

No. 69
STATE OF MICHIGAN
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House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Wednesday, August 26, 2009.

1:30 p.m.

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

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

Agema—present	Durhal—present	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—excused	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.—excused
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. Phil Pavlov, from the 81st District, offered the following invocation:

“Great is the wisdom of the Lord.
God Almighty, Your wisdom is rich
With an understanding of what is fair,
What is logical, what is true,
What is right, and what is lasting.
I pray today that You grant us such wisdom
That our labors may reflect Your insight.
I pray in the name of Jesus Christ.
Amen.”

Rep. Roberts moved that Reps. Bennett, Lemmons, Nerat and Bettie Scott be excused from today’s session.
The motion prevailed.

Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 146** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 146.

A resolution of tribute offered as a memorial for Ralph A. Ostling, former member of the House of Representatives.

Whereas, With the recent passing of Ralph Ostling, Michigan has lost a gentleman who contributed a great deal to this state through his long and distinguished commitment as a lawmaker. With gratitude for his sense of commitment and his understanding of the needs of his community and our state, we offer our condolences to his family and to his many friends in the Roscommon area and in the Capitol City; and

Whereas, A native of Roscommon who took on a wide range of public-minded responsibilities throughout his life, Ralph Ostling was a graduate of Central Michigan University who earned his master’s degree from Michigan State University. He served our country at the end of World War II in the Navy before channeling his talents to others as a teacher and coach, and as a township clerk for 17 years; and

Whereas, In 1972, Ralph Ostling was elected to the first of his 10 consecutive terms in the Michigan House of Representatives. To his legislative duties, this genial gentleman brought real-world sensibilities and a practical approach to public policy debates. His intellect and temperament earned him the respect of his colleagues, and his leadership as the minority vice chair of the House Appropriations Committee reflected his great value to the work of addressing Michigan’s challenges. His continuing involvement with policy issues after his legislative tenure demonstrated a dedication to Michigan’s future that will long be remembered; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Ralph A. Ostling, a member of this legislative body from 1973 to 1992; and be it further

Resolved, That copies of this resolution be transmitted to the Ostling family as evidence of our lasting esteem for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

Third Reading of Bills

House Bill No. 4618, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 174a (MCL 750.174a), as amended by 2004 PA 255.

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

Roll Call No. 389**Yeas—106**

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

Nays—0

In The Chair: Byrnes

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.

House Bill No. 4727, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2006 PA 574.

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

Roll Call No. 390**Yeas—106**

Agema	Durhal	Kurtz	Proos
Amash	Ebli	Lahti	Roberts
Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Espinoza	Leland	Rogers
Barnett	Geiss	Lindberg	Schmidt, R.
Bauer	Genetski	Lipton	Schmidt, W.
Bledsoe	Gonzales	Liss	Schuitmaker

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

Nays—0

In The Chair: Byrnes

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.

House Bill No. 4620, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 159g and 273 (MCL 750.159g and 750.273), section 159g as amended by 2002 PA 124.

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

Roll Call No. 391

Yeas—106

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

Corriveau	Horn	Miller	Stanley
Coulouris	Huckleberry	Moore	Switalski
Crawford	Jackson	Moss	Tlaib
Cushingberry	Johnson	Nathan	Tyler
Daley	Jones, Rick	Neumann	Valentine
Dean	Jones, Robert	Opsommer	Walsh
Denby	Kandreas	Pavlov	Warren
DeShazor	Kennedy	Pearce	Womack
Dillon	Knollenberg	Polidori	Young
Donigan	Kowall		

Nays—0

In The Chair: Byrnes

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.

House Bill No. 4626, entitled

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

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

Roll Call No. 392**Yeas—106**

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

Nays—0

In The Chair: Byrnes

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.

House Bill No. 5011, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1a of chapter IV (MCL 764.1a), as amended by 2005 PA 106.

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

Roll Call No. 393**Yeas—105**

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

Nays—1

Amash

In The Chair: Byrnes

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.

House Bill No. 4971, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7j (MCL 722.627j), as amended by 2008 PA 374.

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

Roll Call No. 394**Yeas—106**

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

Nays—0

In The Chair: Byrnes

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. 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.

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. 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.

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

Roll Call No. 395

Yeas—106

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

Nays—0

In The Chair: Byrnes

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. 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.

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. 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.

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

Roll Call No. 396

Yeas—106

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

Nays—0

In The Chair: Byrnes

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

"An act to revise, consolidate, and classify the laws relating to the organization and regulation of certain nonprofit corporations; to prescribe their duties, rights, powers, immunities, and liabilities; to provide for the authorization of foreign nonprofit corporations within this state; to impose certain duties on certain state departments; to prescribe fees; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts,"

The House agreed to the full title.
 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. 5052, entitled

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," (MCL 141.1201 to 141.1291) by adding sections 21a and 41a.

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

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

Rep. Womack 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. 5052, entitled

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," (MCL 141.1201 to 141.1291) by adding sections 21a and 41a.

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

Roll Call No. 397

Yeas—106

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

Nays—0

In The Chair: Byrnes

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. 430, entitled**

A bill to amend 1950 (Ex Sess) PA 23, entitled "Airport zoning act," (MCL 259.431 to 259.465) by adding section 24a.

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. 430, entitled**

A bill to amend 1950 (Ex Sess) PA 23, entitled "Airport zoning act," (MCL 259.431 to 259.465) by adding section 24a.

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

Roll Call No. 398**Yeas—104**

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

Denby
DeShazor
Dillon

Jones, Robert
Kandrevas
Kennedy

Neumann
Opsommer
Pavlov

Walsh
Warren
Womack

Nays—2

Sheltrown

Young

In The Chair: Byrnes

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

“An act to empower and direct the Michigan aeronautics commission to adopt airport approach plans for publicly owned airports within this state; to empower the Michigan aeronautics commission, municipalities, and other political subdivisions to promulgate, adopt, establish, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property in the vicinity of publicly owned airports, and to acquire, by purchase, grant, condemnation, or otherwise, air rights and other interests in land; to provide for the establishment of zoning commissions, administrative agencies, and boards of appeals to administer the provisions of this act, and to provide for their organization and procedure and appeals therefrom; and to provide penalties and remedies for violations of this act or ordinances or regulations made under the authority herein conferred; to provide for reciprocity with adjoining states maintaining and operating airports; and to repeal any inconsistent act or parts of acts,”

The House agreed to the full title.

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. 4770, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 1061.

The bill was read a second time.

Rep. Lahti 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. 4770, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 1061.

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

Roll Call No. 399

Yeas—106

Agema
Amash
Angerer
Ball
Barnett

Durhal
Ebli
Elsenheimer
Espinoza
Geiss

Kurtz
Lahti
LeBlanc
Leland
Lindberg

Proos
Roberts
Rocca
Rogers
Schmidt, R.

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

Nays—0

In The Chair: Byrnes

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. 4503, entitled

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," (MCL 565.451a to 565.453) by adding section 1d.

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

The substitute (H-1) was 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. 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. 4503, entitled

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," (MCL 565.451a to 565.453) by adding section 1d.

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

Roll Call No. 400**Yeas—103**

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

Nays—3

Agema	Amash	McMillin
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In The Chair: Byrnes

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. 4511, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278b (MCL 380.1278b), as amended by 2007 PA 141.

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

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

Rep. Geiss 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. 4511, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278b (MCL 380.1278b), as amended by 2007 PA 141.

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

Roll Call No. 401

Yeas—106

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

Nays—0

In The Chair: Byrnes

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Roberts moved that when the House adjourns today it stand adjourned until Wednesday, September 2, at 10:00 a.m.

The motion prevailed.

Reps. Meltzer, Lund, Rick Jones, Booher, Wayne Schmidt, Calley, Crawford, McMillin, Hansen, Schuitmaker, Bolger, DeShazor, Tyler, Haines, Denby, LeBlanc, Lori, Spade, Ball, Barnett, Durhal, Knollenberg, Marleau, Rocca, Rogers and Walsh offered the following resolution:

House Resolution No. 144.

A resolution to memorialize the President and Congress of the United States to pursue policies that encourage full reciprocity, fairness, and transparency in trade agreements and the elimination of obstacles to investment in America.

Whereas, United States trade policies have, in some instances, handicapped some Michigan-based manufacturers and have led to massive trade deficits, stagnant worker wages, and a loss of good-paying manufacturing jobs; and

Whereas, The current trade deficit is undermining family-sustaining jobs and investment in assets, helping to foster a debt-driven economy that is dangerously dependent on foreign borrowing; and

Whereas, Fixing America's international economic policy must be a top priority for the President of the United States and the United States Congress; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and Congress of the United States to pursue policies that encourage full reciprocity, fairness, and transparency in trade agreements, including addressing such areas as labor and environmental standards and combating the practice of prolonged currency misalignment. We also call upon our federal policy makers to support the elimination of tax disadvantages that undermine the competitiveness of U.S. producers both at home and abroad or that discourage investment in America; to support the aggressive enforcement of U.S. laws to halt foreign illegal trade activities such as dumping, subsidies, and intellectual property theft; and to ensure that goods sold domestically meet U.S. food and product safety standards; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, 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 Commerce.

Reps. Sheltroun, Dean, Haugh, LeBlanc, Leland, Spade, Valentine, Ball, Booher, Durhal, Haines, Marleau, Pearce, Polidori and Walsh offered the following resolution:

House Resolution No. 145.

A resolution to encourage the Michigan Department of Education to recognize the psychological differences between how boys and girls learn and to communicate this finding to the state's K-12 education community.

Whereas, Educating our children to prepare them for a changing economy and to make them ready to adapt to future changes through life-long learning is a vital goal to achieve. Even in challenging financial times, Michigan has striven to shield education spending as much as possible from the realities of our economic situation. A curriculum that pushes our children to succeed and testable standards that demonstrate that our children are succeeding are crucial components in preparing our children for their future; and

Whereas, Unfortunately, standardized curricula and tests risk treating our children as standardized pupils. There is a growing realization that the learning styles of boys and girls, based on real psychological differences, are not taken into consideration in a school system historically optimized to educate girls with their distinctive learning styles. Too often, the natural tendencies of boys to seek physical outlets for their energy are viewed as disruptive or even treated as a disability; and

Whereas, The result of failing to understand and adapt to the learning styles of boys is to make normal behavior seem like a problem that deserves punishment or medication. The statistics are troubling. Four out of 5 children diagnosed with learning disabilities are boys, and boys are one and one-half times more likely to be held back a year. Boys are two and one-half times more likely than girls to be diagnosed with Attention Deficit Hyperactivity Disorder (ADHD). After years of such treatment, is it any surprise that 90 percent of high school dropouts are boys? If we are to reach our goal of teaching all of our children to be ready for the future, we must address the failure of our institutions to account for the psychological differences between boys and girls that affect how they must be taught; now, therefore, be it

Resolved by the House of Representatives, That we encourage the Michigan Department of Education to recognize the psychological differences between how boys and girls learn and to communicate this finding to the state's K-12 education community; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Superintendent of Public Instruction and the State Board of Education.

The resolution was referred to the Committee on Education.

Announcement by the Clerk of Printing and Enrollment

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

House Bill Nos.	5240	5241	5242	5243	5244	5245	5246	5247	5248	5249	5250	5251	5252	5253
	5254	5255	5256	5257	5258	5259	5260	5261	5262	5263	5264	5265	5266	5267
	5268	5269	5270	5271	5272	5273	5274	5275						

House Joint Resolution		Z												
Senate Bill Nos.	743	744	745	746	747	748	749	750	751	752	753	754	755	756
	757	758	759											

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, August 20, for her approval of the following bills:

Enrolled House Bill No. 4683 at 11:00 a.m.
Enrolled House Bill No. 4684 at 11:02 a.m.
Enrolled House Bill No. 4686 at 11:04 a.m.
Enrolled House Bill No. 4687 at 11:06 a.m.
Enrolled House Bill No. 4695 at 11:08 a.m.
Enrolled House Bill No. 4696 at 11:10 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, August 26:

Senate Bill Nos. 773 774

Reports of Standing Committees

The Committee on Transportation, by Rep. Byrnes, Chair, reported

House Bill No. 5140, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 618a.

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. Byrnes, Kandrevas, Donigan, Geiss, Roy Schmidt, Young, Opsommer, Bolger, DeShazor, Knollenberg, Pearce, Wayne Schmidt and Paul Scott

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, August 20, 2009

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

Absent: Reps. Griffin, Haugh, Leland and Nerat

Excused: Reps. Griffin, Haugh, Leland and Nerat

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

House Bill No. 5275, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 434 (MCL 208.1434), as amended by 2009 PA 26.

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. Clemente, Stanley, Byrnes, Geiss, Griffin, Leland, Segal, Knollenberg, Bolger, Denby and Tyler

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Wednesday, August 26, 2009

Present: Reps. Clemente, Stanley, Byrnes, Geiss, Griffin, Leland, Segal, Knollenberg, Bolger, Denby and Tyler

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported **House Bill No. 5102, 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.

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. Polidori, Roberts, Liss, Rick Jones and Kurtz

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported **House Bill No. 5245, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2919) by adding section 1809b.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported **House Bill No. 5246, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2919) by adding section 1809a.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported **Senate Bill No. 204, entitled**

A bill to amend 1985 PA 148, entitled "Self-service storage facility act," by amending sections 2, 3, 4, and 5 (MCL 570.522, 570.523, 570.524, and 570.525), as amended by 2000 PA 443.

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. Polidori, Roberts, Byrnes, Liss, Rick Jones and Kurtz

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 26, 2009

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

Absent: Reps. Roy Schmidt and Agema

Excused: Reps. Roy Schmidt and Agema

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

House Bill No. 5207, entitled

A bill to authorize the state administrative board to accept and convey certain real property in Kalamazoo county; to prescribe certain conditions for the acceptance and conveyance; and to provide for disposition of the revenue derived from the conveyance.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Nathan, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Nays: None

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

Senate Bill No. 700, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 20 (MCL 445.920).

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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Nathan, Sheltroun, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Nays: None

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

Senate Bill No. 701, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies," by amending section 1 (MCL 445.111), as amended by 2002 PA 612.

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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Nathan, Sheltroun, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Nays: None

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

Senate Bill No. 703, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1137 (MCL 450.3137), as added by 1984 PA 209.

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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Nathan, Sheltroun, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Nays: None

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

Senate Bill No. 706, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 515 (MCL 491.515), as added by 1987 PA 106.

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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Nathan, Sheltroun, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Nays: None

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

Senate Bill No. 707, entitled

A bill to amend 1986 PA 316, entitled "Michigan education trust act," by amending section 19 (MCL 390.1439).

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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Nathan, Sheltroun, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Nays: None

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

Senate Bill No. 710, entitled

A bill to amend 1994 PA 160, entitled "Credit services protection act," by amending section 2 (MCL 445.1822).

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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Nathan, Sheltroun, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Nays: None

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

Senate Bill No. 712, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21528 and 50510 (MCL 324.21528 and 324.50510), section 21528 as amended by 1996 PA 181 and section 50510 as amended by 2002 PA 387.

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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Nathan, Sheltroun, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Robert Jones, Chair, of the Committee on Commerce, was received and read:

Meeting held on: Wednesday, August 26, 2009

Present: Reps. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Nathan, Sheltroun, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Absent: Reps. Lemmons, Nerat and Womack

Excused: Reps. Lemmons, Nerat and Womack

The Committee on Labor, by Rep. Lindberg, Chair, reported

House Bill No. 5197, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 46a.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Lindberg, Kennedy, Kandrevas, Liss, Slezak and Young

Nays: Reps. Amash, Daley, Haveman and McMillin

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 26, 2009

Present: Reps. Lindberg, Kennedy, Kandrevas, Liss, Slezak, Young, Amash, Daley, Haveman and McMillin

Absent: Rep. Bettie Scott

The Committee on Regulatory Reform, by Rep. Johnson, Chair, reported

House Bill No. 4784, entitled

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending section 50 (MCL 338.3650).

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Johnson, Haugh, Byrnes, Melton, Stanley, Rocca, Crawford, Rick Jones and Stamas

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Johnson, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, August 26, 2009

Present: Reps. Johnson, Haugh, Byrnes, Melton, Stanley, Rocca, Crawford, Rick Jones and Stamas

Absent: Reps. Griffin and Bettie Scott

Excused: Reps. Griffin and Bettie Scott

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

House Bill No. 4311, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Cushingberry, Hammel, Bauer, Terry Brown, Dean, Durhal, Espinoza, Gregory, Jackson, LeBlanc, McDowell, Miller, Smith, Spade, Switalski and Tlaib

Nays: Reps. Lahti, Genetski, Green, Hildenbrand, Lori, Rogers and Schuitmaker

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 26, 2009

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

Absent: Rep. Bennett

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 19, 2009

Present: Reps. Cushingberry, Hammel, Bauer, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos and Rogers

Absent: Reps. Bennett, Terry Brown, Agema and Schuitmaker

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mayes, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Tuesday, August 25, 2009

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

Absent: Reps. Clemente, Huckleberry, Johnson, Marleau and Schuitmaker

Excused: Reps. Clemente, Huckleberry, Johnson, Marleau and Schuitmaker

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 26, 2009

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

Absent: Rep. Bettie Scott

Excused: Rep. Bettie Scott

Messages from the Senate**House Bill No. 5122, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending sections 2, 7, 7a, 11a, 17, 18, and 21 (MCL 252.302, 252.307, 252.307a, 252.311a, 252.317, 252.318, and 252.321), sections 2, 7, 17, and 18 as amended and section 11a as added by 2006 PA 448 and section 7a as added by 2006 PA 447.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), 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.

Notices

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

House Bill No. 5247 referred to the Committee on Commerce on August 20, 2009.

House Bill No. 5248 referred to the Committee on Commerce on August 20, 2009.

House Bill No. 5249 referred to the Committee on Commerce on August 20, 2009.

House Bill No. 5250 referred to the Committee on Families and Children's Services on August 20, 2009.

Senate Bill No. 674 referred to the Committee on Regulatory Reform on August 26, 2009.

Senate Bill No. 675 referred to the Committee on Regulatory Reform on August 26, 2009.

Senate Bill No. 676 referred to the Committee on Regulatory Reform on August 26, 2009.

Senate Bill No. 677 referred to the Committee on Regulatory Reform on August 26, 2009.

Senate Bill No. 678 referred to the Committee on Regulatory Reform on August 26, 2009.

Senate Bill No. 679 referred to the Committee on Regulatory Reform on August 26, 2009.

August 21, 2009

Mr. Richard J. Brown, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

I hereby appoint the following Members of the 95th Legislature to the House Standing Committee on Public Employee Health Care Reform for the 2009-2010 Legislative Session:

Reps. Byrnes (C), Melton (Maj. VC), Haugh, Johnson, Lahti, Scripps, Segal, Stanley, Pavlov (Min. VC), Bolger, Genetski, Lori, Rogers

Please do not hesitate to contact me should you have any questions or concerns regarding this letter.

Regards,
Andy Dillon, Speaker
Michigan House of Representatives

Messages from the Governor

The following message from the Governor was received August 20, 2009 and read:

EXECUTIVE ORDER No. 2009 – 41

AMENDMENT OF EXECUTIVE ORDER 2005-6

GOVERNOR’S OFFICE OF FAITH-BASED AND NEIGHBORHOOD PARTNERSHIPS

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

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch of state government or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, the Governor’s Office of Community and Faith-Based Initiatives was created within the Department of Human Services by Executive Order 2005-6;

WHEREAS, due to current economic conditions, it is necessary to strengthen the ability of faith-based and neighborhood organizations to effectively deliver vital services and to do so in partnership with federal, state, and local governments and with other private organizations;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

A. Section I.B. of Executive Order 2005-6 is amended to read as follows:

“B. “Governor’s Office of Faith-Based and Neighborhood Partnerships” or Office” means the office created within the Department under this Order.”

B. Section II. of Executive Order 2005-6 is amended to read as follows:

“II. CREATION OF GOVERNOR’S OFFICE OF FAITH-BASED AND NEIGHBORHOOD PARTNERSHIPS”.

C. Section III. of Executive Order 2005-6 is amended to read as follows:

“III. FUNCTIONS OF GOVERNOR’S OFFICE OF FAITH-BASED AND NEIGHBORHOOD PARTNERSHIPS”.

D. Section III.A. of Executive Order 2005-6 is amended to read as follows:

“1. Advise the Governor on policies, priorities, and objectives for state government activities to enlist, equip, enable, empower, and expand the work of community and faith-based organizations to address social needs in Michigan, to enhance partnerships with governmental entities, and to replicate successful community and faith-based programs. The Office shall provide other information, recommendations, or advice as requested by the Governor.

2. Facilitate coordination of state government efforts relating to community and faith-based initiatives, expand opportunities for community and faith-based organizations to address social needs in Michigan, and identify obstacles to effective and efficient collaboration.

3. Ensure that services paid for with state and federal funds are provided in a manner consistent with fundamental constitutional commitments guaranteeing the equal protection of the laws and the free exercise of religion and prohibiting laws respecting an establishment of religion.

4. Promote effective training for persons providing federally funded social services in faith-based and neighborhood organizations.

5. Promote the better use of program evaluation and research, in order to ensure that organizations deliver services as specified in grant agreements, contracts, memoranda or understanding, and other arrangements.

6. Provide a single point of contact for community and faith-based organizations to receive information, assistance, and referrals related to community and faith-based programs within state government.

7. Work closely with community and faith-based organizations to promote service activities and assist the organizations in identifying and applying for federal grants.

8. Identify, promote, and share innovative and model community and faith-based programs, initiatives, and best practices among community and faith-based organizations.

9. Seek financial support for the community and faith-based efforts of state government and for community and faith-based programs and services, including, but not limited to, application for funding to the Corporation for National and Community Service and other entities that administer federal grants to support the objectives established by the Office for community and faith-based programs.

10. Provide technical assistance, education, information, and other support to community and faith-based organizations.

11. Coordinate efforts with the Michigan Community Service Commission and other state departments and agencies as appropriate.”

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 20th day of August in the year of our Lord, two thousand and nine.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received August 24, 2009 and read:

EXECUTIVE ORDER

No. 2009 – 42

DEPARTMENT OF COMMUNITY HEALTH

DEPARTMENT OF STATE POLICE

DEPARTMENT OF EDUCATION

EXECUTIVE REORGANIZATION

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

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch of state government or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, there is a continuing need to reorganize functions amongst state departments to ensure efficient administration and effectiveness of government;

WHEREAS, under Executive Order 2009-2, all of the authority, powers, duties, functions, and responsibilities of the Office of Drug Control Policy were transferred from the Office of Drug Control Policy to the Department of Community Health and the Office of Drug Control Policy was abolished;

WHEREAS, transferring the legally mandated duties and functions of the Law Enforcement Grants Section and the Education Grants Section of the Office of Drug Control Policy from the Department of Community Health to the Departments of State Police and Education, respectively, is in the best interests of an efficient and effective government;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

“As used in this Order:

A. “Department of Community Health” or “Department” means the principal department of state government created as the Department of Mental Health under Section 400 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.500, and renamed the Department of Community Health under Executive Order 1996-2, MCL 330.3101.

B. “Department of Education” means the principal department of state government created by Section 300 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.400.

C. “Department of State Police” means the principal department of state government created under Section 150 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.250.

D. “Office of Drug Control Policy” means the office established as an autonomous entity within the Department of Management and Budget under Executive Order 1991-20, transferred to the Department of Community Health by Executive Order 1996-2, MCL 330.3101, and designated as a “Type II agency” within the Department of Community Health by Executive Order 1997-4, MCL 333.26324, and abolished by Executive Order 2009-2.

E. "State Budget Director" means the individual appointed by the Governor under Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

F. "Superintendent of Public Instruction" means the principal executive officer appointed by the State Board of Education under Section 3 of Article VIII of the Michigan Constitution of 1963.

G. "Type II transfer" means that phrase as defined by Section 3(b) of the Executive Reorganization Act of 1965, 1965 PA 380, MCL 16.103(b).

H. "Type III transfer" means that term as defined under Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103."

II. TRANSFER OF CERTAIN AUTHORITY, DUTIES, POWERS, FUNCTIONS, AND RESPONSIBILITIES OF THE OFFICE OF DRUG CONTROL POLICY

A. Law Enforcement Grants Section

1. All of the authority, powers, duties, functions, responsibilities, personnel, equipment, and budgetary resources of the Office of Drug Control Policy related to the administration of federal grants received from the federal Department of Justice to support state and local law enforcement, including, but not limited to, the Edward Byrne Memorial Justice Assistance Grant Program, all of which were transferred from the Office of Drug Control Policy to the Department of Community Health under Executive Order 2009-2, are transferred by Type II transfer from the Department of Community Health to the Department of State Police.

2. The Director of the State Police may designate a point of contact for the federal Department of Justice Bureau of Justice Assistance.

3. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Department of Community Health for the authority, activities, powers, duties, functions, and responsibilities transferred under Section II.A of this Order are transferred from the Department of Community Health to the Department of State Police.

4. The Director of the Department of State Police shall provide executive direction and supervision for the implementation of the transfers under Section II.A of this Order.

5. The Director of the Department of State Police shall administer the assigned functions transferred to the Department of State Police under Section II.A of this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order.

B. Education Grants Section

1. All of the authority, powers, duties, functions, responsibilities, personnel, equipment, and budgetary resources of the Office of Drug Control Policy related to the administration of federal grants received from the federal Department of Education, including, but not limited to, grants received pursuant to the Safe and Drug Free Schools and Communities Act of 2001, Title IV of the No Child Left Behind Act of 2001, Public Law 107-110, 20 USC 7101, all of which were transferred from the Office of Drug Control Policy to the Department of Community Health under Executive Order 2009-2, are transferred by Type II transfer from the Department of Community Health to the Department of Education.

2. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Office of Drug Control Policy for the authority, activities, powers, duties, functions, and responsibilities transferred under Section II.B of this Order are transferred from the Department of Community Health to the Department of Education.

3. The Superintendent of Public Instruction shall provide executive direction and supervision for the implementation of the transfers under Section II.B of this Order.

4. The Superintendent of Public Instruction shall administer the assigned functions transferred to the Department of Education under Section II.B of this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order.

III. MISCELLANEOUS

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system necessary for the implementation of this Order.

B. All rules, orders, contracts, and agreements relating to the transfers under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

C. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective October 26, 2009 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 24th day of August in the year of our Lord, two thousand and nine.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

Introduction of Bills

Reps. Rick Jones, Calley, Moss, Haines and Knollenberg introduced

House Bill No. 5276, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 411, 504, 524, 807, 8117, 8146, 8152, 8160, 8161, 8162, 8163, and 8202 (MCL 600.411, 600.504, 600.524, 600.807, 600.8117, 600.8146, 600.8152, 600.8160, 600.8161, 600.8162, 600.8163, and 600.8202), section 411 as added by 2005 PA 326, section 504 as amended by 2002 PA 715, sections 524 and 8146 as amended by 2002 PA 92, section 807 as amended by 2004 PA 492, section 8117 as amended by 2005 PA 237, section 8152 as amended by 2008 PA 137, and section 8202 as amended by 1996 PA 388, and by adding section 810b.

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

Rep. Opsommer introduced

House Bill No. 5277, entitled

A bill to amend 1846 RS 1, entitled "Of the statutes," by amending section 6 (MCL 8.6).
The bill was read a first time by its title and referred to the Committee on Transportation.

Reps. Espinoza, Terry Brown and Liss introduced

House Bill No. 5278, entitled

A bill to amend 1981 PA 93, entitled "Michigan right to farm act," by amending section 2 (MCL 286.472), as amended by 1995 PA 94.

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

Reps. Gregory, Robert Jones, Stanley, Lipton, LeBlanc, Haugh, Ebli, Byrnes, Pearce, Johnson, Roy Schmidt, Huckleberry, Byrum, Bauer, Polidori, Hammel, Corriveau, Leland, Barnett, Knollenberg, Dean, Switalski, Jackson, Angerer, Coulouris, Miller, Liss, Agema, Crawford, Melton, Lisa Brown and Nathan introduced

House Bill No. 5279, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759a (MCL 168.759a), as amended by 2006 PA 605.

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

Reps. Proos, Marleau, McMillin, Caul, Opsommer, Calley, Lori, Pearce, Ball, Green, Booher, Walsh, Crawford, Stamas, Hansen, Rocca, Schuitmaker, Meekhof, Elsenheimer, Hildenbrand, Denby, Lund, Pavlov, Wayne Schmidt, Kurtz, Tyler, Clemente, Genetski, Bolger, Kowall, Sheltroun, Mayes, Moss and Horn introduced

House Bill No. 5280, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 1105 and 1109 (MCL 289.1105 and 289.1109), section 1105 as amended by 2008 PA 338 and section 1109 as amended by 2007 PA 113, and by adding section 4102.

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

Rep. Haveman introduced

House Bill No. 5281, entitled

A bill to protect the right of an employee or student to assert conscientious objection to certain counseling; to prohibit certain actions by employers and institutions of higher education; and to provide remedies.

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

Rep. Haveman introduced

House Bill No. 5282, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," (MCL 28.721 to 28.736) by adding section 37.

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

Rep. Bledsoe introduced

House Bill No. 5283, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 11a.

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

Rep. Bledsoe introduced

House Bill No. 5284, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," (MCL 418.101 to 418.941) by adding section 301a.

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

Reps. Rick Jones, Calley, Opsommer, Genetski, Meltzer, Kowall, Agema, Moss, Meekhof, Schuitmaker, Paul Scott, Ball, Hansen, Lori, Pearce, Tyler, Walsh, Knollenberg, Hildenbrand, Elsenheimer, Marleau, Clemente, Mayes, Denby, Horn, Espinoza, LeBlanc, Polidori, Lund, Haines and Sheltroun introduced

House Joint Resolution AA, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 5 of article XI to establish a veteran's preference in the state classified service.

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

Rep. Rick Jones moved that the House adjourn.

The motion prevailed, the time being 3:30 p.m.

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

RICHARD J. BROWN
Clerk of the House of Representatives