

No. 69
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2010

House Chamber, Lansing, Wednesday, July 28, 2010.

10:00 a.m.

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

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

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

e/d/s = entered during session

Rep. Douglas A. Geiss, from the 22nd District, offered the following invocation:

“My fellow members of the Michigan State House of Representatives. It is with great sorrow that I rise today to give this body’s invocation. Last Friday, on July 23, 2010, Corporal Matthew Edwards of the Taylor Police Department was fatally shot in the line of duty. It is in his memory that I ask you to bow your heads today in prayer.

Dear Lord. Our freedoms as a nation and as a state do not come free.

Please Lord, let us not take these freedoms for granted, as they often come at a steep price.

Let us remember that it is You who directed us to follow 10 simple commandments, amongst them that ‘You Shall Not Murder.’

Let us also remember that it is through the dedicated men and women in Police uniform that many who would commit such a sin are held at bay, either through peaceful or forceful means, in the best interests of all lawful people.

Please, Lord, let us dwell on those who chose to follow Your teachings. Who chose to live to serve the community of peaceful, law abiding human beings. Let us not dwell on those who do not abide by Your teachings and seek to harm others. It is always right to celebrate bravery over cowardliness, hope over fear.

Dear Lord, even as we have struggled through tough times in this State, let us not dwell on what we do not have, but rather the strength we have in each other, through our common bond to do right by You.

We, the duly elected representatives of the people of the state of Michigan, can only do our service as a Government of the People through the work of dedicated men and women who enforce the laws we enact.

Thank You Lord for allowing us to serve humbly through Your good graces. Thank You Lord for the dedicated public servants such as Corporal Matthew Edwards who enforce the law, serve and protect.

May You forever bless Corporal Matthew Edwards and the work which he was about. May You bless his wife Shannon, his son Luke, and his daughter Mariah.

In closing, I would like to recite the Police Officer’s Prayer, from which I believe we can all draw strength:

Lord, I ask You to be with me
In a very special way
As I face the challenges
That I must face each day

Please give to me compassion
For the innocent I see
Help me to protect and serve
Those who depend on me

And when duty calls to danger
Walk closely by my side
Instill in me great courage
And, be my strength, my guide

And whatever I am called to do
Always thankful I will be
That You have been the unseen guest
Walking next to me

Amen.”

Rep. Melton moved that Reps. Johnson, Lemmons, Lipton, Meadows, McDowell and Bettie Scott be excused from today’s session.

The motion prevailed.

Rep. Wayne Schmidt moved that Reps. Elsenheimer, Crawford and Moore be excused from today’s session.

The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4932, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 310b (MCL 750.310b), as added by 1996 PA 539.

(The bill was received from the Senate on June 15, with substitute (S-7), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 16, see House Journal No. 59, p. 945.)

The question being on concurring in the substitute (S-7) made to the bill by the Senate,

The substitute (S-7) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 348

Yeas—0

Nays—98

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

In The Chair: Byrnes

The Speaker laid before the House

House Bill No. 6099, entitled

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 2, 3, 4, 5, 6, 11, 12, and 13 (MCL 445.1562, 445.1563, 445.1564, 445.1565, 445.1566, 445.1571, 445.1572, and 445.1573), sections 2, 3, 5, and 13 as amended by 1998 PA 456, section 4 as amended by 2000 PA 240, and sections 6, 11, and 12 as amended by 1983 PA 188.

(The bill was received from the Senate on July 21, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 68, p. 1213.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 349**Yeas—96**

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

Nays—2

Amash	McMillin
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In The Chair: Byrnes

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 6100, entitled

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending sections 14, 15, 17, and 20 (MCL 445.1574, 445.1575, 445.1577, and 445.1580), section 14 as amended by 2000 PA 239 and section 17 as amended by 1983 PA 188, and by adding section 14a.

(The bill was received from the Senate on July 21, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 68, p. 1214.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 350**Yeas—96**

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

Nays—2

Amash

McMillin

In The Chair: Byrnes

The House agreed to the title as amended.

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

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

Second Reading of Bills**Senate Bill No. 215, entitled**

A bill to amend 1975 PA 164, entitled "An act to create a commission on Spanish-speaking affairs, an office of Spanish-speaking affairs, and an interagency council on Spanish-speaking affairs; to prescribe their powers and duties; to provide for appropriations; and to abolish the advisory council for the Spanish-speaking," by amending the title and sections 1, 2, 3, 4, 5, and 6 (MCL 18.301, 18.302, 18.303, 18.304, 18.305, and 18.306), sections 2 and 4 as amended by 2004 PA 94.

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

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

Rep. Melton moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

Rep. Melton moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

Senate Bill No. 215, entitled

A bill to amend 1975 PA 164, entitled “An act to create a commission on Spanish-speaking affairs, an office of Spanish-speaking affairs, and an interagency council on Spanish-speaking affairs; to prescribe their powers and duties; to provide for appropriations; and to abolish the advisory council for the Spanish-speaking,” by amending the title and sections 1, 2, 3, 4, 5, and 6 (MCL 18.301, 18.302, 18.303, 18.304, 18.305, and 18.306), sections 2 and 4 as amended by 2004 PA 94.

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

Roll Call No. 351

Yeas—98

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

Nays—0

In The Chair: Scripps

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

Second Reading of Bills**Senate Bill No. 1147, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 59 and 59a (MCL 125.1459 and 125.1459a), as added by 2008 PA 456.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 1147, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 59 and 59a (MCL 125.1459 and 125.1459a), as added by 2008 PA 456.

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

Roll Call No. 352**Yeas—94**

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

Nays—4

Agema

Amash

Genetski

McMillin

In The Chair: Scripps

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

“An act to create a state housing development authority; to define the powers and duties of the authority; to establish a housing development revolving fund; to establish a land acquisition and development fund; to establish a rehabilitation fund; to establish a conversion condominium fund; to create certain other funds and provide for the expenditure of certain funds; to authorize the making and purchase of loans, deferred payment loans, and grants to qualified developers, sponsors, individuals, mortgage lenders, and municipalities; to establish and provide acceleration and foreclosure procedures; to provide tax exemption; to authorize payments instead of taxes by nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, mobile home park corporations, and mobile home park associations; and to prescribe criminal penalties for violations of this act.”

The House agreed to the full title.

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

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

Second Reading of Bills

House Bill No. 4663, entitled

A bill to amend 1969 PA 224, entitled “An act to license and regulate dealers in and research facilities using dogs and cats for research purposes; and to repeal certain acts and parts of acts,” by amending sections 1, 8, and 9 (MCL 287.381, 287.388, and 287.389); and to repeal acts and parts of acts.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4663, entitled

A bill to amend 1969 PA 224, entitled “An act to license and regulate dealers in and research facilities using dogs and cats for research purposes; and to repeal certain acts and parts of acts,” by amending sections 1, 8, and 9 (MCL 287.381, 287.388, and 287.389); 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. 353

Yeas—78

Angerer	Durhal	LeBlanc	Schmidt, R.
Ball	Ebli	Leland	Schmidt, W.
Barnett	Espinoza	Lindberg	Schuitmaker
Bauer	Geiss	Liss	Scripps
Bennett	Green	Lori	Segal
Bledsoe	Gregory	Lund	Sheltrown
Bolger	Griffin	Marleau	Slavens
Brown, L.	Haase	Mayer	Slezak
Brown, T.	Haines	Melton	Smith
Byrnes	Hammel	Miller	Spade
Byrum	Hansen	Nathan	Stanley
Calley	Haugh	Nerat	Switalski
Clemente	Huckleberry	Neumann	Tlaib
Constan	Jackson	Opsommer	Tyler

Corriveau	Jones, Rick	Pearce	Valentine
Cushingberry	Jones, Robert	Polidori	Walsh
Dean	Kandrevas	Proos	Warren
DeShazor	Kennedy	Roberts	Womack
Dillon	Knollenberg	Rocca	Young
Donigan	Lahti		

Nays—20

Agema	Denby	Kowall	Moss
Amash	Genetski	Kurtz	Pavlov
Booher	Haveman	McMillin	Rogers
Caul	Hildenbrand	Meekhof	Scott, P.
Daley	Horn	Meltzer	Stamas

In The Chair: Scripps

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

Rep. Gonzales entered the House Chambers.

By unanimous consent the House returned to the order of
Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, July 22:

House Bill Nos.	6326	6327	6328	6329	6330	6331	6332	6333	6334	6335	6336	6337	6338	6339
	6340	6341	6342	6343	6344	6345	6346	6347	6348	6349	6350			
Senate Bill Nos.	1416	1417	1418	1419	1420	1421	1422	1423	1424	1425	1426	1427	1428	1429
	1430	1431	1432											

The Clerk announced the enrollment printing and presentation to the Governor on Monday, July 26, for her approval of the following bills:

Enrolled House Bill No. 4986 at 3:53 p.m.
Enrolled House Bill No. 6203 at 3:55 p.m.

Reports of Standing Committees

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported **House Bill No. 6242, entitled**

A bill to create the Michigan new economy commission; to provide for its operation; to impose duties on certain state and local officials; to make recommendations and make certain reports; and to repeal acts and parts of acts.

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. Clemente, Stanley, Byrnes, Geiss, Griffin, Leland and Segal

Nays: Reps. Denby and Tyler

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, July 28, 2010

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

Absent: Rep. Bolger

Excused: Rep. Bolger

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Regulatory Reform from further consideration of **House Concurrent Resolution No. 54**.

Rep. Bennett

Messages from the Governor

The following message from the Governor was received July 28, 2010 and read:

EXECUTIVE ORDER

No. 2010 - 7

DECLARATION OF STATE OF DISASTER**CALHOUN COUNTY OIL PIPELINE SPILL**

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

WHEREAS, under Section 51 of Article IV of the Michigan Constitution of 1963, the public health and general welfare of the people of this state are declared to be matters of primary public concern;

WHEREAS, under Section 52 of Article IV of the Michigan Constitution of 1963, the conservation and development of the natural resources of this state are declared to be of paramount public concern in the interest of the health, safety and general welfare of the people;

WHEREAS, under the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, and 1945 PA 302, MCL 10.31 to 10.33, the Governor is responsible for coping with dangers to this state or the people of this state presented by a disaster or emergency and may issue executive orders, proclamations, and directives having the force and effect of law;

WHEREAS, under Section 3 of the Emergency Management Act, 1976 PA 390, MCL 30.403, the Governor shall, by executive order or proclamation, declare a state of disaster if the Governor finds that a disaster has occurred or that the threat of a disaster exists;

WHEREAS, an oil spill occurred from an oil pipeline in Calhoun County near Marshall, Michigan on Monday, July 26, 2010;

WHEREAS, although the pipeline has been shut down, a substantial amount of oil has leaked from the pipeline and has entered Talmadge Creek and the Kalamazoo River;

WHEREAS, local states of emergency have been declared by the City of Battle Creek and Calhoun County, and state, local, and federal emergency response agencies have been activated to assist in containing the spill and assure that all possible steps are taken to minimize the impact of this incident on the public;

WHEREAS, I find that a disaster has occurred in Calhoun County that threatens the area downstream along the Kalamazoo River and that immediate action is necessary to protect the public health, safety, and welfare, to safeguard the environment and interests of this State, and to respond to this disaster;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Disaster is declared in Calhoun County and potentially affected areas along the Kalamazoo River downstream of Talmadge Creek.

2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local governments and officials in the affected areas and may call upon all state departments and agencies to utilize available resources to assist in the affected areas focusing on public health and safety concerns consistent with the Michigan Emergency Management Plan.

3. The State of Disaster is terminated at such time as disaster conditions no longer exist and appropriate programs have been implemented to recover from the effects of the disaster conditions but in no case later than Tuesday, August 24, 2010.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 27th day of July in the year of our Lord, two thousand and ten.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

Introduction of Bills

Rep. Ebli introduced

House Bill No. 6351, entitled

A bill to amend 1969 PA 343, entitled "An act to adopt a multistate tax compact to facilitate and promote convenient, uniform, nonduplicative and proper determination of state and local tax liability of multistate taxpayers," by amending section 1 (MCL 205.581).

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

Reps. Ebli and Angerer introduced

House Bill No. 6352, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Reps. Rocca, Haase, Liss, Constan, Donigan, Switalski, Warren, Moore, Meltzer, Rick Jones, Genetski, Knollenberg, Haines, Hildenbrand, Rogers, Moss, Polidori, Terry Brown, LeBlanc, Hammel, Mayes, Calley, Smith, Pavlov, Paul Scott, Daley, Wayne Schmidt, Tyler, Bolger, Lori, Kurtz, Denby, Lund, Gonzales, Stanley, Horn, Young, Byrum, Neumann, Hansen, Caul, Ball, Ebli, Byrnes, Melton, Cushingberry, Roberts, Durhal, Robert Jones, Segal, Roy Schmidt, McDowell, Bennett, Huckleberry, Gregory, Valentine and Johnson introduced

House Bill No. 6353, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 560.

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

Reps. McMillin, Daley, Opsommer, Lund, Calley, Kurtz, Meekhof, Walsh, Denby, Bolger, Meltzer, Stamas, Wayne Schmidt, Hansen, Pavlov, Horn, Amash, Paul Scott, DeShazor, Lori, Kowall, Agema, Genetski, Rick Jones, Knollenberg, Haines, Proos, Moss, Schuitmaker, Hildenbrand, Haveman, Marleau, Green and Rogers introduced

House Bill No. 6354, entitled

A bill to provide that no person be required to obtain or maintain health insurance coverage.

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

Rep. McDowell introduced
House Bill No. 6355, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44a (MCL 211.44a), as amended by 2008 PA 498.

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

Rep. Durhal introduced
House Bill No. 6356, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7524 (MCL 333.7524), as amended by 2006 PA 558.

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

Rep. Melton moved that Reps. Espinoza and Bennett be excused temporarily from today's session.
The motion prevailed.

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

Rep. Melton moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Melton moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 797**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 797, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and certain other state purposes for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

The bill was read a second time.

Rep. Hammel moved to amend the bill as follows:

1. Amend page 34, following line 2, by inserting:

"(15) DEPARTMENT GRANTS

Workforce training program subgrantees (ARRA).....	\$	<u>3,800,000</u>
GROSS APPROPRIATION	\$	3,800,000

Appropriated from:

Federal revenues:

DOL-ETA, national emergency grants (ARRA).....		3,800,000
--	--	-----------

Special revenue funds:

State general fund/general purpose	\$	0"
--	----	----

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

2. Amend page 74, following line 2, by inserting:

"Sec. 203. The line-item appropriations in part 1 financed by federal funds designated as ARRA funding represent federal funds associated with the American recovery and reinvestment act of 2009, Public Law 111-5. These federal funds are temporary in nature. It is the intent of the legislature that when these temporary federal funds are fully expended, the program funding levels and any state employees supported by these temporary federal funds will not be continued.

Sec. 210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount equal to any additional federal funding awarded to this state through recalculation of formulas and under the redistribution provisions of the American recovery and reinvestment act of 2009, Public Law 111-5.

(2) Within 30 days of receiving such an award, a department shall report to the senate and house appropriations subcommittees, senate and house fiscal agencies, state budget director, and the governor on the amount of funds received and the purposes for which they will be spent.

Sec. 211. The unexpended funds from appropriations in part 1 designated as ARRA funding and in section 210 and any unencumbered or unallotted funds from those appropriations are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purposes of the projects to be carried forward are to protect and invest in the natural resources, infrastructure, and people of the state of Michigan in accordance with the provisions of the American recovery and reinvestment act of 2009, Public Law 111-5.

(b) The projects will be accomplished by state employees and by contract.

(c) The total estimated cost of all projects is identified in each line-item appropriation.

(d) The tentative completion date is September 30, 2013.

Sec. 212. (1) In a form and manner determined by the recipient department, local governments and other eligible subrecipients receiving funds through this act shall comply with all requirements corresponding to the receipt of funds, including, but not limited to, any certifications, assurances, and accountability and transparency provisions required in the American recovery and reinvestment act of 2009, Public Law 111-5.

(2) Funds appropriated in part 1 may be transferred to subrecipient state departments or agencies in an interdepartmental grant consistent with the requirements of the American recovery and reinvestment act of 2009, Public Law 111-5.”.

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

Rep. Hammel moved to amend the bill as follows:

1. Amend page 35, line 18, by striking out “(284,400)” and inserting “284,400” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Haveman moved to amend the bill as follows:

1. Amend page 74, following line 2, following section 301, by inserting:

“DEPARTMENT OF COMMUNITY HEALTH

Sec. 501. (1) The department of community health shall hire an independent contractor to immediately implement internal controls and implement corrective actions related to the findings of the state of Michigan auditor general’s financial audit of the department for the period October 1, 2007 through September 30, 2009.

(2) An amount of \$5,000,000.00 general fund/general purpose shall be identified within the departmental administration and management appropriation line to pay for these contractual services.”.

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

Rep. Agema moved to amend the bill as follows:

1. Amend page 74, following line 2, by inserting:

“DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

Sec. 213. The department shall not expend worker retraining funds appropriated under part 1 without first verifying the legal residency status of the recipient through the systematic alien verification entitlement program, the e-verify program, or a successor program operated by the department of homeland security.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 797, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and certain other state purposes for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Melton moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Second Reading of Bills

Senate Bill No. 797, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and certain other state purposes for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

Rep. Melton moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Agema. The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the amendment offered previously by Rep. Agema,

Rep. Angerer moved to amend the Rep. Agema amendment as follows:

1. Amend Amendment No. 1, page 74, following line 2, following “**DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH**” after “verifying the” by striking out the balance of the section and inserting “eligibility of the recipient as required by federal law.”

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

The question being on the adoption of the amendment offered previously by Rep. Agema,

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 797, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and certain other state purposes for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Roll Call No. 354

Yeas—81

Angerer	Ebli	Leland	Schmidt, R.
Ball	Geiss	Lindberg	Schmidt, W.
Barnett	Gonzales	Liss	Schuitmaker
Bauer	Gregory	Lori	Scripps
Bledsoe	Griffin	Lund	Segal
Bolger	Haase	Marleau	Sheltrown
Booher	Haines	Mayes	Slavens
Brown, L.	Hammel	Melton	Slezak
Brown, T.	Hansen	Miller	Smith
Byrnes	Haugh	Moss	Spade
Byrum	Haveman	Nathan	Stamas
Clemente	Horn	Nerat	Stanley
Constan	Huckleberry	Neumann	Switalski
Corriveau	Jackson	Opsommer	Tlaib
Cushingberry	Jones, Rick	Pearce	Tyler
Dean	Jones, Robert	Polidori	Valentine
Denby	Kandreas	Proos	Walsh
DeShazor	Kennedy	Roberts	Warren
Dillon	Lahti	Rocca	Womack
Donigan	LeBlanc	Rogers	Young
Durhal			

Nays—16

Agema	Daley	Knollenberg	Meekhof
Amash	Genetski	Kowall	Meltzer
Calley	Green	Kurtz	Pavlov
Caul	Hildenbrand	McMillin	Scott, P.

In The Chair: Scripps

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

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 6151, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending the title and section 10k (MCL 247.660k), the title as amended by 2004 PA 384 and section 10k as amended by 2006 PA 82, and by adding section 10p.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and ordered that it be given immediate effect.

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

Rep. Melton moved that Rule 42 be suspended.

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

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

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

Roll Call No. 355**Yeas—76**

Angerer	Donigan	Knollenberg	Schmidt, W.
Ball	Durhal	Lahti	Scott, P.

Barnett	Ebli	LeBlanc	Scripps
Bauer	Geiss	Leland	Segal
Bledsoe	Gonzales	Lindberg	Sheltrown
Booher	Gregory	Liss	Slavens
Brown, L.	Griffin	Lori	Slezak
Brown, T.	Haase	Mayes	Smith
Byrnes	Hammel	Melton	Spade
Byrum	Hansen	Miller	Stamas
Caul	Haugh	Nathan	Stanley
Clemente	Haveman	Nerat	Switalski
Constan	Hildenbrand	Neumann	Tlaib
Corriveau	Huckleberry	Polidori	Tyler
Cushingberry	Jackson	Proos	Valentine
Dean	Jones, Rick	Roberts	Walsh
Denby	Jones, Robert	Rocca	Warren
DeShazor	Kandrevas	Rogers	Womack
Dillon	Kennedy	Schmidt, R.	Young

Nays—21

Agema	Green	Lund	Moss
Amash	Haines	Marleau	Opsommer
Bolger	Horn	McMillin	Pavlov
Calley	Kowall	Meekhof	Pearce
Daley	Kurtz	Meltzer	Schuitmaker
Genetski			

In The Chair: Scripps

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

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

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

Rep. Melton moved that when the House adjourns today it stand adjourned until Wednesday, August 4, at 1:30 p.m.
The motion prevailed.

Reps. Lemmons, Geiss, Liss and Polidori offered the following resolution:

House Resolution No. 314.

A resolution to memorialize Congress and the administration to recognize industrial hemp as a valuable agricultural commodity and to take certain steps to remove barriers in order to encourage the commercial production of this crop.

Whereas, Industrial hemp refers to the non-drug oilseed and fiber varieties of *Cannabis* which are cultivated exclusively for fiber, stalk, and seed. Industrial hemp is genetically distinct from the drug varieties of *Cannabis*, also known as marihuana. Industrial hemp has less than three tenths of one percent of the psychoactive ingredient, tetrahydrocannabinol (THC). The flowering tops of industrial hemp cannot produce any drug effect when smoked or ingested; and

Whereas, Congress never intended to prohibit the production of industrial hemp when restricting the production, possession, and use of marihuana. The legislative history of the federal Marihuana Tax Act, where the current definition of marihuana first appeared, shows that farmers and manufacturers of industrial hemp products were assured by Federal Bureau of Narcotic Commissioner Harry J. Anslinger, who promised that the proposed legislation bore no threat to them, saying “They are not only amply protected under this act, but they can go ahead and raise hemp just as they have always done it”; and

Whereas, The United States Court of Appeals for the Ninth Circuit ruled in *Hemp Industries v. Drug Enforcement Administration*, 357 F.3d 1012 (9th Cir. 2004), that the federal Controlled Substances Act of 1970 explicitly excludes non-psychoactive industrial hemp from the definition of marihuana. The federal government declined to appeal that decision; and

Whereas, The Controlled Substances Act of 1970 specifies the findings to which the government must attest in order to classify a substance as a Schedule I drug. Those findings include that the substance has a high potential for abuse, has no accepted medical use, and has a lack of accepted safety for use. None of these apply to industrial hemp; and

Whereas, Article 28, Section 2, of the United Nations Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol, states that, “This Convention shall not apply to the cultivation of the cannabis plant exclusively for industrial purposes (fibre and seed) or horticultural purposes”; and

Whereas, Hemp products abound in the United States. Nutritious hemp foods can be found in grocery stores nationwide and strong durable hemp fibers can be found in the interior parts of millions of American cars. Buildings are being constructed using a hemp and lime mixture, thereby sequestering carbon. Retail sales of hemp products in this country are estimated to be \$1 billion annually; and

Whereas, American farmers are missing out an important economic opportunity. American companies are forced to import millions of dollars worth of hemp seed and fiber products annually from other countries, thereby effectively denying American farmers an opportunity to compete and share in the profits. Industrial hemp is a high-value low input crop that is not genetically modified, requires little or no pesticides, can be dry land farmed, and uses less fertilizer than wheat and corn. Farmers in more than 30 countries, including Canada, Great Britain, France, Germany, Romania, Australia, and China, can produce industrial hemp without undue restriction or complications; and

Whereas, Industrial and commercial grade hemp could help stimulate an economic resurgence in the city of Detroit and the state of Michigan as part of the New Green Economy. The State of Michigan, in general, and the City of Detroit, specifically, are in dire economic times. Detroit has an abundance of vacant land that could be used for industrial hemp farming, as well as the processing and production of over 25,000 potential products and finished goods. This could create an economic resurgence by creating thousands of jobs for Detroit and Michigan; and

Whereas, The reluctance of the United States Drug Enforcement Administration (DEA) to permit industrial hemp farming is denying agricultural producers in this country the ability to benefit from a high-value, low-input crop, which can provide significant economic benefits to producers and manufacturers. The DEA has the authority under the Controlled Substances Act to allow Michigan to regulate industrial hemp farming under existing state laws and without requiring individual federal applications and licenses; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress and the administration to recognize industrial hemp as a valuable agricultural commodity and to take steps to remove barriers in order to encourage the commercial production of this crop; and be it further

Resolved, That we urge the DEA to allow Michigan to regulate industrial hemp farming under existing state laws and regulations, or those to be passed, without requiring federal applications, licenses, or fees; and be it further

Resolved, That copies of this resolution be transmitted to President of the United States, the Attorney General of the United States, the Administrator of the United States Drug Enforcement Administration, the Director of the Office of National Drug Control Policy, the United States Secretary of Agriculture, 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. Horn, Terry Brown, Caul, Daley, Espinoza, Geiss, Hansen, Hildenbrand, Kandrevas, Kennedy, Knollenberg, Kurtz, LeBlanc, Liss, Marleau, Mayes, Meekhof, Neumann, Pearce, Polidori, Proos, Slavens, Stamas and Tyler offered the following resolution:

House Resolution No. 315.

A resolution to declare August 2010 as Camping and Recreational Vehicle Month in the state of Michigan.

Whereas, Michigan has been welcoming campers to its woodlands, freshwater shoreline and inland lakes and streams in two distinct peninsulas, nestled in the middle of the Great Lakes Region, for generations; and

Whereas, Michigan has more than 950 licensed private recreational vehicle parks and campgrounds, with more than 111,000 licensed camp sites, and more than 160 county or government operated campgrounds with over 14,700 sites around the state; and

Whereas, Michigan is home to 98 state parks & recreation areas under the auspices of the Michigan Department of Natural Resources & Environment, and 7 forests, parks, and lakeshores in Michigan under the jurisdiction of the U.S. Forest Service, collectively offering 15,000 sites on state and federal lands designated for camping; and

Whereas, More than 40 million people camp in Michigan each year, generating more than 2 billion dollars for the state's economy, making it a key contributor to the state's overall tourism industry of more than 16 billion dollars, offering a true "Pure Michigan" experience; and

Whereas, Camping also encourages visitors and locals alike to partake in activities such as boating, fishing, hunting, snowmobiling, paddling, pedaling, geocaching, nature watching, photography, and other outdoor activities, which also highlight Michigan's great outdoors; and

Whereas, Michigan boasts two non-profit organizations, the Association of RV Parks & Campgrounds of Michigan and the Michigan Association of Recreational Vehicles & Campgrounds, which equally promote and support private campground and RV parks throughout the state particularly by the distribution of hundreds of thousands of free camping directories at RV and outdoor shows, at statewide chambers of commerce, libraries, lawmakers offices, RV sales businesses and campgrounds; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare August 2010 as Camping and Recreational Vehicle Month in the state of Michigan. We encourage all citizens to take advantage of our great state's array of sun, freshwater coastline, woodlands, soft breezes and fresh air where the temperate climate allows for great camping and outdoor recreation.

The question being on the adoption of the resolution,
The resolution was adopted.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 51.76

Reps. LeBlanc, Terry Brown, Espinoza, Geiss, Hansen, Horn, Kurtz, Liss, Marleau, Mayes, Neumann, Pearce, Polidori, Slavens and Stamas offered the following concurrent resolution:

House Concurrent Resolution No. 62.

A concurrent resolution relative to secondary road patrol funds for counties, cities, and villages.

Whereas, Section 76 of Chapter 14 of the Revised Statutes of 1846, being MCL § 51.76, as added by 1978 PA 416, permits secondary road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a secondary road patrol agreement is void if the city or village reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions. Section 77 of Chapter 14, being MCL § 51.77, also provides a similar maintenance of effort standard for counties providing these secondary road patrol services, unless it is recognized that the reduction was merely due to cuts in general services due to economic conditions; and

Whereas, Indeed, subsection 3 of MCL § 51.76 specifically provides, in part, that: "A concurrent resolution adopted by a majority vote of the Senate and the House of Representatives which states that the city or village is required to reduce general services because of economic conditions and is not reducing law enforcement services shall be presumptive that the city or village has not violated the strictures of this subsection"; and

Whereas, In all of Michigan's counties, cities, and villages, general services have been reduced as a result of serious economic difficulties. These reductions in services have occurred in direct reaction to economic conditions; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That counties, cities, and villages in Michigan have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in sections 76 or 77 of Chapter 14 of the Revised Statutes of 1846, as added by 1978 PA 416; and be it further

Resolved, That counties, cities, and villages have met the necessary terms of their agreements for secondary road patrol services as they relate to maintenance of effort.

The concurrent resolution was referred to the Committee on Appropriations.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following Senate bill had been received on Wednesday, July 28:

Senate Bill No. 1262

Reports of Standing Committees

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

House Bill No. 6212, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2008 PA 455.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 28, 2010

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

Absent: Reps. Gonzales and McDowell

Messages from the Senate

House Bill No. 4848, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 12 (MCL 247.662), as amended by 2002 PA 498.

The Senate has concurred in the House amendments to the Senate substitute (S-1).

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

House Bill No. 5843, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 4105 (MCL 289.4105), as amended by 2007 PA 113.

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

The House agreed to the full title.

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

House Bill No. 6152, entitled

A bill to amend 2008 PA 33, entitled "Michigan planning enabling act," by amending sections 3, 7, and 33 (MCL 125.3803, 125.3807, and 125.3833).

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

The House agreed to the full title.

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

House Bill No. 5273, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," (MCL 600.101 to 600.9947) by adding section 1084.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), 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.

House Concurrent Resolution No. 52.

A concurrent resolution to approve certain designated open space land applications for property in Kent County. (For text of resolution, see House Journal No. 32, p. 492.)

The Senate has adopted the concurrent resolution and named Senator Hardiman as co-sponsor.

The concurrent resolution was referred to the Clerk for record.

Senate Bill No. 1262, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320d (MCL 257.320d), as added by 2008 PA 568.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Terry Brown introduced

House Bill No. 6357, entitled

A bill to amend 1965 PA 190, entitled "An act to provide for a system of uniformity of service for veterans," by amending section 1 (MCL 35.61), as amended by 1997 PA 131.

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

Rep. Haveman introduced

House Bill No. 6358, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20114a, 20120a, 20120b, 20120c, and 20120d (MCL 324.20114a, 324.20120a, 324.20120b, 324.20120c, and 324.20120d), section 20114a as amended by 1996 PA 115, sections 20120a, 20120b, and 20120c as added by 1995 PA 71, and section 20120d as amended by 1996 PA 383, and by adding sections 20114b, 20114c, 20114d, 20120, and 20120e; and to repeal acts and parts of acts.

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

Rep. Clemente introduced

House Bill No. 6359, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20126 and 20126a (MCL 324.20126 and 324.20126a), section 20126 as amended by 1999 PA 196 and section 20126a as added by 1995 PA 71, and by adding section 20114e.

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

Rep. Stanley introduced

House Bill No. 6360, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20107a and 20108b (MCL 324.20107a and 324.20108b), section 20107a as amended and section 20108b as added by 1996 PA 383.

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

Rep. Tyler introduced

House Bill No. 6361, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20101, 20104, and 20104a (MCL 324.20101, 324.20104, and 324.20104a), section 20101 as amended and section 20104a as added by 1996 PA 383 and section 20104 as amended by 1995 PA 71.

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

Rep. Segal introduced

House Bill No. 6362, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20129, 20137, and 20139 (MCL 324.20129, 324.20137, and 324.20139), as amended by 1995 PA 71.

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

Rep. Knollenberg introduced

House Bill No. 6363, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20112a, 20113, and 20114 (MCL 324.20112a, 324.20113, and 324.20114), section 20112a as added and section 20114 as amended by 1995 PA 71 and section 20113 as amended by 1996 PA 383.

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

Rep. Jackson moved that the House adjourn.

The motion prevailed, the time being 3:05 p.m.

Associate Speaker Pro Tempore Scripps declared the House adjourned until Wednesday, August 4, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

