

No. 105
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House Chamber, Lansing, Tuesday, December 8, 2009.

1:30 p.m.

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

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

Agema—present	Durhal—present	Lahti—present	Proos—present
Amash—present	Ebli—present	LeBlanc—present	Roberts—present
Angerer—present	Elsenheimer—present	Leland—present	Rocca—present
Ball—present	Espinoza—present	Lemmons—present	Rogers—present
Barnett—present	Geiss—present	Lindberg—present	Schmidt, R.—present
Bauer—present	Genetski—present	Lipton—present	Schmidt, W.—present
Bennett—excused	Gonzales—excused	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—excused
Byrum—present	Hansen—present	Meadows—present	Slavens—present
Calley—present	Haugh—present	Meekhof—present	Slezak—present
Caul—present	Haveman—present	Melton—present	Smith—present
Clemente—present	Hildenbrand—present	Meltzer—present	Spade—present
Constan—present	Horn—present	Miller—present	Stamas—present
Corriveau—present	Huckleberry—present	Moore—present	Stanley—present
Coulouris—present	Jackson—e/d/s	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—present	Tlaib—present
Cushingberry—present	Jones, Rick—present	Nerat—present	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. Larry DeShazor, from the 61st District, offered the following invocation:

“Heavenly Father, As we begin our work today, may we remind ourselves of the tremendous honor the people of Michigan have given us. Our responsibilities are many, and we are called upon to offer a vision and direction that will serve the needs our great State. May our decisions be based upon what is right, just and fair. In the spirit of cooperation and unity, may we work together to give our citizens every ability to prosper.

May God bless our efforts today, and bless the people of the state of Michigan. We ask all of this in the name of the God we serve. Amen.”

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

Messages from the Senate

The Speaker laid before the House

House Bill No. 4182, entitled

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2009 PA 62 and section 8 as amended by 2008 PA 102.

(The bill was received from the Senate on December 2, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 3, see House Journal No. 103, p. 2348.)

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 580

Yeas—56

Angerer	Dean	LeBlanc	Nerat
Ball	Dillon	Leland	Neumann
Barnett	Donigan	Lemmons	Polidori
Bauer	Durhal	Lindberg	Schmidt, R.
Bledsoe	Ebli	Lipton	Scott, B.
Booher	Espinoza	Liss	Segal
Brown, L.	Green	Mayes	Sheltrown
Brown, T.	Gregory	McDowell	Slezak
Byrnes	Hammel	McMillin	Spade
Byrum	Haugh	Meadows	Stanley
Clemente	Johnson	Melton	Switalski
Constan	Jones, Robert	Miller	Tlaib
Coulouris	Kandrevas	Moss	Valentine
Cushingberry	Lahti	Nathan	Womack

Nays—50

Agema	Griffin	Lori	Rogers
Amash	Haase	Lund	Schmidt, W.
Bolger	Haines	Marleau	Schuitmaker
Calley	Hansen	Meekhof	Scott, P.
Caul	Haveman	Meltzer	Scripps
Corriveau	Hildenbrand	Moore	Slavens

Crawford	Horn	Opsommer	Smith
Daley	Huckleberry	Pavlov	Stamas
Denby	Jones, Rick	Pearce	Tyler
DeShazor	Kennedy	Proos	Walsh
Elsenheimer	Knollenberg	Roberts	Warren
Geiss	Kowall	Rocca	Young
Genetski	Kurtz		

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. Jackson entered the House Chambers.

Third Reading of Bills

House Bill No. 5503, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321c (MCL 257.321c), as added by 1996 PA 240.

(The bill was read a third time and postponed for the day on December 3, see House Journal No. 104, p. 2374.)

The question being on the passage of the bill,

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

Roll Call No. 581

Yeas—105

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

Denby
DeShazor
Dillon
Donigan

Knollenberg
Kowall
Kurtz

Opsommer
Pavlov
Pearce

Walsh
Warren
Womack

Nays—2

Jackson

Young

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.

Second Reading of Bills

House Bill No. 5555, entitled

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

The bill was read a second time.

Rep. McMillin moved to amend the bill as follows:

1. Amend page 4, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 945 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. Clemente 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.

Rep. Dean moved that Rep. Coulouris be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5555, entitled

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

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

Roll Call No. 582

Yeas—99

Angerer
Ball

Ebli
Elsenheimer

Lahti
LeBlanc

Roberts
Rocca

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

Nays—7

Agema	Genetski	Meekhof	Scott, P.
Amash	McMillin	Miller	

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.

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:

Targeted tax credits such as these are unfair to other businesses and are not as effective at stimulating the economy as broad-based tax relief would be.”

Second Reading of Bills

House Bill No. 5567, entitled

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending section 2 (MCL 207.772), as amended by 2008 PA 284.

The bill was read a second time.

Rep. Stanley moved to substitute (H-1) the bill.

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

Rep. McMillin moved to amend the bill as follows:

1. Amend page 5, following line 14, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 945 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. Stanley 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. 5567, entitled

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending section 2 (MCL 207.772), as amended by 2008 PA 284.

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

Roll Call No. 583

Yeas—89

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

Nays—18

Agema	Hansen	McMillin	Pavlov
Amash	Haveman	Meekhof	Pearce
Bolger	Kowall	Moore	Schuitmaker
Daley	Kurtz	Opsommer	Scott, P.
Genetski	Lund		

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.

Second Reading of Bills

House Bill No. 5584, 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 13c (MCL 125.1663c), as added by 2008 PA 157.

The bill was read a second time.

Rep. Segal moved to substitute (H-1) the bill.
 The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.
 Rep. Segal 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. 5584, 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 13c (MCL 125.1663c), as added by 2008 PA 157.

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

Roll Call No. 584

Yeas—92

Agema	Dillon	Kowall	Polidori
Angerer	Donigan	Kurtz	Roberts
Ball	Durhal	Lahti	Rocca
Barnett	Ebli	LeBlanc	Schmidt, R.
Bauer	Espinoza	Leland	Schmidt, W.
Bledsoe	Geiss	Lemmons	Scott, B.
Bolger	Green	Lindberg	Scripps
Booher	Gregory	Lipton	Segal
Brown, L.	Griffin	Liss	Sheltrown
Brown, T.	Haase	Lori	Slavens
Byrnes	Haines	Lund	Slezak
Byrum	Hammel	Marleau	Smith
Calley	Haugh	Mayes	Spade
Caul	Hildenbrand	McDowell	Stamas

Clemente	Horn	Meadows	Stanley
Constan	Huckleberry	Melton	Switalski
Corriveau	Jackson	Meltzer	Tlaib
Coulouris	Johnson	Miller	Tyler
Crawford	Jones, Rick	Moss	Valentine
Cushingberry	Jones, Robert	Nathan	Walsh
Dean	Kandrevas	Nerat	Warren
Denby	Kennedy	Neumann	Womack
DeShazor	Knollenberg	Pearce	Young

Nays—15

Amash	Hansen	Moore	Rogers
Daley	Haveman	Opsommer	Schuitmaker
Elsenheimer	McMillin	Pavlov	Scott, P.
Genetski	Meekhof	Proos	

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.

Second Reading of Bills

House Bill No. 5585, entitled

A bill to amend 1980 PA 450, entitled “The tax increment finance authority act,” by amending section 12b (MCL 125.1812b), as added by 2008 PA 156.

The bill was read a second time.

Rep. Segal moved to substitute (H-1) the bill.

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

Rep. Segal 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. 5585, entitled

A bill to amend 1980 PA 450, entitled “The tax increment finance authority act,” by amending section 12b (MCL 125.1812b), as added by 2008 PA 156.

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

Roll Call No. 585

Yeas—92

Agema	Dillon	Kowall	Polidori
Angerer	Donigan	Kurtz	Roberts
Ball	Durhal	Lahti	Rocca

Barnett	Ebli	LeBlanc	Schmidt, R.
Bauer	Espinoza	Leland	Schmidt, W.
Bledsoe	Geiss	Lemmons	Scott, B.
Bolger	Green	Lindberg	Scripps
Booher	Gregory	Lipton	Segal
Brown, L.	Griffin	Liss	Sheltrown
Brown, T.	Haase	Lori	Slavens
Byrnes	Haines	Lund	Slezak
Byrum	Hammel	Marleau	Smith
Calley	Haugh	Mayes	Spade
Caul	Hildenbrand	McDowell	Stamas
Clemente	Horn	Meadows	Stanley
Constan	Huckleberry	Melton	Switalski
Corriveau	Jackson	Meltzer	Tlaib
Coulouris	Johnson	Miller	Tyler
Crawford	Jones, Rick	Moss	Valentine
Cushingberry	Jones, Robert	Nathan	Walsh
Dean	Kandrevas	Nerat	Warren
Denby	Kennedy	Neumann	Womack
DeShazor	Knollenberg	Pearce	Young

Nays—15

Amash	Hansen	Moore	Rogers
Daley	Haveman	Opsommer	Schuitmaker
Elsenheimer	McMillin	Pavlov	Scott, P.
Genetski	Meekhof	Proos	

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.

Second Reading of Bills

House Bill No. 5219, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1079.

The bill was read a second time.

Rep. Ball 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.

Rep. Dean moved that Rep. Nathan be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5219, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1079.

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

Roll Call No. 586

Yeas—106

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. 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. 5241, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending section 3 (MCL 38.1603), as amended by 2008 PA 366.

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

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

Rep. LeBlanc 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. 5241, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending section 3 (MCL 38.1603), as amended by 2008 PA 366.

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

Roll Call No. 587

Yeas—107

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

Nays—0

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.

Second Reading of Bills

Senate Bill No. 163, entitled

A bill to amend 1935 PA 59, entitled “An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929,” by amending section 4 (MCL 28.4).

The bill was read a second time.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, line 25, after “**REMOVAL**” by inserting a comma and “**UNLESS A REDUCTION IN EXPENDITURES IS REQUIRED DUE TO INSUFFICIENT FUNDS**”.

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

Rep. Dean 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

Senate Bill No. 163, entitled

A bill to amend 1935 PA 59, entitled “An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929,” by amending section 4 (MCL 28.4).

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

Roll Call No. 588

Yeas—107

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

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

Nays—0

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.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Intergovernmental and Regional Affairs, by Rep. Donigan, Chair, reported

Senate Bill No. 935, entitled

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

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. Donigan, Barnett, Bledsoe, Robert Jones, Kennedy, Young, Lund, Denby, Meekhof and Wayne Schmidt

Nays: None

Second Reading of Bills

Senate Bill No. 935, entitled

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

The bill was read a second time.

Rep. Dean 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

Senate Bill No. 935, entitled

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

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

Roll Call No. 589**Yeas—105**

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

Nays—2

Amash

Genetski

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.

Second Reading of Bills**House Bill No. 4394, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320a (MCL 257.320a), as amended by 2008 PA 463, and by adding section 602b.

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

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

Rep. Kandrevas moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Dean 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. 4394, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320a (MCL 257.320a), as amended by 2008 PA 463, and by adding section 602b.

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

Roll Call No. 590

Yeas—94

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

Nays—13

Agema	DeShazor	Green	McMillin
Amash	Geiss	Haveman	Meekhof
Bledsoe	Genetski	Kurtz	Stamas
Caul			

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 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 602b.

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.

Rep. Geiss, 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 my belief that texting while driving should be a primary offense in the State of Michigan, rather than the secondary offense as contained in HB 4394. 25 other states make this offense primary, only 4 states make it a secondary offense. Common sense says that you should not text while driving. We, as legislators, need to send a clear message to those who do not have common sense. This bill, unfortunately, is not a strong enough message, or legislation.”

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:

The problem with this bill is you don’t know if someone is answering a call, dialing a number etc. yet if an officer thought you were texting, you could be ticketed. If someone causes an accident because of a careless act- ticket him. What will happen here is that people will put their phones lower in the car causing more distraction and cause more accidents. You lose you freedoms one law at a time.”

Second Reading of Bills

House Bill No. 4370, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 320a (MCL 257.320a), as amended by 2008 PA 463.

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

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

Rep. Dean moved to reconsider the vote by which the House did not adopt the substitute previously recommended by the Committee on Transportation.

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

The question being on the adoption of the substitute (H-2) previously recommended by the Committee on Transportation,

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

Rep. Polidori 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. 4370, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 320a (MCL 257.320a), as amended by 2008 PA 463.

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

Roll Call No. 591

Yeas—105

Agema
Amash
Angerer
Ball
Barnett

Ebli
Elsenheimer
Espinoza
Genetski
Green

LeBlanc
Leland
Lemmons
Lindberg
Lipton

Proos
Roberts
Rocca
Rogers
Schmidt, R.

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

Nays—2

Bledsoe

Geiss

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.

Rep. Geiss, 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 my belief that texting while driving should be a primary offense in the State of Michigan, rather than the secondary offense as contained in HB 4370. 25 other states make this offense primary, only 4 states make it a secondary offense. Common sense says that you should not text while driving. We, as legislators, need to send a clear message to those who do not have common sense. This bill, unfortunately, is not a strong enough message, or legislation.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Switalski, Durhal, Lipton, Lisa Brown, Leland, Cushingberry, Gonzales, Tlaib, Geiss, Ball, Bauer, Booher, Terry Brown, Dean, Donigan, Gregory, Haugh, Lemmons, Liss, Lori, Mayes, McDowell, Neumann, Proos, Roberts, Scripps, Spade, Stanley, Valentine, Warren, Hammel, LeBlanc, Meadows, Clemente, Constan, Huckleberry, Robert Jones and Kandrevas offered the following resolution:

House Resolution No. 187.

A resolution to express support for active transportation infrastructure options that promote walking and bicycle usage and reduce childhood obesity.

Whereas, A transportation network that provides active options for people holds many benefits for our citizens, our individual communities, and our state as a whole. Any modifications in our transportation infrastructure and policy that could increase physical activity, reduce traffic, and bring greater efficiency in the use of resources should be encouraged; and

Whereas, A transportation system conducive to bicycling and walking improves public health, reduces pollution, and holds great potential for revitalizing communities and spurring economic development. Such a comprehensive approach could also reduce some of the notable costs from obesity and other health-related problems incurred each year across our state; and

Whereas, The health of our youth is an especially critical issue. More than a quarter of children and adolescents are overweight or obese, and lack of physical activity contributes considerably to this. While there are obviously many aspects of this problem, in 1969, half of the nation's children walked or rode a bike to school each day; today, this figure is closer to one in 10; and

Whereas, Nationally, it is estimated that one quarter of trips are less than a mile, and half of all trips are less than 5 miles. The majority of these are made by car. Access to safe and reliable options could change the way we travel and alter the character of our communities; and

Whereas, Numerous programs have attempted to encourage children and their parents to become more active and, when practical, to walk or ride a bike to work or school. These programs include measures such as the Safe Routes to School program enacted by Congress, the Michigan Department of Transportation's Context Sensitive Solutions and other initiatives, and the Complete Streets approach to promote safe access and sidewalks; and

Whereas, The Michigan Department of Transportation, which has developed long-range transportation plans that reflect alternate travel options as a priority and which has adopted the Context Sensitive Solutions design process, can be a key resource for counties and local communities across our state; and

Whereas, "Complete Streets" are roadways designed to accommodate safe access for all users. Pedestrians, bicyclist, motorists, and transit riders of all ages and abilities are able to move safely along and across Complete Streets to school, work, play, or run errands; and

Whereas, Complete Streets principles and concepts are continuing to be adopted nationwide at state, county, metropolitan planning organization, and city levels in the interest of proactive planning of multi-modal transportation options and in adherence to federal regulation; and

Whereas, Of the 118,327 miles of roads open to bicyclists, pedestrians, and other non-motorized users, the Michigan Department of Transportation has jurisdiction over approximately 7 percent, the state's 83 counties oversee 75 percent, and cities and villages administer about 18 percent; now, therefore, be it

Resolved by the House of Representatives, That we express support for programs and policies that include consideration of bicycle, pedestrian, and transit needs in the planning and development of transportation facilities. We urge the Michigan Department of Transportation to work with counties and local communities and expand active transportation options across our state; and be it further

Resolved, That we urge county and local road agencies with the construction or reconstruction of transportation facilities to act in accordance with Complete Streets, Context Sensitive Solutions, and Safe Routes to School principles; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Transportation.

The resolution was referred to the Committee on Transportation.

Rep. Wayne Schmidt offered the following resolution:

House Resolution No. 188.

A resolution to memorialize the Congress of the United States to enact a credit in the federal excise tax on sparkling wines equivalent to the credit for still wines from small wineries.

Whereas, Michigan has a tradition of agricultural excellence that continues to grow despite the challenging economic times faced in numerous other segments of the state economy; and

Whereas, In recent decades, the Michigan wine industry has become a substantial part of the agricultural growth in the state. This industry consists of 14,600 acres of vineyards, making Michigan the fourth largest grape-growing state. The success of Michigan's wineries is responsible for creating jobs across the state both in the growing and manufacturing of the product, as well as promoting tourism through the natural beauty of Michigan's wine country, which attracts more than 800,000 visitors annually; and

Whereas, The wine and grape and the grape juice industry in Michigan account for more than 5,000 jobs across the state, which amounted to a payroll of more than \$190 million and nearly \$790 million of total economic value to the state of Michigan in 2005. Those numbers continue to grow every year; and

Whereas, The majority of wineries in Michigan qualify for a small winery per gallon credit of \$0.90, as they produce less than 250,000 gallons of wine during the calendar year. They also pay federal excise taxes on still wines containing not more than 14 percent of alcohol by volume at a per gallon rate of \$1.07. After the credit for these small wineries is applied to the federal excise tax, it results in a tax of \$0.17 per bottle; and,

Whereas, In addition to their still wines, many wineries in Michigan produce sparkling wines, which are charged an excise tax of \$3.40 per bottle with no credit available for small wineries producing under 250,000 gallons. That is 20 times the tax they pay on the majority of the wines they produce; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact a credit in the federal excise tax on sparkling wines equivalent to the value of the \$0.90 per gallon credit on still wines from small wineries; 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 members of the Michigan Congressional delegation.

The resolution was referred to the Committee on Tax Policy.

Reps. Byrnes, Durhal, Lipton, Leland, Lisa Brown, Cushingberry, Gonzales, Geiss, Ball, Bauer, Booher, Terry Brown, Dean, Donigan, Gregory, Haugh, Lemmons, Liss, Lori, Mayes, McDowell, Neumann, Proos, Roberts, Scripps, Spade, Stanley, Valentine, Warren, LeBlanc, Meadows, Polidori, Huckleberry and Robert Jones offered the following concurrent resolution:

House Concurrent Resolution No. 34.

A concurrent resolution to express support for active transportation infrastructure options that promote walking and bicycle usage and reduce childhood obesity.

Whereas, A transportation network that provides active options for people holds many benefits for our citizens, our individual communities, and our state as a whole. Any modifications in our transportation infrastructure and policy that could increase physical activity, reduce traffic, and bring greater efficiency in the use of resources should be encouraged; and

Whereas, A transportation system conducive to bicycling and walking improves public health, reduces pollution, and holds great potential for revitalizing communities and spurring economic development. Such a comprehensive approach could also reduce some of the notable costs from obesity and other health-related problems incurred each year across our state; and

Whereas, The health of our youth is an especially critical issue. More than a quarter of children and adolescents are overweight or obese, and lack of physical activity contributes considerably to this. While there are obviously many aspects of this problem, in 1969, half of the nation's children walked or rode a bike to school each day; today, this figure is closer to one in 10; and

Whereas, Nationally, it is estimated that one quarter of trips are less than a mile, and half of all trips are less than 5 miles. The majority of these are made by car. Access to safe and reliable options could change the way we travel and alter the character of our communities; and

Whereas, Numerous programs have attempted to encourage children and their parents to become more active and, when practical, to walk or ride a bike to work or school. These programs include measures such as the Safe Routes to School program enacted by Congress, the Michigan Department of Transportation's Context Sensitive Solutions and other initiatives, and the Complete Streets approach to promote safe access and sidewalks; and

Whereas, The Michigan Department of Transportation, which has developed long-range transportation plans that reflect alternate travel options as a priority and which has adopted the Context Sensitive Solutions design process, can be a key resource for counties and local communities across our state; and

Whereas, "Complete Streets" are roadways designed to accommodate safe access for all users. Pedestrians, bicyclist, motorists, and transit riders of all ages and abilities are able to move safely along and across Complete Streets to school, work, play, or run errands; and

Whereas, Complete Streets principles and concepts are continuing to be adopted nationwide at state, county, metropolitan planning organization, and city levels in the interest of proactive planning of multi-modal transportation options and in adherence to federal regulation; and

Whereas, Of the 118,327 miles of roads open to bicyclists, pedestrians, and other non-motorized users, the Michigan Department of Transportation has jurisdiction over approximately 7 percent, the state's 83 counties oversee 75 percent, and cities and villages administer about 18 percent; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we express support for programs and policies that include consideration of bicycle, pedestrian, and transit needs in the planning and development of transportation facilities. We urge the Michigan Department of Transportation to work with counties and local communities and expand active transportation options across our state; and be it further

Resolved, That we urge county and local road agencies with the construction or reconstruction of transportation facilities to act in accordance with Complete Streets, Context Sensitive Solutions, and Safe Routes to School principles; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Transportation.

The concurrent resolution was referred to the Committee on Transportation.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Friday, December 4, for her approval of the following bills:

Enrolled House Bill No. 4234 at 11:14 a.m.

Enrolled House Bill No. 4658 at 11:16 a.m.

Enrolled House Bill No. 4673 at 11:18 a.m.

Enrolled House Bill No. 5052 at 11:20 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, December 4:

House Bill Nos. 5645 5646 5647 5648 5649

Senate Bill Nos. 1002 1003 1004 1005 1006 1007 1008

The Clerk announced the enrollment printing and presentation to the Governor on Monday, December 7, for her approval of the following bill:

Enrolled House Bill No. 4507 at 3:34 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, December 8:

Senate Bill Nos. 610 879

Reports of Standing Committees

The Committee on Urban Policy, by Rep. Leland, Chair, reported

House Bill No. 4904, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5714 (MCL 600.5714), as amended by 2004 PA 105.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Leland, Nathan, Barnett, Meadows, Segal, Stanley, Meltzer and Pavlov

Nays: None

The Committee on Urban Policy, by Rep. Leland, Chair, reported

House Bill No. 4905, entitled

A bill to amend 1846 RS 66, entitled "Of estates in dower, by the curtesy, and general provisions concerning real estate," by amending section 34 (MCL 554.134), as amended by 2004 PA 106.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Leland, Nathan, Barnett, Meadows, Segal, Stanley, Womack, Meltzer and Pavlov

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Leland, Chair, of the Committee on Urban Policy, was received and read:

Meeting held on: Tuesday, December 8, 2009

Present: Reps. Leland, Nathan, Barnett, Meadows, Segal, Stanley, Womack, Meltzer and Pavlov

Absent: Reps. Paul Scott and Hansen

Excused: Reps. Paul Scott and Hansen

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported
Senate Bill No. 934, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81101 (MCL 324.81101), as amended by 2004 PA 587.

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. Sheltroun, Slezak, Huckleberry, Lindberg, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheltroun, Chair, of the Committee on Tourism, Outdoor Recreation and Natural Resources, was received and read:

Meeting held on: Tuesday, December 8, 2009

Present: Reps. Sheltroun, Slezak, Huckleberry, Lindberg, Stanley, Stamas, Bolger, Hansen and Horn

Absent: Reps. Ebli and Simpson

Excused: Reps. Ebli and Simpson

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

House Bill No. 5091, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16401, 16423, and 16431 (MCL 333.16401, 333.16423, and 333.16431), section 16401 as amended by 2002 PA 734 and section 16431 as amended by 1994 PA 234.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Corriveau, Segal, Coulouris, Donigan, Johnson, Neumann, Roy Schmidt, Slavens, Valentine, Marleau, Ball, Calley, Crawford, Denby, Green and Moore

Nays: Reps. Byrum and Liss

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

House Bill No. 5105, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3107b (MCL 500.3107b), as added by 1994 PA 438.

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. Corriveau, Segal, Coulouris, Donigan, Johnson, Neumann, Roy Schmidt, Slavens, Valentine, Marleau, Ball, Calley, Crawford, Denby, Green and Moore

Nays: None

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

Senate Bill No. 968, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16401, 16423, and 16431 (MCL 333.16401, 333.16423, and 333.16431), section 16401 as amended by 2002 PA 734 and section 16431 as amended by 1994 PA 234.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Corriveau, Segal, Coulouris, Donigan, Johnson, Neumann, Roy Schmidt, Slavens, Valentine, Marleau, Ball, Calley, Crawford, Denby, Green and Moore

Nays: Reps. Byrum and Liss

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

Senate Bill No. 970, entitled

A bill to amend 1984 PA 233, entitled "Prudent purchaser act," by amending section 3 (MCL 550.53), as amended by 1996 PA 518.

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. Corriveau, Segal, Coulouris, Donigan, Johnson, Neumann, Roy Schmidt, Slavens, Valentine, Marleau, Ball, Calley, Crawford, Denby, Green and Moore

Nays: None

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

Senate Bill No. 971, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 502 and 502a (MCL 550.1502 and 550.1502a), section 502 as amended by 2003 PA 59 and section 502a as amended by 1998 PA 446.

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. Corriveau, Segal, Coulouris, Donigan, Johnson, Neumann, Roy Schmidt, Slavens, Valentine, Marleau, Ball, Calley, Crawford, Denby, Green and Moore

Nays: None

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

Senate Bill No. 972, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 315 (MCL 418.315), as amended by 1998 PA 447.

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. Corriveau, Segal, Coulouris, Donigan, Johnson, Neumann, Roy Schmidt, Slavens, Valentine, Marleau, Ball, Calley, Crawford, Denby, Green and Moore

Nays: None

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

Senate Bill No. 973, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3405, 3475, and 3631 (MCL 500.3405, 500.3475, and 500.3631), sections 3405 and 3631 as amended by 1994 PA 438 and section 3475 as amended by 1984 PA 280.

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. Corriveau, Segal, Coulouris, Donigan, Johnson, Neumann, Roy Schmidt, Slavens, Valentine, Marleau, Ball, Calley, Crawford, Denby, Green and Moore

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Corriveau, Chair, of the Committee on Health Policy, was received and read:
Meeting held on: Tuesday, December 8, 2009

Present: Reps. Corriveau, Segal, Byrum, Coulouris, Donigan, Johnson, Liss, Neumann, Roy Schmidt, Slavens, Valentine, Womack, Marleau, Ball, Calley, Crawford, Denby, Green and Moore

Absent: Reps. Simpson and Paul Scott

Excused: Reps. Simpson and Paul Scott

The Committee on Intergovernmental and Regional Affairs, by Rep. Donigan, Chair, reported

House Bill No. 5495, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 12 (MCL 207.782), as amended by 2006 PA 661.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

The Committee on Intergovernmental and Regional Affairs, by Rep. Donigan, Chair, reported

House Concurrent Resolution No. 30.

A concurrent resolution relative to secondary road patrol funds for counties, cities, and villages.
(For text of concurrent resolution, see House Journal No. 88, p. 2104.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Donigan, Barnett, Bledsoe, Robert Jones, Lund, Denby, Meekhof and Wayne Schmidt

Nays: None

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, December 8, 2009

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

Absent: Rep. Haugh

Excused: Rep. Haugh

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

House Bill No. 5623, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 502, 503, 523, 1147, 1246, 1284b, 1311d, 1311e, 1536, and 1561 (MCL 380.502, 380.503, 380.523, 380.1147, 380.1246, 380.1284b, 380.1311d, 380.1311e, 380.1536, and 380.1561), section 502 as amended by 1995 PA 289, section 503 as amended by 2003 PA 299, section 523 as added by 2003 PA 179, section 1246 as amended by 2004 PA 148, section 1284b as amended by 2006 PA 235, sections 1311d and 1311e as added by 1999 PA 23, section 1536 as added by 2006 PA 335, and section 1561 as amended by 1996 PA 339, and by adding sections 1238, 1249, and 1320.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Melton, Bledsoe, Corriveau, Geiss, Haase, Kennedy, Lindberg, Nathan, Polidori, Roberts, Sheltroun, Valentine, Pavlov, Ball and Walsh

Nays: Reps. Amash and McMillin

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

House Bill No. 5636, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 20, and 94a (MCL 388.1606, 388.1620, and 388.1694a), as amended by 2009 PA 121.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Melton, Lisa Brown, Bledsoe, Corriveau, Geiss, Haase, Kennedy, Lindberg, Nathan, Polidori, Roberts, Sheltroun, Valentine, Pavlov, Ball, DeShazor and Walsh

Nays: Rep. Amash

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 8, 2009

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

Absent: Rep. Paul Scott

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 3, 2009

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

Absent: Rep. Sheltroun

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 3, 2009

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

Absent: Rep. Melton

Excused: Rep. Melton

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, December 8, 2009

Present: Reps. Mayes, Geiss, Lisa Brown, Clemente, Huckleberry, Johnson, Lindberg, Lipton, Melton, Roberts, Scripps, Horn, Crawford, Marleau, Opsommer, Proos and Schuitmaker

Absent: Reps. Ebli and Wayne Schmidt

Excused: Reps. Ebli and Wayne Schmidt

Messages from the Senate**House Bill No. 5222, entitled**

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

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

The House agreed to the full title.

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

Senate Bill No. 610, entitled

A bill to create a lien against real property for unpaid commercial real estate broker's commissions and services; and to provide remedies.

The Senate has passed the bill.

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

Senate Bill No. 879, entitled

A bill to regulate the use of signs advertising sexually oriented businesses; to provide for the powers and duties of certain state and local governmental officers and entities; to provide remedies; and to prescribe civil sanctions.

The Senate has passed the bill.

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

Messages from the Governor

Date: December 4, 2009

Time: 9:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5120 (Public Act No. 156, I.E.), being

An act to amend 1985 PA 106, entitled "An act to impose a state excise tax on persons engaged in the business of providing rooms for dwelling, lodging, or sleeping purposes to transient guests in certain counties; to provide for the

levy, assessment, and collection of the tax; to provide for the disposition and appropriation of the collections from the tax; to create a convention facility development fund; to authorize the distributions from the fund; to authorize the use of distributions from the tax as security for any bonds, obligations, or other evidences of indebtedness issued to finance convention facilities as provided by law; to prescribe certain other matters relating to bonds, obligations, or other evidences of indebtedness issued for such purposes," by amending section 10 (MCL 207.630), as amended by 2009 PA 61.

(Filed with the Secretary of State December 4, 2009, at 10:41 a.m.)

Introduction of Bills

Reps. Segal, Robert Jones, Schuitmaker, Lori, Bolger and DeShazor introduced

House Bill No. 5650, entitled

A bill to amend an act of the Territorial Laws, p. 1131, vol. III, approved April 22, 1833, entitled "An act to establish Kalamazoo college and to prescribe its powers and duties," by amending section 3 (MCL 390.753), as amended by 1985 PA 203.

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

Reps. Lemmons, Durhal, Cushingberry, Womack, Haugh, Terry Brown, Young, Espinoza, Johnson and Dean introduced

House Bill No. 5651, entitled

A bill to specify how certain cities may pay an annual cost of living supplement to employees.

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

Reps. Lemmons, Durhal, Cushingberry, Womack, Haugh, Terry Brown, Young, Espinoza, Johnson, Roy Schmidt, Dean, Jackson and Bettie Scott introduced

House Bill No. 5652, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2008 PA 463, and by adding section 732b.

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

Rep. Genetski introduced

House Bill No. 5653, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending sections 7, 39, 41, 43, and 70 (MCL 257.1807, 257.1839, 257.1841, 257.1843, and 257.1870), sections 7 and 39 as amended by 2006 PA 107 and sections 41, 43, and 70 as amended by 2006 PA 108.

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

Reps. Lindberg, Mayes, McDowell, Nerat, Spade, Neumann and Lahti introduced

House Bill No. 5654, entitled

A bill to amend 2008 PA 295, entitled "Clean, renewable, and efficient energy act," by amending section 51 (MCL 460.1051).

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

Reps. Espinoza, Polidori, Hansen, Byrnes, Tlaib and Neumann introduced

House Bill No. 5655, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4702 (MCL 600.4702), as amended by 2002 PA 142.

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

Reps. Espinoza, Polidori, Hansen, Byrnes, Tlaib and Neumann introduced

House Bill No. 5656, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159g, 159m, and 159q (MCL 750.159g, 750.159m, and 750.159q), section 159g as amended by 2002 PA 124 and sections 159m and 159q as added by 1995 PA 187.

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

Reps. Espinoza, Terry Brown, Polidori, McDowell, Lemmons and Warren introduced

House Bill No. 5657, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12412 (MCL 333.12412).
The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Espinoza, Terry Brown, Polidori, McDowell, Lemmons and Warren introduced

House Bill No. 5658, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12431 (MCL 333.12431), as amended by 2005 PA 43.

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

Reps. Espinoza, Terry Brown, Polidori, McDowell, Lemmons and Warren introduced

House Bill No. 5659, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12425 (MCL 333.12425).
The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Scripps, Tlaib, Warren, Leland and Dean introduced

House Bill No. 5660, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 28 (MCL 421.28), as amended by 1994 PA 422.

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

Reps. McDowell, Lahti, Haugh, Coulouris, Scripps, Leland, Neumann, Liss, LeBlanc, Haase, Spade, Espinoza, Hammel, Lindberg, Nerat and Dean introduced

House Bill No. 5661, entitled

A bill to amend 1989 PA 196, entitled "An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," by amending section 5 (MCL 780.905), as amended by 2005 PA 315.

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

Reps. Sheltroun and Cushingberry introduced

House Bill No. 5662, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43509, 43532, and 43533 (MCL 324.43509, 324.43532, and 324.43533), sections 43509 and 43533 as amended by 1996 PA 585 and section 43532 as amended by 2002 PA 108.

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

Reps. Sheltroun, Scripps, Mayes, McDowell, LeBlanc, Nerat, Polidori, Melton, Ball, Lindberg, Meadows and Cushingberry introduced

House Bill No. 5663, entitled

A bill to authorize a local unit of government to create a program to promote green energy use; to authorize a local unit of government to issue bonds and make loans from the proceeds of those bonds for certain purposes; to provide for the repayment of loans; and to prescribe the powers and duties of certain officials.

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

Reps. Sheltroun and Cushingberry introduced

House Bill No. 5664, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32504 (MCL 324.32504), as added by 1995 PA 59.

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

Rep. Amash introduced

House Bill No. 5665, entitled

A bill to repeal 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof," (MCL 423.231 to 423.247).

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

Reps. Bauer, Lahti, McDowell, Schuitmaker, Hildenbrand, Rick Jones, Opsommer, Denby, Tyler, Meekhof, Elsenheimer, Scripps, Neumann, Liss, Hammel, Pearce, Coulouris, Haase, Espinoza and Spade introduced

House Bill No. 5666, entitled

A bill to amend 1989 PA 196, entitled "An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," by amending section 4 (MCL 780.904), as amended by 2008 PA 396.

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

Reps. Schuitmaker, Lahti, McDowell, Bauer, Hildenbrand, Rick Jones, Opsommer, Denby, Meekhof, Elsenheimer, Scripps, Neumann, Liss, Hammel, Dean, Tyler, Pearce, Coulouris, Haase, Espinoza and Spade introduced

House Bill No. 5667, entitled

A bill to amend 1976 PA 223, entitled "An act to create an agency concerned with crime victim services; to prescribe its powers and duties; to provide compensation to certain victims of crimes; to provide for the promulgation of rules; and to provide for penalties," by amending section 11 (MCL 18.361), as amended by 2008 PA 390.

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

Rep. Caul moved that the House adjourn.

The motion prevailed, the time being 4:20 p.m.

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

RICHARD J. BROWN
Clerk of the House of Representatives