

No. 27  
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**House of Representatives**  
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REGULAR SESSION OF 2010

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House Chamber, Lansing, Wednesday, March 17, 2010.

1:30 p.m.

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

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—present	Espinoza—present	Leland—present	Rocca—present
Barnett—present	Geiss—present	Lemmons—present	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—present	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—present	Moore—present	Switalski—present
Crawford—present	Johnson—present	Moss—present	Tlaib—present
Cushingberry—present	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. Kevin J. Green, from the 77th District, offered the following invocation:

“Heavenly Father,

We come before You, thankful for another day in these chambers to serve the people of the state of Michigan. As spring nears, You have blessed us with beautiful weather and we are reminded of the wonders of this earth You have created.

On this St. Patrick’s Day, we look back on the life of Your servant, St Patrick - his faith in You and his country, and his determination to make the world a better place. St. Patrick lived in a perilous time, the beginning of Europe’s ‘Dark Ages.’ He was charged with a difficult task: to bring God’s Word to the far corners of the Ancient World to an unfamiliar people. In times when it was easy to be pessimistic and cynical, Patrick put his faith in God’s Commandments and Christ’s teachings.

For over 1,500 years, St. Patrick’s sacrifices, leadership and accomplishments have been the subject of story and song and we are grateful for his example.

Today, we pray as we remember St. Patrick, we will also feel the same conviction as he did during those ‘Dark Ages’: to serve the people with humility, lead with courage and aspire great things for our state and the citizens who live here.

We thank You for the opportunity each of us has to serve our respective districts and we ask for wisdom to carry out legislation that glorifies You in all things. We ask Your blessings upon the members of the House of Representatives and their staff, and let us not forget the importance of kindness, trust and reconciliation.

In closing, to my colleagues:

May love and laughter light your days,  
and warm your heart and home.

May good and faithful friends be yours,  
wherever you may roam.

May peace and plenty bless your world  
with joy that long endures.

May all life’s passing seasons  
bring the best to you and yours!

I pray this all in Jesus’ name, Amen. Éirinn go brách (Ireland Forever). Amen.”

### Second Reading of Bills

#### House Bill No. 5813, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7212 (MCL 333.7212), as amended by 2002 PA 710.

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

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

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

The motion prevailed.

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

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

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Rep. Melton moved that Rep. Slezak 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. 5813, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7212 (MCL 333.7212), as amended by 2002 PA 710.

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

**Roll Call No. 79****Yeas—107**

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

**Nays—1**

Amash

In The Chair: Jackson

The House agreed to the title of the bill.

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

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

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:

Proponents of HBs 5813 and 5920 have not persuaded me that the penalties imposed under these bills are commensurate with the harm committed. I support imposing stiff penalties on individuals who engage in activities that endanger the lives of others. It does not make sense, however, to impose lengthy prison sentences on individuals engaged in non-violent activities while the State of Michigan continues to release individuals imprisoned for violent offenses in an effort to save money.”

### Second Reading of Bills

#### House Bill No. 5920, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2006 PA 259.

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

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

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

The motion prevailed.

Rep. Melton 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. 5920, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2006 PA 259.

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

#### Roll Call No. 80

#### Yeas—105

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

#### Nays—3

Amash

Jackson

Young

In The Chair: Jackson

The House agreed to the title of the bill.  
 Rep. Melton moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

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:

Proponents of HBs 5813 and 5920 have not persuaded me that the penalties imposed under these bills are commensurate with the harm committed. I support imposing stiff penalties on individuals who engage in activities that endanger the lives of others. It does not make sense, however, to impose lengthy prison sentences on individuals engaged in non-violent activities while the State of Michigan continues to release individuals imprisoned for violent offenses in an effort to save money.”

### Second Reading of Bills

#### House Bill No. 5756, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 27 (MCL 421.27), as amended by 2002 PA 192.

The bill was read a second time.

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

The motion prevailed.

Rep. Melton 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. 5756, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 27 (MCL 421.27), as amended by 2002 PA 192.

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

### Roll Call No. 81

### Yeas—108

Agema	Donigan	Kowall	Pearce
Amash	Durhal	Kurtz	Polidori
Angerer	Ebli	Lahti	Proos
Ball	Elsenheimer	LeBlanc	Roberts
Barnett	Espinoza	Leland	Rocca
Bauer	Geiss	Lemmons	Rogers
Bennett	Genetski	Lindberg	Schmidt, R.
Bledsoe	Gonzales	Lipton	Schmidt, W.
Bolger	Green	Liss	Schuitmaker
Booher	Gregory	Lori	Scott, B.
Brown, L.	Griffin	Lund	Scott, P.
Brown, T.	Haase	Marleau	Scripps
Byrnes	Haines	Mayer	Segal
Byrum	Hammel	McDowell	Sheltrown
Calley	Hansen	McMillin	Slavens
Caul	Haugh	Meadows	Smith

Clemente	Haveman	Meekhof	Spade
Constan	Hildenbrand	Melton	Stamas
Corriveau	Horn	Meltzer	Stanley
Coulouris	Huckleberry	Miller	Switalski
Crawford	Jackson	Moore	Tlaib
Cushingberry	Johnson	Moss	Tyler
Daley	Jones, Rick	Nathan	Valentine
Dean	Jones, Robert	Nerat	Walsh
Denby	Kandrevas	Neumann	Warren
DeShazor	Kennedy	Opsommer	Womack
Dillon	Knollenberg	Pavlov	Young

### Nays—0

In The Chair: Jackson

The House agreed to the title of the bill.

Rep. Melton 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

### Motions and Resolutions

Rep. Hildenbrand moved that the Committee on Government Operations be discharged from further consideration of **House Concurrent Resolution No. 42.**

(For first notice see House Journal No. 26, p. 333.)

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

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

The motion prevailed.

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

The motion prevailed.

Reps. DeShazor, Lori, Lisa Brown, Terry Brown, Caul, Griffin, Robert Jones, Kurtz, Liss, Marleau, Mayes, Miller, Rogers and Walsh offered the following resolution:

### House Resolution No. 226.

A resolution to memorialize the United States Congress to fully fund the Individuals with Disabilities Education Act and provide the full amount authorized for special education funding to the state of Michigan.

Whereas, Americans recognize that we have a moral and legal obligation to provide equal educational opportunities to all of our children, regardless of their disability status. The United States Congress in 1975 enacted the Education for All Handicapped Children Act in order to help states cope with the financial burdens of providing special education services so that all children may participate fully in public education; and

Whereas, The current law, renamed in 1990 as the Individuals with Disabilities Education Act (IDEA), renewed our national commitment to the ideal of universal public school education for our children regardless of disabilities. However, the federal government has never fulfilled its original promise of providing states with 40 percent of the additional costs of providing special education services. Indeed, the federal government has settled for a goal of providing 17 percent of the state funding needs. Even stimulus spending additions from last fiscal year have not increased this funding percentage to more than about 18 percent, well under half of the original promise; and

Whereas, In these dire financial times, when our state is struggling to maintain critical services without burdensome additions to our tax system, it is vital that the federal government finally honor its promise to fund 40 percent of state special education programs. We have made great strides in the area of equal opportunity for students with disabilities, but our achievements are threatened. A commitment by Congress to provide 40 percent of special education funding would be a welcome, if belated, contribution to coping with the deep recession that has ravaged Michigan's financial health; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to fully fund the Individuals with Disabilities Education Act and provide the full amount authorized for special education funding to the state of Michigan; 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 Education.

Reps. Bauer, Stanley, Lisa Brown, Terry Brown, Constan, Gregory, Griffin, Robert Jones, Liss, Rogers, Segal, Valentine and Warren offered the following resolution:

**House Resolution No. 227.**

A resolution declaring March 17, 2010, as AKA Day in the state of Michigan.

Whereas, Alpha Kappa Alpha Sorority, Inc. was founded at Howard University in Washington, D.C. on January 15, 1908, and has the distinction of being the first sorority in the world established by African-American women; and

Whereas, Alpha Kappa Alpha Sorority, Inc. has a membership of over 250,000 college-educated women and more than 950 chapters worldwide including: the United States, the Caribbean, Canada, Germany, Korea, and Japan; and

Whereas, Alpha Kappa Alpha Sorority, Inc. has a rich 102-year history of spearheading programs and activities in response to the contemporary needs of the African-American community; and

Whereas, Barbara A. McKinzie, the 27th International President of Alpha Kappa Alpha Sorority, Inc., implemented an aggressive 2006-2010 program with the theme "The Heart of E.S.P.: An Extraordinary Service Program", which drew upon the strength and commitment of its members to foster entrepreneurship, economic development, the economic growth of the African-American family, economic educational advancement through technology, and health resource management and economics; and

Whereas, Alpha Kappa Alpha Sorority, Inc. members in Michigan have joined together as sisters and community partners on raising awareness of and advocating on public policy issues that impact their communities; and

Whereas, Michigan chapters of Alpha Kappa Alpha Sorority, Inc. are recognized for their impressive record of community achievements, civic contributions, and tireless dedication to improving the quality of life for all mankind; and

Whereas, Alpha Kappa Alpha Sorority, Inc. members from around this state will convene for AKA Day at the Capitol to encourage its members to become more knowledgeable and engaged in critical issues facing Michigan; and

Whereas, Alpha Kappa Alpha Sorority, Inc. has earned its place among the most respected organizations in the world; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 17, 2010, as AKA Day in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Alpha Kappa Alpha Sorority, Inc. International President Barbara A. McKinzie and Great Lakes Regional Director Schylbea Hopkins with our highest esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Durhal, Huckleberry, Switalski, Miller, Constan, Womack, Johnson, Young, Donigan, Jackson, Lori, Stanley, Robert Jones, Liss, Marleau, Mayes, Rogers and Valentine offered the following concurrent resolution:

**House Concurrent Resolution No. 46.**

A concurrent resolution to memorialize the Congress and President Obama to use all means necessary to immediately stop the inhumane and illegal kidnapping of children in Haiti.

Whereas, The nightmare that has descended upon the people of Haiti with the earthquake and the subsequent efforts to bring order to the chaos has included countless disturbing situations. Of these, few are more wrenching than reports of some people taking advantage of the confusion to exploit children; and

Whereas, Stories of individuals gathering up homeless children or convincing parents to give up their children in the false hopes of a better life somewhere else indicate that such horrendous activities were a concern even before the earthquake. Orphanages in Haiti, including those that have claimed that title but have been fronts for criminal trafficking of children, have apparently long operated with chronic problems recognized by Haitian authorities and UNICEF officials; and

Whereas, In the utter disruption of the government following the quake, children are even more vulnerable to being taken. Determining which situations are legitimate efforts to rescue children and which are little more than criminal

activities is made all the more difficult by the confusion and grief, the absence of communications, and the hundreds of thousands of dead and missing. The stories of children being taken away as orphans when they are not are most disturbing; and

Whereas, The United States, working with other governmental and charitable service groups from around the world, has taken on a leadership role in helping the Haitian government and its people recover from the horrors facing them. Among the challenges in the areas of logistics, nutrition, hygiene, and infrastructure rebuilding, no task can be more important than doing all we can to safeguard the children of this devastated country. We must do all we can to assure that children are protected from all manner of abuse; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress and President Obama to use all means necessary to immediately stop the inhumane and illegal kidnapping of children in Haiti, including those presumed to be orphaned, who are being used for slavery, prostitution, and human trafficking; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, 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 concurrent resolution was referred to the Committee on Families and Children's Services.

### **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, March 17:

**House Bill Nos. 5955 5956**

The Clerk announced that the following Senate bill had been received on Wednesday, March 17:

**Senate Bill No. 332**

### **Reports of Standing Committees**

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

**Senate Bill No. 1094, entitled**

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

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, Scripps, Slavens, Meltzer, Kurtz and Pearce

Nays: None

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

**Senate Bill No. 1095, 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, March 17, 2010

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

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

**House Bill No. 5921, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 278.

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. Clemente, Stanley, Byrnes, Geiss, Griffin, 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, March 17, 2010

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

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

**House Bill No. 5034, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2918 (MCL 600.2918).

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, Constan, Corriveau, Kandreas, Bettie Scott, Warren, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

**House Bill No. 5819, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20135 (MCL 324.20135), as amended by 1995 PA 71.

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

Nays: None

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

**House Bill No. 5854, entitled**

A bill to amend 1967 PA 291, entitled "An act to authorize state universities and colleges to enact parking, traffic and pedestrian ordinances and to provide for the enforcement of the ordinances; and to dispose of fines collected," by amending section 2a (MCL 390.892a), as amended by 1998 PA 441.

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, Constan, Corriveau, Kandrevas, Bettie Scott, Warren and Rick Jones

Nays: Rep. Rocca

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

**Senate Bill No. 325, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 539l.

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, Constan, Corriveau, Coulouris, Kandrevas, Schuitmaker, 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, March 17, 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 Appropriations, by Rep. Cushingberry, Chair, reported

**House Bill No. 5830, entitled**

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending the title and sections 104, 106, and 118 (MCL 570.1104, 570.1106, and 570.1118), the title and sections 104 and 106 as amended by 2006 PA 497 and section 118 as amended by 1982 PA 17; 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. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Spade, Switalski, Tlaib, Moss, Agema, Caul, Genetski, Green, Haines, Lori, Proos, Rogers and Schuitmaker

Nays: None

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

**House Bill No. 5831, entitled**

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending sections 3b, 8b, and 8e (MCL 338.883b, 338.888b, and 338.888e), sections 3b and 8e as added by 1990 PA 246 and section 8b as amended by 1992 PA 130.

Without amendment and with the recommendation that the bill pass.  
The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 5832, entitled**

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending sections 6, 11, and 16 (MCL 338.976, 338.981, and 338.986), section 6 as amended by 2004 PA 271 and section 11 as amended by 1990 PA 5.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 5833, entitled**

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending sections 21, 43, and 47 (MCL 338.3531, 338.3553, and 338.3557).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 5834, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2404, 2409, and 2411 (MCL 339.2404, 339.2409, and 339.2411), sections 2404 and 2411 as amended by 2007 PA 157 and section 2409 as amended by 1988 PA 463.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 5835, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15b of chapter XVII (MCL 777.15b), as added by 2002 PA 206.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 17, 2010

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

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, March 17, 2010

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

Absent: Rep. Mayes

Excused: Rep. Mayes

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, March 17, 2010

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

Absent: Rep. Opsommer

Excused: Rep. Opsommer

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, March 17, 2010

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 17, 2010

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

Absent: Rep. Mayes

Excused: Rep. Mayes

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 17, 2010

Present: Reps. Lindberg, Kennedy, Kandrevas, Liss, Bettie Scott, Slezak, Young, Amash, Daley, Haveman and McMillin

**Messages from the Senate****House Bill No. 4248, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 68c (MCL 38.68c), as added by 2007 PA 95.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**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; and to repeal acts and parts of acts.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

**Senate Bill No. 332, entitled**

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," (MCL 565.451a to 565.453) by adding section 1d.

The Senate has passed the bill.

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

**Introduction of Bills**

Rep. Hammel introduced

**House Bill No. 5957, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 161 (MCL 389.161), as added by 2008 PA 359.

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

Reps. Smith, Warren and Kennedy introduced

**House Bill No. 5958, entitled**

A bill to amend 1967 PA 270, entitled "An act to provide for the collection, reporting, and release of certain information or data relating to health care research or education, patient safety, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the collection, reporting, and release of certain information or data; and to safeguard the confidential character of certain information or data," by amending section 2 (MCL 331.532), as amended by 1993 PA 86.

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

Reps. Warren, Smith and Kennedy introduced

**House Bill No. 5959, entitled**

A bill to amend 1975 PA 46, entitled "An act to create the office of the legislative corrections ombudsman; to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of corrections; and to provide remedies from administrative acts," by amending section 5 (MCL 4.355).

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

Reps. Lemmons, Durhal, Stanley, Young, Espinoza, Cushingberry, Kennedy, Leland, Johnson and Dean introduced  
**House Bill No. 5960, entitled**

A bill to require state and local governmental bodies to use census figures adjusted to reflect preincarceration addresses of persons imprisoned in this state; and to provide for the powers and duties of certain state and local governmental officers and entities.

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

Rep. Lemmons introduced

**House Bill No. 5961, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625a (MCL 257.625a), as amended by 2003 PA 61.

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

Rep. Kandrevas introduced

**House Bill No. 5962, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 171 (MCL 418.171), as amended by 1985 PA 103, and by adding section 172.

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

Rep. Melton introduced

**House Bill No. 5963, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 22b and 81 (MCL 388.1622b and 388.1681), as amended by 2009 PA 121.

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

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Rep. Schuitmaker moved that the House adjourn.

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

Associate Speaker Pro Tempore Jackson declared the House adjourned until Thursday, March 18, at 12:00 Noon.

RICHARD J. BROWN  
Clerk of the House of Representatives