

No. 54
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Thursday, June 11, 2009.

12:00 Noon.

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

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

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

Rep. Mark S. Meadows, from the 69th District, offered the following invocation:

“Brothers and sisters let us praise the Lord,

Heavenly Father give us the intelligence, the wisdom and the fortitude to carry out Your purposes as we discharge our duties to the citizens of the state of Michigan.

Today as we face a great crisis in the state of Michigan, we ask You to keep Your words in our hearts as we make decisions on behalf of our people.

Lord, You have warned us that to honor You with our lips when our hearts are far from You is wrong.

Lord You have set the path we must follow with Your words:

Blessed are the poor in spirit,

Blessed are they that mourn,

Blessed are the meek

Blessed are they that do hunger and thirst

Blessed are the merciful,

Blessed are the pure of heart,

Blessed are the peacemakers,

Blessed are they that are persecuted.

Lord, as we set the priorities for our people, we ask You to guide our hand in following Your path.

To support programs that serve the poor, the unemployed, the sick, the grieving.

To support programs that protect the innocent, the persecuted and the anguished.

Give us the fortitude to make the hard decisions that lay before us and the strength to resist the blandishments of all but those whose needs You have prioritized.

In the name of the Father, the Son and the Holy Ghost, Amen.”

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

Rep. Angerer moved that Reps. Huckleberry and Jackson be excused from today’s session.

The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 106.

A resolution to memorialize the Congress of the United States to rectify the imbalance in federal transportation funding that has consistently put Michigan near the bottom of the 50 states in the percentage of federal transportation tax dollars returned to this state each year.

(For text of resolution, see House Journal No. 49, p. 992.)

(The resolution was reported by the Committee on Transportation on June 10, with substitute (H-2).)

(For substitute, see House Journal No. 53, p. 1051.)

The question being on the adoption of the proposed substitute (H-2) recommended by the Committee,

The substitute (H-2) was adopted, a majority of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

House Bill No. 4721, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2008 PA 268 and section 17b as amended by 2007 PA 137.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Appropriations,

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

Rep. Terry Brown moved to amend the bill as follows:

1. Amend page 32, line 16, after “**OF**” by striking out “**THIS SUBSECTION**” and inserting “**STATE LAW**”.

2. Amend page 32, line 20, after “**ALLOWANCE**” by inserting “**AND IS CONSIDERED TO BE PART OF THE TOTAL STATE SCHOOL AID PAID TO A PUBLIC SCHOOL ACADEMY**”.

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

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

The motion prevailed.

Rep. Roberts 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. 4721, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2008 PA 268 and section 17b as amended by 2007 PA 137.

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

Roll Call No. 288

Yeas—108

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

Nays—0

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

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

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 11, 11j, 11n, 20, 22a, 22b, 26a, 51a, 51c, 53a, and 94a (MCL 388.1606, 388.1611, 388.1611j, 388.1611n, 388.1620, 388.1622a, 388.1622b, 388.1626a, 388.1651a, 388.1651c, 388.1653a, and 388.1694a), sections 6, 11, 11j, 22a, 22b, 26a, 51a, 51c, 53a, and 94a as amended and section 11n as added by 2008 PA 268 and section 20 as amended by 2008 PA 561, and by adding section 98a.

The motion prevailed.

The House agreed to the title as amended.

Rep. Roberts 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. 4282, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 264 (MCL 18.1264), as added by 1988 PA 504.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Commerce,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Miller moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Roberts 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. 4282, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 264 (MCL 18.1264), as added by 1988 PA 504.

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

Roll Call No. 289

Yeas—66

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

Nays—42

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

In The Chair: Scripps

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

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

“Mr. Speaker and members of the House:

I voted ‘No’ because I feel the following portion of this bill is too subjective and could be used to punish political opponents or to ensure political paybacks occur.

(D) BEEN CONVICTED OF ANY OTHER OFFENSE, OR VIOLATED ANY OTHER
14 STATE OR FEDERAL LAW, AS DETERMINED BY A COURT OF COMPETENT
15 JURISDICTION OR AN ADMINISTRATIVE PROCEEDING, WHICH, IN THE OPINION
16 OF THE DEPARTMENT, INDICATES A LACK OF BUSINESS INTEGRITY OR
17 BUSINESS HONESTY THAT CURRENTLY, SERIOUSLY, AND DIRECTLY AFFECTS
18 RESPONSIBILITY AS A STATE VENDOR.”

Second Reading of Bills

House Bill No. 4940, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 20153.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Health Policy,

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

Rep. Slavens moved to amend the bill as follows:

1. Amend page 1, line 8, after “166” by inserting “**OR VETERINARIANS OR VETERINARY TECHNICIANS UNDER PART 188**”.

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

Rep. Womack moved to amend the bill as follows:

1. Amend page 2, line 17, by striking out “**UTILIZES**” and inserting “**DOES ANY OF THE FOLLOWING: (A) UTILIZES**”.

2. Amend page 2, line 21, by striking out all of line 21 through “**UTILIZES**” on line 22 and inserting: “**(B) UTILIZES**”.

3. Amend page 3, line 1, by striking out “(5)” and inserting:

“(C) UTILIZES A USED SINGLE-USE DEVICE ON THE SAME PATIENT IN AN EMERGENCY SITUATION.

(4)”.

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

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

The motion prevailed.

Rep. Roberts 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. 4940, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 20153.

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

Roll Call No. 290

Yeas—108

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

Nays—0

In The Chair: Scripps

The House agreed to the title of the bill.

Rep. Roberts 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. 4941, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13n (MCL 777.13n), as amended by 2008 PA 37.

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

The substitute (H-1) was 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. Roberts 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. 4941, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13n (MCL 777.13n), as amended by 2008 PA 37.

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

Roll Call No. 291**Yeas—108**

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

Nays—0

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

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

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2008 PA 37.

The motion prevailed.

The House agreed to the title as amended.

Rep. Roberts 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. 4536, entitled

A bill to amend 1943 PA 148, entitled "An act to provide for the regulation and licensing of proprietary schools in the state; to require surety; to provide for collection and disposition of fees; and to prescribe penalties for the violation of this act," by amending sections 1, 1a, 2, 2a, 2b, and 3 (MCL 395.101, 395.101a, 395.102, 395.102a, 395.102b, and 395.103), sections 1, 2, 2a, 2b, and 3 as amended and section 1a as added by 1983 PA 60, and by adding section 2c.

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

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

Rep. Amash moved to amend the bill as follows:

1. Amend page 3, line 14, by striking out all of subdivision (E) and relettering the remaining subdivisions.

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

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

The motion prevailed.

Rep. Roberts 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. 4536, entitled

A bill to amend 1943 PA 148, entitled "An act to provide for the regulation and licensing of proprietary schools in the state; to require surety; to provide for collection and disposition of fees; and to prescribe penalties for the violation of this act," by amending sections 1, 1a, 2, 2a, 2b, and 3 (MCL 395.101, 395.101a, 395.102, 395.102a, 395.102b, and 395.103), sections 1, 2, 2a, 2b, and 3 as amended and section 1a as added by 1983 PA 60, and by adding section 2c.

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

Roll Call No. 292

Yeas—108

Agema	Donigan	Lahti	Proos
Amash	Durhal	LeBlanc	Roberts
Angerer	Ebli	Leland	Rocca
Ball	Elsenheimer	Lemmons	Rogers
Barnett	Espinoza	Lindberg	Schmidt, R.
Bauer	Geiss	Lipton	Schmidt, W.
Bennett	Genetski	Liss	Schuitmaker
Bledsoe	Gonzales	Lori	Scott, B.
Bolger	Green	Lund	Scott, P.
Booher	Gregory	Marleau	Scripps
Brown, L.	Griffin	Mayer	Segal
Brown, T.	Haase	McDowell	Sheltrown
Byrnes	Haines	McMillin	Simpson
Byrum	Hammel	Meadows	Slavens

Calley	Hansen	Meekhof	Slezak
Caul	Haugh	Melton	Smith
Clemente	Haveman	Meltzer	Spade
Constan	Hildenbrand	Miller	Stamas
Corriveau	Horn	Moore	Stanley
Coulouris	Johnson	Moss	Switalski
Crawford	Jones, Rick	Nathan	Tlaib
Cushingberry	Jones, Robert	Nerat	Tyler
Daley	Kandrevas	Neumann	Valentine
Dean	Kennedy	Opsommer	Walsh
Denby	Knollenberg	Pavlov	Warren
DeShazor	Kowall	Pearce	Womack
Dillon	Kurtz	Polidori	Young

Nays—0

In The Chair: Scripps

The House agreed to the title of the bill.
 Rep. Roberts 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. 264, entitled

A bill to prohibit the sale of certain uncertified cigarettes; to provide standards for testing and fire safety certification of cigarettes; to provide remedies and civil sanctions; to provide for the powers and duties of certain state governmental officers and entities; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

Rep. Roberts 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. 264, entitled

A bill to prohibit the sale of certain uncertified cigarettes; to provide standards for testing and fire safety certification of cigarettes; to provide remedies and civil sanctions; to provide for the powers and duties of certain state governmental officers and entities; 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. 293

Yeas—102

Angerer	Ebli	Lemmons	Rocca
Ball	Elsenheimer	Lindberg	Rogers
Barnett	Espinoza	Lipton	Schmidt, R.
Bauer	Geiss	Liss	Schmidt, W.
Bennett	Gonzales	Lori	Schuitmaker
Bledsoe	Green	Lund	Scott, B.

Bolger	Gregory	Marleau	Scott, P.
Booher	Griffin	Mayes	Scripps
Brown, L.	Haase	McDowell	Segal
Brown, T.	Haines	Meadows	Sheltrown
Byrnes	Hammel	Meekhof	Simpson
Byrum	Hansen	Melton	Slavens
Caul	Haugh	Meltzer	Slezak
Clemente	Haveman	Miller	Smith
Constan	Hildenbrand	Moore	Spade
Corriveau	Horn	Moss	Stamas
Coulouris	Johnson	Nathan	Stanley
Crawford	Jones, Rick	Nerat	Switalski
Cushingberry	Jones, Robert	Neumann	Tlaib
Daley	Kandrevas	Opsommer	Tyler
Dean	Kennedy	Pavlov	Valentine
Denby	Knollenberg	Pearce	Walsh
DeShazor	Kurtz	Polidori	Warren
Dillon	Lahti	Proos	Womack
Donigan	LeBlanc	Roberts	Young
Durhal	Leland		

Nays—6

Agema	Calley	Kowall	McMillin
Amash	Genetski		

In The Chair: Scripps

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

The Speaker Pro Tempore resumed the Chair.

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.

Reps. Leland, Meadows, Kennedy, Womack, Bledsoe, Geiss, Johnson, Terry Brown, Constan, Cushingberry, Dean, Durhal, Gonzales, Robert Jones, Kowall, Lemmons, Neumann, Polidori, Rocca, Spade, Switalski, Valentine and Lipton offered the following resolution:

House Resolution No. 107.

A resolution to memorialize the Congress of the United States to maintain, or increase, FY 2010 funding for the Emergency Food and Shelter National Board Program.

Whereas, Our nation, the state of Michigan in particular, has been buffeted by the tumultuous forces of the economy. With unemployment at the highest rate in decades, unprecedented numbers of home foreclosures, and ever-rising numbers of individuals seeking human services, the need for federal economic assistance is critical. Indeed, we are at a point of economic malaise not seen since the Great Depression; and

Whereas, One of the jewels of the federal government's efforts to assist those in need has been the Emergency Food and Shelter National Board Program. This public-private initiative works with local communities in targeting food, housing, and support services to where they will have the greatest impact. Since its creation in 1983, it has disbursed over \$3.3 billion to more than 12,000 local agencies in over 2,500 localities. In Michigan, the program works cooperatively with public and private entities to provide essential services to nearly every county in the state. Clearly, this outstanding program exemplifies all of the qualities we would hope for in governmental service; and

Whereas, In recognition of the critical need for food, housing, and supportive services at this point in our nation's history, the Emergency Food and Shelter Program received an additional stipend under the recent stimulus package. Nonetheless, some in Congress have proposed a cut in the funding for this exemplary program. This short-sighted and ill-conceived cut in funding could not come at a more inopportune time for those in need in our country and in the Great Lakes State; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the Congress of the United States to maintain, or increase, FY 2010 funding for the Emergency Food and Shelter National Board Program; 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 resolution was referred to the Committee on Families and Children's Services.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, June 11, for her approval of the following bills:

Enrolled House Bill No. 4479 at 10:54 a.m.

Enrolled House Bill No. 4579 at 10:56 a.m.

Enrolled House Bill No. 4830 at 10:58 a.m.

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, June 11:

House Bill Nos. 5070 5071 5072 5073 5074 5075 5076 5077

House Joint Resolution V

The Clerk announced that the following Senate bills had been received on Thursday, June 11:

Senate Bill Nos. 237 249 250 254 371 596 624

Reports of Standing Committees

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

Senate Bill No. 411, entitled

A bill to establish duties and obligations of nonprofit, charitable institutions in the management and use of funds held for charitable purposes; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Coulouris, Scripps, Clemente, Johnson, Mayes, Nathan, Booher, Calley, Kowall and Marleau

Nays: None

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

Senate Bill No. 412, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending sections 124, 261, 501, and 541 (MCL 450.2124, 450.2261, 450.2501, and 450.2541), section 124 as amended by 2002 PA 33 and section 541 as amended by 1987 PA 170.

Without amendment and with the recommendation that the bill pass.
The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Coulouris, Scripps, Clemente, Johnson, Mayes, Nathan, Booher, Calley, Kowall and Marleau

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Coulouris, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Thursday, June 11, 2009

Present: Reps. Coulouris, Scripps, Clemente, Johnson, Mayes, Nathan, Booher, Calley, Kowall and Marleau

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Thursday, June 11, 2009

Present: Reps. Warren, Nerat, Ebli, Kennedy, Leland, Roberts, Scripps, Meekhof, Daley, Haveman, Rick Jones and Wayne Schmidt

Absent: Reps. Bledsoe, Meadows and Pavlov

Excused: Reps. Bledsoe, Meadows and Pavlov

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 11, 2009

Present: Reps. Melton, Lisa Brown, Bledsoe, Byrum, Corriveau, Geiss, Haase, Kennedy, Lindberg, Nathan, Polidori, Roberts, Sheltroun, Valentine, Pavlov, Amash, Ball, DeShazor, McMillin, Pearce, Paul Scott, Tyler and Walsh

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 11, 2009

Present: Reps. Byrnes, Kandreas, Donigan, Geiss, Haugh, Leland, Nerat, Roy Schmidt, Young, Opsommer, Bolger, DeShazor, Knollenberg, Pearce, Wayne Schmidt and Paul Scott

Absent: Rep. Griffin

Excused: Rep. Griffin

Messages from the Senate

Senate Bill No. 249, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2010; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The Senate has passed the bill.

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

Notices

Pursuant to Rule 41, the Speaker has made the following reassignments:

House Bill No. 5072 referred to the Committee on Appropriations on June 11, 2009.

House Bill No. 5073 referred to the Committee on Appropriations on June 11, 2009.

Communications from State Officers

The following communication from the Office of the State Budget was received and read:

June 1, 2009

This letter transmits the "Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government - Legal Basis" for fiscal year 2008, which has been prepared in accordance with Sections 18.1115(5), 18.1303-18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution.

The computed percentage of total state spending from state sources paid to local governments for fiscal year 2008 is 56.16%, which is \$2.0 billion more than the minimum required.

The statement has been reviewed by the Office of the Auditor General and a copy of their independent accountant's review letter is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,
Robert L. Emerson
State Budget Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Warren, Smith, Young, Wayne Schmidt and Miller introduced

House Bill No. 5078, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16aa of chapter XVII (MCL 777.16aa), as added by 2007 PA 20.

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

Reps. Warren, Smith, Young, Wayne Schmidt and Miller introduced

House Bill No. 5079, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 540 (MCL 750.540), as amended by 2006 PA 61.

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

Reps. Warren, Smith, Young and Lipton introduced

House Bill No. 5080, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 33e and 34 (MCL 791.233e and 791.234), section 33e as added by 1992 PA 181 and section 34 as amended by 2006 PA 167.

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

Reps. Tlaib, Valentine, Spade, Nathan, Constan, Geiss, Young, Leland, Hammel, LeBlanc, Clemente, Dean and Jackson introduced

House Bill No. 5081, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8901 (MCL 324.8901), as amended by 2004 PA 494, and by adding sections 8905d and 8905e.

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

Reps. Tlaib, Valentine, Spade, Nathan, Constan, Geiss, Young, Leland, Hammel, LeBlanc, Dean, Jackson and Clemente introduced

House Bill No. 5082, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8831 (MCL 600.8831), as added by 1995 PA 54.

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

Reps. Leland, Valentine, Kennedy, Geiss and Bledsoe introduced

House Bill No. 5083, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 277.

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

Rep. Lemmons introduced

House Bill No. 5084, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 3, 401, and 402 (MCL 380.3, 380.401, and 380.402), section 3 as amended by 2007 PA 45 and section 402 as amended by 2000 PA 230, and by adding section 409; and to repeal acts and parts of acts.

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

Rep. Lemmons introduced

House Bill No. 5085, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4-j (MCL 117.4j) and by adding section 4s.

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

Rep. Simpson introduced

House Bill No. 5086, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8c (MCL 125.2688c), as amended by 2006 PA 284.

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

Rep. Sheltroun introduced

House Bill No. 5087, entitled

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

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

Rep. Scripps introduced

House Bill No. 5088, entitled

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

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

Reps. McDowell, Lahti, Lindberg and Angerer introduced

House Bill No. 5089, entitled

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4930, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4x (MCL 205.54x), as amended by 2006 PA 17.

The Senate has amended the bill as follows:

1. Amend page 4, following line 7, by inserting:

"Enacting section 1. This amendatory act shall be retroactively applied to transactions occurring after June 11, 2009."

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

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

Senate Bill No. 237, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has passed the bill.

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

Senate Bill No. 250, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The Senate has passed the bill.

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

Senate Bill No. 254, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2010; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

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

Senate Bill No. 371, entitled

A bill to allow certain active duty service members to terminate contracts with wireless telecommunications providers; to provide for the rights and responsibilities of the parties to those terminated contracts; to provide for the powers and duties of certain state officials; to prescribe civil sanctions and provide remedies; and to provide for the disposition of civil fines.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Senate Bill No. 596, entitled

A bill to authorize the state administrative board to convey certain state owned property in Delta county; to prescribe conditions for the conveyance; to provide for certain powers and duties of the department of management and budget; and to provide for disposition of the revenue from the conveyance.

The Senate has passed the bill.

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

Senate Bill No. 624, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4k (MCL 205.94k), as amended by 2006 PA 18.

The Senate has passed the bill.

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

Rep. Lindberg moved that the House adjourn.
The motion prevailed, the time being 4:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, June 16, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives