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.
Rep. Shanelle Jackson, from the 9th District, offered the following invocation:

“Father God we come before Your throne humbly giving You glory, honor and praise. We worship You Lord, and thank You for Your love. The word of God says You are Jehovah God El Shaddai, the God of everything. There is nothing heavenly Father, that is in this earth that You don’t know how to deal with. I thank You, Lord God, for just bringing Your peace into this experience, into this legislative body. Show us, guide us, heavenly Father in the direction and in the way that You would have us go. Anoint our thoughts, anoint our actions, anoint our decisions, heavenly Father. I thank You, Lord God, that our spirits are open, that we listen to You, that we yield to You as we go forward to make the decisions that will shape the course of our state. Father, I thank You for courage. You give us strength, heavenly Father. I thank You that people have strength, will and desire, heavenly Father and are not moved to the left or right, but focused on You. I thank You that as Your word says in Psalms 1:1: ‘We are as a tree planted by the river, we will produce.’ I thank You that in the state of Michigan, heavenly Father, we are going to produce. There is a life here. We are going to do great things again, heavenly Father, and we will not forget to give You and You alone, glory, honor and praise. I thank You that these things are done.

In Jesus name, Amen.”

Second Reading of Bills

Senate Bill No. 1161, entitled
A bill to make appropriations for the department of natural resources and environment for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Rep. Rogers moved to amend the bill as follows:
1. Amend page 28, by striking out all of line 16 and inserting:
   “State employee-related salary savings ........................................................................... (762,800)”
   and adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 41, line 25, after “for” by striking out “budgetary savings” and inserting “state employee-related salary savings”.

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

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

The motion prevailed.

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

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


The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1161, entitled
A bill to make appropriations for the department of natural resources and environment for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

Second Reading of Bills

Senate Bill No. 1151, entitled
A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers,

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Appropriations,
The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. McMillin moved to amend the bill as follows:
1. Amend page 9, following line 12, by inserting:
   “Sec. 254. (a) A community college receiving an appropriation in part 1 shall develop, post, and maintain a user-friendly and publicly accessible Internet site, with all expenditures made by the college within a fiscal year. The posting must
include the purpose for which each expenditure is made. The colleges may use, as a model for such reporting, the college portrait web reporting template in an effort to better improve university transparency and to further identify effective educational practices.

(b) Before November 15, 2010, a community college receiving an appropriation in part 1 shall submit to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, the department of energy, labor, and economic growth, and the state budget director, a copy of the college’s approved budget for the college’s 2010-11 fiscal year. A college shall also submit any budget amendment within 45 days of being approved by the board of trustees.”.

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

Rep. Booher moved to amend the bill as follows:
1. Amend page 9, following line 12, by inserting:
   “Sec. 252. A community college receiving an appropriation in part 1 shall develop a spending reduction plan for the 2011-2012 fiscal year that incorporates a 5% reduction in operation grants appropriated in section 102 in order to mitigate the base funding disparity that may be created by the maintenance of effort requirements imposed under division A, title XIV of the American recovery and reinvestment act of 2009, Public Law 111-5. The college shall provide the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director with the list of reforms and reductions sufficient to meet a 5% reduction in operation costs prior to June 30, 2011.”.

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

Rep. Booher moved to amend the bill as follows:
1. Amend page 9, line 6, by striking out all of section 250.

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

Rep. Miller moved to amend the bill as follows:
1. Amend page 9, following line 12, by inserting:
   “Sec. 254. In an effort to better improve transparency and to further identify effective educational practices, it is the intent of the legislature that a community college receiving an appropriation in part 1 shall develop, post, and maintain a user-friendly and publicly accessible Internet site, with all expenditures made by the college within a fiscal year. The posting must include the purpose for which the expenditure is made. A community college shall not provide financial information on its website under this section if doing so would violate a federal or state law, rule, regulation, or guideline that establishes privacy or security standards applicable to that section. A community college shall not expend more than $100.00 from the appropriations in part 1 to implement the requirements of this section.”.

The motion prevailed and the amendment was adopted, a majority of the members serving 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. 1151, entitled
A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Second Reading of Bills

Senate Bill No. 928, entitled
A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.
Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Appropriations,
The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Donigan moved to amend the bill as follows:
1. Amend page 11, following line 6, by inserting:

   "DEPARTMENT OF TRANSPORTATION

   Sec. 401. The department shall report by March 1 of each year to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies on the uses of funds appropriated in part 1 from the American recovery and reinvestment act of 2009, Public Law 111-5. The report shall include a description of funds expended by expenditure object, including expenditure detail of sub-recipients, for the preceding fiscal year. The report shall also indicate the balance of funds appropriated but not yet expended as of the end of the preceding fiscal year.”.

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

Rep. Moss moved to amend the bill as follows:
1. Amend page 5, line 26, by striking out all of subsection (3) and adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 10, line 22, by striking out “DEPARTMENT OF HUMAN SERVICES”.
3. Amend page 10, line 23, by striking out all of section 301.

The motion did not prevail and the amendments were 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. 928, entitled

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

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

Roll Call No. 220

<table>
<thead>
<tr>
<th>Yeas—64</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angerer</td>
</tr>
<tr>
<td>Barnett</td>
</tr>
<tr>
<td>Bauer</td>
</tr>
<tr>
<td>Bennett</td>
</tr>
<tr>
<td>Bledsoe</td>
</tr>
<tr>
<td>Brown, L.</td>
</tr>
<tr>
<td>Brown, T.</td>
</tr>
<tr>
<td>Byrnes</td>
</tr>
<tr>
<td>Byrum</td>
</tr>
<tr>
<td>Clemente</td>
</tr>
<tr>
<td>Constan</td>
</tr>
<tr>
<td>Corriveau</td>
</tr>
<tr>
<td>Dean</td>
</tr>
<tr>
<td>Dillon</td>
</tr>
<tr>
<td>Donigan</td>
</tr>
<tr>
<td>Durhal</td>
</tr>
<tr>
<td>Ebli</td>
</tr>
<tr>
<td>Espinoza</td>
</tr>
<tr>
<td>Geiss</td>
</tr>
<tr>
<td>Gonzales</td>
</tr>
<tr>
<td>Gregory</td>
</tr>
<tr>
<td>Griffin</td>
</tr>
<tr>
<td>Haase</td>
</tr>
<tr>
<td>Hauser</td>
</tr>
<tr>
<td>Huckleberry</td>
</tr>
<tr>
<td>Jackson</td>
</tr>
<tr>
<td>Johnson</td>
</tr>
<tr>
<td>Jones, Robert</td>
</tr>
<tr>
<td>Kandревas</td>
</tr>
<tr>
<td>Kennedy</td>
</tr>
<tr>
<td>Lahti</td>
</tr>
</tbody>
</table>

| LeBlanc |
| Leland |
| Lemmons |
| Lindberg |
| Lipton |
| Liss |
| Mayes |
| McDowell |
| Meadows |
| Melton |
| Miller |
| Nathan |
| Nerat |
| Neumann |
| Polidori |
| Roberts |

| Schmidt, R. |
| Scott, B. |
| Scripps |
| Segal |
| Sheltrown |
| Slavens |
| Sluzak |
| Smith |
| Spade |
| Stanley |
| Switalski |
| Tlaib |
| Valentine |
| Warren |
| Womack |
| Young |

<table>
<thead>
<tr>
<th>Nays—42</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agema</td>
</tr>
<tr>
<td>Amash</td>
</tr>
<tr>
<td>Ball</td>
</tr>
<tr>
<td>Bolger</td>
</tr>
<tr>
<td>Booher</td>
</tr>
<tr>
<td>Caul</td>
</tr>
<tr>
<td>Crawford</td>
</tr>
<tr>
<td>Daley</td>
</tr>
<tr>
<td>Denby</td>
</tr>
<tr>
<td>DeShazor</td>
</tr>
<tr>
<td>Elsenheimer</td>
</tr>
<tr>
<td>Genetski</td>
</tr>
<tr>
<td>Green</td>
</tr>
<tr>
<td>Haines</td>
</tr>
<tr>
<td>Hansen</td>
</tr>
<tr>
<td>Haveman</td>
</tr>
<tr>
<td>Hildenbrand</td>
</tr>
<tr>
<td>Horn</td>
</tr>
<tr>
<td>Jones, Rick</td>
</tr>
<tr>
<td>Knollenberg</td>
</tr>
<tr>
<td>Kowall</td>
</tr>
<tr>
<td>Kurtz</td>
</tr>
</tbody>
</table>

| Lori |
| Lund |
| Marleau |
| McMillin |
| Meekhof |
| Meltzer |
| Moore |
| Moss |
| Opsommer |
| Pavlov |

| Pearce |
| Proos |
| Rocca |
| Rogers |
| Schmidt, W. |
| Schuitmaker |
| Scott, P. |
| Stamas |
| Tyler |
| Walsh |

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.
Second Reading of Bills

Senate Bill No. 1163, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 6, 11, 11a, 11b, 11c, 11d, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 20j, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 26b, 31a, 31d, 31f, 32b, 32d, 32j, 32l, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 56a, 62, 64, 65, 74, 81, 94a, 98, 99, 99i, 101, 104, 107, 147, 166b, and 166c (MCL 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611d, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1622e, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632d, 388.1632j, 388.1632l, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699i, 388.1701, 388.1704, 388.1707, 388.1747, 388.1766b, and 388.1766c), sections 3, 11a, 11g, 11j, 11m, 15, 18, 19, 20, 20d, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 26b, 31a, 31d, 31f, 32b, 32d, 32j, 32l, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64, 65, 74, 81, 94a, 99, 99i, 101, 104, 107, and 147 as amended and section 11d as added by 2009 PA 121, sections 6, 11, 94a, and 101 as amended and section 166c as added by 2009 PA 203, section 20j as amended by 2008 PA 561, and section 166b as amended by 2008 PA 219, and by adding section 92; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Terry Brown 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. Lisa Brown moved to amend the bill as follows:

1. Amend page 63, following line 18, by inserting:
   "Sec. 20j. (1) Foundation allowance supplemental payments for 2008-2009 to districts that in the 1994-95 state fiscal year had a foundation allowance greater than $6,500.00 shall be calculated under this section.
   (2) The per pupil allocation to each district under this section shall be the difference between the basic foundation allowance for the 1998-99 state fiscal year and $7,204.00 less $271.00 minus the dollar amount of the adjustment from the 1998-99 state fiscal year to 2007-2008 in the district’s foundation allowance.
   (3) If a district’s local revenue per pupil does not exceed the sum of its foundation allowance under section 20 plus the per pupil allocation under subsection (2), the total payment to the district calculated under this section shall be the product of the per pupil allocation under subsection (2) multiplied by the district’s membership excluding special education pupils. If a district’s local revenue per pupil exceeds the DISTRICT’S foundation allowance under section 20 but does not exceed the sum of the DISTRICT’S foundation allowance under section 20 plus the per pupil allocation under subsection (2), the total payment to the district calculated under this section shall be the product of the difference between the sum of the DISTRICT’S foundation allowance under section 20 plus the per pupil allocation under subsection (2) minus the local revenue per pupil multiplied by the district’s membership excluding special education pupils. If a district’s local revenue per pupil exceeds the sum of the DISTRICT’S foundation allowance under section 20 plus the per pupil allocation under subsection (2), there is no payment calculated under this section for the district.
   (4) Payments to districts shall not be made under this section. Rather, the calculations under this section shall be made and used to determine the amount of state payments under section 22b.
   
2. Amend page 69, line 17, after “EXCEED” by striking out “$3,578,600,000.00” and inserting “$3,619,800,000.00” and adjusting the totals in section 11 and enacting section 1 accordingly.

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

Rep. Melton moved to amend the bill as follows:

1. Amend page 75, line 19, after “2009-2010” by striking out “AND FOR 2010-2011”.
2. Amend page 75, line 21, after “amount” by striking out “EACH FISCAL YEAR”.
3. Amend page 75, line 22, after “$1,300,000.00,” by inserting “FOR 2010-2011, THERE IS ALLOCATED FOR THIS PURPOSE FROM THE APPROPRIATION IN SECTION 11 AN AMOUNT NOT TO EXCEED $2,000,000.00,” and adjusting the totals in section 11 and enacting section 1 accordingly.
4. Amend page 76, following line 17, by inserting:
   “(D) BEGINNING WITH 2010-2011, THE DISTRICT RECEIVED FUNDING UNDER THIS SECTION FOR THE FIRST TIME IN EITHER 2008-2009 OR 2009-2010.”.
5. Amend page 77, line 6, by striking out all of subsection (4) and inserting:
   “(4) BEGINNING WITH 2010-2011, THE AMOUNT OF THE ADDITIONAL FUNDING TO AN ELIGIBLE DISTRICT UNDER THIS SECTION FOR A FISCAL YEAR IS AS FOLLOWS:
(B) IF THE DISTRICT FIRST RECEIVED FUNDING UNDER THIS SECTION FOR 2009-2010, AN AMOUNT EQUAL TO THE AMOUNT THE DISTRICT ACTUALLY RECEIVED UNDER THIS SECTION FOR 2009-2010."

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

Rep. Melton moved to amend the bill as follows:
1. Amend page 153, line 13, by striking out "$1,687,500.00" and inserting "$1,437,500.00" and adjusting the totals in section 11 and enacting section 1 accordingly.

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

Rep. Kurtz moved to amend the bill as follows:
1. Amend page 138, line 25, after "exceed" by striking out "$2,078,600.00" and inserting "$3,028,500.00" and adjusting the totals in section 11 and enacting section 1 accordingly.

2. Amend page 139, line 22, by striking out all of subsection (4) and inserting:


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

Rep. McMillin moved to amend the bill as follows:
1. Amend page 34, line 15, by striking out all of line 15 through "REVISIONS" on line 16 and inserting "all of the following".

2. Amend page 34, line 19, after “department” by striking out the period and inserting a colon and:

“(a) The annual operating budget and subsequent budget revisions.

(b) Using data that have already been collected and submitted to the department, a summary of district or intermediate district expenditures for the most recent fiscal year for which they are available, expressed in the following 2 pie charts:

(i) A chart of personnel expenditures, broken into the following subcategories:
(A) Salaries and wages.
(B) Employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits.
(C) Retirement benefit costs.
(D) All other personnel costs.

(ii) A chart of all district expenditures, broken into the following subcategories:
(A) Instruction.
(B) Support services.
(C) Business and administration.
(D) Operations and maintenance.

(c) Links to all of the following:
(i) The current collective bargaining agreement for each bargaining unit.

(ii) Each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee in the district.

(iii) The audit report of the audit conducted under subsection (3) for the most recent fiscal year for which it is available."
(d) The total salary and a description and cost of each fringe benefit included in the compensation package for the superintendent of the district or intermediate district and for each employee of the district or intermediate district whose salary exceeds $100,000.00-$90,000.00.
(e) The annual amount spent on dues paid to associations.
(f) The annual amount spent on lobbying or lobbying services. As used in this subdivision, “lobbying” means that term as defined in section 5 of 1978 PA 472, MCL 4.415.”.

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

Rep. Terry Brown moved to substitute (H-4) the bill.
The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Melton moved to amend the bill as follows:
1. Amend page 153, line 13, by striking out “$1,687,500.00” and inserting “$1,437,500.00” and adjusting the totals in section 11 and enacting section 1 accordingly.
The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Melton moved to amend the bill as follows:
1. Amend page 75, line 19, after “2009-2010” by striking out “AND FOR 2010-2011”.
2. Amend page 75, line 21, after “amount” by striking out “EACH FISCAL YEAR”.
3. Amend page 75, line 22, after “$1,300,000.00.” by inserting “FOR 2010-2011, THERE IS ALLOCATED FOR THIS PURPOSE FROM THE APPROPRIATION IN SECTION 11 AN AMOUNT NOT TO EXCEED $2,000,000.00.” and adjusting the totals in section 11 and enacting section 1 accordingly.
4. Amend page 76, following line 17, by inserting:
“(D) BEGINNING WITH 2010-2011, THE DISTRICT RECEIVED FUNDING UNDER THIS SECTION FOR THE FIRST TIME IN EITHER 2008-2009 OR 2009-2010.”.
5. Amend page 77, line 6, by striking out all of subsection (4) and inserting:
“(4) BEGINNING WITH 2010-2011, THE AMOUNT OF THE ADDITIONAL FUNDING TO AN ELIGIBLE DISTRICT UNDER THIS SECTION FOR A FISCAL YEAR IS AS FOLLOWS:
(B) IF THE DISTRICT FIRST RECEIVED FUNDING UNDER THIS SECTION FOR 2009-2010, AN AMOUNT EQUAL TO THE AMOUNT THE DISTRICT ACTUALLY RECEIVED UNDER THIS SECTION FOR 2009-2010.”.
The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. McMillin moved to amend the bill as follows:
1. Amend page 34, line 15, by striking out all of line 15 through “REVISIONS” on line 16 and inserting “all of the following”.
2. Amend page 34, line 19, after “department” by striking out the period and inserting a colon and:
“(a) The annual operating budget and subsequent budget revisions.
(b) Using data that have already been collected and submitted to the department, a summary of district or intermediate district expenditures for the most recent fiscal year for which they are available, expressed in the following 2 pie charts:
(i) A chart of personnel expenditures, broken into the following subcategories:
(A) Salaries and wages.
(B) Employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits.
(C) Retirement benefit costs.
(D) All other personnel costs.
(ii) A chart of all district expenditures, broken into the following subcategories:
(A) Instruction.
(B) Support services.
(C) Business and administration.
(D) Operations and maintenance.
(c) Links to all of the following:
(i) The current collective bargaining agreement for each bargaining unit.
(ii) Each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee in the district.
(iii) The audit report of the audit conducted under subsection (3) for the most recent fiscal year for which it is available.
(d) The total salary and a description and cost of each fringe benefit included in the compensation package for the superintendent of the district or intermediate district and for each employee of the district or intermediate district whose salary exceeds $100,000.00-$90,000.00.

(e) The annual amount spent on dues paid to associations.

(f) The annual amount spent on lobbying or lobbying services. As used in this subdivision, “lobbying” means that term as defined in section 5 of 1978 PA 472, MCL 4.415.”.

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

Rep. Kurtz moved to amend the bill as follows:
1. Amend page 138, line 25, after “exceed” by striking out “$2,078,600.00” and inserting “$3,028,500.00” and adjusting the totals in section 11 and enacting section 1 accordingly.
2. Amend page 139, line 22, by striking out all of subsection (4) and inserting:


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

Rep. Cushingberry entered the House Chambers.


The motion prevailed.

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

**Senate Bill No. 1163, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 6, 11, 11a, 11d, 11g, 11i, 11k, 11m, 15, 18, 19, 20, 20d, 20j, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 26b, 31a, 31d, 31f, 32b, 32d, 32j, 32l, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99i, 101, 104, 107, 147, 166b, and 166c (MCL 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611d, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1622e, 388.1624,
388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1632b, 388.1632d, 388.1632j, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1667, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699i, 388.1701, 388.1704, 388.1707, 388.1747, 388.1766b, and 388.1766c), sections 3, 11a, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 26b, 31a, 31d, 31f, 32b, 32d, 32j, 32l, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64, 65, 74, 81, 98, 99, 99i, 104, 107, and 147 as amended and section 11d as added by 2009 PA 121, sections 6, 11, 94a, and 101 as amended and section 166c as added by 2009 PA 203, section 20j as amended by 2008 PA 561, and section 166b as amended by 2008 PA 219, and by adding section 92; and to repeal acts and parts of acts.

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

### Roll Call No. 221

<table>
<thead>
<tr>
<th>Yeas—64</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angerer</td>
</tr>
<tr>
<td>Ball</td>
</tr>
<tr>
<td>Bauer</td>
</tr>
<tr>
<td>Bennett</td>
</tr>
<tr>
<td>Brown, T.</td>
</tr>
<tr>
<td>Byrnes</td>
</tr>
<tr>
<td>Byrum</td>
</tr>
<tr>
<td>Clemente</td>
</tr>
<tr>
<td>Constan</td>
</tr>
<tr>
<td>Corriveau</td>
</tr>
<tr>
<td>Cushingberry</td>
</tr>
<tr>
<td>Dean</td>
</tr>
<tr>
<td>Dillon</td>
</tr>
<tr>
<td>Donigan</td>
</tr>
<tr>
<td>Durhal</td>
</tr>
<tr>
<td>Espinoza</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Nays—42</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agema</td>
</tr>
<tr>
<td>Amash</td>
</tr>
<tr>
<td>Barnett</td>
</tr>
<tr>
<td>Bledsoe</td>
</tr>
<tr>
<td>Bolger</td>
</tr>
<tr>
<td>Booher</td>
</tr>
<tr>
<td>Brown, L.</td>
</tr>
<tr>
<td>Caul</td>
</tr>
<tr>
<td>Crawford</td>
</tr>
<tr>
<td>Daley</td>
</tr>
</tbody>
</table>

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 amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 6, 11, 11a, 11d, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d,
31f, 32b, 32c, 32d, 32j, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99i, 99p, 101, 104, 107, and 147 (MCL 388.1606, 388.1611, 388.1611a, 388.1611d, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622e, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632f, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699i, 388.1699p, 388.1701, 388.1704, 388.1707, and 388.1747), sections 6, 11, 94a, and 101 as amended by 2009 PA 203, sections 11a, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32d, 32j, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64, 65, 74, 81, 98, 99, 99i, 104, 107, and 147 as amended and section 11d as added by 2009 PA 121, and sections 32c and 99p as amended by 2008 PA 268, and by adding sections 92, 93, 98d, and 166d; 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.

_____

Rep. Meekhof, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

This bill spends money the state does not even have yet - it is a projected surplus.

Not planning ahead and spending every penny we had as soon as we got it is what got us into budget problems in the first place. The stimulus money is fooling a lot of people into thinking we have more money than we actually do. We need to save this apparent “surplus” for when the stimulus funds run out.

We are already at the end of the school year and school districts have already budgeted and planned accordingly, so it doesn’t make a lot of sense to spend the money now. Instead, we should prudently save the surplus for the future in case the budget picture changes again and the money is needed to avoid further cuts.

For these reasons, I cannot support this bill at this time."

Second Reading of Bills

House Bill No. 4961, entitled

A bill to amend 1964 PA 286, entitled “An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner’s advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts,” by amending the title and sections 1, 6a, 7, 7a, and 10 (MCL 247.801, 247.806a, 247.807, 247.807a, and 247.810), the title as amended by 1984 PA 398 and section 7a as amended by 1981 PA 122, and by adding sections 7b, 7c, 7d, 7e, 7f, and 7g.

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

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

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

The motion did not prevail and the substitute (H-5) was not adopted, a majority of the members serving not voting therefor.

Rep. Gonzales moved to substitute (H-6) the bill.

The motion did not prevail and the substitute (H-6) was not adopted, a majority of the members serving not voting therefor.

Rep. Gonzales moved to amend the bill as follows:

1. Amend page 11, line 22, after “(6)” by inserting “THIS STATE, INCLUDING, BUT NOT LIMITED TO,”.
2. Amend page 11, line 22, after “DEPARTMENT” by striking out “OR OTHER INSTRUMENTALITY OF GOVERNMENT” and inserting a comma.
3. Amend page 13, line 19, after “AGREEMENT” by inserting “FOR ANY SUCH INTERNATIONAL BRIDGE CROSSING”.

4. Amend page 13, line 20, after “CONCESSIONAIRE” by inserting “AND EACH INSTRUMENTALITY OF GOVERNMENT THAT IS PARTY TO THE PUBLIC-PRIVATE AGREEMENT”.

5. Amend page 13, line 22, after “TO” by inserting “CONSTRUCTION”.

6. Amend page 13, line 22, after “APPLICABLE,” by inserting “TOLL.”

7. Amend page 13, line 22, after “SHORTFALLS,” by inserting “BEFORE APPROVING AND ENTERING A PUBLIC-PRIVATE AGREEMENT FOR ANY INTERNATIONAL BRIDGE THAT DOES NOT EXIST AS OF THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, THE DEPARTMENT SHALL ENSURE THESE RISK ALLOCATION PROVISIONS PROVIDE FOR THE MOST ECONOMICALLY BENEFICIAL WAY FOR THIS STATE TO PERFORM THE PROJECT, WHILE MINIMIZING LIABILITY FOR CONSTRUCTION COST OVERRUNS AND TOLL REVENUE SHORTFALLS FOR WHICH THIS STATE COULD BE HELD LIABLE, AND THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR EXPLAINING HOW THIS MANDATE WAS FULFILLED.”.

8. Amend page 19, line 25, after “FACILITY,” by inserting “THIS STATE,”.

9. Amend page 19, line 25, after “DEPARTMENT,” by striking out the balance of the line through “CONCESSIONAIRE” on line 26 and inserting “THE CONCESSIONAIRE, OR, TO THE EXTENT PERMITTED BY LAW, AN INSTRUMENTALITY OF GOVERNMENT”.

10. Amend page 21, line 15, after “STATE” by inserting “WITHIN THE MEANING OR APPLICATION OF ANY CONSTITUTIONAL PROVISION OR LIMITATION”.

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

Reps. Cushingberry and Opsommer moved to amend the bill as follows:

1. Amend page 13, following line 22, by inserting:

“(15) THIS ACT DOES NOT AUTHORIZE A PUBLIC AGENCY TO ENTER INTO AN AGREEMENT TO CONSTRUCT A NEW INTERNATIONAL BRIDGE BETWEEN WAYNE COUNTY, MICHIGAN, AND WINDSOR, ONTARIO. A NEW INTERNATIONAL BRIDGE BETWEEN WAYNE COUNTY, MICHIGAN, AND WINDSOR, ONTARIO, IS NOT A TRANSPORTATION FACILITY UNDER THIS ACT.”.

The question being on the adoption of the amendment offered by Reps. Cushingberry and Opsommer, Rep. Cushingberry demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Cushingberry and Opsommer, The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 222**

| Yeas—48 |
|---------|---------|---------|---------|
| Agema   | Denby   | Knollenberg | Pavlov  |
| Amash   | DeShazor| Kowall   | Pearce  |
| Ball    | Durhal  | Kurtz    | Proos   |
| Bledsoe | Elsenheimer | Lemmons | Rocca   |
| Bolger  | Genetski| Liss     | Rogers  |
| Booher  | Green   | Lori     | Schmidt, W.|
| Calley  | Haines  | Lund     | Schuitemaker |
| Caul    | Haveman | McMllin  | Scott, P. |
| Crawford| Hildenbrand | Meekhof | Sheltrown |
| Cushingberry | Horn | Meltzer | Stanas |
| Daley   | Jackson | Moss    | Stanley |
| Dean    | Jones, Rick | Opsommer | Tyler |

| Nays—54 |
|---------|---------|---------|---------|
| Barnett | Geiss   | Lindberg | Scripps |
| Bauer   | Gonzales| Lipton  | Segal   |
| Bennett | Gregory | Mayes   | Slavens |
| Brown, L.| Griffin | McDowell | Slezak |
Rep. Opsommer moved to amend the bill as follows:
1. Amend page 18, line 20, after “(3)” by inserting “EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION AND”.
2. Amend page 18, line 24, after “FACILITY.” by inserting:
   “IF A PUBLIC-PRIVATE AGREEMENT WOULD IMPOSE TOLLS, USER FEES, AVAILABILITY PAYMENTS, OR DRIVER RESTRICTIONS ON DRIVERS OF MOTOR VEHICLES USING HIGHWAYS, ROADS, LANES, BRIDGES, TUNNELS, OVERPASSES, HIGHWAY RAMPS, OR VEHICLE TRANSPORTATION FACILITIES, THE DEPARTMENT SHALL OBTAIN LEGISLATIVE APPROVAL FOR SUCH A PROJECT BEFORE ENTERING INTO THE PUBLIC-PRIVATE AGREEMENT.”.

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

Rep. Opsommer moved to amend the bill as follows:
1. Amend page 9, line 3, after “(2)” by striking out the balance of the line through “COMMISSION,” on line 16 and inserting “A PUBLIC-PRIVATE AGREEMENT SHALL PROVIDE FOR THE TERMS OF THE USE AND OPERATION OF A PUBLIC TRANSPORTATION FACILITY BY A CONCESSIONAIRE, PRIVATE PARTNER, OR ITS AGENTS FOR A PERIOD DETERMINED NECESSARY FOR THE ECONOMIC VIABILITY OF THE ARRANGEMENT AND IN THE BEST INTERESTS OF THE PUBLIC OF THIS STATE, NOT TO EXCEED 50 YEARS.”.

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

Rep. Agema moved to amend the bill as follows:
1. Amend page 24, line 24, after “ACT.” by inserting “NO FURTHER ACTIVITIES SHALL TAKE PLACE AND NO FUNDS SHALL BE ALLOCATED TO ANY FURTHER SPENDING ON THE DETROIT RIVER INTERNATIONAL CROSSING UNTIL ALL OBSTACLES HAVE BEEN REMOVED FROM THE PROPOSED SECOND SPAN PROJECT OF THE AMBASSADOR BRIDGE TO ENSURE ADDITIONAL BORDER FACILITIES.”.

The question being on the adoption of the amendment offered by Rep. Agema, Rep. Agema demanded the yeas and nays.
The demand was not supported.
The question being on the adoption of the amendment offered by Rep. Agema, The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Pearce moved to amend the bill as follows:
1. Amend page 18, line 20, after “(3)” by inserting “EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION AND”.
2. Amend page 18, line 24, after “FACILITY.” by inserting “IF A PUBLIC-PRIVATE AGREEMENT HAS AN ESTIMATED TOTAL COST OF $100,000,000.00 OR MORE, THE DEPARTMENT SHALL OBTAIN APPROVAL FROM THE LEGISLATURE BEFORE ENTERING INTO THE PUBLIC-PRIVATE AGREEMENT.”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.
Rep. Opsommer moved to amend the bill as follows:
1. Amend page 25, following line 7, by inserting:
   “Enacting section 1. This amendatory act does not take effect unless House Joint Resolution FFF of the 95th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963.”

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

Rep. Opsommer moved to amend the bill as follows:
1. Amend page 10, line 2, after “AGREEMENT.” by striking out the balance of the subsection and inserting
   “NOTHING IN A PUBLIC-PRIVATE AGREEMENT SHALL FINANCIALLY OBLIGATE OR PENALIZE ANY COUNTY, MUNICIPALITY, OR OTHER LOCAL AGENCY. NOTHING IN A PUBLIC-PRIVATE AGREEMENT SHALL PROHIBIT ANY COUNTY, MUNICIPALITY, OR OTHER LOCAL AGENCY FROM CONSTRUCTING, OPERATING, AND MAINTAINING ANY TRANSPORTATION PROJECT OR FACILITY. ANY PUBLIC-PRIVATE AGREEMENT SHALL EXPLICITLY DETAIL THE FULL NATURE OF NONCOMPETE CLAUSES THAT EXIST WITHIN THE AGREEMENT, IF ANY. A PUBLIC-PRIVATE AGREEMENT SHALL NOT CAUSE THE DEPARTMENT OR AN INSTRUMENTALITY OF GOVERNMENT TO INCUR A FINANCIAL OBLIGATION AS A RESULT OF ANY OF THE ACTIONS LISTED IN SUBDIVISIONS (A) THROUGH (E). A PUBLIC-PRIVATE AGREEMENT SHALL NOT PROHIBIT OR PENALIZE THE DEPARTMENT OR AN INSTRUMENTALITY OF GOVERNMENT AS A RESULT OF ANY OF THE FOLLOWING:
   (A) OPERATING, MAINTAINING, OR ADDING CAPACITY TO ANY EXISTING PROJECT OR FACILITY.
   (B) CONSTRUCTING, OPERATING, OR MAINTAINING ANY NEW TRANSPORTATION PROJECT OR FACILITY THAT IS NOT OF A SIMILAR NATURE TO THE PROJECT OR FACILITY IN THE AGREEMENT.
   (C) CONSTRUCTING, OPERATING, OR MAINTAINING ANY NEW TRANSPORTATION PROJECT OR FACILITY THAT IS OF A SIMILAR NATURE TO THE PROJECT OR FACILITY THAT IS THE SUBJECT OF THE AGREEMENT IF THE PROHIBITION, PENALTY, OR FINANCIAL OBLIGATION IS THE RESULT OF ACTION TAKEN MORE THAN 30 YEARS FROM THE EXECUTION OF THE INITIAL PUBLIC-PRIVATE PARTNERSHIP AGREEMENT.
   (D) CONSTRUCTING, OPERATING, OR MAINTAINING A PROJECT OR FACILITY, OR WAIVING USER FEE REQUIREMENTS OR RESTRICTIONS, IF THE CONSTRUCTION, OPERATION, MAINTENANCE, OR WAIVER IS IN TEMPORARY RESPONSE TO A NATURAL DISASTER OR EMERGENCY OR IS AN ISSUE OF PUBLIC SAFETY OR SECURITY.
   (E) ANY TEMPORARY ACTION TAKEN AS A RESULT OF THE MAINTENANCE OF ANOTHER TRANSPORTATION PROJECT OR FACILITY.”.

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

Rep. Knollenberg moved to amend the bill as follows:
1. Amend page 13, following line 22, by inserting:
   “(15) AVAILABILITY PAYMENTS SHALL NOT BE USED FOR FUNDING ANY PROJECT ARISING OUT OF A PUBLIC-PRIVATE AGREEMENT.”.

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

Rep. Knollenberg moved to amend the bill as follows:
1. Amend page 2, line 25, by striking out all of subdivision (E) and inserting:
   “(E) “INSTRUMENTALITY OF GOVERNMENT” MEANS A LEGAL PUBLIC ENTITY THAT IS NOT A PRIVATE CORPORATION OR ENTITY AND THAT IS CREATED OR EMPOWERED TO CARRY OUT FUNCTIONS COMMONLY CARRIED OUT BY UNITS OF GOVERNMENT. FOR PURPOSES OF THIS ACT, AN INSTRUMENTALITY OF GOVERNMENT DOES NOT INCLUDE AUTHORITIES OR OTHER ENTITIES OR THEIR REPRESENTATIVES FROM FOREIGN COUNTRIES OR OTHER STATES.”.

   The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.
Rep. Opsommer moved to amend the bill as follows:
1. Amend page 15, line 5, after “SUBSECTION (5),” by inserting “NEITHER AN EMPLOYEE OF THE DEPARTMENT NOR A DIRECTOR OF THE DEPARTMENT SHALL RECEIVE ANYTHING OF MONETARY VALUE FROM ANY CONCESSIONAIRE OR POTENTIAL CONCESSIONAIRE WHO MAKES A PROPOSAL OR IS OTHERWISE POTENTIALLY INVOLVED IN A PROJECT RELATED TO A PUBLIC-PRIVATE PARTNERSHIP. NO EMPLOYEE OF THIS STATE SHALL ACCEPT ANY ITEM OF MONETARY VALUE FROM A CONCESSIONAIRE OR POTENTIAL CONCESSIONAIRE IF ACCEPTANCE OF THE ITEM OF MONETARY VALUE WOULD PRESENT A CONFLICT OF INTEREST.”.

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

Rep. Agema moved to amend the bill as follows:
1. Amend page 12, line 26, after “AGREEMENT,” by inserting “NO EMPLOYEE OF THE DEPARTMENT OR THIS STATE WHO IS AN EXECUTIVE-1 LEVEL EMPLOYEE SHALL ACCEPT A POSITION WITH A PARTY TO A PUBLIC-PRIVATE AGREEMENT FOR AT LEAST 10 YEARS AFTER THE EMPLOYEE TERMINATES EMPLOYMENT WITH THIS STATE.”.

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 13, following line 22, by inserting:
“(15) A PUBLIC-PRIVATE AGREEMENT SHALL CONTAIN A CLAUSE THAT INDICATES THAT ANY INSTRUMENTALITY OF GOVERNMENT OR OTHER PARTY THAT IS A PARTY TO THE PUBLIC-PRIVATE AGREEMENT AGREES TO BE SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246, AND THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.”

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

Rep. Gonzales 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. 4961, entitled
A bill to amend 1964 PA 286, entitled “An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner’s advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts,” by amending the title and sections 1, 6a, 7, 7a, and 10 (MCL 247.801, 247.806a, 247.807, 247.807a, and 247.810), the title as amended by 1984 PA 398 and section 7a as amended by 1981 PA 122, and by adding sections 7b, 7c, 7d, 7e, 7f, and 7g.

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

Roll Call No. 223

Yeas—56

| Angerer | Geiss | LeBlanc | Scripps |
| Barnett | Gonzales | Leland | Segal |
| Bauer | Gregory | Lindberg | Sheltrown |
| Bennett | Griffin | Lipton | Slavens |
| Brown, L. | Haase | McDowell | Slezak |
| Byrnes | Hammel | Meadows | Smith |
| Byrum | Haugh | Melton | Spade |
| Clemente | Huckleberry | Miller | Stanley |
| Constan | Jackson | Nathan | Switalski |
| Corriveau | Johnson | Nerat | Tlaib |
| Dillon | Jones, Robert | Polidori | Valentine |
| Donigan | Kandrevas | Roberts | Warren |
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 1964 PA 286, entitled “An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner’s advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts,” by amending the title and sections 1, 6a, 7, 7a, and 10 (MCL 247.801, 247.806a, 247.807, 247.807a, and 247.810), the title as amended by 1984 PA 398 and section 7a as amended by 1981 PA 122, and by adding sections 7b, 7c, 7d, 7e, 7f, 7g, 7h, and 7i.

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.

Notices

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House passed House Bill No. 4961.

Rep. Cushingberry

The question being on the support of the notice made by Rep. Cushingberry, the notice was not supported.

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

House Bill No. 6128, entitled

A bill to amend 1964 PA 286, entitled “An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner’s advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts,” (MCL 247.801 to 247.816) by adding section 6c.
Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Transportation,
The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Tlaib 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. Tlaib moved to amend the bill as follows:
1. Amend page 3, following line 25, by inserting:
   “Enacting section 1. This amendatory act does not take effect unless House Bill No. 4961 of the 95th Legislature is enacted into law.”.
   The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.
Rep. Tlaib 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.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6128, entitled
A bill to amend 1964 PA 286, entitled “An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner’s advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts,” (MCL 247.801 to 247.816) by adding section 6c.

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

Roll Call No. 224

Yeas—55

Agener  Ebli  Leland  Scripps
Barnett  Espinoza  Lemmons  Segal
Bauer  Geiss  Lindberg  Sheltrown
Bennett  Gonzales  Lipton  Slavens
Bledsoe  Gregory  Liss  Slezak
Brown, L.  Haase  Meadows  Smith
Brown, T.  Hammel  Melton  Stanley
Byrnes  Haugh  Miller  Switalski
Clemente  Huckleberry  Nathan  Tlaib
Constan  Jackson  Nerat  Valentine
Corriageau  Johnson  Polidori  Warren
Dillon  Jones, Robert  Roberts  Womack
Donigan  Kandrevas  Schmidt, R.  Young
Durhal  Kennedy

Nays—51

Agema  Elsenheimer  Lahti  Pavlov
Amash  Genetski  LeBlanc  Pearce
Rep. Angerer moved that House Committees be given leave to meet during the balance of today’s session. The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Tlaib, Miller and Smith offered the following resolution:

House Resolution No. 291

A resolution to urge Michigan businesses and public and private organizations to refrain from doing business with or in the state of Arizona as an expression of protest over recently enacted Senate Bill 1070, to urge repeal of Arizona’s Senate Bill 1070, to call on the United States Department of Justice to vigorously investigate potential civil rights violations related to the implementation of the law, and to investigate the possibility and impacts of cutting the state of Michigan’s economic ties with Arizona.

Whereas, Arizona’s Governor Jan Brewer recently signed Senate Bill 1070 into law. This enactment requires law enforcement personnel to take actions to ascertain the immigration status of any person for whom there is a “reasonable suspicion” that the person may be in the country without status. The statute makes no detailed explanation for what may constitute a “reasonable suspicion”; and

Whereas, Reaction to the Arizona law has included serious concerns as to the constitutionality of a state determining policies that are clearly federal in nature, as well as deep fears that the law may, in practice, encourage racial profiling; and

Whereas, Many Arizona law enforcement professionals have expressed opposition to the measure. These professionals include the Arizona Association of Chiefs of Police, and the Coconino and Pima county sheriffs. This opposition stems from both concerns over racial profiling as well as the diversion of scarce police resources from priorities directly related to public safety. Additionally, the law opens police and local governments to lawsuits from individuals who do not believe it has been enforced aggressively enough. This takes law enforcement priorities out of the hands of public safety officials and opens governments to frivolous lawsuits; and

Whereas, The enactment of Senate Bill 1070 has sparked a national boycott of Arizona. This has led to the cancellation of at least thirty conventions, and according to estimates by the City of Phoenix, the loss of nearly $100 million in economic activity; and

Whereas, Numerous cities have passed resolutions in opposition to Senate Bill 1070, including Cleveland, Los Angeles, San Francisco, Boston, Seattle, and Washington, DC. Cities such as Columbus, St. Paul, and Boulder have banned travel by city employees to Arizona; and

Whereas, The constitutionality of Senate Bill 1070 is currently being challenged in federal court by a coalition of civil rights and labor groups, including the American Civil Liberties Union, the Mexican-American Legal Defense and
Resolved, That the annual amounts of “True Rental” for the Facility shall be within or below the range of $1,440,000 as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose; and

Whereas, The site for the Health Sciences Facility (the “Facility”) is currently owned by the Educational Institution; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the “Lease”); and

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Saginaw Valley State University Health Sciences Facility shall not exceed $28,000,000 (the Authority share is $20,999,900, the State General Fund/General Purpose share is $100, and the Educational Institution share is $7,000,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That copies of this resolution be transmitted to Governor of Arizona Jan Brewer, members of the Michigan congressional delegation, President Barack Obama, and Attorney General Eric Holder.

The resolution was referred to the Committee on Government Operations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Reps. Stamas, Horn and Mayes offered the following concurrent resolution:

House Concurrent Resolution No. 58.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Control of Saginaw Valley State University relative to the Saginaw Valley State University Health Sciences Facility.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Saginaw Valley State University (the “Educational Institution”), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the “Authority”); and

Whereas, The site for the Health Sciences Facility (the “Facility”) is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the “State”) may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the “Lease”); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Saginaw Valley State University Health Sciences Facility shall not exceed $28,000,000 (the Authority share is $20,999,900, the State General Fund/General Purpose share is $100, and the Educational Institution share is $7,000,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than $20,999,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of “True Rental” for the Facility shall be within or below the range of $1,440,000 and $1,883,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was
based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and
the Authority as authorized by 1964 PA 183, as amended; and be it further
Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State
are authorized and directed to execute the Lease for and on behalf of the State; and be it further
Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the
Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further
Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority,
the Board of Control of Saginaw Valley State University, and the State Budget Director.
The concurrent resolution was referred to the Committee on Appropriations.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, May 25, for her approval of the following bills:
Enrolled House Bill No. 5406 at 3:31 p.m.
Enrolled House Bill No. 5749 at 3:33 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, May 26:
House Bill Nos. 6203 6204 6205 6206 6207 6208
Senate Bill Nos. 1344 1345 1346 1347 1348 1349

Reports of Standing Committees

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported
House Bill No. 6203, entitled
A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending sections 2 and 16 (MCL 125.2782 and 125.2796), section 2 as amended by 2006 PA 70.
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, Denby and Tyler
Nays: Rep. Bolger

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, May 26, 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. 6168, entitled
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:
Nays: None

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

**House Bill No. 6169, entitled**
A bill to amend 1956 PA 5, entitled “Michigan uniform municipal court act,” (MCL 730.501 to 730.534) by adding section 8a.
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:
Nays: None

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

**House Bill No. 6170, entitled**
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:
Nays: None

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

**House Bill No. 6197, entitled**
A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 1213 (MCL 700.1213), as amended by 2000 PA 54, and by adding section 2723.
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:
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, May 26, 2010
The Committee on Families and Children’s Services, by Rep. Valentine, Chair, reported

**House Bill No. 4312, entitled**

A bill to amend 1978 PA 390, entitled “An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,” by amending section 3 (MCL 408.473).

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, Slavens, Kurtz, McMillin and Pavlov
Nays: None

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

**House Bill No. 5895, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 57v.

With the recommendation that the bill be referred to the Committee on Judiciary.

Favorable Roll Call

To Report Out:

Yeas: Reps. Valentine, Womack, Liss, Slavens, Kurtz, McMillin and Pavlov
Nays: None
The recommendation was concurred in and the bill was referred to the Committee on Judiciary.

**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, May 26, 2010
Present: Reps. Valentine, Womack, Liss, Slavens, Kurtz, McMillin and Pavlov
Absent: Reps. Neumann and Moore
Excused: Reps. Neumann and Moore

The Committee on Labor, by Rep. Lindberg, Chair, reported

**House Resolution No. 171.**

A resolution to memorialize Congress to enact the FAA Reauthorization Act of 2009 with language that treats all employees of the express carrier industry equally under federal labor laws.

(For text of resolution, see House Journal No. 90 of 2009, p. 2126.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

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

**COMMITTEE ATTENDANCE REPORT**

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

Meeting held on: Wednesday, May 26, 2010
Present: Reps. Lindberg, Kennedy, Kandrevas, Liss, Bettie Scott, Slezak, Young, Amash, Daley, Haveman and McMillin
The Committee on Regulatory Reform, by Rep. Johnson, Chair, reported

**House Bill No. 6195, entitled**

A bill to create the Michigan quality community care council; to prescribe the powers and duties of the council; to prescribe the powers and duties of certain state departments; and to provide for the transfer of programs, employees, and funds.

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, Stanley, Switalski and Rocca
- Nays: Reps. Crawford, Rick Jones and Stamas

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

**Senate Bill No. 610, entitled**

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

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, 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, May 26, 2010
- Present: Reps. Johnson, Haugh, Byrnes, Melton, Bettie Scott, Stanley, Switalski, Rocca, Crawford, Rick Jones and Stamas

**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, May 26, 2010
- Present: Reps. Angerer, Haase, Lisa Brown, Donigan, Scripps, Slavens, Meltzer, Kurtz and Pearce

**Messages from the Senate**

**House Bill No. 5313, entitled**


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 Concurrent Resolution No. 57.
A concurrent resolution to memorialize the President, the Congress, and the Federal Communications Commission of the United States to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.
(For text of resolution, see House Journal No. 47, p. 742.)
The Senate has adopted the concurrent resolution and named Senators Anderson, Barcia, Cherry, Jacobs, Nofs, Pappageorge, Prusi and Richardville as co-sponsors.
The concurrent resolution was referred to the Clerk for record.

Introduction of Bills

Rep. Meltzer introduced
House Bill No. 6209, entitled
A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8901 (MCL 324.8901), as amended by 2004 PA 494.
The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Reps. Paul Scott, Opsommer and Amash introduced
House Bill No. 6210, entitled
A bill to prohibit the inclusion of certain facilitative technology devices in driver licenses; and to disallow state participation in certain programs, compacts, or other agreements.
The bill was read a first time by its title and referred to the Committee on Transportation.

House Bill No. 6211, entitled
A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending sections 24 and 31 (MCL 205.24 and 205.31), section 24 as amended by 2003 PA 201 and section 31 as amended by 2002 PA 657.
The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Corriveau introduced
House Bill No. 6212, entitled
The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Corriveau introduced
House Bill No. 6213, entitled
The bill was read a first time by its title and referred to the Committee on Appropriations.
Rep. Marleau moved that the House adjourn.
The motion prevailed, the time being 6:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, May 27, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives