

No. 40
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2010

House Chamber, Lansing, Thursday, April 29, 2010.

12:00 Noon.

The House was called to order by Associate Speaker Pro Tempore Jackson.

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

Agema—present	Durhal—present	Kurtz—present	Polidori—present
Amash—present	Ebli—present	Lahti—present	Proos—present
Angerer—present	Elsenheimer—present	LeBlanc—present	Roberts—present
Ball—present	Espinoza—present	Leland—present	Rocca—present
Barnett—present	Geiss—present	Lemmons—present	Rogers—present
Bauer—present	Genetski—present	Lindberg—present	Schmidt, R.—present
Bennett—present	Gonzales—present	Lipton—excused	Schmidt, W.—present
Bledsoe—present	Green—present	Liss—present	Schuitmaker—present
Bolger—present	Gregory—present	Lori—present	Scott, B.—present
Booher—present	Griffin—present	Lund—present	Scott, P.—present
Brown, L.—present	Haase—present	Marleau—present	Scripps—present
Brown, T.—present	Haines—present	Mayes—present	Segal—present
Byrnes—present	Hammel—present	McDowell—present	Sheltrown—present
Byrum—present	Hansen—present	McMillin—present	Slavens—present
Calley—excused	Haugh—present	Meadows—present	Slezak—present
Caul—present	Haveman—present	Meekhof—present	Smith—present
Clemente—present	Hildenbrand—present	Melton—present	Spade—present
Constan—present	Horn—present	Meltzer—present	Stamas—present
Corriveau—present	Huckleberry—present	Miller—present	Stanley—present
Crawford—present	Jackson—present	Moore—present	Switalski—present
Cushingberry—present	Johnson—present	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. Jim Slezak, from the 50th District, offered the following invocation:

“Lord, we are not worthy to stand in Your presence. Give us the strength and courage to do what is right for the people of our great state of Michigan. Teach us not to be selfish but rather to be selfless. Let us be the voice for the people who have no voice. Bring us together so that we may stand collectively with integrity. Let this be the day that we stand united to bring us out of the crisis we are in and put us back on the road to prosperity. We pray in Jesus’s Holy name, Amen.”

Rep. Dean moved that Rep. Lipton be excused from today’s session.
The motion prevailed.

Rep. Hildenbrand moved that Rep. Calley be excused from today’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 5555, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 3 (MCL 125.2683), as amended by 2008 PA 217.

(The bill was received from the Senate on April 28, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 39, p. 609.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 161

Yeas—98

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

Nays—8

Agema
Amash

Daley
Genetski

McMillin
Miller

Opsommer
Scott, P.

In The Chair: Jackson

The House agreed to the title as amended.
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Miller, having reserved the right to explain his nay vote, made the following statement:
“Mr. Speaker and members of the House:

Clearly we have to diversify our economy and while renewable energy offers promise expanding our economic development tools in the form of targeted tax breaks for specific interests is not a sustainable or fair way of creating long term economic growth. The forgone revenue would be better used investing in early childhood education or lessening the tax burden on existing Michigan businesses.”

Second Reading of Bills

House Bill No. 5409, 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.

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

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

Rep. Durhal moved to amend the bill as follows:

1. Amend page 10, following line 25, by inserting:

“(4) LOCAL GOVERNMENT PROGRAMS

Supervision of general property tax law	\$ 3,000,000
GROSS APPROPRIATION	\$ 3,000,000

Appropriated from:

Special revenue funds:

Delinquent tax collection revenue	3,000,000
State general fund/general purpose	\$ 0”

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

2. Amend page 14, following line 22, by inserting:

“TREASURY

Sec. 701. The appropriation in part 1 for supervision of the general property tax law is to fund personal property tax audits conducted by tax management associates pursuant to a contract with the state of Michigan.”.

The question being on the adoption of the amendments offered by Rep. Durhal,

Rep. Dean moved that consideration of the bill be postponed temporarily.
The motion prevailed.

House Bill No. 5573, entitled

A bill to amend 1941 PA 359, entitled “An act for controlling and eradicating certain noxious weeds within the state; to permit townships, villages, and cities to have a lien for expenses incurred in controlling and eradicating such weeds; to permit officials of counties and municipalities to appoint commissioners of noxious weeds; to define the powers, duties,

and compensation of commissioners; to provide for sanctions; and to repeal certain acts and parts of acts,” by amending section 4 (MCL 247.64), as amended by 2003 PA 321.

The bill was read a second time.

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

The motion prevailed.

Rep. Dean 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. 5573, entitled

A bill to amend 1941 PA 359, entitled “An act for controlling and eradicating certain noxious weeds within the state; to permit townships, villages, and cities to have a lien for expenses incurred in controlling and eradicating such weeds; to permit officials of counties and municipalities to appoint commissioners of noxious weeds; to define the powers, duties, and compensation of commissioners; to provide for sanctions; and to repeal certain acts and parts of acts,” by amending section 4 (MCL 247.64), as amended by 2003 PA 321.

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

Roll Call No. 162

Yeas—106

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

Nays—0

The House agreed to the title of the bill.
Rep. Dean 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. 5786, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding sections 7mm and 9m.

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

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

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

The motion prevailed.

Rep. Dean 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. 5786, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding sections 7mm and 9m.

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

Roll Call No. 163

Yeas—106

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

Nays—0

In The Chair: Jackson

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

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

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.155) by adding section 7mm.

The motion prevailed.

The House agreed to the title as amended.

Rep. Dean 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. 5271, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1264.

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

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

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

The motion prevailed.

Rep. Dean 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. 5271, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1264.

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

Roll Call No. 164**Yeas—70**

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

Nays—36

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

In The Chair: Jackson

The House agreed to the title of the bill.
 Rep. Dean 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. 5991, entitled**

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

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

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

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

The motion prevailed.

Rep. Dean 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. 5991, entitled**

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

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

Roll Call No. 165**Yeas—70**

Angerer	Durhal	Lahti	Schmidt, R.
Ball	Ebli	LeBlanc	Schmidt, W.
Barnett	Espinoza	Leland	Scott, B.
Bauer	Geiss	Lemmons	Scripps
Bennett	Gonzales	Lindberg	Segal
Bledsoe	Green	Liss	Sheltrown
Brown, L.	Gregory	Mayes	Slavens
Brown, T.	Griffin	McDowell	Slezak

Byrnes	Haase	Meadows	Smith
Byrum	Hammel	Melton	Spade
Caul	Haugh	Miller	Stanley
Clemente	Huckleberry	Nathan	Switalski
Constan	Jackson	Nerat	Tlaib
Corriveau	Johnson	Neumann	Valentine
Cushingberry	Jones, Rick	Polidori	Warren
Dean	Jones, Robert	Roberts	Womack
Dillon	Kandrevas	Rocca	Young
Donigan	Kennedy		

Nays—36

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

In The Chair: Jackson

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

Second Reading of Bills

The House returned to the consideration of
House Bill No. 5409, 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 considered earlier today, see today’s Journal, p. 617.)

The question being on the adoption of the amendments offered previously by Rep. Durhal,
 Rep. Durhal withdrew the amendments.

Rep. McDowell moved to amend the bill as follows:

1. Amend page 12, line 11, by striking out all of subsections (5) and (6).

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

Rep. Durhal moved to amend the bill as follows:

1. Amend page 10, following line 25, by inserting:

“(4) LOCAL GOVERNMENT PROGRAMS

Supervision of general property tax law	\$	3,000,000
GROSS APPROPRIATION	\$	3,000,000
Appropriated from:		
Special revenue funds:		
Delinquent tax collection revenue		3,000,000
State general fund/general purpose	\$	0”

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

2. Amend page 14, following line 22, by inserting:

“TREASURY

Sec. 701. The appropriation in part 1 for supervision of the general property tax law is to fund personal property tax audits.”.

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

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

The motion prevailed.

Rep. Dean 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. 5409, 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.

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

Roll Call No. 166

Yeas—87

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

Nays—19

Agema	Genetski	Kurtz	Opsommer
Amash	Haveman	Lund	Pavlov
Daley	Hildenbrand	McMillin	Rogers
Denby	Knollenberg	Meekhof	Scott, P.
Elsenheimer	Kowall	Meltzer	

In The Chair: Jackson

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

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

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

The motion prevailed.

The House agreed to the title as amended.

Rep. Dean 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. 6045, entitled

A bill to provide for the procedure for allocation of federal bond limitation under certain bond programs; and to prescribe certain powers and duties of certain state agencies and public officers.

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

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

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

The motion prevailed.

Rep. Dean 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. 6045, entitled

A bill to provide for the procedure for allocation of federal bond limitation under certain bond programs; and to prescribe certain powers and duties of certain state agencies and public officers.

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

Roll Call No. 167

Yeas—72

Angerer	Donigan	Kennedy	Schmidt, R.
Ball	Durhal	Lahti	Scott, B.
Barnett	Ebli	LeBlanc	Scripps
Bauer	Espinoza	Leland	Segal
Bennett	Geiss	Lemmons	Sheltrown
Bledsoe	Gonzales	Lindberg	Slavens
Booher	Green	Liss	Slezak
Brown, L.	Gregory	Mayes	Smith
Brown, T.	Griffin	McDowell	Spade
Byrnes	Haase	Meadows	Stamas
Byrum	Hammel	Melton	Stanley
Clemente	Hansen	Miller	Switalski
Constan	Haugh	Moore	Tlaib
Corriveau	Huckleberry	Nerat	Valentine
Cushingberry	Jackson	Neumann	Walsh
Dean	Johnson	Polidori	Warren
Denby	Jones, Robert	Roberts	Womack
Dillon	Kandrevas	Rogers	Young

Nays—34

Agema	Haines	Lund	Pavlov
Amash	Haveman	Marleau	Pearce
Bolger	Hildenbrand	McMillin	Proos
Caul	Horn	Meekhof	Rocca
Crawford	Jones, Rick	Meltzer	Schmidt, W.
Daley	Knollenberg	Moss	Schuitmaker
DeShazor	Kowall	Nathan	Scott, P.
Elsenheimer	Kurtz	Opsommer	Tyler
Genetski	Lori		

In The Chair: Jackson

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

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

A bill to provide for the procedure for allocation, reallocation, and waiver of federal bond limitations under certain bond programs; and to prescribe certain powers and duties of certain state agencies and public officers.

The motion prevailed.

The House agreed to the title as amended.

Rep. Dean 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

Reps. Lisa Brown, Slavens, Tlaib, Ball, Terry Brown, Byrum, Constan, Crawford, Denby, Hansen, Robert Jones, Knollenberg, Kowall, Kurtz, LeBlanc, Liss, Lori, Marleau, Mayes, Moss, Pearce, Proos, Roberts, Rogers, Segal, Sheltroun, Smith, Spade, Tyler, Valentine and Warren offered the following resolution:

House Resolution No. 268.

A resolution to declare May 2010 as Osteoporosis Awareness Prevention Month in the state of Michigan.

Whereas, The National Osteoporosis Foundation's (NOF) goal is to reduce the widespread prevalence of osteoporosis and associated fractures and to find a cure for the disease through programs of awareness, education, advocacy and research; and

Whereas, Osteoporosis is a disease in which bones become fragile and more likely to break. If not prevented or if left untreated, osteoporosis can progress painlessly until a bone breaks; and

Whereas, Osteoporosis is a major public health threat for an estimated 44 million Americans, or 55 percent of the people 50 years of age and older; and

Whereas, In the U.S. today, 10 million individuals are estimated to already have the disease and almost 34 million more are estimated to have low bone mass, placing them at increased risk for osteoporosis; and

Whereas, While osteoporosis is often thought of as an older person's disease, it can strike at any age; and

Whereas, Together, the following five steps can optimize bone health and help prevent osteoporosis: Get the daily recommended amounts of calcium and vitamin D, engage in regular weight-bearing and muscle-strengthening exercise, avoid smoking and excessive alcohol, talk to your healthcare provider about bone health, have a bone density test and take medication when appropriate; and

Whereas, NOF works for increased awareness of osteoporosis and bone health among women and men of all ages and backgrounds and to address the vital need for increased education and for the awareness, prevention, diagnosis and treatment of osteoporosis; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2010 as Osteoporosis Awareness Prevention Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. McMillin, Meltzer, Lund, Genetski, Pavlov, Agema, Ball, Terry Brown, Daley, Denby, DeShazor, Hansen, Haveman, Knollenberg, Kowall, Kurtz, Lori, Marleau, Meekhof, Moss, Pearce, Proos, Rogers, Schuitmaker, Slavens and Tyler offered the following resolution:

House Resolution No. 269.

A resolution to declare the week of May 2 through May 8, 2010, as Home Education Week in the state of Michigan.

Whereas, Homeschooling is the fastest-growing educational trend in the United States, growing by an estimated 15 percent per year with over 2 million children nationwide now in a homeschool program; and

Whereas, The state of Michigan has long recognized that parents and legal guardians have a natural and fundamental right to direct the care, education, and upbringing of their children; and

Whereas, Homeschooling provides young people with a strong foundation of values and academic skills needed to become responsible citizens of our state and nation; and

Whereas, Homeschooling parents understand they are to be the primary educators and know that parental supervision and involvement play a major role in the education of students; and

Whereas, Homeschooling parents know that teaching morals and values is essential to the complete education of the student since every member of society continually makes moral decisions; and

Whereas, Homeschooling parents are dedicated to producing academically-strong students who also commit themselves to service, with studies demonstrating that homeschool students have a stronger understanding and higher participation rate in the governmental system and elections, and a significantly higher percentage are involved in community organizations; and

Whereas, Numerous individuals of note are products of homeschooling, including George Washington, Thomas Edison, Helen Keller, Agatha Christie, and Franklin D. Roosevelt; and

Whereas, Homeschoolers come from a diverse number of socioeconomic backgrounds and are from a variety of races and creeds; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare the week of May 2 through May 8, 2010, as Home Education Week in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Proos, Agema, Ball, Crawford, Daley, Denby, DeShazor, Genetski, Hansen, Haveman, Knollenberg, Kowall, Kurtz, Lori, Lund, Marleau, McMillin, Meekhof, Moore, Moss, Pavlov, Pearce, Rogers, Wayne Schmidt, Schuitmaker, Spade, Stamas, Tyler and Walsh offered the following resolution:

House Resolution No. 270.

A resolution to urge the Michigan Attorney General to take the steps the Department of Attorney General considers necessary to increase the scrutiny of interlocal governmental agreements, and require that any interlocal agreement with the state of Michigan have biennial audits conducted by the Auditor General and reauthorization by the Governor.

Whereas, The state of Michigan and its various political subdivisions are facing fiscal challenges unseen since the time of the Great Depression. In response to this host of challenges, the way we conduct public policy and governmental operations needs to be reformed and restructured from top to bottom. As a key component of these reforms, governmental cooperation is increasingly becoming one of the primary strategies to maintain governmental services and to reduce costs. Intergovernmental cooperation allows local units of government to take on problems that cross jurisdictional boundaries, to undertake projects calling for increased economies of scale, and to allow for a wide range of flexibility over and beyond formal institutional arrangements. Intergovernmental cooperation also preserves the territorial and political integrity of the units involved; and

Whereas, If an interlocal cooperative agreement requires revenues of the state to carry out its mission, or the agreement involves the state, another state or political subdivision of that state, Canada or a political subdivision of Canada, the agreement must be submitted to the Governor for review. Considering the importance of these types of agreements, they should be subject to biennial review by the Auditor General and reauthorized by the Governor; and

Whereas, Moreover, at the local level, interlocal agreements may be as informal as a handshake. Moreover, there is no recording requirement or effective means of physically maintaining a record of interlocal agreements. In turn, there is no real oversight of these types of documents. In fact, with local term limits, retirements, and recalls it is not uncommon to find that local units do not even know themselves what agreements they have entered into; and

Whereas, As interlocal agreements become more prevalent, it is increasingly more important that the state be more proactive in monitoring and maintaining interlocal agreements. In the interim, it is critical that an official at the state level, and in this particular case, the state's Attorney General, take steps deemed necessary to fill this void and, when practicable, provide oversight of interlocal agreements; now, therefore, be it

Resolved by the House of Representatives, That we hereby urge the Michigan Attorney General to take the steps the Department of Attorney General considers necessary to increase the scrutiny of interlocal governmental agreements, and require that any interlocal agreement with the state of Michigan have biennial audits conducted by the Auditor General and reauthorization by the Governor; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor, the Attorney General, and the Office of the Auditor General.

The resolution was referred to the Committee on Judiciary.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, April 28:

Senate Bill Nos. 1295 1296 1297 1298 1299 1300 1301 1302 1303 1304

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, April 29, for her approval of the following bills:

Enrolled House Bill No. 4370 at 10:04 a.m.

Enrolled House Bill No. 4394 at 10:06 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, April 29:

House Bill Nos. 6079 6080 6081 6082 6083 6084 6085 6086 6087 6088 6089 6090 6091 6092

The Clerk announced that the following Senate bills had been received on Thursday, April 29:

Senate Bill Nos. 962 1206 1207 1208 1241

Reports of Standing Committees

The Committee on Education, by Rep. Melton, Chair, reported

House Bill No. 4580, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310b.

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. Melton, Lisa Brown, Bledsoe, Byrum, Corriveau, Haase, Kennedy, Lindberg, Nathan, Polidori, Roberts, Sheltrown, Valentine, Ball, Tyler and Walsh

Nays: Reps. Pavlov, Amash and McMillin

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 29, 2010

Present: Reps. Melton, Lisa Brown, Bledsoe, Byrum, Corriveau, Haase, Kennedy, Lindberg, Nathan, Polidori, Roberts, Sheltrown, Valentine, Pavlov, Amash, Ball, McMillin, Tyler and Walsh

Absent: Reps. Geiss, DeShazor, Pearce and Paul Scott

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

House Bill No. 6051, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 7A.

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. Scripps, Roy Schmidt, Clemente, Johnson, Mayes, Nathan and Marleau
 Nays: None

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

House Bill No. 6052, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding sections 79c, 79d, and 79e.

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. Scripps, Roy Schmidt, Clemente, Johnson, Mayes, Nathan and Marleau
 Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 29, 2010

Present: Reps. Scripps, Roy Schmidt, Clemente, Johnson, Mayes, Nathan, Booher, Kowall and Marleau

Absent: Rep. Calley

Excused: Rep. Calley

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

House Bill No. 4961, entitled

A bill to amend 1964 PA 286, entitled "An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner's advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts," by amending the title and sections 1, 6a, 7, 7a, and 10 (MCL 247.801, 247.806a, 247.807, 247.807a, and 247.810), the title as amended by 1984 PA 398 and section 7a as amended by 1981 PA 122, and by adding sections 7b, 7c, 7d, 7e, 7f, and 7g.

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. Byrnes, Kandrevas, Donigan, Geiss, Griffin, Haugh, Leland, Nerat and Roy Schmidt

Nays: Reps. Opsommer, Bolger, Knollenberg and Wayne Schmidt

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 29, 2010

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

Absent: Rep. Paul Scott

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 29, 2010

Present: Reps. Warren, Nerat, Bledsoe, Ebli, Kennedy, Roberts, Scripps, Meekhof, Daley, Haveman, Rick Jones and Pavlov

Absent: Reps. Leland, Meadows and Wayne Schmidt

Excused: Reps. Leland, Meadows and Wayne Schmidt

Explanation of “No” Votes

Rep. Opsommer, having reserved the right to explain his protest against the passage of **House Bill No. 5198** and **House Bill No. 5199**, made the following statement:

“Mr. Speaker and members of the House:

It is both disappointing and frustrating that the bi-partisan substitute bills that I introduced today were not given serious consideration here on the floor. While the H-1 versions of the bills as passed will without doubt be used as public relations vehicles by the Diageo alcohol company, they do not address the root issues that my H-2 substitutes addressed. My substitutes would have increased fines, increased jail times, and made sure that license sanctions were applied fairly and equally by the SOS office in an equal manner to all offenders. We must craft legislation to represent sound public policy for the people that elected us, not as feel good soundbites. Michigan should be crafting laws not in a manner that best meets the purposes of a private company’s public relations scheme but in a manner that is best for the people of Michigan.”

Communications from State Officers

The following communication from the Department of Transportation was received and read:

April 29, 2010

Pursuant to Public Act 116 of 2009, section 384, enclosed is a report intended to fulfill the requirements of the following language:

(1) The department may continue with preliminary legal, financial, traffic and revenue study, permitting, engineering, and other ancillary work for the Detroit River International Crossing (DRIC) so that it can solicit from the private sector requests for proposals for public-private partnerships to construct the bridge, plaza, and related infrastructure. The department shall submit proposals to the legislature by May 1, 2010. Those activities associated with the DRIC project shall not bind the state in any way to construction.

(2) The department shall submit an investment grade traffic study to the legislature by May 1, 2010 from a reputable traffic company with appropriate experience intended to provide a detailed traffic projection for the ensuing 10 years, taking into account projected infrastructure modifications, expansions, and improvements announced.

(3) The department shall not expend more than \$2,500,000.00 from state transportation revenue sources for activities enumerated in this section.

(4) It is the intent of the legislature to fully adopt or reject authorizing legislation by the full legislative bodies by June 1, 2010 to do all of the following:

(a) Construct a new international crossing jointing and in agreement with Canada.

(b) Create an authorized tolling authority.

(c) Create a public-private partnership.

The report includes a “Report to the Legislature of the State of Michigan responding to Public Act 116 of 2009, Section 384”, the investment grade traffic study, and twenty proposals of interest from the private sector for Public-Private Partnerships to construct the bridge, plaza, and related infrastructure.

The Michigan Department of Transportation takes great pride in the way we are conducting the DRIC project. We urge you to visit the project Web site, www.partnershipborderstudy.com, where a wealth of additional information regarding study data and activities has been available since 2005. All material attached to this memo will be made available on the project Web site if not already posted.

If you have any questions, please feel free to contact me at (517) 373-3946 or decookr@michigan.gov.

Sincerely,
Ronald K. DeCook, Director
Office of Governmental Affairs

The communication was referred to the Clerk.

Introduction of Bills

Reps. Nerat, Sheltroun, McDowell, Lindberg, Clemente, Lipton, Lahti, Lemmons, Griffin and Liss introduced

House Bill No. 6093, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 437 (MCL 208.1437), as amended by 2009 PA 241.

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

Reps. Lund, Meltzer, Stamas and Denby introduced

House Bill No. 6094, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2111, 3101, 3104, 3107, 3114, 3115, 3163, and 3172 (MCL 500.2111, 500.3101, 500.3104, 500.3107, 500.3114, 500.3115, 500.3163, and 500.3172), section 2111 as amended by 2002 PA 492, section 3101 as amended by 2008 PA 241, section 3104 as amended by 2002 PA 662, section 3107 as amended by 1991 PA 191, section 3114 as amended by 2002 PA 38, section 3163 as amended by 2002 PA 697, and section 3172 as amended by 1984 PA 426.

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

Reps. Lund, Meltzer, Stamas and Denby introduced

House Bill No. 6095, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3107 and 3157 (MCL 500.3107 and 500.3157), section 3107 as amended by 1991 PA 191.

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

Reps. Lund, Meltzer and Denby introduced

House Bill No. 6096, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3171, 3172, 3173a, 3174, 3175, 3320, and 3330 (MCL 500.3171, 500.3172, 500.3173a, 500.3174, 500.3175, 500.3320, and 500.3330), sections 3172 and 3175 as amended and section 3173a as added by 1984 PA 426 and section 3320 as amended by 1980 PA 461.

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

Reps. Haveman, Young, Denby, Meekhof, Neumann, Lund, Walsh, Moore, Sheltroun, Womack, Lemmons, Green and Constan introduced

House Bill No. 6097, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 7704 (MCL 500.7704), as amended by 2006 PA 671.

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

Reps. Donigan and Bauer introduced

House Bill No. 6098, 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 first time by its title and referred to the Committee on Intergovernmental and Regional Affairs.

Reps. Walsh, Byrum, Caul, Wayne Schmidt, Young, Mayes, Melton, Hildenbrand, Roy Schmidt, Leland, Durhal, Lemmons, Slezak, McDowell, Spade, Terry Brown, Gregory, LeBlanc, Johnson, Huckleberry, Haase, Kandreas, Corriveau, Scripps, Robert Jones, Segal, Dean, Switalski, Haugh, Gonzales, Womack, Meadows, Griffin, Miller, Rocca, Byrnes, Neumann, Daley, Kennedy, Donigan, Stanley, Bledsoe, Liss, Ebli, Nerat, Sheltroun, Espinoza, Lahti, Constan, Slavens, Roberts, Warren, Polidori, Lindberg, Bauer, Stamas, Moore, Crawford, Horn, Pavlov, Green, Opsommer, Lund, Denby, Tyler, Bolger, Agema, Meekhof, Haines, Pearce, Haveman, Paul Scott, Booher, Rogers, Kowall, Ball, Hansen, Schuitmaker, Knollenberg, Proos, Valentine and Smith introduced

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

Reps. Roy Schmidt, Gregory, Byrum, Kandreas, Caul, Wayne Schmidt, Young, Mayes, Melton, Hildenbrand, Walsh, Leland, Durhal, Lemmons, Slezak, McDowell, Terry Brown, Spade, LeBlanc, Johnson, Huckleberry, Haase, Corriveau, Scripps, Robert Jones, Segal, Dean, Switalski, Haugh, Gonzales, Womack, Meadows, Griffin, Miller, Rocca, Byrnes, Neumann, Daley, Kennedy, Donigan, Stanley, Bledsoe, Liss, Ebli, Nerat, Sheltroun, Espinoza, Lahti, Constan, Slavens, Roberts, Warren, Polidori, Lindberg, Bauer, Stamas, Moore, Crawford, Horn, Pavlov, Green, Opsommer, Denby, Tyler, Bolger, Agema, Meekhof, Haines, Pearce, Haveman, Paul Scott, Lund, Booher, Rogers, Kowall, Ball, Hansen, Schuitmaker, Knollenberg, Proos, Valentine and Smith introduced

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 sections 14a and 14b.

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

Rep. McMillin introduced

House Bill No. 6101, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 13 (MCL 15.243), as amended by 2006 PA 482.

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

Associate Speaker Pro Tempore Jackson called Associate Speaker Pro Tempore Espinoza to the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Agema moved that the Committee on Judiciary be discharged from further consideration of **House Bill No. 4572**.

(For first notice see House Journal No. 39, p. 610.)

The question being on the motion made by Rep. Agema,

Rep. Agema demanded the yeas and nays.

The demand was not supported.

The question being on the motion made by Rep. Agema,

The motion did not prevail, a majority of the members serving not voting therefor.

Rep. Agema moved that the Committee on Judiciary be discharged from further consideration of **House Bill No. 4573**.

(For first notice see House Journal No. 39, p. 610.)

The question being on the motion made by Rep. Agema,

Rep. Agema demanded the yeas and nays.

The demand was not supported.

The question being on the motion made by Rep. Agema,

The motion did not prevail, a majority of the members serving not voting therefor.

Rep. Agema moved that the Committee on Judiciary be discharged from further consideration of **House Bill No. 4574**.

(For first notice see House Journal No. 39, p. 610.)

The question being on the motion made by Rep. Agema,

Rep. Agema demanded the yeas and nays.

The demand was not supported.

The question being on the motion made by Rep. Agema,

The motion did not prevail, a majority of the members serving not voting therefor.

Messages from the Senate

House Bill No. 5407, 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 Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

Senate Bill No. 962, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 111 (MCL 208.1111), as amended by 2008 PA 433.

The Senate has passed the bill.

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

Senate Bill No. 1206, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 2 (MCL 28.722), as amended by 2005 PA 301.

The Senate has passed the bill.

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

Senate Bill No. 1207, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 8 (MCL 28.728), as amended by 2004 PA 240.

The Senate has passed the bill.

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

Senate Bill No. 1208, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 5a (MCL 28.725a), as amended by 2005 PA 322.

The Senate has passed the bill.

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

Senate Bill No. 1241, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 5 (MCL 28.725), as amended by 2006 PA 402.

The Senate has passed the bill.

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



Rep. Nathan moved that the House adjourn.

The motion prevailed, the time being 5:25 p.m.

Associate Speaker Pro Tempore Espinoza declared the House adjourned until Tuesday, May 4, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

