

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

House Chamber, Lansing, Thursday, October 29, 2009.

12:00 Noon.

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

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

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

e/d/s = entered during session

Rep. Barb Byrum, from the 67th District, offered the following invocation:

“Good Afternoon:

A person of faith once said to ‘Do all the good you can, by all the means you can, in all the ways you can, in all the places you can, at all times you can, to all the people you can, as long as you can.’

I implore you to reach into your hearts to protect the freedoms we so deeply cherish in accordance with the values in which each one of us believes.

Join me in a moment of silence to reflect on how our individual beliefs should guide us towards the best for the people of this great state.

Thank you.”

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

Rep. Wayne Schmidt moved that Rep. Green be excused from today’s session.
The motion prevailed.

The Speaker Pro Tempore assumed the Chair.

Second Reading of Bills

House Bill No. 4568, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 231a (MCL 750.231a), as amended by 2008 PA 196.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4568, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 231a (MCL 750.231a), as amended by 2008 PA 196.

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

Roll Call No. 515

Yeas—100

Agema	Donigan	Knollenberg	Pearce
Amash	Durhal	Kowall	Polidori
Angerer	Ebli	Kurtz	Proos
Ball	Elsenheimer	Lahti	Roberts

Barnett	Espinoza	LeBlanc	Rocca
Bledsoe	Geiss	Leland	Rogers
Bolger	Genetski	Lemmons	Schmidt, R.
Booher	Gonzales	Lindberg	Schmidt, W.
Brown, L.	Gregory	Liss	Schuitmaker
Brown, T.	Griffin	Lori	Scott, B.
Byrnes	Haase	Lund	Scott, P.
Byrum	Haines	Marleau	Scripps
Calley	Hammel	Mayes	Segal
Caul	Hansen	McDowell	Sheltrown
Clemente	Haugh	McMillin	Slavens
Constan	Haveman	Meadows	Slezak
Corriveau	Hildenbrand	Meekhof	Smith
Coulouris	Horn	Melton	Spade
Crawford	Huckleberry	Meltzer	Stamas
Cushingberry	Jackson	Miller	Stanley
Daley	Johnson	Moore	Switalski
Dean	Jones, Rick	Moss	Tyler
Denby	Jones, Robert	Neumann	Valentine
DeShazor	Kandrevas	Opsommer	Walsh
Dillon	Kennedy	Pavlov	Womack

Nays—6

Bauer	Nathan	Warren	Young
Lipton	Tlaib		

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5200, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2511 (MCL 339.2511), as amended by 1990 PA 164.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5200, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2511 (MCL 339.2511), as amended by 1990 PA 164.

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

Roll Call No. 516**Yeas—106**

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5201, entitled**

A bill to repeal 1972 PA 286, entitled "Land sales act," (MCL 565.801 to 565.835).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5201, entitled**

A bill to repeal 1972 PA 286, entitled "Land sales act," (MCL 565.801 to 565.835).

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

Roll Call No. 517**Yeas—105**

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

Nays—1

Sheltrown

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5525, entitled**

A bill to authorize the county board of commissioners of any county in this state to establish and operate a farmers market or flea market; and to prescribe the powers and duties of certain local officers and officials.

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

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

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

The motion prevailed.

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

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

Second Reading of Bills

House Bill No. 4997, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 16, 22, 26, 28, 29, 33, 34, 35, 41, 42, 47, 52, 55, and 57 (MCL 169.215, 169.216, 169.222, 169.226, 169.228, 169.229, 169.233, 169.234, 169.235, 169.241, 169.242, 169.247, 169.252, 169.255, and 169.257), sections 15, 26, 29, 42, 47, 52, and 57 as amended by 2001 PA 250, section 16 as amended by 2000 PA 50, sections 22, 28, and 41 as amended by 1999 PA 237, sections 33 and 34 as amended by 1999 PA 238, section 35 as amended by 2000 PA 75, and section 55 as amended by 1995 PA 264, and by adding sections 43a and 48.

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

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

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4997, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 16, 22, 26, 28, 29, 33, 34, 35, 41, 42, 47, 52, 55, and 57 (MCL 169.215, 169.216, 169.222, 169.226, 169.228, 169.229, 169.233, 169.234, 169.235, 169.241, 169.242, 169.247, 169.252, 169.255, and 169.257), sections 15, 26, 29, 42, 47, 52, and 57 as amended by 2001 PA 250, section 16 as amended by 2000 PA 50, sections 22, 28, and 41 as amended by 1999 PA 237, sections 33 and 34 as amended by 1999 PA 238, section 35 as amended by 2000 PA 75, and section 55 as amended by 1995 PA 264, and by adding sections 43a and 48.

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

Roll Call No. 519

Yeas—62

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

Nays—43

Agema	Elsenheimer	Lahti	Pearce
Amash	Genetski	Lori	Proos

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

In The Chair: Byrnes

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

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

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 16, 22, 26, 28, 29, 33, 35, 41, 42, 52, 55, and 57 (MCL 169.215, 169.216, 169.222, 169.226, 169.228, 169.229, 169.233, 169.235, 169.241, 169.242, 169.252, 169.255, and 169.257), sections 15, 26, 29, 42, 52, and 57 as amended by 2001 PA 250, section 16 as amended by 2000 PA 50, sections 22, 28, and 41 as amended by 1999 PA 237, section 33 as amended by 1999 PA 238, section 35 as amended by 2000 PA 75, and section 55 as amended by 1995 PA 264, and by adding sections 43a and 48.

The motion prevailed.

The House agreed to the title as amended.

Second Reading of Bills

House Bill No. 4284, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 55 (MCL 169.255), as amended by 1995 PA 264.

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

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

Rep. Miller moved to amend the bill as follows:

1. Amend page 4, following line 15, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4245 of the 95th Legislature is enacted into law."

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4284, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 55 (MCL 169.255), as amended by 1995 PA 264.

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

Roll Call No. 520

Yeas—69

Angerer	Espinoza	LeBlanc	Schmidt, R.
Barnett	Geiss	Leland	Scott, B.
Bauer	Gonzales	Lemmons	Scripps

Brown, L.	Gregory	Lindberg	Segal
Brown, T.	Griffin	Lipton	Sheltrown
Byrnes	Haase	Liss	Slavens
Byrum	Hammel	Mayes	Slezak
Clemente	Haugh	McDowell	Smith
Constan	Horn	Meadows	Spade
Corriveau	Huckleberry	Melton	Stamas
Coulouris	Jackson	Miller	Stanley
Crawford	Johnson	Moore	Switalski
Cushingberry	Jones, Rick	Nathan	Tlaib
Dean	Jones, Robert	Neumann	Valentine
Dillon	Kandrevas	Polidori	Warren
Donigan	Kennedy	Roberts	Womack
Durhal	Lahti	Rocca	Young
Ebli			

Nays—37

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

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4245, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 57 (MCL 169.257), as amended by 2001 PA 250.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4245, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 57 (MCL 169.257), as amended by 2001 PA 250.

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

Roll Call No. 521**Yeas—64**

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

Nays—42

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

In The Chair: Byrnes

The House agreed to the title of the bill.

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported
House Bill No. 4288, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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, Terry Brown, Dean, Durhal, Espinoza, Gregory, Jackson, Lahti, LeBlanc, McDowell, 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, October 28, 2009

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

Absent: Rep. Bennett

Second Reading of Bills**House Bill No. 4288, entitled**

A bill to make appropriations for the department of agriculture 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. Espinoza moved to amend the bill as follows:

1. Amend page 2, line 25, by striking out all of subsection (2), renumbering the remaining subsections and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 4, line 16, by striking out all of sections 203, 210, 211, and 212.

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

Rep. Espinoza moved to amend the bill as follows:

1. Amend page 7, following line 18, by inserting:

“Sec. 812. In the event there is no live thoroughbred race meet in 2009 or 2010, all purse money and program money appropriated for the thoroughbred industry in fiscal year 2008-2009 and fiscal year 2009-2010 shall be held in escrow for a period not to exceed 18 months, or until a thoroughbred race meet license is applied for and granted by the office of racing commissioner. In the event there is no thoroughbred race meet in 2009 or 2010, the purse pool distribution order to be issued by the office of racing commissioner in 2010 that delineates distribution between the thoroughbred race meet that has been held at Great Lakes downs and the joint thoroughbred/quarterhorse meet held in Mt. Pleasant shall be the same distribution formula as issued in 2009, with the thoroughbred portion being held in escrow.

Sec. 813. The office of racing commissioner shall provide each certified horsemen’s organization a minimum of 30 days notice before submitting a request for rule-making with the state office of administrative hearings and rules. The notice shall include all information as is required by the request for rule-making with the state office of administrative hearings and rules.”

The motion prevailed and the amendment 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. Angerer moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4288, entitled**

A bill to make appropriations for the department of agriculture 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. 522

Yeas—105

Agema
Amash

Durhal
Ebli

Kurtz
Lahti

Proos
Roberts

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

Nays—1

McMillin

In The Chair: Byrnes

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

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

A bill to 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 motion prevailed.

The House agreed to the title as amended.

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

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

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

“Mr. Speaker and members of the House:

I voted ‘no’ because I oppose the taxpayer-funding of gambling in this bill.”

Rep. Angerer moved that Reps. Dillon and Womack be excused temporarily from today’s session.

The motion prevailed.

House Bill No. 4893, entitled

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending section 5 (MCL 52.205), as amended by 2006 PA 569.

(The bill was read a third time and postponed for the day on October 28, see House Journal No. 94, p. 2178.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 523**Yeas—87**

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

Nays—17

Agema	Geiss	Nathan	Scott, P.
Amash	Genetski	Opsommer	Scripps
Barnett	McMillin	Roberts	Segal
Bolger	Moore	Scott, B.	Tlaib
Brown, L.			

In The Chair: Byrnes

The House agreed to the title of the bill.

By unanimous consent the House returned to the order of

Motions and Resolutions

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

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

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

Reps. Bettie Scott, Johnson, Cushingberry, Durhal, Young, Miller, Lemmons, Tlaib, Womack, Kennedy, Stanley, Constan, Liss, Slavens, Robert Jones, Espinoza, Terry Brown, Polidori, Gonzales, Spade, Lipton, Gregory, LeBlanc, Lahti, McDowell, Lindberg, Dean, Leland, Meadows, Valentine, Ebli, Barnett, Geiss, Hammel, Bauer, Smith, Donigan, Switalski, Coulouris, Jackson, Warren, Melton, Haugh, Byrnes, Huckleberry and Nathan offered the following resolution:

House Resolution No. 175.

A resolution to urge the Congress of the United States to enact and put into immediate effect a Humphrey-Hawkins Full Employment Act.

Whereas, The Humphrey-Hawkins Full Employment and Balanced Growth Act of 1978 was adopted to address the high unemployment and inflation that threatened the financial and social fabric of our nation in the late 1970s. This measure, which has since expired, was designed to utilize all of the tools of the federal government had in its power to promote full employment and check inflation; and

Whereas, Indeed, amid a severe worldwide economic downturn, our nation and the state of Michigan in particular have been buffeted by an economic tsunami that in many respects is much worse than that of the recession of the 1970s. In fact, in the 18 months prior to the peak in Michigan unemployment in the early 1980s Michigan's unemployment rate increased 5 percent. In the last 18 months, however, our unemployment rate has increased by 8 percent to 15.3 percent. This amounts to 500,000 lost jobs, and amply demonstrates why our state has lost jobs for 25 consecutive months and has had the nation's highest unemployment rate for 27 of the past 28 months. Moreover, nearly half of these lost jobs have been in the manufacturing and construction industries that traditionally pay some of the state's highest wages. The situation is even worse in many of our metropolitan areas, such as the city of Detroit, where the unemployment rate is currently at 28.9 percent; and

Whereas, Clearly, our economy is at a point where legislation such as the Humphrey-Hawkins Full Employment Act is desperately needed today. Federal assistance in retraining many of the highly skilled unemployed into careers of the future, and public works efforts designed to put more people back on a payroll are essential components in righting our economic ship. The power of the federal government to promote economic growth, balance the budget, and bring justice to our trade policies is critical to the financial reinvigoration of the Great Lake State; now, therefore, be it

Resolved by the House of Representatives, That we hereby urge the Congress of the United States to enact and put into effect a Humphrey-Hawkins Full Employment Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Labor.

Announcement by the Clerk of Printing and Enrollment

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

House Bill Nos.	5556	5557	5558	5559	5560	5561				
House Joint Resolution	MM									
Senate Bill Nos.	946	947	948	949	950	959	960	961	962	

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

Senate Bill Nos.	680	850	851
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Reports of Standing Committees

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

House Bill No. 5558, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11525a (MCL 324.11525a), as amended by 2007 PA 75, and by adding sections 11532a and 11532b.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 1, line 3, after "**UNTIL**" by striking out "**OCTOBER 1, 2009**" and inserting "**JANUARY 1, 2010**".
2. Amend page 3, line 5, after "**BEGINNING**" by striking out "**OCTOBER 1, 2009**" and inserting "**JANUARY 1, 2010**".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Warren, Bledsoe, Ebli, Kennedy, Leland, Meadows, Roberts and Scripps
Nays: Reps. Meekhof, Daley, Haveman, Rick Jones, Pavlov and Wayne Schmidt

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

House Joint Resolution MM, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 43 to article IX, to provide for the expenditure of revenue from a charge imposed by law on landfills for solid waste that is disposed of in the landfills.

Without amendment and with the recommendation that the joint resolution be adopted.

The joint resolution was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Warren, Bledsoe, Ebli, Kennedy, Leland, Meadows, Roberts and Scripps
Nays: Reps. Meekhof, Daley, Haveman, Rick Jones, Pavlov and Wayne Schmidt

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, October 29, 2009

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

Absent: Rep. Nerat

Excused: Rep. Nerat

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 29, 2009

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

Absent: Rep. Nerat

Excused: Rep. Nerat

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 29, 2009

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Byrnes, Chair, of the Committee on Public Employee Health Care Reform, was received and read:

Meeting held on: Thursday, October 29, 2009

Present: Reps. Byrnes, Melton, Haugh, Lahti, Scripps, Segal, Stanley, Pavlov, Bolger, Genetski, Lori and Rogers

Absent: Rep. Johnson

Excused: Rep. Johnson

Messages from the Senate

Senate Bill No. 680, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 314a.

The Senate has passed the bill.

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

Senate Bill No. 850, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 550 (MCL 600.550), as amended by 1990 PA 54.

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. 851, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 507 (MCL 600.507), as amended by 2006 PA 607.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 4860**.

Rep. Angerer

Messages from the Governor

The following message from the Governor was received October 29, 2009 and read:

EXECUTIVE ORDER

No. 2009 – 47

**ABOLISHING THE
BUILDING OFFICIALS ADVISORY BOARD**

DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

EXECUTIVE REORGANIZATION

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

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

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

WHEREAS, abolishing the Building Officials Advisory Board will contribute to a smaller and more efficient state government;

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

I. DEFINITIONS

As used in this Order:

A. "Department of Energy, Labor, and Economic Growth" means the principal department of state government created by Section 225 of the Executive Reorganization Act of 1965, 1965 PA 380, MCL 16.325, and renamed by Executive Order 1996-2, MCL 445.2001, by Executive Order 2003-18, MCL 445.2011, and by Executive Order 2008-20.

B. "Building Officials Advisory Board" means the board created under Section 3 of the Building Officials and Inspectors Registration Act, 1986 PA 54, MCL 338.2303.

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

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

II. TRANSFER OF AUTHORITY

A. The Building Officials Advisory Board is transferred by Type III transfer to the Department of Energy, Labor, and Economic Growth.

B. The Building Officials Advisory Board is abolished.

III. IMPLEMENTATION OF TRANSFERS

A. The Director of the Department of Energy, Labor, and Economic Growth shall provide executive direction and supervision for the implementation of all transfers of functions under this Order and shall make internal organizational changes as necessary to complete the transfers under this Order.

B. The functions transferred under this Order shall be administered by the Director of the Department of Energy, Labor, and Economic Growth in such ways as to promote efficient administration.

C. All records, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Building Officials Advisory Board for the activities, powers, duties, functions, and responsibilities transferred under this Order are transferred to the Department of Energy, Labor, and Economic Growth.

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

IV. MISCELLANEOUS

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

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

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

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective December 28, 2009 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 29th day of October, in the year of our Lord, two thousand nine.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received October 29, 2009 and read:

EXECUTIVE ORDER

No. 2009 – 48

ABOLISHING THE ADVISORY COMMITTEE FOR DEVELOPMENT OF EDUCATIONAL TELEVISION SYSTEM

DEPARTMENT OF EDUCATION

EXECUTIVE REORGANIZATION

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

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

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

WHEREAS, abolishing the Advisory Committee for Development of Educational Television System will contribute to a smaller and more efficient state government;

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

I. DEFINITIONS

As used in this Order:

A. "Advisory Committee for Development of Educational Television System" means the committee created under Section 3 of 1966 PA 153, MCL 388.1043.

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

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

D. "Superintendent of Public Instruction" means the principal executive officer of the Department of Education required under Article VIII, Section 3 of the Michigan Constitution of 1963.

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

II. TRANSFER OF AUTHORITY

A. The Advisory Committee for Development of Educational Television System is transferred by Type III transfer to the Department of Education.

B. The Advisory Committee for Development of Educational Television System is abolished.

III. IMPLEMENTATION OF TRANSFERS

A. The Superintendent of Public Instruction shall provide executive direction and supervision for the implementation of all transfers of functions under this Order and shall make internal organizational changes as necessary to complete the transfers under this Order.

B. The functions transferred under this Order shall be administered by the Superintendent of Public Instruction in such ways as to promote efficient administration.

C. All records, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Advisory Committee for Development of Educational Television System for the activities, powers, duties, functions, and responsibilities transferred under this Order are transferred to the Department of Education.

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

IV. MISCELLANEOUS

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

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

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

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective December 28, 2009 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 29th day of October, in the year of our Lord, two thousand nine.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received October 29, 2009 and read:

EXECUTIVE ORDER
No. 2009 – 49

ABOLISHING THE
PUBLIC TRANSIT ASSOCIATION TASK FORCE

DEPARTMENT OF TRANSPORTATION

EXECUTIVE REORGANIZATION

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

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

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

WHEREAS, abolishing the Public Transit Association Task Force will contribute to a smaller and more efficient state government;

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

I. DEFINITIONS

As used in this Order:

A. "Department of Transportation" means the principal department of state government created under Section 350 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.450.

B. "Public Transit Association Task Force" means the task force created under Section 10h of the State Trunk Line Highway System, 1951 PA 51, MCL 247.660h.

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

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

II. TRANSFER OF AUTHORITY

A. The Public Transit Association Task Force is transferred by Type III transfer to the Department of Transportation.

B. The Public Transit Association Task Force is abolished.

III. IMPLEMENTATION OF TRANSFERS

A. The Director of the Department of Transportation shall provide executive direction and supervision for the implementation of all transfers of functions under this Order and shall make internal organizational changes as necessary to complete the transfers under this Order.

B. The functions transferred under this Order shall be administered by the Director of the Department of Transportation in such ways as to promote efficient administration.

C. All records, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Public Transit Association Task Force for the activities, powers, duties, functions, and responsibilities transferred under this Order are transferred to the Department of Transportation.

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

IV. MISCELLANEOUS

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

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

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

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective December 28, 2009 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 29th day of October, in the year of our Lord, two thousand nine.

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

The message was referred to the Clerk.

The following message from the Governor was received October 29, 2009 and read:

**EXECUTIVE ORDER
No. 2009 – 50**

**ABOLISHING THE
MICHIGAN TELECOMMUNICATIONS RELAY
SERVICE ADVISORY BOARD**

DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

EXECUTIVE REORGANIZATION

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

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

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

WHEREAS, abolishing the Michigan Telecommunications Relay Service Advisory Board will contribute to a smaller and more efficient state government;

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

I. DEFINITIONS

As used in this Order:

A. “Department of Energy, Labor, and Economic Growth” means the principal department of state government created by Section 225 of the Executive Reorganization Act of 1965, 1965 PA 380, MCL 16.325, and renamed by Executive Order 1996-2, MCL 445.2001, by Executive Order 2003-18, MCL 445.2011, and by Executive Order 2008-20.

B. “Michigan Telecommunications Relay Service Advisory Board” means the board created under Section 315 of the Michigan Telecommunications Act, 1991 PA 179, MCL 484.2315.

C. “State Budget Director” means the individual appointed by the Governor pursuant to Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

D. “Type III transfer” means that term as defined under Section 3(c) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

II. TRANSFER OF AUTHORITY

A. The Michigan Telecommunications Relay Service Advisory Board is transferred by Type III transfer to the Department of Energy, Labor, and Economic Growth.

B. The Michigan Telecommunications Relay Service Advisory Board is abolished.

III. IMPLEMENTATION OF TRANSFERS

A. The Director of the Energy, Labor, and Economic Growth shall provide executive direction and supervision for the implementation of all transfers of functions under this Order and shall make internal organizational changes as necessary to complete the transfers under this Order.

B. The functions transferred under this Order shall be administered by the Director of the Department of Energy, Labor, and Economic Growth in such ways as to promote efficient administration.

C. All records, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Advisory Subcommittee on Interior Design for the activities, powers, duties, functions, and responsibilities transferred under this Order are transferred to the Department of Energy, Labor, and Economic Growth.

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

IV. MISCELLANEOUS

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

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

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

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective December 28, 2009 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 29th day of October, in the year of our Lord, two thousand nine.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received October 29, 2009 and read:

EXECUTIVE ORDER

No. 2009 – 51

DEPARTMENT OF TREASURY

EXECUTIVE REORGANIZATION

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

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

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

WHEREAS, reorganization of the State Tax Commission and the State Assessor's Board will lead to more effective implementation of tax policy, greater administrative efficiencies, and reductions in expenditures;

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

I. DEFINITIONS

As used in this Order:

A. "Department of Treasury" or "Department" means the principal department of state government created under Section 75 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.175.

B. "New State Tax Commission" or "Commission" means the new State Tax Commission established by this Order.

C. "Old State Tax Commission" means the State Tax Commission in existence on the date of this Order as created under the 1927 PA 360, MCL 209.101 to 209.107, transferred by Type I transfer to the Department of Treasury, by Executive Organization Act of 1965, 1965 PA 380, MCL 16.184 and modified by Executive Order 2006-21, MCL 209.91.

D. "State Assessor's Board" means the State Assessor's Board created under Sections 10c and 10d of 1893 PA 206, MCL 211.10c and MCL 211.10d.

E. "State Budget Director" means the Director of the State Budget Office created under Section 321 of the Management and Budget Act, 1984 PA 431, MCL 18.1321.

II. CREATION OF THE NEW STATE TAX COMMISSION

A. The new State Tax Commission is created within the Department of Treasury.

B. The Commission shall consist of 3 members, not more than 2 of whom shall be members of the same political party. Members shall be appointed by the Governor subject to disapproval under Section 6 of Article V of the Michigan Constitution of 1963.

C. All of the members shall have at least 5 years experience in government or the private sector, dealing with matters relating to state or local taxes. Not less than 1 of the members shall be a certified assessor holding a level III certificate or greater as granted by the State Assessor's Board or its successor. The Governor shall designate 1 of the members as Chairperson of the Commission.

D. Of the members of the Commission initially appointed by the Governor under Section II.B, 1 member shall be appointed for a term expiring on December 27, 2012, and 2 members shall be appointed for a term expiring on December 27, 2013. After the initial appointments under this paragraph, members of the Commission shall be appointed for a term of 4 years.

E. A member of the Commission shall continue to serve until a successor is appointed and qualified. A vacancy on the Commission occurring other than by expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term.

III. OPERATIONS OF THE COMMISSION

A. The Commission shall exercise its prescribed statutory powers, duties and functions of rule-making, licensing and registration including the promulgation of rules, rates, regulations and standards, and adjudication independently of the State Treasurer.

B. The Commission shall be staffed and assisted by personnel from the Department, subject to available funding. All budgeting, procurement, and related management functions of the Commission shall be performed under the direction and supervision of the State Treasurer.

C. The Commission shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.

D. A majority of the members of the Commission serving constitutes a quorum for the transaction of the Commission's business. The Commission shall act by a majority vote of its serving members.

E. The Commission shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Commission.

F. The Commission may establish advisory workgroups composed of representatives of entities participating in Commission activities or other members of the public as deemed necessary by the Commission to assist the Commission in performing its duties and responsibilities. The Commission may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

G. The Commission may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Commission may also consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

H. The Chairperson and the Commissioners shall receive an annual salary. The Chairperson and the Commissioners shall not engage in outside employment or other business activity that conflicts with their duties as Commissioners.

I. Members of the Commission may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Management and Budget, subject to available funding.

J. The Commission may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Commission and the performance of its duties as the State Treasurer deems advisable and necessary, in accordance with this Order, the relevant statutes, and the rules and procedures of the Civil Service Commission and the Department of Management and Budget.

K. The Commission may accept donations of labor, services, or other things of value from any public or private agency or person.

L. Members of the Commission shall refer all legal, legislative, and media contacts to the Department.

IV. TRANSFER OF FUNCTIONS AND ABOLITION OF THE OLD STATE TAX COMMISSION

A. All of the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the old State Tax Commission are transferred to the new State Tax Commission. The authority, powers, duties, and functions transferred under this Order to the new State Tax Commission, include, but are not limited to, the authority, powers, duties, and functions of the old State Tax Commission under any of the following:

1. 1978 PA 472, MCL 4.411 to 4.431.
2. Section 86 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.186.
3. 1975 PA 197, MCL 125.1651 to 125.1681.

4. Water Resource Improvement Tax Increment Finance Authority Act, 2008 PA 94, MCL 125.1771 to 125.1794.
5. The Tax Increment Finance Authority Act, 1980 PA 450, MCL 125.1801 to 125.1830.
6. The Local Development Financing Act, 1986 PA 281, MCL 125.2151 to 2174.
7. Brownfield Redevelopment Financing Act, 1996 PA 381, MCL 125.2651 to 125.2672.
8. Obsolete Property Rehabilitation Act, 2000 PA 146, MCL 125.2781 to 125.2797.
9. Historical Neighborhood Tax Increment Finance Authority Act, 2004 PA 530, MCL 125.2841 to 125.2866.
10. Corridor Improvement Authority Act, 2005 PA 280, MCL 125.2871 to 125.2899.
11. Neighborhood Improvement Authority Act, 2007 PA 61, MCL 125.2911 to 125.2932.
12. Section 2 of 1977 PA 289, MCL 141.952.
13. Section 4 of 1929 PA 48, MCL 205.304.
14. Section 13 of 1929 PA 48, MCL 205.313.
15. Section 8 of 1963 PA 68, MCL 207.278.
16. Section 4 of 1966 PA 134, MCL 207.504.
17. 1974 PA 198, MCL 207.551 to 207.572.
18. 1976 PA 438, MCL 207.601 to 207.615.
19. Commercial Redevelopment Act, 1978 PA 255, MCL 207.651 to 207.668.
20. Neighborhood Enterprise Zone Act, 1992 PA 147, MCL 207.771 to 207.787.
21. 1911 PA 44, MCL 209.1 to 209.9.
22. The General Property Tax Act, 1893 PA 206, MCL 211.1 to 211.157.
23. Section 1a of 1953 PA 189, MCL 211.181a.
24. Property Tax Limitation Act, 1933 PA 62, MCL 211.201 to 211.217a.
25. Section 5 of the Tax Reverted Clean Title Act, 2003 PA 260, MCL 211.1025.
26. Part 21 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.2101 to MCL 324.2162.
27. Part 37 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.3701 to MCL 324.3708.
28. Part 59, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.5901 to MCL 324.5908.
29. Section 30511 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.30511.
30. Part 361, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.36101 to 324.36117.
31. Section 35307 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.35307.
32. Section 121 of the State School Aid Act of 1979, 1979 PA 94, MCL 388.1721.
33. Section 271 of the Railroad Code of 1993, 1993 PA 354, MCL 462.271.
34. Section 23 of the Nonprofit Street Railway Act, 1867 PA 35, MCL 472.23.
35. Section 109 of the Land Division Act, 1967 PA 288, MCL 560.109.
36. Executive Order 2006-21.

B. After the effective date of this Order, any statutory and other references to the old State Tax Commission shall be deemed references to the new State Tax Commission.

C. The old State Tax Commission is abolished.

V. TRANSFER OF FUNCTIONS AND ABOLITION OF THE STATE ASSESSOR'S BOARD

A. All of the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the State Assessor's Board are transferred to the new State Tax Commission provided for under Section II of this Order.

B. After the effective date of this Order, any statutory and other references to the State Assessor's Board shall be deemed references to the new State Tax Commission.

C. The State Assessor's Board is abolished.

VI. IMPLEMENTATION OF TRANSFER

A. The State Treasurer shall provide executive direction and supervision for the implementation of the transfer under this Order and shall make internal organization changes as necessary to effectuate the transfers.

B. The authority, powers, duties, functions, and responsibilities transferred to the Commission under this Order shall be administered in such ways as to promote efficient administration.

C. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available for the activities, powers, duties, functions, and responsibilities transferred under this Order are transferred to the Commission.

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

VII. MISCELLANEOUS

A. All departments, committees, Commissioners, or officers of this state, or of any political subdivision of this state, shall give to the Commission or to any member or representative of the Commission, any necessary assistance required by the Commission or any member or representative of the Commission, in the performance of the duties of the Commission so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or review of the Commission.

B. All rules, orders, bulletins, determinations, manuals, letters, certifications, contracts, agreements, and any other actions of the old State Tax Commission or the State Assessor's Board relating to the transfers under this Order lawfully adopted prior to the effective date of this Order shall continue to be in full force and effect until revised, amended, repealed, or rescinded by the new State Tax Commission.

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

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

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective on December 28, 2009 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 29th day of October, in the year of our Lord, two thousand nine.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received October 29, 2009 and read:

EXECUTIVE ORDER

No. 2009 — 52

PROTECTING MICHIGAN'S HOMELAND SECURITY

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 12 of Article V, of the Michigan Constitution of 1963, the Governor is the commander-in-chief of the armed forces and may call them out to execute the laws, suppress insurrection, and repel invasion;

WHEREAS, under Section 171 of the Michigan Military Act, 1967 PA 150, MCL 32.571, the Governor may organize, disband, arrange, transfer, convert, alter, consolidate, or attach units of the military establishment;

WHEREAS, there is a continuing need to assess and evaluate the security of the State of Michigan and to assure that all departments and agencies are communicating and coordinating efforts to address threats to our homeland security;

WHEREAS, it is critical that the Governor be continuously apprised of homeland security issues and be provided the most accurate and prompt information available to ensure that all relevant factors are appropriately weighed in the development and implementation of effective and coordinated homeland security measures;

WHEREAS, changes to Executive Order 2003-6, which established an Assistant Adjutant General for Homeland Security and the Michigan Homeland Protection Board are necessary to reflect organizational changes in state government.

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

I. DEFINITIONS

A. "Adjutant General" means the commanding officer of the military establishment of this state under Section 300 of the Michigan Military Act, 1967 PA 150, MCL 32.700, appointed by the Governor under Section 302 of the Michigan Military Act, 1967 PA 150, MCL 32.702.

B. "Board" means the Michigan Homeland Protection Board established by this Order.

C. "Department of Agriculture" means the principal department of state government created under Section 1 of 1921 PA 13, MCL 285.1, and Section 175 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.275.

D. "Department of Civil Rights" or "Department" means the principal department of state government created by Section 475 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.575.

E. "Department of Community Health" means the principal department of state government created as the Department of Mental Health under Section 400 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.500, and renamed the Department of Community Health by Executive Order 1996-1, MCL 330.3101.

F. "Department of Environmental Quality" means the principal department of state government created by Executive Order 1995-18, MCL 324.99903.

G. "Department of Information Technology" means the principal department of state government created by Executive Order 2001-3, MCL 18.41.

H. "Department of Military and Veterans Affairs" means the principal department of state government created as the Department of Military Affairs under Section 125 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.225, and renamed the "Department of Military and Veterans Affairs" by Executive Order 1997-7, MCL 32.91.

I. "Department of Natural Resources and Environment" means the principal department of state government created by Executive Order 2009-45.

J. "Department of State Police" means the principal department of state government created by Section 150 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.250.

K. "Department of Transportation" means the principal department of state government created by Section 350 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.450.

II. RESCISSION OF EXECUTIVE ORDER 2003-6

A. Executive Order 2003-6 is rescinded in its entirety. This Order shall not have the effect of reestablishing the Michigan Homeland Security Task Force established by Executive Directive 2002-1 and abolished by Executive Order 2003-6. Executive Directive 2002-1 remains rescinded.

III. MICHIGAN HOMELAND PROTECTION BOARD

A. The Michigan Homeland Protection Board is created as an advisory body to the Governor within the Department of State Police.

B. The Board shall develop, implement, and revise as needed an effective and coordinated homeland security strategy. The Board shall refine and update this state's domestic preparedness and homeland security strategies and shall continue to strengthen this state's capabilities to detect, prepare for, prevent, secure and protect against, respond to, and recover from, any terrorist threats or attacks.

C. The members of the Board shall be the Director of the Department of State Police, the Adjutant General, the Director of the Department of Agriculture, the Director of the Department of Civil Rights, the Director of the Department of Community Health, the Director of the Department of Information Technology, and the Director of the Department of Transportation, or their designees. Before January 17, 2010, the Board also shall include the Director of the Department of Environmental Quality. After January 16, 2010, the Board also shall include the Director of the Department of Natural Resources and Environmental Quality or his or designee.

D. The Director of the Department of State Police shall serve as Chairperson of the Board.

E. The Board may adopt procedures, consistent with Michigan law and this Order, governing its organization and operations. The Board may establish such committees, subcommittees, and workgroups as it deems advisable.

F. The Board shall meet at the call of the Chairperson, or at the request of the Governor, and as may be provided in procedures adopted by the Board.

G. The Board may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public. Subject to available funding, the Commission also may consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

H. The Homeland Security Advisory Council is created to advise the Board and to provide input, advice, and recommendations to the Board on any issues deemed necessary by the Board. The Homeland Security Advisory Council shall consist of the Deputy State Director of Emergency Management and Homeland Security, the Adjutant General or his or her designee from within the Department of Military and Veterans Affairs and other members as directed by the Board. The Deputy State Director of Emergency Management and Homeland Security Division shall serve as the Chairperson of the Homeland Security Advisory Council.

I. The Homeland Security Advisory Council may, with direction from the Board, appoint advisory groups consisting of government officials and members of the public to solicit input, receive recommendations, and assist in the development of plans and strategies on homeland security issues, including, but not limited to, agriculture and food supply; communications and information technology systems; critical infrastructure protection; energy; hazardous and radioactive materials; key facilities and special events; transportation systems; water systems; public health and hospitals; indications and warnings, response equipment, and exercises; strategic planning; and training and technical assistance.

IV. DEPARTMENT OF STATE POLICE

A. As required by the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421:

1. The Director of the Department of State Police or his or her designee shall continue to serve as the State Director of Emergency Management and Homeland Security.

2. The Emergency Management and Homeland Security Division within the Department of State Police shall continue to coordinate this state's emergency management activities for all emergencies and disasters.

3. The commanding officer of the Emergency Management and Homeland Security Division shall continue to serve as the Deputy State Director of Emergency Management and Homeland Security.

4. All state departments and agencies shall cooperate with the activities of the Emergency Management and Homeland Security Division of the Department of State Police.

B. The State Director of Emergency Management and Homeland Security shall direct homeland security response activities under the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421.

C. The Emergency Management and Homeland Security Division of the Department of State Police shall continue to serve as the focal point for all emergency and disaster response to ensure that response activities are carried out in a coordinated manner.

V. MISCELLANEOUS

A. The Director of the Department of State Police shall make internal organizational changes within the Department of State Police as may be administratively necessary to implement this Order and to assure that the Governor is provided timely and accurate information and advice regarding homeland security matters and policy.

B. Departments and agencies shall, to the extent permitted by law, make available to the Director of the Department of State Police all information relating to terrorist threats and activities. The Director of the Department of State Police shall encourage and invite the participation of local governments and private entities, as appropriate.

C. Departments and autonomous agencies shall actively support the Michigan Homeland Protection Board by:

1. Assigning key personnel at the request of the Director of the Department of State Police to actively participate in this state's homeland security efforts and to assist in the development and implementation of homeland security strategy, goals, and objectives.

2. Ensuring implementation of Board goals and objectives identified as requiring action by a particular department or agency.

D. The active collaboration in homeland security efforts by all department directors and autonomous agency heads will ensure that this state's emergency management and homeland security system will be better prepared to respond to terrorist threats or attacks.

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

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 29th day of October in the year of our Lord, two thousand nine.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received October 29, 2009 and read:

EXECUTIVE ORDER

No. 2009 – 53

AMENDMENT OF EXECUTIVE ORDER 2003-18

DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

EXECUTIVE REORGANIZATION

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

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

WHEREAS, under Executive Order 2003-18, MCL 445.2011, the membership of the Worker's Compensation Board of Magistrates was reduced from 30 members to 26 members;

WHEREAS, productivity and caseload justify a further reduction in the number of members of the Worker's Compensation Board of Magistrates, which will contribute to a smaller and more efficient state government;

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

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

A. Section II.Q.1 of Executive Order 2003-18, MCL 445.2011, is amended to read as follows:

“The number of members constituting the Worker’s Compensation Board of Magistrates established under Section 213 of the Worker’s Disability Compensation Act of 1969, 1969 PA 317, MCL 418.213, is reduced from 30 members to 26 members, beginning on December 7, 2003. From December 7, 2003, until January 26, 2010, the Board of Magistrates shall consist of 26 members. After January 26, 2010, the Board of Magistrates shall consist of 17 members. The Governor shall designate a member of the Board of Magistrates as the Chairperson of the Worker’s Compensation Board of Magistrates, who shall serve as Chairperson of the Board of Magistrates at the pleasure of the Governor.”

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

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

D. This Order shall not abate any criminal action commenced by this state prior to the effective date of this Order.

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

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective 60 days after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 29th day of October in the year of our Lord, two thousand nine.

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

The message was referred to the Clerk.

Introduction of Bills

Rep. Young introduced

House Bill No. 5562, entitled

A bill to amend 1984 PA 44, entitled “Motor fuels quality act,” by amending section 6 (MCL 290.646), as amended by 2006 PA 271, and by adding section 4b.

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

Reps. Slavens, Miller, Switalski, Cushingberry, Geiss, Slezak, Huckleberry, Liss and Leland introduced

House Bill No. 5563, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2008 PA 310, and by adding section 3i.

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

Rep. Hildenbrand introduced

House Bill No. 5564, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 48721 (MCL 324.48721), as added by 1995 PA 57.

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

Reps. Corriveau, Bledsoe, Lisa Brown, Polidori, Constan, Kennedy, Barnett, Byrnes, Donigan, Geiss, Gregory, Kandrevas, LeBlanc, Liss, Haugh, Clemente, Warren, Ebli, Walsh, Nathan, Miller, Switalski, Meadows, Griffin, Melton, Stanley, Rocca, Crawford, Dillon, Johnson, Kowall, Moss, Stamas, Rick Jones, Genetski, Roberts, Young, Jackson, Cushingberry, Huckleberry and Knollenberg introduced

House Bill No. 5565, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 20j, and 22b (MCL 388.1611, 388.1620j, and 388.1622b), sections 11 and 22b as amended by 2009 PA 121 and section 20j as amended by 2008 PA 561.

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

Rep. Dean moved that the House adjourn.
The motion prevailed, the time being 4:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, November 3, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives