

No. 70
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House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Wednesday, September 2, 2009.

10:00 a.m.

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

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

| | | | |
|----------------------|-----------------------|------------------|---------------------|
| Agema—present | Durhal—present | 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—present | Lori—present | Scott, B.—present |
| Bolger—present | Gregory—present | Lund—present | Scott, P.—present |
| Booher—present | Griffin—present | Marleau—present | Scripps—present |
| Brown, L.—present | Haase—present | Mayes—present | Segal—present |
| Brown, T.—present | Haines—present | McDowell—present | Sheltrown—present |
| Byrnes—present | Hammel—present | McMillin—present | Simpson—present |
| Byrum—present | Hansen—present | Meadows—present | Slavens—present |
| Calley—present | Haugh—present | Meekhof—present | Slezak—present |
| Caul—present | Haveman—present | Melton—present | Smith—present |
| Clemente—present | Hildenbrand—present | Meltzer—present | Spade—present |
| Constan—present | Horn—present | Miller—present | Stamas—present |
| Corriveau—present | Huckleberry—present | Moore—present | Stanley—present |
| Coulouris—present | Jackson—present | Moss—present | Switalski—present |
| Crawford—present | Johnson—excused | 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. Mike Huckleberry, from the 70th District, offered the following invocation:

“Heavenly Father, we come to You today expressing thanks for the many blessings You have bestowed upon those of us who are fortunate enough to live in this great state of Michigan. May we always be mindful of what a special treasure we have with our Great Lakes and unique peninsulas. Lord, we pray, that with Your guidance and Your will that this chamber will always be fraught with wisdom and compassion and free of selfish interest. Amen.”

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

Second Reading of Bills

House Bill No. 5275, entitled

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

The bill was read a second time.

Rep. McMillin moved to amend the bill as follows:

1. Amend page 7, line 8, after “than” by striking out “300” and inserting “2500”.

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

Rep. McMillin moved to amend the bill as follows:

1. Amend page 10, line 15, after “expenses” by inserting “paid to Michigan-based businesses”.

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

Rep. McMillin moved to amend the bill as follows:

1. Amend page 11, following line 26, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 71 of the 95th Legislature is enacted into law.”

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

Rep. Lisa Brown 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. 5275, entitled

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

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

Roll Call No. 402

Yeas—90

Angerer
Ball

Ebli
Espinoza

Lahti
LeBlanc

Schmidt, R.
Schmidt, W.

| | | | |
|--------------|---------------|----------|-------------|
| Barnett | Geiss | Leland | Schuitmaker |
| Bauer | Gonzales | Lemmons | Scott, B. |
| Bledsoe | Green | Lindberg | Scripps |
| Bolger | Gregory | Lipton | Segal |
| Booher | Griffin | Liss | Sheltrown |
| Brown, L. | Haase | Lori | Simpson |
| Brown, T. | Haines | Marleau | Slavens |
| Byrnes | Hammel | Mayes | Slezak |
| Byrum | Hansen | McDowell | Smith |
| Clemente | Haugh | Meadows | Spade |
| Constan | Hildenbrand | Melton | Stamas |
| Corriveau | Horn | Moss | Stanley |
| Coulouris | Huckleberry | Nathan | Switalski |
| Crawford | Jackson | Neumann | Tlaib |
| Cushingberry | Jones, Rick | Pavlov | Tyler |
| Dean | Jones, Robert | Polidori | Valentine |
| Denby | Kandrevas | Proos | Walsh |
| DeShazor | Kennedy | Roberts | Warren |
| Dillon | Knollenberg | Rocca | Womack |
| Donigan | Kowall | Rogers | Young |
| Durhal | Kurtz | | |

Nays—17

| | | | |
|--------|-------------|----------|-----------|
| Agema | Elsenheimer | McMillin | Moore |
| Amash | Genetski | Meekhof | Opsommer |
| Calley | Haveman | Meltzer | Pearce |
| Caul | Lund | Miller | Scott, P. |
| Daley | | | |

In The Chair: Byrnes

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.

Reps. Angerer, Byrnes, Clemente, Constan, Corriveau, Crawford, Donigan, Durhal, Ebli, Espinoza, Geiss, Gonzales, Gregory, Griffin, Hammel, Haugh, Robert Jones, Kandrevas, Kennedy, LeBlanc, Lemmons, Mayes, Melton, Polidori, Rocca, Segal, Sheltrown, Slavens, Slezak, Spade, Stanley, Valentine and Young were named co-sponsors of the bill.

Rep. Meekhof, 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 can’t vote for credits that cost \$333,000 per job. Lower taxes for everyone is a better incentive. We, the State, should not be picking winners and losers.”

Rep. Agema, 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:

It is a travesty that the Speaker of the House does not permit votes on amendments to bills. We have been elected to vote, not allow the Speaker to gavel bills and amendments. This, once again allows government to pick winners and losers on the backs of existing businesses. All businesses in Michigan need a tax break so they’ll stay, hire and expand. Centralized control is not good.”

Rep. Calley, 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:

A \$100 million credit for the creation of just 300 jobs is clearly unreasonable. Those same resources could be better directed toward broad based tax relief for companies already here, operating in Michigan. Do the math. That comes to over \$333 thousand per job!”

Rep. Miller, 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:

The production of advanced battery technology, which this measure seeks to lure to Michigan, has been identified as a future cornerstone of the new Michigan economy. I applaud my colleagues’ efforts to diversify Michigan’s economy. However, it is a \$25 million expenditure of forgone tax revenue that is as much budgetary decision as any comparable line item in the state budget. This occurs at a time when we are working to address the state’s structural deficit by seemingly endless cuts to human services for the most vulnerable. Simply put, we can’t afford this expenditure which is at best a targeted tax cut and at worst corporate welfare. We need to undertake a systematic revue of all our tax expenditures to ensure the taxpayers are getting their money’s worth.”

Rep. Elsenheimer, 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:

Although I support the Wixom project and the jobs it will create, I take issue with the way Democrat lawmakers rammed this bill through the Legislature. Republican lawmakers were not allowed to debate the bill and properly offered amendments were ignored, in violation of the spirit of House rules, violating the basic premise of our democratic system of government. Further, Rep. Hugh Crawford, whose district includes the Wixom property, was never consulted by the majority regarding these bills that will have a dramatic impact on his constituents.

In a larger sense, MEGA credits symbolize exactly what is wrong with our economic strategy here in Michigan. We need to get away from this flawed policy of going after jobs one-at-a-time by giving huge incentives to company ‘A’ but then raising taxes on companies B, C, D and E to pay for it. Instead, we should focus on lowering taxes for everyone so we can create a competitive business environment favorable to job growth.

These tax credits will cost the state of Michigan more than \$300,000 per job created.
 For these reasons, I cannot support this bill at this time.”

Second Reading of Bills

House Bill No. 4311, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; 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-3) previously recommended by the Committee on Appropriations,

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

Rep. Proos moved to amend the bill as follows:

| | |
|--|------------------------------------|
| 1. Amend page 2, following line 25, by inserting: “Parole board operations | (705,800)”. |
| 2. Amend page 3, following line 7, by inserting: “Correctional facilities administration..... Education services and federal education grants..... | (886,600) (44,600)”. |
| 3. Amend page 3, following line 20, by inserting: “Health care administration..... | (388,400)”. |
| 4. Amend page 3, following line 24, by inserting: “(6) EXECUTIVE Unclassified positions..... Executive direction | (213,900) (197,600) \$ _____ |
| GROSS APPROPRIATION | \$ (411,500) |
| Appropriated from: | |
| State general fund/general purpose | \$ (411,500) |
| (7) PLANNING AND COMMUNITY SUPPORT | |
| Planning, community development and research | (471,400) |

| | |
|--|-----------------|
| Community corrections administration | (264,400) |
| GROSS APPROPRIATION | \$ (735,800) |
| Appropriated from: | |
| State general fund/general purpose | \$ (735,800) |
| (8) OPERATIONS SUPPORT ADMINISTRATION | |
| Operations support administration..... | (609,700) |
| Bureau of fiscal management | (750,000) |
| Office of legal services..... | (339,500) |
| Internal affairs | (128,100) |
| GROSS APPROPRIATION | \$ (1,827,300) |
| Appropriated from: | |
| State general fund/general purpose | \$ (1,827,300)” |

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

The motion did not prevail and the amendments were not adopted, a majority of the members serving not 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. 4311, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; 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. 403

Yeas—62

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

Nays—45

| | | | |
|--------|-------------|----------|-------------|
| Agema | Genetski | Lahti | Pavlov |
| Amash | Green | Lori | Pearce |
| Ball | Haines | Lund | Proos |
| Bolger | Hansen | Marleau | Rocca |
| Booher | Haveman | McMillin | Rogers |
| Calley | Hildenbrand | Meekhof | Schmidt, W. |

| | | | |
|-------------|-------------|----------|-------------|
| Caul | Horn | Meltzer | Schuitmaker |
| Crawford | Jones, Rick | Moore | Scott, P. |
| Daley | Knollenberg | Moss | Stamas |
| Denby | Kowall | Nathan | Tyler |
| DeShazor | Kurtz | Opsommer | Walsh |
| Elsenheimer | | | |

In The Chair: Byrnes

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 fiscal year ending September 30, 2009; 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. 4410, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278a, 1278b, and 1280 (MCL 380.1278a, 380.1278b, and 380.1280), section 1278a as amended by 2008 PA 316, section 1278b as amended by 2007 PA 141, and section 1280 as amended by 2006 PA 123, and by adding section 1278c.

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

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

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 2, line 16, by striking out "**DEPARTMENT**" and inserting "**BOARD OF THE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF THE PUBLIC SCHOOL ACADEMY**".

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

Rep. Melton moved to amend the bill as follows:

1. Amend page 2, line 14, after "**ALGEBRA II**," by inserting "**A COURSE IN FINANCIAL LITERACY AS DESCRIBED IN SECTION 1165**".

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

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 7, following line 21, by inserting:

"Sec. 1278b. (1) Except as otherwise provided in this section or section 1278a, beginning with pupils entering grade 8 in 2006, as part of the requirements under section 1278a the board of a school district or board of directors of a public school academy shall not award a high school diploma to a pupil unless the pupil has successfully completed all of the following credit requirements of the Michigan merit standard before graduating from high school:

(a) At least 4 credits in English language arts that are aligned with subject area content expectations developed by the department and approved by the state board under this section.

(b) At least 3 credits in science that are aligned with subject area content expectations developed by the department and approved by the state board under this section, including completion of at least biology and either chemistry or physics. The legislature strongly encourages pupils to complete a fourth credit in science, such as forensics, astronomy, Earth science, agricultural science, environmental science, geology, physics or chemistry, physiology, or microbiology.

(c) The credit requirements specified in section 1278a(1)(a)(i) to (iv).

(2) If a pupil successfully completes 1 or more of the high school credits required under subsection (1) or under section 1278a(1) before entering high school, the pupil shall be given high school credit for that credit.

(3) For the purposes of this section and section 1278a, the department shall do all of the following:

(a) Develop subject area content expectations that apply to the credit requirements of the Michigan merit standard that are required under subsection (1)(a) and (b) and section 1278a(1)(a)(i) and (ii) and develop guidelines for the remaining credit

requirements of the Michigan merit standard that are required under this section and section 1278a(1)(a), for the online course or learning experience required under section 1278a(1)(b), and for the requirements for a language other than English under section 1278a(2). All of the following apply to these subject area content expectations and guidelines:

(i) All subject area content expectations shall be consistent with the state board recommended model core academic curriculum content standards under section 1278. Subject area content expectations or guidelines shall not include attitudes, beliefs, or value systems that are not essential in the legal, economic, and social structure of our society and to the personal and social responsibility of citizens of our society. The subject area content expectations shall require pupils to demonstrate critical thinking skills.

(ii) The subject area content expectations and the guidelines must be approved by the state board under subsection (4).

(iii) The subject area content expectations shall state in clear and measurable terms what pupils are expected to know upon completion of each credit.

(iv) The department shall complete the development of the subject area content expectations that apply to algebra I and the guidelines for the online course or learning experience under section 1278a(1)(b) not later than August 1, 2006.

(v) The department shall complete development of the subject area content expectations or guidelines that apply to each of the other credits required in the Michigan merit standard under subsection (1) and section 1278a(1)(a) not later than 1 year before the beginning of the school year in which a pupil entering high school in 2007 would normally be expected to complete the credit.

(vi) If the department has not completed development of the subject area content expectations that apply to a particular credit required in the Michigan merit standard under subsection (1) or section 1278a(1)(a) by the date required under this subdivision, a school district or public school academy may align the content of the credit with locally adopted standards.

(vii) Until all of the subject area content expectations and guidelines have been developed by the department and approved by the state board, the department shall submit a report at least every 6 months to the senate and house standing committees responsible for education legislation on the status of the development of the subject area content expectations and guidelines. The report shall detail any failure by the department to meet a deadline established under subparagraph (iv) or (v) and the reasons for that failure.

(b) Develop and implement a process for developing the subject area content expectations and guidelines required under this section. This process shall provide for all of the following:

(i) Soliciting input from all of the following groups:

(A) Recognized experts in the relevant subject areas.

(B) Representatives from 4-year colleges or universities, community colleges, and other postsecondary institutions.

(C) Teachers, administrators, and school personnel who have specialized knowledge of the subject area.

(D) Representatives from the business community.

(E) Representatives from vocational and career and technical education providers.

(F) Government officials, including officials from the legislature.

(G) Parents of public school pupils.

(ii) A review of the subject area content expectations or guidelines by national experts.

(iii) An opportunity for the public to review and provide input on the proposed subject area content expectations or guidelines before they are submitted to the state board for approval. The time period allowed for this review and input shall be at least 15 business days.

(c) Determine the basic level of technology and internet access required for pupils to complete the online course or learning experience requirement of section 1278a(1)(b), and submit that determination to the state board for approval.

(d) Develop and make available material to assist school districts and public school academies in implementing the requirements of this section and section 1278a. This shall include developing guidelines for alternative instructional delivery methods as described in subsection (7).

(4) The state board shall approve subject area content expectations and guidelines developed by the department under subsection (3) before those subject area content expectations and guidelines may take effect. The state board also shall approve the basic level of technology and internet access required for pupils to complete the online course or learning experience requirement of section 1278a(1)(b).

(5) The parent or legal guardian of a pupil may request a personal curriculum under this subsection for the pupil that modifies certain of the Michigan merit standard requirements under subsection (1) or section 1278a(1)(a). If all of the requirements under this subsection for a personal curriculum are met, then the board of a school district or board of directors of a public school academy may award a high school diploma to a pupil who successfully completes his or her personal curriculum even if it does not meet the requirements of the Michigan merit standard required under subsection (1) and section 1278a(1)(a). All of the following apply to a personal curriculum:

(a) The personal curriculum shall be developed by a group that includes at least the pupil, at least 1 of the pupil's parents or the pupil's legal guardian, and the pupil's high school counselor or another designee qualified to act in a counseling role under section 1233 or 1233a selected by the high school principal. In addition, for a pupil who receives special education services, a school psychologist should also be included in this group.

(b) The personal curriculum shall incorporate as much of the subject area content expectations of the Michigan merit standard required under subsection (1) and section 1278a(1)(a) as is practicable for the pupil; shall establish measurable goals that the

pupil must achieve while enrolled in high school and shall provide a method to evaluate whether the pupil achieved these goals; and shall be aligned with the pupil's educational development plan developed under subsection (11).

(c) Before it takes effect, the personal curriculum must be agreed to by the pupil's parent or legal guardian and by the superintendent of the school district or chief executive of the public school academy or his or her designee.

(d) The pupil's parent or legal guardian shall be in communication with each of the pupil's teachers at least once each calendar quarter to monitor the pupil's progress toward the goals contained in the pupil's personal curriculum.

(e) Revisions may be made in the personal curriculum if the revisions are developed and agreed to in the same manner as the original personal curriculum.

(f) The English language arts credit requirements of subsection (1)(a) and the science credit requirements of subsection (1)(b) are not subject to modification as part of a personal curriculum under this subsection.

(g) Except as otherwise provided in this subdivision, the mathematics credit requirements of section 1278a(1)(a)(i) may be modified as part of a personal curriculum only after the pupil has successfully completed at least 2-1/2 credits of the mathematics credits required under that section and only if the pupil successfully completes at least 3-1/2 total credits of the mathematics credits required under that section before completing high school. The requirement under that section that a pupil must successfully complete at least 1 mathematics course during his or her final year of high school enrollment is not subject to modification as part of a personal curriculum under this subsection. The algebra II credit required under that section may be modified as part of a personal curriculum under this subsection only if the pupil has successfully completed at least 2 credits of the mathematics credits required under section 1278a(1)(a)(i) and meets 1 or more of the following:

(i) Has successfully completed the same content as 1 semester of algebra II, as determined by the department.

(ii) Elects to complete the same content as algebra II over 2 years, with a credit awarded for each of those 2 years, and successfully completes that content.

(iii) Enrolls in a formal career and technical education program or curriculum and in that program or curriculum successfully completes the same content as 1 semester of algebra II, as determined by the department.

(h) The social science credit requirements of section 1278a(1)(a)(ii) may be modified as part of a personal curriculum only if all of the following are met:

(i) The pupil has successfully completed 2 credits of the social science credits required under section 1278a(1), including the civics course described in section 1166(2).

(ii) The modification requires the pupil to complete 1 additional credit in English language arts, mathematics, or science or 1 additional credit in a language other than English. This additional credit must be in addition to the number of those credits otherwise required under subsection (1) and section 1278a(1) or under section 1278a(2).

(iii) The health and physical education credit requirement under section 1278a(1)(a)(iii) may be modified as part of a personal curriculum only if the modification requires the pupil to complete 1 additional credit in English language arts, mathematics, or science or 1 additional credit in a language other than English. This additional credit must be in addition to the number of those credits otherwise required under subsection (1) and section 1278a(1) or under section 1278a(2).

(iv) The visual arts, performing arts, or applied arts credit requirement under section 1278a(1)(a)(iv) may be modified as part of a personal curriculum only if the modification requires the pupil to complete 1 additional credit in English language arts, mathematics, or science or 1 additional credit in a language other than English. This additional credit must be in addition to the number of those credits otherwise required under subsection (1) and section 1278a(1) or under section 1278a(2).

(k) If the parent or legal guardian of a pupil requests as part of the pupil's personal curriculum a modification of the Michigan merit standard requirements that would not otherwise be allowed under this section and demonstrates that the modification is necessary because the pupil is a child with a disability, the school district or public school academy may allow that additional modification to the extent necessary because of the pupil's disability if the group under subdivision (a) determines that the modification is consistent with both the pupil's educational development plan under subsection (11) and the pupil's individualized education program. If the superintendent of public instruction has reason to believe that a school district or a public school academy is allowing modifications inconsistent with the requirements of this subdivision, the superintendent of public instruction shall monitor the school district or public school academy to ensure that the school district's or public school academy's policies, procedures, and practices are in compliance with the requirements for additional modifications under this subdivision. As used in this subdivision, "child with a disability" means that term as defined in 20 USC 1401.

(l) If a pupil transfers to a school district or public school academy from out of state or from a nonpublic school, the pupil's parent or legal guardian may request, as part of the pupil's personal curriculum, a modification of the Michigan merit standard requirements that would not otherwise be allowed under this section. The school district or public school academy may allow this additional modification for a transfer pupil if all of the following are met:

(i) The transfer pupil has successfully completed at least the equivalent of 2 years of high school credit out of state or at a nonpublic school. The school district or public school academy may use appropriate assessment examinations to determine what credits, if any, the pupil has earned out of state or at a nonpublic school that may be used to satisfy the curricular requirements of the Michigan merit standard and this subdivision.

(ii) The transfer pupil's personal curriculum incorporates as much of the subject area content expectations of the Michigan merit standard as is practicable for the pupil.

(iii) The transfer pupil's personal curriculum requires the pupil to successfully complete at least 1 mathematics course during his or her final year of high school enrollment. In addition, if the transfer pupil is enrolled in the school district or public school academy for at least 1 full school year, both of the following apply:

(A) The transfer pupil's personal curriculum shall require that this mathematics course is at least algebra I.

(B) If the transfer pupil demonstrates that he or she has mastered the content of algebra I, the transfer pupil's personal curriculum shall require that this mathematics course is a course normally taken after completing algebra I.

(iv) The transfer pupil's personal curriculum includes the civics course described in section 1166(2).

(m) If a pupil is at least age 18 or is an emancipated minor, the pupil may act on his or her own behalf under this subsection.

(n) This subsection does not apply to a pupil enrolled in a high school that is designated as a specialty school under section 1278a(5) and that is exempt under that section from the English language arts requirement under subsection (1)(a) and the social science credit requirement under section 1278a(1)(a)(ii).

(6) If a pupil receives special education services, the pupil's individualized education program, in accordance with the individuals with disabilities education act, title VI of Public Law 91-230, shall identify the appropriate course or courses of study and identify the supports, accommodations, and modifications necessary to allow the pupil to progress in the curricular requirements of this section and section 1278a, or in a personal curriculum as provided under subsection (5), and meet the requirements for a high school diploma.

(7) The board of a school district or board of directors of a public school academy that operates a high school shall ensure that each pupil is offered the curriculum necessary for the pupil to meet the curricular requirements of this section and section 1278a. The board or board of directors may provide this curriculum by providing the credits specified in this section and section 1278a, by using alternative instructional delivery methods such as alternative course work, humanities course sequences, career and technical education **PROGRAMS OR COURSES**, industrial technology courses, or vocational education, or by a combination of these. School districts and public school academies that operate career and technical education programs are encouraged to integrate the credit requirements of this section and section 1278a into those programs.

(8) If the board of a school district or board of directors of a public school academy wants its high school to be accredited under section 1280, the board or board of directors shall ensure that all elements of the curriculum required under this section and section 1278a are made available to all affected pupils. If a school district or public school academy does not offer all of the required credits, the board of the school district or board of directors of the public school academy shall ensure that the pupil has access to the required credits by another means, such as enrollment in a postsecondary course under the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524; enrollment in an online course; a cooperative arrangement with a neighboring school district or with a public school academy; or granting approval under section 6(6) of the state school aid act of 1979, MCL 388.1606, for the pupil to be counted in membership in another school district.

(9) If a pupil is not successfully completing a credit required for graduation under this section and section 1278a, or is identified as being at risk of withdrawing from high school, then the pupil's school district or public school academy shall notify the pupil's parent or legal guardian or, if the pupil is at least age 18 or is an emancipated minor, the pupil, of the availability of tutoring or other supplemental educational support and counseling services that may be available to the pupil under existing state or federal programs, such as those programs or services available under section 31a of the state school aid act of 1979, MCL 388.1631a, or under the no child left behind act of 2001, Public Law 107-110.

(10) To the extent required by the no child left behind act of 2001, Public Law 107-110, the board of a school district or public school academy shall ensure that all components of the curricular requirements under this section and section 1278a are taught by highly qualified teachers. If a school district or public school academy demonstrates to the department that the school district or public school academy is unable to meet the requirements of this section because the school district or public school academy is unable to hire enough highly qualified teachers, the department shall work with the school district or public school academy to develop a plan to allow the school district or public school academy to hire enough highly qualified teachers to meet the requirements of this section.

(11) The board of a school district or board of directors of a public school academy shall ensure that each pupil in grade 7 is provided with the opportunity to develop an educational development plan, and that each pupil has developed an educational development plan before he or she begins high school. An educational development plan shall be developed by the pupil under the supervision of the pupil's school counselor or another designee qualified to act in a counseling role under section 1233 or 1233a selected by the high school principal and shall be based on a career pathways program or similar career exploration program. In addition, if the pupil receives special education services, a school psychologist should also participate in developing the pupil's educational development plan.

(12) Except as otherwise provided in this subsection, if a school district or public school academy is unable to implement all of the curricular requirements of this section and section 1278a for pupils entering grade 9 in 2007 or is unable to implement another requirement of this section or section 1278a, the school district or public school academy may apply to the department for permission to phase in 1 or more of the requirements of this section or section 1278a. To apply, the school district or public school academy shall submit a proposed phase-in plan to the department. The department shall approve a phase-in plan if the department determines that the plan will result in the school district or public school academy making satisfactory progress toward full implementation of the requirements of this section and section 1278a. If the department disapproves a proposed phase-in plan, the department shall work with the school district or public school academy to develop a satisfactory plan that

may be approved. However, if legislation is enacted that adds section 1290 to allow school districts and public school academies to apply for a contract that waives certain state or federal requirements, then this subsection does not apply but a school district or public school academy may take action as described in subsection (13). This subsection does not apply to a high school that is designated as a specialty school under section 1278a(5) and that is exempt under that section from the English language arts requirement under subsection (1)(a) and the social science credit requirement under section 1278a(1)(a)(ii).

(13) If a school district or public school academy does not offer all of the required credits or provide options to have access to the required credits as provided under subsection (8) and if legislation is enacted that adds section 1290 to allow school districts and public school academies to apply for a contract that waives certain state or federal requirements, then the school district or public school academy is encouraged to apply for a contract under section 1290. The purpose of a contract described in this subsection is to improve pupil performance.

(14) This section and section 1278a do not prohibit a pupil from satisfying or exceeding the credit requirements of the Michigan merit standard under this section and section 1278a through advanced studies such as accelerated course placement, advanced placement, dual enrollment in a postsecondary institution, or participation in the international baccalaureate program or an early college/middle college program.

(15) Not later than April 1 of each year, the department shall submit an annual report to the legislature that evaluates the overall success of the curriculum required under this section and section 1278a, the rigor and relevance of the course work required by the curriculum, the ability of public schools to implement the curriculum and the required course work, and the impact of the curriculum on pupil success, and that details any activities the department has undertaken to implement this section and section 1278a or to assist public schools in implementing the requirements of this section and section 1278a.”

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

Rep. Sheltroun 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. 4410, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1278a, 1278b, and 1280 (MCL 380.1278a, 380.1278b, and 380.1280), section 1278a as amended by 2008 PA 316, section 1278b as amended by 2007 PA 141, and section 1280 as amended by 2006 PA 123, and by adding section 1278c.

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

Roll Call No. 404

Yeas—97

| | | | |
|-----------|-------------|----------|-------------|
| Agema | Durhal | Kowall | Roberts |
| Amash | Ebli | Lahti | Rocca |
| Angerer | Elsenheimer | LeBlanc | Rogers |
| Ball | Espinoza | Leland | Schmidt, R. |
| Bauer | Geiss | Lemmons | Schmidt, W. |
| Bledsoe | Genetski | Lindberg | Schuitmaker |
| Bolger | Gonzales | Liss | Scott, B. |
| Booher | Green | Lori | Scripps |
| Brown, L. | Gregory | Marleau | Segal |
| Brown, T. | Griffin | Mayer | Sheltroun |
| Byrnes | Haase | McDowell | Simpson |
| Byrum | Haines | McMillin | Slavens |
| Calley | Hammel | Meadows | Slezak |
| Caul | Hansen | Meekhof | Smith |
| Clemente | Haugh | Melton | Spade |
| Constan | Haveman | Meltzer | Stanley |
| Corriveau | Hildenbrand | Miller | Switalski |
| Coulouris | Huckleberry | Moore | Tlaib |
| Crawford | Jackson | Moss | Tyler |

| | | | |
|--------------|---------------|----------|-----------|
| Cushingberry | Jones, Rick | Nathan | Valentine |
| Daley | Jones, Robert | Neumann | Walsh |
| Dean | Kandrevas | Pearce | Warren |
| Denby | Kennedy | Polidori | Womack |
| DeShazor | Knollenberg | Proos | Young |
| Dillon | | | |

Nays—10

| | | | |
|---------|--------|----------|-----------|
| Barnett | Kurtz | Opsommer | Scott, P. |
| Donigan | Lipton | Pavlov | Stamas |
| Horn | Lund | | |

In The Chair: Byrnes

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 1976 PA 451, entitled “The revised school code,” by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2008 PA 316 and section 1278b as amended by 2007 PA 141.

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.

Reps. Agema, Booher, Lisa Brown, Terry Brown, Crawford, Gonzales, Gregory, Griffin, Haugh, Hildenbrand, Jackson, Rick Jones, Robert Jones, Leland, Liss, Lori, Marleau, McMillin, Meekhof, Melton, Meltzer, Nathan, Polidori, Roberts, Schuitmaker, Bettie Scott, Spade, Tlaib, Tyler, Valentine and Walsh were named co-sponsors of the bill.

Rep. Dean moved that Rep. Mayes be excused from the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5122, entitled

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

(The bill was received from the Senate on August 26, with substitute (S-3), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 69, p. 1427.)

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. 405**Yeas—105**

| | | | |
|---------|-------------|---------|---------|
| Agema | Durhal | Lahti | Roberts |
| Amash | Ebli | LeBlanc | Rocca |
| Angerer | Elsenheimer | Leland | Rogers |

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

Nays—0

In The Chair: Byrnes

The House agreed to the full title.

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

Rep. Green, under Rule 31, made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 405 because of a possible conflict of interest.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Dean moved that when the House adjourns today it stand adjourned until Wednesday, September 9, at 1:30 p.m.
The motion prevailed.

Reps. Terry Brown, Ball, Booher, Lisa Brown, Caul, Constan, Dean, Donigan, Durhal, Espinoza, Geiss, Green, Rick Jones, Robert Jones, Kurtz, Lahti, LeBlanc, Leland, Lipton, Mayes, McDowell, Neumann, Pearce, Polidori, Proos, Roberts, Slavens, Smith, Spade, Switalski, Tyler, Valentine, Womack, Cushingberry, Gonzales, Hansen, Haugh and Sheltrown offered the following resolution:

House Resolution No. 147.

A resolution commemorating Monday, September 21, 2009, as Family Day in the state of Michigan.

Whereas, The Family Day initiative has been proclaimed in Huron County, Michigan in an effort to promote positive parenting; and

Whereas, The use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

Whereas, Surveys conducted by the National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families, the less likely they are to smoke, drink, and use illegal drugs; and

Whereas, Children who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol, and cigarettes; and

Whereas, The correlation between family dinners and reduced risk for teen substance abuse are well documented; and

Whereas, Parental influence is known to be one of the most crucial factors in determining the likelihood of substance abuse and underage drinking by children; and

Whereas, Parents are the first and most important role model in a child's life; and

Whereas, Family dinners have long constituted a substantial pillar of family life in America, now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate Monday, September 21, 2009, as Family Day in the state of Michigan. We encourage all counties in the state of Michigan to educate Americans on the commitment and dedication to individuals, families, and communities everywhere that the Family Day initiative provides; and be it further

Resolved, That the House of Representatives support all efforts and resources, particularly local, that families having supper together will provide love, guidance, support, and comfort to help children gain the skills needed to succeed in life and fulfill their dreams; and be it further

Resolved, That the House of Representatives upholds the vision that every person, everywhere, everyday understands their responsibility in raising our children; and be it further

Resolved, That a copy of this resolution be transmitted to Kids First of Huron County and other local community organizations throughout the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. McMillin, Knollenberg, Caul, Crawford, Genetski, Horn, Kurtz, Lund, Opsommer, Hansen and Kowall offered the following resolution:

House Resolution No. 148.

A resolution to memorialize the United States Congress to oppose a national health care plan, based on compelling health facts and statistics as reported by the Hoover Institute.

Whereas, Americans have better survival rates than Europeans for common cancers. Breast cancer mortality is 52 percent higher in Germany than in the United States and 88 percent higher in the United Kingdom. Prostate cancer mortality is 60.4 percent higher in the United Kingdom and 45.7 percent higher in Norway. The mortality rate for colorectal cancer among British men and women is about 40 percent higher; and

Whereas, Americans have lower cancer mortality rates than Canadians. Breast cancer mortality in Canada is 9 percent higher than in the United States, prostate cancer is 18.4 percent higher, and colon cancer among men is about 10 percent higher; and

Whereas, Americans have better access to treatment for chronic diseases than patients in other developed countries. Some 56 percent of Americans who could benefit from statin drugs, which reduce cholesterol and protect against heart disease, are taking them. By comparison, of those patients who could benefit from these drugs, only 36 percent of the Dutch, 29 percent of the Swiss, 26 percent of Germans, 23 percent of Britons, and 17 percent of Italians receive them; and

Whereas, Americans have better access to preventive cancer screening than Canadians. Take the proportion of the appropriate-age population groups who have received recommended tests for breast, cervical, prostate, and colon cancer: Nine out of ten middle-aged American women (89 percent) have had a mammogram, compared to fewer than three-fourths of Canadians (72 percent). Nearly all American women (96 percent) have had a Pap smear, compared to fewer than 90 percent of Canadians. More than half of American men (54 percent) have had a prostate specific antigen (PSA) test, compared to fewer than one in six Canadians (16 percent). Nearly one-third of Americans (30 percent) have had a colonoscopy, compared with fewer than one in twenty Canadians (5 percent); and

Whereas, Lower-income Americans are in better health than comparable Canadians. Twice as many American seniors with below-median incomes self-report "excellent" health (11.7 percent) compared to Canadian seniors (5.8 percent). Conversely, white, young Canadian adults with below-median incomes are 20 percent more likely than lower-income Americans to describe their health as "fair or poor"; and

Whereas, Americans spend less time waiting for care than patients in Canada and the United Kingdom. Canadian and British patients wait about twice as long—sometimes more than a year—to see a specialist, have elective surgery such as hip replacements, or get radiation treatment for cancer. All told, 827,429 people are waiting for some type of procedure in Canada. In Britain, nearly 1.8 million people are waiting for a hospital admission or outpatient treatment; and

Whereas, People in countries with more government control of health care are highly dissatisfied and believe reform is needed. More than 70 percent of German, Canadian, Australian, New Zealand, and British adults say their health system needs either “fundamental change” or “complete rebuilding”; and

Whereas, Americans are more satisfied with the care they receive than Canadians. When asked about their own health care instead of the “health care system,” more than half of Americans (51.3 percent) are very satisfied with their health care services, compared with only 41.5 percent of Canadians. Additionally, a lower proportion of Americans are dissatisfied (6.8 percent) than Canadians (8.5 percent); and

Whereas, Americans have better access to important new technologies such as medical imaging than do patients in Canada or Britain. An overwhelming majority of leading American physicians identify computerized tomography (CT) and magnetic resonance imaging (MRI) as the most important medical innovations for improving patient care during the previous decade—even as economists and policy makers unfamiliar with actual medical practice decry these techniques as wasteful. The United States has thirty-four CT scanners per million Americans, compared to twelve in Canada and eight in Britain. The United States has almost twenty-seven MRI machines per million people compared to about six per million in Canada and Britain; and

Whereas, Americans are responsible for the vast majority of all health care innovations. The top five United States hospitals conduct more clinical trials than all the hospitals in any other developed country. Since the mid-1970s, the Nobel Prize in medicine or physiology has gone to United States residents more often than recipients from all other countries combined. In only five of the past thirty-four years did a scientist living in the United States not win or share in the prize. Most important recent medical innovations were developed in the United States; and

Whereas, The solution in health care reform lies in improving the quality and affordability of health care through market-based changes, not in dismantling the best health care system in the world; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to oppose a government run health care plan; 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 Health Policy.

Reps. Spade, Ball, Terry Brown, Constan, Dean, Donigan, Durhal, Espinoza, Geiss, Green, Rick Jones, Robert Jones, Kennedy, Lahti, LeBlanc, Leland, Liss, Mayes, McDowell, Neumann, Pearce, Polidori, Proos, Roberts, Scripps, Slavens, Smith, Switalski, Valentine, Warren, Womack, Young, Cushingberry, Gonzales, Hansen, Haugh and Sheltroun offered the following resolution:

House Resolution No. 149.

A resolution to recognize September 9, 2009, as Fetal Alcohol Spectrum Disorders Awareness Day in the state of Michigan.

Whereas, Healthy children are the most important resource in the great state of Michigan, and Fetal Alcohol Spectrum Disorders (FASD) pose a serious threat to the potential health of our future generations; and

Whereas, More than 30 years have passed since Fetal Alcohol Syndrome (FAS) was identified and named as a birth disorder by United States researchers; and

Whereas, Prenatal exposure to alcohol can cause birth defects, mental retardation, learning disabilities, and attention deficits; and

Whereas, The estimated number of FASD per year numbers over 30,000; and

Whereas, The incidence rate of full FAS is estimated at 1 out of 1,000 live births and the incidence rate of FASD is estimated at 1 of every 100 live births; and

Whereas, Individuals with FASD often have secondary hardships, such as trouble with the law, substance abuse issues, disrupted school experiences, employment problems, and homelessness; and

Whereas, FASD is entirely preventable; and

Whereas, People around the world began observing International FAS Awareness Day on September 9th of each year beginning in 1999. In order that on the ninth day of the ninth month of the year the world will remember that a woman should abstain from alcohol during the nine months of pregnancy; and

Whereas, The U.S. Senate has passed a resolution designating September 9 as National Fetal Alcohol Spectrum Disorders Awareness Day, and has called upon all states to observe FASD Awareness Day; now therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize September 9, 2009, as Fetal Alcohol Spectrum Disorders Awareness Day in the state of Michigan. We strongly urge all citizens to increase their knowledge of the effects of prenatal exposure to alcohol, to increase their level of compassion for individuals affected by FASD, and to do all which may lie in their power to reduce the incidence of FASD in the state of Michigan in the future.

The question being on the adoption of the resolution,

The resolution was adopted.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, August 27:

| | | | | | | | | | | | | | |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|------------|------------|------------|------------|
| House Bill Nos. | 5276 | 5277 | 5278 | 5279 | 5280 | 5281 | 5282 | 5283 | 5284 | | | | |
| House Joint Resolution | | AA | | | | | | | | | | | |
| Senate Bill Nos. | 760 | 761 | 762 | 763 | 764 | 765 | 766 | 767 | 768 | 769 | 770 | 771 | 772 |

The Clerk announced that the following Senate bills had been received on Thursday, August 27:

| | | | | | | | | | | | | | | |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Senate Bill Nos. | 95 | 503 | 504 | 505 | 506 | 507 | 508 | 509 | 510 | 511 | 512 | 513 | 514 | 515 |
| | 516 | 517 | 518 | 519 | 520 | 521 | 522 | 523 | 524 | 525 | 526 | 527 | 597 | |

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members on Friday, August 28:

| | | | | | | | | | | | |
|---------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Senate Bill Nos. | 775 | 776 | 777 | 778 | 779 | 780 | 781 | 782 | 783 | 784 | 785 |
| Senate Joint Resolutions | | K | L | | | | | | | | |

Reports of Standing Committees

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

House Bill No. 5221, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing part 205 (MCL 324.20501 to 324.20519).

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. Cushingberry, Hammel, Bauer, Terry Brown, Dean, 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

Nays: None

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

House Bill No. 5222, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing part 317.

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. Cushingberry, Hammel, Bauer, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, 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, September 2, 2009

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

Absent: Rep. Bennett

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 1, 2009

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

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

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Donigan, Chair, of the Committee on Intergovernmental and Regional Affairs, was received and read:

Meeting held on: Tuesday, September 1, 2009

Present: Reps. Donigan, Barnett, Bledsoe, Haugh, Robert Jones, Kennedy, Young, Lund, Denby, Meekhof and Wayne Schmidt

Messages from the Senate**House Bill No. 4199, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 41325.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 95, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 503, entitled

A bill to amend 2001 PA 63, entitled "History, arts, and libraries act," by amending the title and sections 1, 2, 5, 9, and 11 (MCL 399.701, 399.702, 399.705, 399.709, and 399.711), the title and section 2 as amended and section 9 as added by 2008 PA 559; and to repeal acts and parts of acts.

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. 504, 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 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. 505, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 284, 287, 288, 289, and 292 (MCL 18.1284, 18.1287, 18.1288, 18.1289, and 18.1292), as amended by 2001 PA 71.

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. 506, entitled

A bill to amend 1992 PA 116, entitled "Records reproduction act," by amending section 1 (MCL 24.401), as amended by 2004 PA 574.

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. 507, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 13a (MCL 42.13a), as added by 2006 PA 596.

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. 508, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 29 (MCL 125.1679), as amended by 2004 PA 66.

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. 509, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 29a and 88j (MCL 125.2029a and 125.2088j), section 29a as added by 2008 PA 75 and section 88j as added by 2005 PA 225.

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. 510, entitled

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending section 26 (MCL 125.2896).

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. 511, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4cc (MCL 205.54cc), as amended by 2008 PA 78.

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. 512, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 266 and 435 (MCL 206.266 and 206.435), section 266 as amended by 2008 PA 447 and section 435 as amended by 2008 PA 560.

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. 513, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2008 PA 448.

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. 514, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811k (MCL 257.811k), as amended by 2006 PA 298.

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. 515, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 63523, 63524, 63545, 72113, 76102, 76103, 76104, 76105, 76107, 76108, 76109, 76110, 76111, 76112, 76113, 76114, and 76118 (MCL 324.63523, 324.63524, 324.63545, 324.72113, 324.76102, 324.76103, 324.76104, 324.76105, 324.76107, 324.76108, 324.76109, 324.76110, 324.76111, 324.76112, 324.76113, 324.76114, and 324.76118), sections 63523 and 63545 as amended by 2001 PA 78, sections 63524, 76105, and 76109 as amended by 2004 PA 325, section 72113 as added by 2002 PA 454, sections 76102, 76103, 76104, 76108, 76110, 76111, 76112, 76113, 76114, and 76118 as amended by 2001 PA 75, and section 76107 as amended by 2001 PA 155.

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. 516, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 32n (MCL 388.1632n), as added by 2007 PA 137.

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. 517, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 76503 (MCL 324.76503), as amended by 2001 PA 78.

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. 518, entitled

A bill to amend 1982 PA 540, entitled "Library of Michigan act," by amending section 2 (MCL 397.12), as amended by 2001 PA 62; and to repeal acts and parts of acts.

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. 519, entitled

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 2 (MCL 397.172), as amended by 2005 PA 60.

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. 520, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending the title and sections 2 and 25 (MCL 397.552 and 397.575), as amended by 2001 PA 65.

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. 521, entitled

A bill to amend 1913 PA 271, entitled "An act to create the Michigan historical commission; to provide for the appointment of members of the commission; to fix their terms of office, prescribe their powers and duties; to prescribe the powers and duties of certain state agencies and officers; to make an appropriation to carry out the provisions of this act; to provide for the distribution of certain revenue; to provide for the listing and destruction of useless documents,

books and papers; and to repeal all acts and parts of acts inconsistent herewith," by amending section 10 (MCL 399.10), as amended by 2001 PA 66.

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. 522, entitled

A bill to amend 1976 PA 69, entitled "An act to permit the department of history, arts, and libraries to acquire and operate state historic sites; to accept gifts for that purpose; and to permit investment in certain funds to carry out the purposes of this act," by amending sections 1, 2, and 3 (MCL 399.111, 399.112, and 399.113), as amended by 2001 PA 73.

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. 523, entitled

A bill to amend 1984 PA 152, entitled "Michigan iron industry museum advisory board act," by amending sections 3 and 4 (MCL 399.73 and 399.74), as amended by 2001 PA 77.

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. 524, entitled

A bill to amend 1998 PA 409, entitled "Michigan freedom trail commission act," by amending section 2 (MCL 399.82), as amended by 2001 PA 79.

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. 525, entitled

A bill to amend 1955 PA 10, entitled "Michigan historical markers act," by amending sections 2 and 6 (MCL 399.152 and 399.156), section 2 as amended and section 6 as added by 2002 PA 488.

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. 526, entitled

A bill to amend 1970 PA 169, entitled "Local historic districts act," by amending section 1a (MCL 399.201a), as amended by 2004 PA 67.

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. 527, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2137 (MCL 600.2137), as amended by 2001 PA 76.

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. 597, entitled

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 6 (MCL 28.306).

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 18.

A concurrent resolution to disapprove Executive Order No. 2009-36, setting forth changes in the organization of the executive branch.

Whereas, Article 5, Section 2 of the Constitution of the state of Michigan provides that the Governor may make changes in the organization of the executive branch or in the assignment of functions within the executive units. Where these changes require the force of law, they must be set forth in executive orders that are submitted to the Legislature. The Legislature shall have 60 calendar days of a regular session to disapprove each executive order by a resolution concurred in by a majority of the members elected and serving in each house of the Legislature; and

Whereas, Governor Granholm has issued an executive order proposing the reorganization of the executive branch relative to the Department of Education; the Department of Energy, Labor, and Economic Growth; the Department of Information Technology; the Department of Management and Budget; the Department of Natural Resources; and the Department of Treasury and the abolition of the Department of History, Arts, and Libraries. Executive Order No. 2009-36 was signed on July 13, 2009; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we hereby disapprove Executive Order No. 2009-36, issued July 13, 2009, proposing the reorganization of the executive branch of government relative to the Department of Education; the Department of Energy, Labor, and Economic Growth; the Department of Information Technology; the Department of Management and Budget; the Department of Natural Resources; and the Department of Treasury and the abolition of the Department of History, Arts, and Libraries; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor.

The Senate has adopted the concurrent resolution.

Reps. Genetski, Horn, Cushingberry and Hansen were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Judiciary.

Messages from the Governor

Date: August 31, 2009

Time: 1:52 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4683 (Public Act No. 80, I.E.), being

An act to amend 1962 PA 192, entitled “An act authorizing the creation of professional service corporations; providing definitions; providing exceptions; providing the manner and method of creating such corporations; providing for individual liability of officers, employees and agents of such corporations in certain instances; authorizing certain investments of corporate funds; regulating the issuance and transfer of capital stock; providing forfeiture of corporate franchise in certain instances; and requiring identification as a corporation,” by amending section 8 (MCL 450.228), as amended by 1998 PA 48.

(Filed with the Secretary of State August 31, 2009, at 2:17 p.m.)

Date: August 31, 2009

Time: 1:54 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4684 (Public Act No. 81, I.E.), being

An act to amend 1986 PA 157, entitled “An act to help stimulate the expansion of international export markets of state products and services; to provide for the creation of the Michigan export development authority and to establish its board of directors; to prescribe the powers and duties of the authority and of the board; to provide for the issuance of, and certain terms and conditions of, bonds; to exempt bonds from certain taxes; to prescribe the powers and duties of certain state officers; and to provide for the creation of certain funds and for the funding of the creation and operation of the authority,” by amending section 10 (MCL 447.160), as amended by 2002 PA 302.

(Filed with the Secretary of State August 31, 2009, at 2:19 p.m.)

Date: August 31, 2009

Time: 1:56 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4686 (Public Act No. 82, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to

provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending sections 159g and 411j (MCL 750.159g and 750.411j), section 159g as amended by 2002 PA 124 and section 411j as amended by 2002 PA 136.

(Filed with the Secretary of State August 31, 2009, at 2:21 p.m.)

Date: August 31, 2009

Time: 1:58 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4687 (Public Act No. 83, I.E.), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 4701 (MCL 600.4701), as amended by 2007 PA 156.

(Filed with the Secretary of State August 31, 2009, at 2:23 p.m.)

Date: August 31, 2009

Time: 2:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4695 (Public Act No. 84, I.E.), being

An act to amend 1965 PA 314, entitled “An act to authorize the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers,” by amending section 13 (MCL 38.1133), as amended by 2008 PA 425.

(Filed with the Secretary of State August 31, 2009, at 2:25 p.m.)

Date: August 31, 2009

Time: 2:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4696 (Public Act No. 85, I.E.), being

An act to amend 1984 PA 270, entitled “An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts,” by amending section 23 (MCL 125.2023), as amended by 2002 PA 556.

(Filed with the Secretary of State August 31, 2009, at 2:27 p.m.)

Explanation of “No” Votes

Rep. Elsenheimer, having reserved the right to explain his protest against the passage of **House Bill No. 4985**, made the following statement:

“Mr. Speaker and members of the House:

No Vote Explanation

HB 4985 (Robo calls)

I opposed HB 4985 because a key measure that would have actually uncovered who is behind mysterious smear campaigns and regulated all politically-related automated telephone calls was ignored by the House Democrats using their majority status to refuse to even allow debate on an amendment offered that would do so.

Under the legislation that was approved by the House, candidates running for office would be required to contain identification and disclaimer statements when using pre-recorded messages (‘robo-calls’) or e-mail to reach out to voters. However, the it would only apply to those trying to expressly elect or defeat a candidate, but shadowy interest groups funded by unknown sources would still be allowed to use the medium to launch so-called ‘issue advocacy ads’ which are often little more than smear campaigns.

If this legislation is enacted as currently written, the citizens of Michigan will still be subject to the smear campaign calls they have been subjected to over recent years without knowing who is responsible.

This is the latest example of extreme partisanship where House Democrats are refusing to allow open debate on measures and amendments. The House Democrats went to great lengths, using procedural gimmicks to keep Republican lawmakers from even talking about legislation that comes to the House floor. Democrats are literally stifling the voices of nearly half of Michigan’s residents, along with the public’s desire for bipartisan cooperation.

For these reasons I cannot support this bill at this time.”

Introduction of Bills

Reps. Tyler, Walsh, Clemente, Denby, Lori, Proos, Opsommer, DeShazor, Paul Scott, Ball, Crawford, Rocca, Hansen, Pavlov, Pearce, Moss, Kowall, Rick Jones, Haveman, Schuitmaker, Genetski, Knollenberg, Meltzer, Rogers, Segal, Kandrevas, Wayne Schmidt, Barnett, Roy Schmidt, Geiss, Horn and Neumann introduced

House Bill No. 5285, entitled

A bill to amend 2005 PA 210, entitled “Commercial rehabilitation act,” by amending section 2 (MCL 207.842), as amended by 2008 PA 500.

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

Reps. Knollenberg and Walsh introduced

House Bill No. 5286, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7523, 7524, and 7524a (MCL 333.7523, 333.7524, and 333.7524a), section 7523 as amended by 2006 PA 130, section 7524 as amended by 2006 PA 558, and section 7524a as amended by 1994 PA 8.

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

Reps. LeBlanc, Gregory, Hammel, Womack, Jackson, Durhal, Young, Stanley, Espinoza, Constan and Johnson introduced

House Bill No. 5287, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 750 (MCL 257.750), as amended by 1988 PA 446.

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

Reps. Agema, Genetski, Rick Jones, Walsh, Kurtz, McMillin, Lori, Knollenberg, Meltzer, Calley, Marleau, Meekhof, Green, Proos and Pearce introduced

House Bill No. 5288, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7212 and 7214 (MCL 333.7212 and 333.7214), section 7212 as amended by 2002 PA 710 and section 7214 as amended by 1982 PA 352; and to repeal acts and parts of acts.

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

Reps. Agema, Genetski, Rick Jones, Walsh, Kurtz, McMillin, Lori, Knollenberg, Meltzer, Calley, Proos, Marleau, Meekhof, Green and Pearce introduced

House Bill No. 5289, entitled

A bill to amend 2008 IL 1, entitled "Michigan medical marihuana act," by amending section 4 (MCL 333.26424).

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

Reps. Agema, Genetski, Rick Jones, Walsh, Kurtz, McMillin, Lori, Knollenberg, Meltzer, Calley, Proos, Marleau, Meekhof, Green and Pearce introduced

House Bill No. 5290, entitled

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

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

Reps. Agema, Genetski, Rick Jones, Walsh, McMillin, Kurtz, Elsenheimer, Denby, Marleau, Calley, Meekhof, Knollenberg, Proos and Pearce introduced

House Bill No. 5291, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 29 (MCL 421.29), as amended by 2008 PA 480.

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

Reps. Agema, Genetski, McMillin, Elsenheimer, Meekhof and Knollenberg introduced

House Bill No. 5292, entitled

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

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

Reps. Knollenberg, Walsh and Geiss introduced

House Bill No. 5293, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," (MCL 38.1132 to 38.1140m) by adding section 13e.

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

Reps. Knollenberg, Walsh and Geiss introduced

House Bill No. 5294, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 13 (MCL 38.1133), as amended by 2008 PA 425.

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

Reps. Ebli, Meadows and Melton introduced

House Bill No. 5295, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 261 (MCL 208.1261).

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

Reps. Warren, Meadows, Miller, Liss, Barnett, Smith, Donigan, Robert Jones, Tlaib, Durhal, Stanley, Leland, Valentine, Jackson, Johnson and Hammel introduced

House Bill No. 5296, entitled

A bill to require employers to provide employees with information concerning eligibility for the federal earned income tax credit.

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

Reps. Neumann, Polidori, Gonzales, Liss, Roberts, Lipton and Young introduced

House Bill No. 5297, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A.

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

Reps. Valentine, Kurtz, Proos, Lori, Walsh, Leland, Ebli, Bledsoe, Bauer, Smith, Barnett, Haase, Liss and DeShazor introduced

House Bill No. 5298, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1148 (MCL 380.1148).

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

Reps. Kurtz, Valentine, Proos, Lori, Walsh, Leland, Ebli, Bledsoe, Bauer, Smith, Barnett, Haase, Liss and DeShazor introduced

House Bill No. 5299, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2009 PA 73.

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

Reps. Smith, Warren, Cushingberry, Young, Donigan, Jackson, Johnson, Tlaib, Lindberg, Espinoza, Stanley and Durhal introduced

House Bill No. 5300, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2007 PA 94, and by adding section 278; and to repeal acts and parts of acts.

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

Reps. Smith, Warren, Cushingberry, Young, Donigan, Jackson, Johnson, Tlaib, Lindberg, Espinoza, Stanley and Durhal introduced

House Bill No. 5301, entitled

A bill to establish the Michigan future trust fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

Reps. Opsommer, Meltzer, Meekhof, Agema, Mayes, LeBlanc, Hansen, Neumann, Calley, Wayne Schmidt, Spade, Melton, Rick Jones, McDowell, Lahti, Walsh, Lori, Polidori, Booher, Bolger and Lund introduced

House Bill No. 5302, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," (MCL 28.421 to 28.435) by amending the title, as amended by 2000 PA 381, and by adding sections 1b and 36.

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

Reps. Sheltroun, Meltzer, Meekhof, Agema, Mayes, LeBlanc, Hansen, Opsommer, Neumann, Calley, Wayne Schmidt, Spade, Melton, Rick Jones, McDowell, Lahti, Walsh, Lori, Polidori, Bolger, Lund and Booher introduced

House Bill No. 5303, 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.

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

Reps. Miller and Meadows introduced

House Bill No. 5304, entitled

A bill to amend 1964 PA 155, entitled "Circuit court family counseling services act," by amending section 2 (MCL 551.332), as amended by 1980 PA 16.

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

Reps. Meadows and Miller introduced

House Bill No. 5305, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending section 3 (MCL 551.103), as amended by 2006 PA 578.

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

Reps. Kowall, Walsh, Haines, Rick Jones, Elsenheimer, Agema, Green, Marleau, Rogers, Rocca, Tyler, Lori, Ball, Paul Scott, Wayne Schmidt, Calley, McMillin, Daley, Pavlov, Crawford, Liss, Knollenberg, Meekhof, Moss, Genetski, Scripps, Lund, Bolger, Moore, Horn and Sheltroun introduced

House Bill No. 5306, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 221 (MCL 18.1221), as amended by 1999 PA 8.

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

Rep. Cushingberry introduced

House Bill No. 5307, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by repealing sections 109i and 109j (MCL 400.109i and 400.109j).

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Lori, Liss, Walsh, Proos, Schuitmaker, Rick Jones, Tyler, Genetski, Opsommer, Wayne Schmidt, Rocca and Kowall introduced

House Bill No. 5308, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 39 of chapter XVII (MCL 777.39), as amended by 2006 PA 548.

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

Reps. Proos, Kurtz, Ball, Lori, Haveman, Tyler, Stamas, Daley, Agema, Spade, Wayne Schmidt, Lund, Walsh, Calley, Denby and Pavlov introduced

House Bill No. 5309, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as amended by 2008 PA 169.

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

Rep. Meadows introduced

House Bill No. 5310, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending the title and sections 105, 106, 111, 214, 214a, 217, 305, and 714 (MCL 38.2105, 38.2106, 38.2111, 38.2214, 38.2214a, 38.2217, 38.2305, and 38.2664), the title and sections 214, 217, 305, and 714 as amended by 2002 PA 95, section 105 as amended by 2008 PA 514, section 106 as amended by 1995 PA 193, and section 214a as added by 1999 PA 215, and by adding sections 214b, 309, 310, 311, 312, 313, and 314.

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

Rep. Smith introduced

House Bill No. 5311, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34a (MCL 791.234a), as amended by 2008 PA 158.

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

Reps. Bolger and Opsommer introduced

House Bill No. 5312, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 819 and 821 (MCL 257.819 and 257.821), section 819 as amended by 2008 PA 346 and section 821 as added by 1989 PA 280.

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

Reps. Nathan, Kandrevas and Leland introduced

House Bill No. 5313, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2603 (MCL 339.2603), as amended by 1999 PA 170.

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

Rep. Geiss introduced

House Bill No. 5314, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 21a (MCL 169.221a), as added by 1994 PA 411.

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

Rep. Geiss introduced

House Bill No. 5315, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 938a.

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

Rep. Opsommer introduced

House Bill No. 5316, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 30 (MCL 205.30), as amended by 1993 PA 14.

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

Reps. Opsommer, Genetski, Rick Jones and Wayne Schmidt introduced

House Bill No. 5317, entitled

A bill to regulate political activity; to regulate certain candidates for elective office and state officials; to require financial statements and reports; to prescribe the powers and duties of certain state and local governmental officers and agencies; to impose fees; to prescribe penalties and civil sanctions; and to provide remedies.

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

Rep. Durhal introduced

House Joint Resolution BB, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 2a to article VIII and section 11a to article IX, to provide free postsecondary tuition and vocational training to graduates of state high schools, establish the postsecondary tuition and vocational training fund, and provide sources of revenue for the fund.

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

Rep. Jackson moved that the House adjourn.

The motion prevailed, the time being 2:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, September 9, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

