

No. 88
STATE OF MICHIGAN
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House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Wednesday, October 14, 2009.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. Jimmy Womack, from the 7th District, offered the following invocation:

“Eternal God before the mountains were brought forth and ever Thou have formed the earth and the world even from everlasting to everlasting Thou art God. Thank You for this new day and another opportunity to serve You.

This afternoon we find ourselves in a place hallowed by Your presence, illuminated by the smile of Your approval. May we be so blessed to feel Your very spirit move through us and between us.

By Your mercy may Your anointing fall fresh on each and everyone of us who have been called to service. May we be empowered with the qualities of an effective leader, able to delegate and to appreciate the work of others, to recognize our limitations and to seek wise council and to persevere through these tough times.

We have been told that it is only right that You who made everything and for whom everything was made should bring Your children into glory. So we ask dear Lord in this world of kings and great men and women that You will bless us with the greatest attribute of a true leader, that You will bless us each with a servants heart...in Your matchless name we pray, Amen!”

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

Rep. Opsommer moved that Rep. Green be excused from today’s session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 71, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 10 (MCL 207.810), as amended by 2006 PA 283.

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

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

Rep. Clemente moved to amend the bill as follows:

1. Amend page 2, line 19, by striking out all of subdivision (F) and inserting:

“(F) THE NUMBER OF JOBS REQUIRED UNDER THE WRITTEN AGREEMENT TO BE CREATED OR RETAINED FOR EACH AUTHORIZED BUSINESS TO BE ELIGIBLE FOR THE TAX CREDITS UNDER THE WRITTEN AGREEMENT INCLUDING THE MAXIMUM NUMBER OF JOBS WHICH CAN BE UTILIZED TO CALCULATE THE CREDIT FOR EACH AUTHORIZED BUSINESS UNDER THE WRITTEN AGREEMENT.”.

2. Amend page 3, line 2, after “of” by striking out “new”.

3. Amend page 3, line 2, after “INVESTMENT” by inserting “REQUIRED OR OTHERWISE ANTICIPATED”.

4. Amend page 3, line 2, after “UNDER” by striking out “NEW”.

5. Amend page 3, line 3, after “section 8(5)” by inserting “OR (9)”.

6. Amend page 3, line 7, after “FOR” by striking out “THAT YEAR” and inserting “THE MOST RECENT PERIOD THAT INFORMATION IS AVAILABLE”.

7. Amend page 3, line 9, after “FOR” by inserting “TAX CREDITS AUTHORIZED UNDER SECTION 8(5) OR (9) FOR”.

8. Amend page 3, line 16, by striking out all of subsection (2) and inserting:

“(2) A REVIEW AND COMMENTS CONCERNING THE REPORT SHALL BE INCLUDED IN THE AUDITOR GENERAL’S POSTAUDIT OF THE AUTHORITY.”.

9. Amend page 3, following line 18, by inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 95th Legislature are enacted into law:

(a) Senate Bill No. 70.

(b) Senate Bill No. 774.

(c) House Bill No. 4922.”.

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

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

The motion prevailed.

Rep. Dean moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

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

Senate Bill No. 71, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 10 (MCL 207.810), as amended by 2006 PA 283.

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

Roll Call No. 497

Yeas—103

Agema	Durhal	Kurtz	Proos
Amash	Ebli	Lahti	Roberts
Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Espinoza	Lemmons	Rogers
Barnett	Geiss	Lindberg	Schmidt, R.
Bauer	Genetski	Lipton	Schmidt, W.
Bledsoe	Gonzales	Liss	Schuitmaker
Bolger	Gregory	Lori	Scott, B.
Booher	Griffin	Lund	Scripps
Brown, L.	Haase	Marleau	Segal
Brown, T.	Haines	Mayes	Sheltrown
Byrnes	Hammel	McDowell	Slavens
Byrum	Hansen	McMillin	Slezak
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	Neumann	Walsh
Denby	Kandrevas	Opsommer	Warren
DeShazor	Kennedy	Pavlov	Womack
Dillon	Knollenberg	Pearce	Young
Donigan	Kowall	Polidori	

Nays—0

In The Chair: Haase

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

“An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers,”

The House agreed to the full title.

Rep. Dean moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Calley entered the House Chambers.

Second Reading of Bills

Senate Bill No. 774, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 431 (MCL 208.1431), as amended by 2008 PA 111.

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

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

Rep. Clemente moved to substitute (H-2) the bill.

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

Rep. Clemente moved to amend the bill as follows:

1. Amend page 6, line 9, after "**APPROVED**" by inserting "**IN THAT CALENDAR YEAR**".

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

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

The motion prevailed.

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

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

Rep. Paul Scott entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 774, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 431 (MCL 208.1431), as amended by 2008 PA 111.

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

Roll Call No. 498

Yeas—104

Agema	Durhal	Kurtz	Proos
Angerer	Ebli	Lahti	Roberts
Ball	Elsenheimer	LeBlanc	Rocca
Barnett	Espinoza	Lemmons	Rogers
Bauer	Geiss	Lindberg	Schmidt, R.
Bledsoe	Genetski	Lipton	Schmidt, W.
Bolger	Gonzales	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	Slezak
Clemente	Haveman	Meekhof	Smith
Constan	Hildenbrand	Melton	Spade
Corriveau	Horn	Meltzer	Stamas
Coulouris	Huckleberry	Miller	Stanley
Crawford	Jackson	Moore	Switalski
Cushingberry	Johnson	Moss	Tlaib
Daley	Jones, Rick	Nathan	Tyler
Dean	Jones, Robert	Neumann	Valentine
Denby	Kandrevas	Opsommer	Walsh
DeShazor	Kennedy	Pavlov	Warren
Dillon	Knollenberg	Pearce	Womack
Donigan	Kowall	Polidori	Young

Nays—1

Amash

In The Chair: Haase

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 70, 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 section 28 (MCL 205.28), as amended by 2003 PA 114.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 70, 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 section 28 (MCL 205.28), as amended by 2003 PA 114.

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

Roll Call No. 499

Yeas—105

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

Nays—0

In The Chair: Haase

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5375, entitled**

A bill to provide for loans, grants, and other assistance for energy efficiency and renewable energy projects; to create a restricted fund; and to provide for the powers and duties of certain state and local governmental officers and entities.

The bill was read a second time.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, line 16, after “department.” by inserting “This subsection is subject to section 3.”.

2. Amend page 2, following line 22, by inserting:

“Sec. 3. If the department provides a grant, loan, or other form of assistance for an energy efficiency or renewable energy project with money received under the American recovery and reinvestment act of 2009, Public Law 111-5, including, but not limited to, money in the fund, the department shall not impose a condition on the assistance that is more restrictive than required under the American recovery and reinvestment act of 2009, Public Law 111-5, other than a reasonable administrative condition.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5375, entitled**

A bill to provide for loans, grants, and other assistance for energy efficiency and renewable energy projects; to create a restricted fund; and to provide for the powers and duties of certain state and local governmental officers and entities.

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

Roll Call No. 500**Yeas—82**

Angerer	Donigan	LeBlanc	Schmidt, R.
Ball	Durhal	Lemmons	Schmidt, W.
Barnett	Ebli	Lindberg	Schuitmaker
Bauer	Espinoza	Lipton	Scott, B.
Bledsoe	Geiss	Liss	Scripps
Bolger	Gonzales	Lori	Segal
Brown, L.	Gregory	Mayes	Sheltrown
Brown, T.	Griffin	McDowell	Slavens
Byrnes	Haase	Meadows	Slezak
Byrum	Hammel	Melton	Smith
Calley	Hansen	Miller	Spade
Caul	Haugh	Moore	Stanley
Clemente	Hildenbrand	Moss	Switalski
Constan	Huckleberry	Nathan	Tlaib

Corriveau	Jackson	Neumann	Tyler
Coulouris	Johnson	Pavlov	Valentine
Crawford	Jones, Robert	Polidori	Walsh
Cushingberry	Kandrevas	Proos	Warren
Dean	Kennedy	Roberts	Womack
DeShazor	Kowall	Rocca	Young
Dillon	Lahti		

Nays—23

Agema	Genetski	Kurtz	Opsommer
Amash	Haines	Lund	Pearce
Booher	Haveman	Marleau	Rogers
Daley	Horn	McMillin	Scott, P.
Denby	Jones, Rick	Meekhof	Stamas
Elsenheimer	Knollenberg	Meltzer	

In The Chair: Haase

The House agreed to the title of the bill.

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

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

Reps. Marleau and Horn moved that their names be removed as co-sponsors of the bill.

The motion prevailed.

Reps. Angerer, Bauer, Constan, Dean, Durhal, Gregory, Haugh, Robert Jones, Kandrevas, Kennedy, Lahti, Lemmons, Liss, McDowell, Meadows, Neumann, Segal, Sheltroun, Slezak and Young were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Motions and Resolutions

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 51.76

Reps. LeBlanc, Booher, Terry Brown, Durhal, Espinoza, Geiss, Gonzales, Gregory, Hammel, Hansen, Haugh, Robert Jones, Lemmons, Polidori, Sheltroun, Valentine, Byrnes, Byrum, Slavens, Rick Jones, Kowall, Marleau, Rogers and Walsh offered the following concurrent resolution:

House Concurrent Resolution No. 30.

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

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

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

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

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

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

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

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, October 14:

House Bill Nos. 5506 5507 5508 5509 5510 5511

The Clerk announced that the following Senate bills had been received on Wednesday, October 14:

Senate Bill Nos. 276 776 852

Reports of Standing Committees

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

House Bill No. 5479, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2008 PA 448.

With the recommendation that the bill be referred to the Committee on New Economy and Quality of Life.

Favorable Roll Call

To Report Out:

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

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on New Economy and Quality of Life.

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, October 14, 2009

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

Absent: Reps. Warren and Meltzer

Excused: Rep. Meltzer

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

House Bill No. 5241, entitled

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

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 14, 2009

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

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

House Bill No. 4876, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703), as amended by 2006 PA 443.

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

Nays: None

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

House Bill No. 5273, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 1084.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker, Haveman and Kowall

Nays: None

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

House Bill No. 5274, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 322, 625n, 732a, and 904d (MCL 257.303, 257.322, 257.625n, 257.732a, and 257.904d), sections 303, 732a, and 904d as amended by 2008 PA 463, section 322 as amended by 2008 PA 462, and section 625n as amended by 2008 PA 539.

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

1. Amend page 8, line 23, by striking out "**FOR THE FIRST YEAR**" and inserting "**DURING THE TIME**".
2. Amend page 8, line 25, after "**PROJECT.**" by striking out the balance of the line through "**LICENSE,**" on line 26 and inserting "**AT THE END OF THE PERSON'S PARTICIPATION IN THE DWI/SOBRIETY COURT PROGRAM,**".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker, Haveman and Kowall

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, October 14, 2009

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

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

House Bill No. 5191, entitled

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

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 14, 2009

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

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

House Bill No. 4759, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513), as amended by 2007 PA 11.

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. Johnson, Haugh, Byrnes, Griffin, Melton, Bettie Scott, Stanley and Rick Jones

Nays: Rep. Stamas

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

House Bill No. 5153, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513), as amended by 2009 PA 48.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Johnson, Haugh, Byrnes, Griffin, Melton, Bettie Scott, Stanley and Rocca

Nays: Rep. Stamas

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

House Bill No. 5508, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 525 and 913 (MCL 436.1525 and 436.1913), section 525 as amended by 2008 PA 218 and section 913 as amended by 2006 PA 131, and by adding section 544.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Johnson, Haugh, Byrnes, Griffin, Melton and Stanley

Nays: Rep. Crawford

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, October 14, 2009

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

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, October 14, 2009

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

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, October 14, 2009

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

Absent: Rep. Nerat

Excused: Rep. Nerat

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, October 14, 2009

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

Messages from the Senate

Senate Bill No. 276, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 709 (MCL 257.709), as amended by 2000 PA 127.

The Senate has passed the bill.

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

Senate Bill No. 776, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 852, entitled

A bill to provide for loans, grants, and other assistance for energy efficiency and renewable energy projects; to create a restricted fund; and to provide for the powers and duties of certain state and local governmental officers and entities.

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Department of Treasury was received and read:

October 9, 2009

Under provisions of the Glenn Steil Revenue Sharing Act, PA 140 of 1971, the Department of Treasury is required to file an annual report with the legislature identifying local units of government that have failed to file required financial data with the Department. That report is attached. For your information, the Department posts the audits received from local units of government on our website at http://www.michigan.gov/treasury/0,1607,7-121-1751_31038---,00.html. If there is any other information or assistance that I can provide, please feel free to contact me at 241-1186.

Larry Steckelberg
Legislative Liaison
Michigan Department of Treasury

The communication was referred to the Clerk.

Introduction of Bills

Reps. Kowall, Crawford, Kurtz, Gregory, McMillin, Moss, Knollenberg, Haines, Polidori, Denby, Marleau, Walsh, Mayes and Meadows introduced

House Bill No. 5512, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 507 (MCL 600.507), as amended by 2006 PA 607.

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

Reps. Kowall, Crawford, Kurtz, Gregory, McMillin, Moss, Knollenberg, Haines, Polidori, Denby, Marleau, Walsh, Mayes and Meadows introduced

House Bill No. 5513, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 550 (MCL 600.550), as amended by 1990 PA 54.

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

Reps. Calley, Genetski, Kurtz, McMillin, Moore, Lund, Walsh, Crawford, Meekhof, Proos, Daley, Pavlov, Stamas, Horn, Hansen, Miller, Lahti, McDowell, DeShazor, Rocca, Moss, Opsommer, Lori, Pearce, Tyler, Booher, Denby, Rick Jones, Agema, Elsenheimer, Hildenbrand, Schuitmaker, Amash, Rogers, Caul, Ball, Wayne Schmidt, Haveman, Bolger, Meltzer, Haines, Knollenberg, Sheltrown, Roy Schmidt, Scripps, Barnett, Segal, Roberts, Polidori, Robert Jones, Johnson, Dean, Mayes, Corriveau, Kennedy and Meadows introduced

House Bill No. 5514, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 1 (MCL 722.111), as amended by 2007 PA 217.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Warren, Dean, Smith, Byrum, Lisa Brown, Liss, Mayes, Tlaib, Roberts and Byrnes introduced

House Bill No. 5515, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending the title and section 302 (MCL 37.2302), the title as amended by 1992 PA 258.

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

Rep. Huckleberry introduced

House Bill No. 5516, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 1 (MCL 722.111), as amended by 2007 PA 217.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Rep. Paul Scott introduced

House Bill No. 5517, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 21a (MCL 169.221a), as added by 1994 PA 411.

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

Reps. Slezak, Paul Scott, Moore, LeBlanc, Bolger, Green, Rick Jones, Lund, Lori, Walsh, Kurtz, McMillin, Dean, Genetski, Wayne Schmidt, Haveman, Daley, Knollenberg, Kowall, Hansen, Spade, Sheltroun and Mayes introduced

House Joint Resolution II, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 28 to article I, to establish the right to life of all human beings from the beginning of their biological development.

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

Rep. Espinoza moved that the House adjourn.

The motion prevailed, the time being 3:05 p.m.

Associate Speaker Pro Tempore Haase declared the House adjourned until Thursday, October 15, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives