
Ball	Green	Lori	Proos
Bolger	Haines	Lund	Rogers

Booher	Hansen	Marleau	Schmidt, W.
Calley	Haveman	McMillin	Schuitmaker
Caul	Hildenbrand	Meekhof	Scott, P.
Crawford	Horn	Meltzer	Stamas
Daley	Jones, Rick	Moss	Tyler
Denby	Knollenberg	Opsommer	Walsh
DeShazor			

In The Chair: Byrnes

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Rep. Angerer moved that when the House adjourns today it stand adjourned until Tuesday, October 6, at 10:00 a.m.

The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, September 30, for her approval of the following bills:

Enrolled House Bill No. 4435 at 11:14 p.m.

Enrolled House Bill No. 4437 at 11:16 p.m.

Enrolled House Bill No. 4438 at 11:18 p.m.

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, October 1, for her approval of the following bill:

Enrolled House Bill No. 4446 at 12:57 a.m.

Enrolled House Bill No. 5311 at 2:30 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, October 1:

House Bill Nos. 5490 5491 5492 5493

Messages from the Senate

Senate Concurrent Resolution No. 22.

A concurrent resolution to express support for the continuation of the Department of Agriculture as a distinct department within state government.

Whereas, Agriculture is Michigan's second-largest industry. Agriculture generates more than \$70 billion of economic impact annually, employs more than 1 million people, and is one of the few growing and economically-dependable sectors of Michigan's battered economy; and

Whereas, Michigan's farms, farmlands, orchards, and nurseries produce more than 200 commercial commodities—second only to California in the diversity of its agricultural production—and leads the nation in the production of tart cherries, blueberries, squash, dry black beans, and nine other commodities; and

Whereas, For more than 88 years, the Michigan Department of Agriculture (MDA) has supported and facilitated the economic expansion of Michigan's agricultural industry and ensured an abundant and safe food supply for all Michigan residents. The MDA is home to experts who understand the complexities of our highly specialized and complex agricultural industry and who have earned the trust of various stakeholders. It has fostered relationships with producers, processors, researchers, and other industry professionals by collaboratively resolving problems for the good of the state, its residents, and the industry; and

Whereas, Beyond agriculture, agricultural production, food safety, conservation, and environmental roles, the MDA assumes many consumer protection responsibilities. The MDA works actively with the restaurant industry, gas stations, grocery stores, and other retailers making sure products sold and purchased by consumers are both safe and what they are advertised to be; and

Whereas, The people of the state of Michigan need and deserve an agency whose first priority is to ensure food safety and provide solutions for the complex issues in the food production system; and

Whereas, Any proposal to merge the MDA with another state department or dissolve the MDA would result in no short- or long-term gain for Michigan. Careful review of MDA programs shows that the department is extremely efficient, and other state departments should use MDA as a model for how efficiencies can be achieved. Michigan would be the only state with significant agricultural activity without an independent and focused agriculture department; and

Whereas, As our political and economic landscape will continue to change, a stable agriculture department is vital to maintain focus on food and agricultural issues and to ensure continued support for fundamental food safety and consumer protection programs; and

Whereas, The MDA has already absorbed a nearly 50 percent cut in general fund appropriations over the last decade. It is a credit to the department and its dedicated staff that, despite these cuts, the MDA has been able to maintain its high level of service, address new challenges to the food and agricultural industry, and facilitate growth of the industry in Michigan while not sacrificing food safety, conservation, or the environment; and

Whereas, As the manufacturing sector tries to recover, now is not the time to risk diluting the effectiveness of current MDA programs and place Michigan's agricultural industry at a potential disadvantage with other states; and

Whereas, We should recognize the behavior and tradition of problem-solving at MDA and encourage other state agencies to achieve that same level of excellence and accountability rather than increase inefficiencies and create impediments by merely merging departments; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we express support for the Michigan Department of Agriculture remaining a distinct department within state government; and be it further

Resolved, That copies of this resolution be transmitted to the Governor and the Lieutenant Governor.

The Senate has adopted the concurrent resolution.

Reps. Ball, Barnett, Bolger, Terry Brown, Byrum, Calley, Caul, Crawford, Denby, DeShazor, Espinoza, Genetski, Green, Haase, Hansen, Haveman, Horn, Huckleberry, Rick Jones, Robert Jones, Kurtz, Lemmons, Liss, Lori, Moore, Opsommer, Pearce, Polidori, Proos, Rogers, Wayne Schmidt, Scripps, Simpson, Tyler, Valentine, Walsh and Marleau were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Messages from the Governor

Date: September 30, 2009

Time: 10:32 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5223 (Public Act No. 102, I.E.), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 3118 and 3120 (MCL 324.3118 and 324.3120), section 3118 as amended by 2008 PA 2 and section 3120 as added by 2004 PA 91.

(Filed with the Secretary of State September 30, 2009, at 11:43 p.m.)

Date: September 30, 2009
Time: 10:34 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5126 (Public Act No. 103, I.E.), being

An act to amend 1974 PA 258, entitled “An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending section 226 (MCL 330.1226), as amended by 2004 PA 497.

(Filed with the Secretary of State September 30, 2009, at 11:45 p.m.)

Introduction of Bills

Rep. Schuitmaker introduced

House Bill No. 5494, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1505 (MCL 500.1505).
The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Bauer, Meadows, Opsommer, Rick Jones, Byrum and Calley introduced

House Bill No. 5495, entitled

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending section 12 (MCL 207.782), as amended by 2006 PA 661.

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

Reps. Wayne Schmidt, Sheltroun and Mayes introduced

House Bill No. 5496, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 82105 and 82113 (MCL 324.82105 and 324.82113), section 82105 as amended by 2008 PA 399 and section 82113 as amended by 1998 PA 297.

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

Reps. Sheltroun, Wayne Schmidt and Mayes introduced

House Bill No. 5497, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81116 (MCL 324.81116), as amended by 2006 PA 477.

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

Reps. Mayes and Wayne Schmidt introduced

House Bill No. 5498, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 80124 (MCL 324.80124), as amended by 2007 PA 8.

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

Rep. Gregory moved that the House adjourn.

The motion prevailed, the time being 4:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, October 6, at 10:00 a.m.

RICHARD J. BROWN
Clerk of the House of Representatives

