

No. 97
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House of Representatives
95th Legislature
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House Chamber, Lansing, Wednesday, November 4, 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—excused	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—excused	Sheltrown—present
Byrnes—present	Hammel—present	McMillin—present	Simpson—excused
Byrum—present	Hansen—present	Meadows—present	Slavens—present
Calley—present	Haugh—present	Meekhof—present	Slezak—present
Caul—present	Haveman—present	Melton—present	Smith—present
Clemente—present	Hildenbrand—present	Meltzer—present	Spade—present
Constan—present	Horn—present	Miller—present	Stamas—present
Corriveau—present	Huckleberry—present	Moore—present	Stanley—present
Coulouris—present	Jackson—present	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—present	Tlaib—present
Cushingberry—present	Jones, Rick—present	Nerat—excused	Tyler—present
Daley—present	Jones, Robert—present	Neumann—present	Valentine—present
Dean—present	Kandrevas—present	Opsommer—present	Walsh—present
Denby—present	Kennedy—present	Pavlov—present	Warren—present
DeShazor—present	Knollenberg—present	Pearce—present	Womack—present
Dillon—present	Kowall—present	Polidori—present	Young—present
Donigan—present	Kurtz—present		

e/d/s = entered during session

Rep. Bill Caul, from the 99th District, offered the following invocation:

“It is fitting Lord that at this extraordinary moment in our state and nation’s history we hear Your call to action, and we pray in acting we do Your work and follow Your will.

We pray that our actions will always be honorable and just.

Lord, give us this day, the blessings that will strengthen our lives in You and forgive us if we are filled with so much self concern that we fail to see the hurts and needs of others.

Help us resist the temptation to grasp what we have so tightly that we become as a closed fist, unable to give or receive.

Lord, teach us and guide us this day.

In Your name we pray. Amen.”

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

Messages from the Governor

The following line items veto message from the Governor was received and read:

Executive Office, Lansing, October 29, 2009

Michigan House of Representatives
State Capitol
Lansing, MI 48909-7514

Ladies and Gentlemen:

Today I have signed **Enrolled House Bill 4436**, which makes appropriations for the Department of Community Health for the fiscal year ending September 30, 2010. I have, however, disapproved nine items pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item vetoes are detailed in the attached copy of the bill that has been filed with the Secretary of State.

This bill appropriates nearly \$2.3 billion from Michigan’s general fund, representing a 6.6 percent decrease in general fund spending from the prior fiscal year. Within this budget bill, significant reductions were made to vital programs that serve Michigan’s neediest citizens, including an 8% reduction to Medicaid providers that serve approximately 1.7 million Michigan residents and a \$40 million reduction in community health programs. I continue to support legislation that will generate increased federal revenue to restore these drastic reductions to essential services.

I am also concerned about savings assumptions in this bill that appear unrealistic. I have asked the Department of Community Health to closely monitor this situation and alert me to any budget problems arising from these irresponsible budgeting practices.

Because of the drastic reductions in Medicaid, mental health, and other public health funding presented in House Bill 4436, I have disapproved the following provisions that either earmark funding for special projects or provide increases to programs: Section 285, 407(5) and (6), 720, 1031, and 1717.

In addition, the Nurse Family Partnership program and the related boilerplate included in Sections 1107, 1112, and 1139 are eliminated. I would support restoration of federal funding for this program if participating local entities provide the required matching funds.

Section 1419, which allocates funding for the Michigan Agricultural Surplus System, is disapproved as this funding is duplicated in the Department of Human Services budget. I intend to sign the appropriation in that bill.

I also disapproved a line item for an additional special project, the Early Childhood Collaborative Secondary Prevention. Funding for this program is maintained in the budget for the Department of Human Services and I intend to sign the appropriation in that budget.

To provide direction regarding the implementation of this appropriations act, I note the following:

- Section 1791 of the bill purports to mandate implementation of increased reimbursement rates by October 1, 2008 and also requires the Department of Community Health to provide a report by October 1, 2008. As the current fiscal year began on October 1, 2009 and ends on September 30, 2010, these conditions do not apply to the current fiscal year and cannot be satisfied.

- Section 1796 purports to mandate that the Department direct the Health Information Technology Commission to perform specified activities. To the extent this provision conflicts with Section 2503 of the Public Health Code, MCL 333.2503, the requirements of the provision violate Section 25 of Article IV of the Michigan Constitution of 1963 and are unenforceable.
- Section 1817 purports to mandate that the Department of Community Health create a workgroup. To the extent this section mandates the creation of an entity, it would appear to exceed the scope of the title and object of the bill in violation of Section 24 of Article IV of the Michigan Constitution of 1963, and is unenforceable.
- Sections 405, 407, 442, 610, 1620, 1689, 1757, and 1819 of the bill include statements of legislative intent. While the Legislature has the right to state its advice, preferences, or wishes through a statement of intent, such statements do not impose conditions upon appropriations and are non-binding.

I thank the Legislature for completing the initial work on this budget, but much work remains to assure that we are adequately safeguarding the health of Michigan communities.

Sincerely,
Jennifer M. Granholm
Governor

The bill was signed by the Governor October 29, 2009, at 4:55 p.m.

The bill was filed with the Secretary of State October 30, 2009, at 11:25 a.m. and assigned Public Act No. 131, I.E.

The question being on the passage of the disapproved items, the objections of the Governor to the contrary notwithstanding,

Rep. Angerer moved that the disapproved line items be re-referred to the Committee on Appropriations.

The motion prevailed.

By unanimous consent the House returned to the order of

Second Reading of Bills

House Bill No. 5394, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; 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-2) previously recommended by the Committee on Appropriations,

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5394, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; 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. 524

Yeas—70

Angerer	Dillon	Kandrevas	Rocca
Ball	Donigan	Kennedy	Schmidt, R.
Barnett	Durhal	Lahti	Schuitmaker
Bauer	Ebli	LeBlanc	Scott, B.
Bledsoe	Espinoza	Leland	Scripps
Bolger	Geiss	Lindberg	Segal
Brown, L.	Gonzales	Lipton	Slavens
Brown, T.	Green	Liss	Smith

Byrnes	Gregory	Lori	Spade
Byrum	Griffin	Mayes	Stanley
Clemente	Haase	Meadows	Switalski
Constan	Hammel	Melton	Tlaib
Corriveau	Haugh	Miller	Tyler
Coulouris	Hildenbrand	Nathan	Valentine
Crawford	Huckleberry	Pearce	Warren
Cushingberry	Jackson	Polidori	Womack
Dean	Johnson	Proos	Young
DeShazor	Jones, Robert		

Nays—35

Agema	Haines	Marleau	Roberts
Amash	Hansen	McMillin	Rogers
Booher	Haveman	Meekhof	Schmidt, W.
Calley	Horn	Meltzer	Scott, P.
Caul	Jones, Rick	Moore	Sheltrown
Daley	Knollenberg	Moss	Slezak
Denby	Kowall	Neumann	Stamas
Elsenheimer	Kurtz	Opsommer	Walsh
Genetski	Lund	Pavlov	

In The Chair: Byrnes

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

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

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

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 5191, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21771 (MCL 333.21771).

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Angerer moved that Rep. Cushingberry 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. 5191, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21771 (MCL 333.21771).

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

Roll Call No. 525

Yeas—96

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

Nays—8

Agema	Caul	Green	McMillin
Amash	Genetski	Haveman	Moore

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Barnett, Byrum, DeShazor, Espinoza, Johnson, Lipton, Lori, Rocca and Slezak were named co-sponsors of the bill.

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:

My own mother was abused in a nursing home; however, the state shouldn't mandate that someone who hears a rumor about something must report the rumor or have a possible legal case bought against them by the employer or lose their job. It will cause a flood of rumors, not solutions to issues. Anyone can report now. This goes too far. I fear a host of unnecessary inquiries."

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Ethics and Elections, by Rep. Angerer, Chair, reported

House Bill No. 5560, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 644e (MCL 168.644e), as amended by 2003 PA 302.

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. Angerer, Haase, Lisa Brown, Donigan, Scripps, Slavens, Meltzer, Kurtz and Pearce

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Angerer, Chair, of the Committee on Ethics and Elections, was received and read:

Meeting held on: Wednesday, November 4, 2009

Present: Reps. Angerer, Haase, Lisa Brown, Donigan, Scripps, Slavens, Meltzer, Kurtz and Pearce

Second Reading of Bills

House Bill No. 5560, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 644e (MCL 168.644e), as amended by 2003 PA 302.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5560, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 644e (MCL 168.644e), as amended by 2003 PA 302.

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

Roll Call No. 526

Yeas—101

Angerer
Ball
Barnett
Bauer
Bledsoe
Bolger

Ebli
Elsenheimer
Espinoza
Geiss
Gonzales
Green

Kurtz
Lahti
LeBlanc
Leland
Lindberg
Lipton

Roberts
Rocca
Rogers
Schmidt, R.
Schmidt, W.
Schuitmaker

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

Nays—4

Agema	Amash	Genetski	McMillin
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In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Angerer, Bauer, Bledsoe, Lisa Brown, Terry Brown, Byrnes, Byrum, Calley, Clemente, Durhal, Geiss, Gonzales, Gregory, Haase, Haugh, Huckleberry, Rick Jones, Robert Jones, Liss, Nathan, Pearce, Scripps, Segal and Spade were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5530, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 713 and 714 (MCL 168.713 and 168.714), as amended by 1990 PA 7.

The bill was read a second time.

Rep. Haase moved to amend the bill as follows:

1. Amend page 2, following line 15, by inserting:

"(4) EACH CITY, TOWNSHIP, AND VILLAGE CLERK SHALL ADHERE TO THE DEADLINES PROVIDED IN THIS SECTION FOR ELECTIONS IN WHICH THE COUNTY DOES NOT PRINT THE BALLOTS."

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

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

The motion prevailed.

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

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

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

House Bill No. 5530, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 713 and 714 (MCL 168.713 and 168.714), as amended by 1990 PA 7.

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

Roll Call No. 527

Yeas—105

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Angerer, Barnett, Bauer, Bledsoe, Lisa Brown, Terry Brown, Byrnes, Byrum, Calley, Clemente, Constan, Durhal, Geiss, Gonzales, Gregory, Griffin, Haugh, Huckleberry, Jackson, Johnson, Rick Jones, Robert Jones, LeBlanc, Leland, Lipton, Liss, Lori, Marleau, Melton, Nathan, Pearce, Polidori, Roberts, Roy Schmidt, Schuitmaker, Bettie Scott, Scripps, Segal, Sheltrown, Slavens, Slezak, Spade, Stanley, Switalski, Tyler, Valentine and Warren were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5279, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759a (MCL 168.759a), as amended by 2006 PA 605.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Gregory moved to substitute (H-3) the bill.

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

Rep. Meltzer moved to amend the bill as follows:

1. Amend page 4, line 11, after the second "**BALLOT**" by striking out "**BY MAIL**".

2. Amend page 4, line 11, after "**CLERK**" by inserting "**BY UNITED STATES MAIL OR WITH ANOTHER PUBLIC POSTAL SERVICE, EXPRESS MAIL SERVICE, PARCEL POST SERVICE, OR COMMON CARRIER**".

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5279, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759a (MCL 168.759a), as amended by 2006 PA 605.

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

Roll Call No. 528

Yeas—105

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

Dean	Jones, Robert	Opsommer	Walsh
Denby	Kandreas	Pavlov	Warren
DeShazor	Kennedy	Pearce	Womack
Dillon	Knollenberg	Polidori	Young
Donigan			

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Bledsoe, Bolger, Terry Brown, Calley, Constan, Denby, DeShazor, Donigan, Durhal, Espinoza, Geiss, Gonzales, Haase, Hansen, Horn, Rick Jones, Kennedy, Kowall, Meadows, Meltzer, Proos, Rocca, Rogers, Schuitmaker, Bettie Scott, Scripps, Segal, Slavens, Spade, Tlaib, Tyler, Valentine and Warren were named co-sponsors of the bill.

Second Reading of Bills

Senate Bill No. 418, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88q (MCL 125.2088q), as added by 2008 PA 175.

The bill was read a second time.

Rep. McMillin moved to amend the bill as follows:

1. Amend page 7, following line 5, by inserting:

"(7) EACH YEAR, EVERY MEMBER OF THE MICHIGAN STRATEGIC FUND BOARD SHALL DISCLOSE IN A PUBLIC DOCUMENT ALL OF HIS OR HER PERSONAL INVESTMENT DECISIONS MADE IN THE IMMEDIATELY PRECEDING 5-YEAR PERIOD." and renumbering the remaining subsection.

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 4, following line 20, by inserting:

"(K) THE PROJECT'S EFFECTS ON OTHER MICHIGAN BUSINESSES WITHIN THE SAME INDUSTRY."

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 418, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88q (MCL 125.2088q), as added by 2008 PA 175.

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

Roll Call No. 529**Yeas—90**

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

Nays—15

Agema	Genetski	Kurtz	Miller
Amash	Haveman	Lund	Rocca
Bledsoe	Jones, Rick	McMillin	Scott, P.
Calley	Kowall	Meekhof	

In The Chair: Byrnes

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

“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.”

The House agreed to the full title.

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

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

Rep. Genetski, 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 feel this money should be allocated to K 12 education instead of the new and unproven Centers for Energy Excellence.
Sincerely- Bob Genetski”

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 4860**.

(For first notice see House Journal No. 95, p. 2202.)

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

Rep. Angerer moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Angerer moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

Reps. Switalski, Constan, Dean, Haines, Haugh, Lahti, LeBlanc, Liss, Lori, Mayes, Ball, Booher, Durhal, Gonzales, Green, Robert Jones, Nathan, Neumann, Polidori and Valentine offered the following resolution:

House Resolution No. 176.

A resolution to memorialize the Congress of the United States to increase funding for research into the diagnosis and treatment of Lyme disease.

Whereas, Lyme disease is an illness caused by a spirochete bacterium, transmitted to people and animals primarily by tick bites. Prevalence of the disease is increasing in 43 states, including Michigan. The disease can be contracted anywhere due to the movement of people and pets across the state; and

Whereas, Diagnosis of Lyme disease is difficult and complex. In the absence of diagnostic tests, patients and physicians must rely on the visible presence of a tick on the skin, bull’s eye rash, or joint pain to make the diagnosis. Patients recall a tick bite or bull’s eye rash in less than 50 percent of the cases and joint swelling is recalled in only 20 to 30 percent of cases. Lyme disease is often misdiagnosed as an autoimmune disease, such as multiple sclerosis, lupus, or Lou Gehrig’s disease. Misdiagnosis in the early stages can lead to a chronic form of the disease that is more difficult to treat and potentially life altering. Even after receiving the proper course of antibiotic treatment, many patients may still experience post-Lyme syndrome caused by a hyperactive immune system that continues to wage war against healthy tissue even after the Lyme bacteria is eliminated; and

Whereas, The 2008 surveillance case definition adopted by the United States Centers for Disease Control takes the next step in ensuring more accurate diagnosis of Lyme disease. Still, much more research needs to be done on the diagnosis and treatment of Lyme disease; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to increase funding for research into the diagnosis and treatment of Lyme disease; 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. Young, Haugh, Liss, Lori, Durhal, Robert Jones, Nathan, Neumann and Valentine offered the following resolution:

House Resolution No. 177.

A resolution to call for the creation of a youth administration to represent the voices of young people in Michigan in the lawmaking process.

Whereas, Young people have a far higher long-term stake in the decisions made in Lansing and Washington than the older generations. The impact of policies put in place today will touch their families, careers, health, and finances to a much greater extent than those of their parents and grandparents. In spite of this, young people are, in many ways, farther removed from lawmaking and government than they have been at other times in the past; and

Whereas, A concept that would be well worth pursuing is the establishment of a youth administration. A coordinated program to include all levels of government would include youth advisory councils to city councils and county boards. Issues of concern could be communicated to a state youth entity to ensure that the voices of our leaders of tomorrow are heard and have an appropriate influence as decisions are made. Regular and formal access to the opinions and insights of involved young people would likely be helpful to elected officials as well, especially as they deal with matters that are especially pertinent to our youth; and

Whereas, A program to facilitate the involvement of young people in the workings of government could hold many benefits for our state. Clearly, fostering a sense of civic responsibility and providing a vehicle for meaningful participation among our young citizens can only strengthen our state; now, therefore, be it

Resolved by the House of Representatives, That we call for the creation of a youth administration to represent the voices of young people in Michigan in the lawmaking process; and be it further

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

The resolution was referred to the Committee on Intergovernmental and Regional Affairs.

Reps. Bauer, Meadows, Opsommer, Denby, Ball, Espinoza, Paul Scott, Hammel, Byrum, Coulouris, Slezak, Stanley, Gonzales, Terry Brown, Horn, Rogers, Rick Jones, Stamas, Moore, Caul and Daley offered the following resolution:

House Resolution No. 178.

A resolution honoring the C.S. Mott Foundation.

Whereas, The C.S. Mott Foundation was founded in 1926 by Charles Stewart Mott from Flint, Michigan; and

Whereas, The Prima Civitas Foundation is a non-profit economic and community development collaborative that serves the state of Michigan as it re-invents its economic base in the 21st century; and

Whereas, In November 2008, the C.S. Mott Foundation awarded the Prima Civitas Foundation a one year grant called Moving Ideas to Market; and

Whereas, The Moving Ideas to Market initiative empowered three action teams, comprised of numerous volunteers from across the state, to collaborate on strategies that improve the commercialization and entrepreneurship culture in Michigan; and

Whereas, The following organizations are currently engaged in the Moving Ideas to Market initiative: Central Michigan University, Corporation for a Skilled Workforce, Clinton County Economic Alliance, DeWitt High School, Generation E Institute, Great Lakes Entrepreneur's Quest, ITEC-Lansing, Junior Achievement of Mid Michigan, Kettering University, Lansing Community College, Lansing Economic Area Partnership, Madle Marketing, LLC, Michigan 4-H Foundation, Michigan Department of Education; Career and Technical Education, Michigan Education Association, Michigan Small Business and Technology Development Center, Michigan State University, Michigan State University Extension, Michigan Virtual University, Michigan Universities Commercialization Initiative, Michigan Works!-Thumb Area, Middle Michigan Development Corporation, Midland Tomorrow, Mid-Michigan Innovation Center, Saginaw County Business and Education Partnership, Saginaw Valley State University, University of Michigan – Flint and White Brothers Music; and

Whereas, The Moving Ideas to Market grant, provided by the C.S. Mott Foundation, has had a tremendous and lasting impact on the Mid-Michigan region and the entire state of Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honors the C.S. Mott Foundation. We applaud its continued efforts throughout our state; and, be it further

Resolved, That the members of this legislative body thanks the C.S. Mott Foundation for its investment in Michigan through the Moving Ideas to Market initiative.

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 had been printed and placed upon the files of the members on Wednesday, November 4:

House Bill Nos. 5566 5567 5568 5569 5570 5571 5572 5573

The Clerk announced that the following Senate bill had been received on Wednesday, November 4:

Senate Bill No. 563

Reports of Standing Committees

The Committee on Tax Policy, by Rep. Ebli, Chair, reported

House Bill No. 5327, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2008 PA 573.

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. Ebli, Melton, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Mayes, Slezak, Warren, Calley, Kowall, Lund, Meekhof, Meltzer, Stamas and Walsh

Nays: None

The Committee on Tax Policy, by Rep. Ebli, Chair, reported

House Bill No. 5540, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2007 PA 154.

With the recommendation that the bill be referred to the Committee on Military and Veterans Affairs and Homeland Security.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ebli, Melton, Barnett, Robert Jones, Kandrevas, Lipton, Mayes, Slezak, Calley, Kowall, Lund, Meekhof, Stamas and Walsh

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Military and Veterans Affairs and Homeland Security.

The Committee on Tax Policy, by Rep. Ebli, Chair, reported

House Concurrent Resolution No. 29.

A concurrent resolution to memorialize the Congress of the United States to enact a Taxpayer Equity Act (TEA), prohibiting states with levels of unemployment that exceed the national average from being donor states.

(For text of concurrent resolution, see House Journal No. 77, p. 1596.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ebli, Melton, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Mayes, Slezak, Warren, Calley, Kowall, Lund, Meekhof, Meltzer, Stamas and Walsh

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 4, 2009

Present: Reps. Ebli, Melton, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Mayes, Slezak, Warren, Calley, Kowall, Lund, Meekhof, Meltzer, Stamas and Walsh

The Committee on Families and Children's Services, by Rep. Valentine, Chair, reported

House Bill No. 5501, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7b (MCL 722.27b), as amended by 2006 PA 353.

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. Valentine, Womack, Liss, Neumann, Slavens, Kurtz, Moore and Pavlov

Nays: None

The Committee on Families and Children's Services, by Rep. Valentine, Chair, reported

House Bill No. 5502, entitled

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending sections 3 and 3a (MCL 400.233 and 400.233a), section 3 as amended by 2002 PA 564 and section 3a as amended by 1998 PA 112; and to repeal acts and parts of acts.

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. Valentine, Womack, Liss, Neumann, Slavens, Kurtz, Moore and Pavlov

Nays: None

The Committee on Families and Children's Services, by Rep. Valentine, Chair, reported

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.

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. Valentine, Womack, Liss, Neumann, Slavens, Kurtz and Pavlov

Nays: None

The Committee on Families and Children's Services, by Rep. Valentine, Chair, reported

House Bill No. 5504, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2137, 2529, and 2538 (MCL 600.2137, 600.2529, and 600.2538), section 2137 as amended by 2001 PA 76, section 2529 as amended by 2004 PA 205, and section 2538 as amended by 2003 PA 178.

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. Valentine, Womack, Liss, Neumann, Slavens, Kurtz and Pavlov

Nays: None

The Committee on Families and Children's Services, by Rep. Valentine, Chair, reported
Senate Bill No. 99, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2, 2a, 5, 5a, 9a, 11a, 13, 15, 17, 17b, 19, 27, and 28 (MCL 552.502, 552.502a, 552.505, 552.505a, 552.509a, 552.511a, 552.513, 552.515, 552.517, 552.517b, 552.519, 552.527, and 552.528), sections 2 and 2a as amended by 2004 PA 210, sections 5, 13, and 15 as amended and section 5a as added by 2002 PA 571, section 9a as added by 1999 PA 150, section 11a as added by 2002 PA 569, sections 17, 17b, and 19 as amended by 2004 PA 207, and section 28 as added by 1996 PA 365.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Valentine, Womack, Liss, Neumann, Slavens, Kurtz, Moore and Pavlov

Nays: None

The Committee on Families and Children's Services, by Rep. Valentine, Chair, reported
Senate Bill No. 100, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2, 3, 3a, 5b, 5c, 5d, 5e, 7, 8, 9, 11a, 19, 24, 25a, 26b, 28, 29, 30, 31, 33, 35, 39, 44, 45, 46, and 48 (MCL 552.602, 552.603, 552.603a, 552.605b, 552.605c, 552.605d, 552.605e, 552.607, 552.608, 552.609, 552.611a, 552.619, 552.624, 552.625a, 552.626b, 552.628, 552.629, 552.630, 552.631, 552.633, 552.635, 552.639, 552.644, 552.645, 552.646, and 552.648), sections 2 and 3a as amended by 2004 PA 208, sections 3, 19, and 24 as amended by 2002 PA 572, section 5b as added and section 26b as amended by 2001 PA 106, section 5c as added and section 28 as amended by 2002 PA 565, section 5d as added by 2002 PA 570, section 5e as added by 2004 PA 211, sections 7, 33, and 35 as amended by 2004 PA 206, section 8 as amended by 1995 PA 236, sections 9, 11a, and 48 as amended by 1999 PA 160, section 25a as amended by 2004 PA 484, sections 29 and 30 as amended by 1998 PA 334, section 31 as amended by 2004 PA 569, and sections 44 and 45 as amended by 2002 PA 568.

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. Valentine, Womack, Liss, Neumann, Slavens, Kurtz, Moore and Pavlov

Nays: None

The Committee on Families and Children's Services, by Rep. Valentine, Chair, reported
Senate Bill No. 105, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," by amending sections 23 and 24 (MCL 552.23 and 552.24), section 23 as amended and section 24 as added by 1999 PA 159.

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. Valentine, Womack, Liss, Neumann, Slavens, Kurtz, Moore and Pavlov

Nays: None

The Committee on Families and Children's Services, by Rep. Valentine, Chair, reported
Senate Bill No. 106, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 2, 7, and 19a (MCL 722.712, 722.717, and 722.729a), section 2 as amended by 2004 PA 253, section 7 as amended by 2004 PA 209, and section 19a as added by 1999 PA 157; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Valentine, Womack, Liss, Neumann, Slavens, Kurtz, Moore and Pavlov

Nays: None

The Committee on Families and Children's Services, by Rep. Valentine, Chair, reported

Senate Bill No. 107, entitled

A bill to amend 1966 PA 138, entitled "The family support act," by amending sections 1, 2, and 8a (MCL 552.451, 552.452, and 552.458a), section 1 as amended by 2002 PA 8 and sections 2 and 8a as amended by 2002 PA 574; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Valentine, Womack, Liss, Neumann, Slavens, Kurtz, Moore and Pavlov

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Valentine, Chair, of the Committee on Families and Children's Services, was received and read:

Meeting held on: Wednesday, November 4, 2009

Present: Reps. Valentine, Womack, Liss, Neumann, Slavens, Kurtz, McMillin, Moore and Pavlov

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Slezak, Vice-Chair, reported

Senate Bill No. 34, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 78101 and 78110 (MCL 324.78101 and 324.78110), section 78101 as amended by 2006 PA 466 and section 78110 as amended by 2004 PA 587.

With the recommendation that the bill be referred to the Committee on Great Lakes and Environment.

Favorable Roll Call

To Report Out:

Yeas: Reps. Slezak, Ebli, Lindberg, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Great Lakes and Environment.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 4, 2009

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

Absent: Reps. Sheltroun and Simpson

Excused: Reps. Sheltroun and Simpson

The Committee on Regulatory Reform, by Rep. Johnson, Chair, reported

House Bill No. 5029, entitled

A bill to amend 1982 PA 204, entitled "Deaf persons' interpreters act," (MCL 393.501 to 393.509) by adding section 8f. 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. Johnson, Haugh, Byrnes, Griffin, Melton, Stanley, Rocca, Crawford, Rick Jones and Stamas
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Johnson, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, November 4, 2009

Present: Reps. Johnson, Haugh, Byrnes, Griffin, Melton, Stanley, Rocca, Crawford, Rick Jones and Stamas

Absent: Rep. Bettie Scott

Excused: Rep. Bettie Scott

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

House Bill No. 5469, 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.

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. Clemente, Stanley, Byrnes, Geiss, Leland, Segal, Knollenberg, Denby and Tyler

Nays: None

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

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.

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. Clemente, Stanley, Byrnes, Geiss, Leland, Segal, Knollenberg, Bolger, Denby and Tyler

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Wednesday, November 4, 2009

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

Absent: Rep. Griffin

Excused: Rep. Griffin

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

Senate Bill No. 358, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12a (MCL 125.2162a), as amended by 2008 PA 105.

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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Lemmons, Nathan, Sheltroun, Womack, Hansen, DeShazor, Knollenberg, Meltzer, Opsommer and Walsh

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Robert Jones, Chair, of the Committee on Commerce, was received and read:

Meeting held on: Wednesday, November 4, 2009

Present: Reps. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Lemmons, Nathan, Sheltroun, Womack, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Absent: Rep. Nerat

Excused: Rep. Nerat

The Committee on Judiciary, by Rep. Meadows, Chair, reported

House Bill No. 4192, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending the title and sections 102, 103, 202, 203, 204, 205, 206, 207, 209, 302, 302a, 402, 502, 504, 505, and 506 (MCL 37.2102, 37.2103, 37.2202, 37.2203, 37.2204, 37.2205, 37.2206, 37.2207, 37.2209, 37.2302, 37.2302a, 37.2402, 37.2502, 37.2504, 37.2505, and 37.2506), the title as amended by 1992 PA 258, sections 102, 502, 504, 505, and 506 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, section 202 as amended by 1991 PA 11, section 302a as added by 1992 PA 70, and section 402 as amended by 1993 PA 216.

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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandreas, Warren and Rocca

Nays: Reps. Schuitmaker, Amash, Haveman, Rick Jones and Kowall

The Committee on Judiciary, by Rep. Meadows, Chair, reported

House Bill No. 4571, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2169, 2912b, 2912d, 2912e, and 5856 (MCL 600.2169, 600.2912b, 600.2912d, 600.2912e, and 600.5856), sections 2169, 2912d, and 2912e as amended and section 2912b as added by 1993 PA 78 and section 5856 as amended by 2004 PA 87.

With the recommendation that the substitute (H-5) 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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandreas, Warren and Rocca

Nays: Reps. Schuitmaker, Amash, Haveman, Rick Jones and Kowall

The Committee on Judiciary, by Rep. Meadows, Chair, reported

House Bill No. 4915, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 4 (MCL 445.904), as amended by 2003 PA 216.

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

1. Amend page 3, line 1, by striking out all of enacting section 1.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Constan, Coulouris, Kandrevas, Bettie Scott and Rocca
Nays: Reps. Schuitmaker, Amash, Haveman, Rick Jones and Kowall

The Committee on Judiciary, by Rep. Meadows, Chair, reported

House Bill No. 5318, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4805 (MCL 600.4805), as amended by 2003 PA 178.

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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca
Nays: None

The Committee on Judiciary, by Rep. Meadows, Chair, reported

House Bill No. 5458, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 507, 511, 517, 519, 521, 531, 532, 549, and 550 (MCL 600.507, 600.511, 600.517, 600.519, 600.521, 600.531, 600.532, 600.549, and 600.550), section 507 as amended by 2006 PA 607, section 517 as amended by 2006 PA 101, section 521 as amended by 2001 PA 256, and sections 549 and 550 as amended by 1990 PA 54, and by adding section 550b.

With the recommendation that the substitute (H-4) 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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Warren, Schuitmaker, Haveman, Rick Jones and Kowall
Nays: Reps. Amash and Rocca

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Meadows, Chair, of the Committee on Judiciary, was received and read:
Meeting held on: Wednesday, November 4, 2009

Present: Reps. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

The Committee on Senior Health, Security, and Retirement, by Rep. Neumann, Chair, reported

House Bill No. 4621, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2170.

With the recommendation that the substitute (H-5) 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. Neumann, Slavens, Constan, Robert Jones, Lemmons, Ball, DeShazor, Moore and Tyler

Nays: None

The Committee on Senior Health, Security, and Retirement, by Rep. Neumann, Chair, reported

House Bill No. 5210, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 11b (MCL 400.11b), as amended by 2000 PA 61.

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. Neumann, Slavens, Constan, Robert Jones, Lemmons, Ball, DeShazor, Moore and Tyler

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Neumann, Chair, of the Committee on Senior Health, Security, and Retirement, was received and read:

Meeting held on: Wednesday, November 4, 2009

Present: Reps. Neumann, Slavens, Constan, Robert Jones, Lemmons, Ball, DeShazor, Moore and Tyler

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: Wednesday, November 4, 2009

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

Absent: Rep. Schuitmaker

Excused: Rep. Schuitmaker

Messages from the Senate**House Bill No. 4264, 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, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4709, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 117 (MCL 208.1117).

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

The House agreed to the full title.

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

House Bill No. 4793, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2004 and 2005 (MCL 339.2004 and 339.2005), section 2004 as amended by 1988 PA 463 and section 2005 as amended by 1998 PA 90.

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. 563, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 269 (MCL 206.269), as added by 2004 PA 313.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 26.

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

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

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

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

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

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

The Senate has adopted the concurrent resolution.

Reps. Genetski, Rick Jones, LeBlanc, Liss, Lori, Ball, Booher, Kurtz and Nathan were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Intergovernmental and Regional Affairs.

Notices

November 4, 2009

Mr. Richard J. Brown, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

I hereby make the following change to the House Standing Committee on Transportation for the 2009-2010 Legislative Session:

Transportation

Remove Rep. Nerat
Appoint Rep. Angerer

Please do not hesitate to contact my office should you have any questions or concerns regarding this letter.

Regards,
Andy Dillon
Speaker
Michigan House of Representatives

Messages from the Governor

Date: November 3, 2009

Time: 3:25 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4191 (Public Act No. 134, I.E.), being

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 30 (MCL 206.30), as amended by 2007 PA 154.

(Filed with the Secretary of State November 4, 2009, at 9:10 a.m.)

Date: November 3, 2009

Time: 3:27 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4629 (Public Act No. 135, I.E.), being

An act to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending section 201 (MCL 208.1201), as amended by 2009 PA 105.

(Filed with the Secretary of State November 4, 2009, at 9:12 a.m.)

Date: November 3, 2009

Time: 3:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5072 (Public Act No. 136, I.E.), being

An act to amend 1987 PA 231, entitled “An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds,” by amending section 11 (MCL 247.911), as amended by 2008 PA 364.

(Filed with the Secretary of State November 4, 2009, at 9:14 a.m.)

Date: November 3, 2009

Time: 3:33 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5073 (Public Act No. 137, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or

generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 819 (MCL 257.819), as amended by 2008 PA 346.

(Filed with the Secretary of State November 4, 2009, at 9:16 a.m.)

Date: November 3, 2009

Time: 3:35 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4906 (Public Act No. 138, I.E.), being

An act to amend 2004 PA 174, entitled "An act to provide for a streamlined system of sales and use tax collection; to prescribe the requirements necessary for this state to adopt a multistate agreement; to provide for a board with certain powers and duties; to provide for the registration of sellers who select a model of collection and remittance; to forgive liability of collection of sales and use taxes on past transactions for certain sellers; to assure privacy of buyers; and to prescribe certain powers and duties of state officials and state departments," by amending section 25 (MCL 205.825), as amended by 2008 PA 437.

(Filed with the Secretary of State November 4, 2009, at 9:18 a.m.)

Date: November 3, 2009

Time: 3:37 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5055 (Public Act No. 139, I.E.), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 30101, 30102, 30103, and 30104 (MCL 324.30101, 324.30102, 324.30103, and 324.30104), section 30101 as amended by 2006 PA 275, section 30102 as added by 1995 PA 59, section 30103 as amended by 2006 PA 33, and section 30104 as amended by 2008 PA 276, and by adding section 30106a.

(Filed with the Secretary of State November 4, 2009, at 9:20 a.m.)

Communications from State Officers

The following communication from the Office of the Chief Compliance Officer was received and read:

October 30, 2009

Attached is the 2008-2009 Annual Report of the Office of the Chief Compliance Officer, which relates to the 21st Century Jobs Fund Programs. This report is submitted pursuant to MCL 125.2088i(6)(i), which requires the Chief Compliance Officer to prepare a written annual report that evaluates compliance with internal policies and procedures and with applicable state and federal law, explains any compliance matters that arose during the previous year, and suggests revisions to agency policies and procedures. While a great deal of activity took place during the year, I am pleased to report that diligent work by all involved ensured that all applicable laws, policies, and procedures were followed, as more completely described in the Annual Report.

Sincerely,
John D. Walter
Chief Compliance Officer

The communication was referred to the Clerk.

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

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported
House Bill No. 4860, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2008 PA 268 and section 17b as amended by 2007 PA 137.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Cushingberry, Hammel, Bauer, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, Miller, Smith, Spade, Switalski, Caul and Proos

Nays: Rep. Genetski

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported
Senate Bill No. 776, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 151d (MCL 600.151d), as amended by 2008 PA 197.

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

1. Amend page 2, line 21, after "**THE**" by striking out "**GENERAL FUND**" and inserting "**COURT EQUITY FUND CREATED IN SECTION 151B**".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Cushingberry, Hammel, Bauer, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, Miller, Smith, Spade, Switalski, Tlaib, Genetski, Green, Hildenbrand and Lori

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, November 4, 2009

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

Absent: Reps. Bennett and McDowell

Rep. Daley moved that the House adjourn.
The motion prevailed, the time being 5:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, November 5, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives

