

No. 12
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2010

House Chamber, Lansing, Wednesday, February 10, 2010.

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

e/d/s = entered during session

Rep. Eileen Kowall, from the 44th District, offered the following invocation:

“Lord, we are thankful for this day that You have given us — for its blessings, for its opportunities, and for its challenges. Today and every day, help to lead us with strength, dignity, and wisdom as we face the critical decisions necessary to balance Michigan’s budget and address the many concerns that our state faces.

May we be challenged to give our best today and every day, and may we be assured of Your presence with us. We ask this in Your holy name. Amen.”

Rep. Paul Scott moved that Rep. Ball be excused from today’s session.
The motion prevailed.

Rep. Angerer moved that Reps. Cushingberry, Hammel, Jackson and Lemmons be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Miller, Elsenheimer, Bolger, Mayes, Schuitmaker, Agema, Barnett, Booher, Lisa Brown, Terry Brown, Byrnes, Byrum, Caul, Clemente, Constan, Corriveau, Crawford, Daley, Dean, Denby, DeShazor, Durhal, Espinoza, Geiss, Green, Gregory, Griffin, Haase, Haines, Hansen, Haugh, Haveman, Horn, Huckleberry, Rick Jones, Kandrevas, Knollenberg, Kowall, Kurtz, Lahti, LeBlanc, Lipton, Lori, Lund, Marleau, McDowell, McMillin, Meekhof, Meltzer, Moss, Nathan, Neumann, Opsommer, Pavlov, Pearce, Polidori, Proos, Roberts, Rocca, Rogers, Roy Schmidt, Wayne Schmidt, Scripps, Segal, Sheltrown, Slavens, Slezak, Smith, Spade, Stanley, Switalski, Tlaib, Tyler, Walsh and Warren offered the following resolution:

House Resolution No. 208.

A resolution honoring Boy Scouts of America on the one hundredth anniversary of the organization’s founding.

Whereas, February 8, 2010, marks the one hundredth anniversary of Boy Scouts of America. The members of the Michigan Legislature consider it a great privilege to commemorate this occasion and proudly extend tribute to all the leaders, parents, friends, family, and scouts that have made Boy Scouts of America successful across our state. This organization has had profound impact on countless lives in our state and nation; and

Whereas, The scouting program was founded in 1907 by Robert Baden-Powell in Bronsea Island as an effort to encourage young people to develop personal goals and actively pursue their personal interests. After an American journalist and publisher, William Boyce, learned of the scouting program on his visit to London, he was inspired to start one in America; and

Whereas, Today, the scouting program represents the largest voluntary youth movement in the world. Approximately 195 countries have scouting programs. Boy Scouts of America has 2.8 million registered scouts and over 1 million leaders. There are over 100,000 registered units. The scouting program’s goal is to train youth in responsible citizenship, character development, and self-reliance through participation in outdoor activities, educational programs, career-oriented programs, and community service activities; and

Whereas, The councils that make up the scouting community in Michigan: the Bay-Lakes, Blue Water, Chief Okemos, Great Lakes, Gerald R. Ford, Great Sauk Trail, Hiawathaland, La Salle, Lake Huron Area, Scenic Trails, Southwest Michigan, Tall Pine, and Voyageurs Area Councils, will celebrate the one hundredth anniversary of Boy Scouts of America with a number of local events. All these endeavors serve as a reminder to us of the vital impact of the scouting program; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Boy Scouts of America on the one hundredth anniversary of the organization’s founding; and be it further

Resolved, That a copy of this resolution be transmitted to the officials of the scouting program as evidence of the highest esteem of the members of the Michigan Legislature.

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

House Bill No. 4913, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," (MCL 205.701 to 205.779) by adding section 35b.

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

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

Rep. Knollenberg 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. 4913, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," (MCL 205.701 to 205.779) by adding section 35b.

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

Roll Call No. 26

Yeas—104

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

Nays—0

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

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

A bill to amend 1973 PA 186, entitled "Tax tribunal act," (MCL 205.701 to 205.779) by adding section 62b.

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.

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. 4380, entitled

A bill to amend 1968 PA 318, entitled "An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts," by amending section 2 (MCL 15.302).

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

Nays: None

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

House Bill No. 4382, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 57a.

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 and Kurtz

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, February 10, 2010

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

Second Reading of Bills

House Bill No. 4380, entitled

A bill to amend 1968 PA 318, entitled "An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts," by amending section 2 (MCL 15.302).

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

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

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

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

Rep. Roberts 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. 4380, entitled

A bill to amend 1968 PA 318, entitled "An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts," by amending section 2 (MCL 15.302).

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

Roll Call No. 27

Yeas—101

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

Nays—2

Agema

Amash

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, Clemente, Constan, Durhal, Espinoza, Gonzales, Griffin, Johnson, Lipton, Lori, McDowell, Polidori, Rocca, Roy Schmidt, Stanley and Tyler were named co-sponsors of the bill.

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

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 27 because of a possible conflict of interest.”

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:

An elected official may inadvertently violate this statute simply by helping constituents obtain grants. This statute is too vague, it may be selectively used to prosecute for otherwise legitimate constituent service.”

Rep. Amash, 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 intent behind HB 4380 is commendable, but the bill has been poorly drafted. For example, it arguably prohibits a legislator from hiring an assistant who had contributed a nominal amount to his or her campaign committee. On the other hand, the bill ignores a contribution given to an elected official following, rather than before, contract negotiations between that elected official and a contributor.”

Second Reading of Bills

House Bill No. 4382, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” (MCL 169.201 to 169.282) by adding section 57a.

The bill was read a second time.

Rep. McMillin moved to amend the bill as follows:

1. Amend page 1, line 4, by striking out all of subsection (2) 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 1, line 8, after “EVENT.” by inserting “**THIS SUBDIVISION DOES NOT APPLY TO ANY EXECUTIVE RESIDENCE USED BY THE GOVERNOR.**”.

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

Rep. Scripps 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. 4382, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” (MCL 169.201 to 169.282) by adding section 57a.

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

Roll Call No. 28**Yeas—104**

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

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, Bauer, Terry Brown, Clemente, Constan, Corriveau, Dean, Durhal, Ebli, Espinoza, Gonzales, Griffin, Huckleberry, Johnson, Kennedy, Leland, Lipton, Mayes, Meadows, Nathan, Nerat, Polidori, Roberts, Rocca, Roy Schmidt, Segal, Slezak, Smith, Spade, Stanley, Switalski, Tlaib, Valentine and Warren were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Opsommer moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 199**.

(For first notice see House Journal No. 11, p. 115.)

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

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

The bill was placed on the order of Second Reading of Bills.

Rep. Angerer moved that when the House adjourns today it stand adjourned until Thursday, February 11, at 10:00 a.m. The motion prevailed.

Rep. Johnson offered the following concurrent resolution:

House Concurrent Resolution No. 41.

A concurrent resolution to memorialize the Congress of the United States to enact the federal Food Desert Oasis Act to encourage the location of grocery stores in certain communities.

Whereas, A food desert is defined as an area without supermarkets or convenient access to fresh, nutritious, and affordable food. Detroit and other urban communities in Michigan suffer greatly from this trend; and

Whereas, Roughly 550,000 Detroiters must travel twice as far, or even farther, to get to the nearest grocery store than they have to travel to get to a fast food restaurant. This fact, combined with the lack of access to reliable public transportation and many citizens' lack of ability to drive a vehicle, leads to unhealthy eating habits borne not out of choice, but out of necessity. These citizens are statistically more likely to suffer or die prematurely from a diet-related disease, when holding other key factors constant; and

Whereas, Efforts in Pennsylvania to create inner-city grocery stores have led to new stores and over 1,400 new jobs; and

Whereas, Grocery store development in underserved locations goes far beyond addressing the issue of ease of access to include jobs, community economic development, and improved selection, quality, and price of food. Legislation currently before Congress would address this serious issue through pilot programs and the creation of incentives. Clearly, there is a great need to bring fairness, equality, justice, and health to all those citizens currently suffering from a lack of access to fresh food items; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact the Food Desert Oasis Act to allow grocery stores locating in cities designated as having food deserts to be eligible for an increased rehabilitation tax credit and a food desert employment tax credit; and be it further

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

The concurrent resolution was referred to the Committee on Urban Policy.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, February 10:

House Bill Nos.	5784	5785	5786	5787	5788	5789	5790	5791	5792	5793	5794	5795	5796	5797
	5798	5799	5800	5801	5802									
Senate Bill Nos.	1115	1116	1117	1118	1119	1120	1121	1122	1123	1124	1125			
Senate Joint Resolution		T												

The Clerk announced that the following Senate bills had been received on Wednesday, February 10:

Senate Bill Nos.	574	1045	1057	1072	1085	1086
-------------------------	------------	-------------	-------------	-------------	-------------	-------------

Reports of Standing Committees

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

Senate Bill No. 887, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 2008 PA 585.

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, 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, February 10, 2010

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

Absent: Rep. Coulouris

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

House Bill No. 4986, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2009 PA 16.

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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Nathan, Nerat and Womack

Nays: Reps. Hansen, DeShazor, Knollenberg, Meekhof and Meltzer

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, February 10, 2010

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

Absent: Reps. Lemmons, Sheltroun and Opsommer

Excused: Reps. Lemmons, Sheltroun and Opsommer

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

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.

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. 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.

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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Warren, Schuitmaker, Haveman, Rick Jones, Kowall and Rocca

Nays: Rep. Amash

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

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.

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, Bettie Scott, Warren, Schuitmaker, Haveman, Rick Jones, Kowall and Rocca

Nays: Rep. Amash

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

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.

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

Nays: Rep. Amash

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

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.

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, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

House Bill No. 5668, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3801 (MCL 600.3801), as amended by 1988 PA 2.

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, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

House Bill No. 5675, entitled

A bill to amend 1846 RS 171, entitled "Of county jails and the regulation thereof," (MCL 801.1 to 801.27) by adding section 24.

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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker and Rocca

Nays: None

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

Senate Bill No. 713, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2008 PA 565.

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, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 10, 2010

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

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

House Bill No. 5313, entitled

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

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

1. Amend page 1, line 7, after “**APPRAISERS.**” by inserting “At least 1 of those appraisers ~~shall~~**MAY** be employed by a state or nationally chartered bank, a state or federally chartered savings and loan or savings bank, a state or federally chartered credit union, an entity of the federally chartered farm credit system, or an entity regulated under the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651 to 445.1684.”.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Johnson, Haugh, Byrnes, Melton, Bettie Scott, Stanley, Switalski, Rocca, Crawford, Rick Jones and Stamas
Nays: None

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

House Bill No. 5672, entitled

A bill to amend 1937 PA 72, entitled “Division of deafness act,” by amending section 8 (MCL 408.208), as added by 1988 PA 434.

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, Melton, Bettie Scott, Stanley, Switalski, 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, February 10, 2010

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

The Committee on Agriculture, by Rep. Huckleberry, Chair, reported

House Resolution No. 207.

A resolution honoring the Michigan potato industry for its role in meeting the food needs of the citizens of the state of Michigan in an economical manner.

(For text of resolution, see House Journal No. 11, p. 112.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Huckleberry, Mayes, Barnett, Griffin, Haase, Nerat, Valentine, Tyler, Daley, Hansen and Kurtz
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 10, 2010

Present: Reps. Huckleberry, Mayes, Barnett, Griffin, Haase, Nerat, Valentine, Tyler, Daley, Hansen and Kurtz

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, February 10, 2010

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

Absent: Reps. Leland and Denby

Excused: Reps. Leland and Denby

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, February 10, 2010

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

Absent: Rep. Moore

Excused: Rep. Moore

Messages from the Senate**Senate Bill No. 574, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312e (MCL 257.312e), as amended by 2006 PA 298.

The Senate has passed the bill.

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

Senate Bill No. 1045, entitled

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending section 39 (MCL 256.659).

The Senate has passed the bill.

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

Senate Bill No. 1057, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 74101, 74102, 74102a, 74116, 74117, 74120, and 74122 (MCL 324.74101, 324.74102, 324.74102a, 324.74116, 324.74117, 324.74120, and 324.74122), sections 74101 and 74122 as amended by 2004 PA 587, sections 74102, 74116, and 74120 as added by 1995 PA 58, section 74102a as amended by 2006 PA 307, and section 74117 as amended by 2009 PA 197; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 1072, entitled

A bill to amend 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," by amending sections 2, 3, 5, 6, 8, and 10 (MCL 423.232, 423.233, 423.235, 423.236, 423.238, and 423.240).

The Senate has passed the bill.

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

Senate Bill No. 1085, entitled

A bill to amend 1967 (Ex Sess) PA 8, entitled "An act to provide for intergovernmental transfers of functions and responsibilities," by amending section 4 (MCL 124.534).

The Senate has passed the bill.

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

Senate Bill No. 1086, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending section 5 (MCL 124.505), as amended by 1985 PA 10.

The Senate has passed the bill.

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

Notices

February 9, 2010

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

Dear Mr. Clerk:

Pursuant to Public Act 549 of 2008 (MCL 390.1665), I hereby appoint Ms. Lynn Ward Gray, to the Battle Creek Promise Zone Authority Board.

Thank you for your kind attention to this matter.

Regards,
Andy Dillon
Speaker of the House
District 17

Introduction of Bills

Rep. Geiss introduced

House Bill No. 5803, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 12603 and 12905 (MCL 333.12603 and 333.12905), as amended by 2009 PA 188, and by adding section 12603a.

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

Reps. Agema, Crawford, Kurtz, McMillin, Daley, Stamas, Meekhof, Rogers, Moss, Horn, Hildenbrand, Knollenberg, Denby, Tyler, Lori, Terry Brown, Polidori, Pearce, Hansen, Espinoza, Genetski, Sheltroun, Haveman, Meltzer, Haines, Marleau, Bolger, Paul Scott, Calley, Proos and Meadows introduced

House Bill No. 5804, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5867 (MCL 600.5867) and by adding section 5867a.

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

Announcements by the Clerk

February 9, 2010

Received from the Auditor General a copy of the following audit report and/or report summary:

Performance audit of the Michigan Tax Tribunal, Department of Energy, Labor & Economic Growth, February 2010.

Richard J. Brown
Clerk of the House

Rep. Valentine moved that the House adjourn.
The motion prevailed, the time being 3:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, February 11, at 10:00 a.m.

RICHARD J. BROWN
Clerk of the House of Representatives

