

No. 111
STATE OF MICHIGAN
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House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Friday, December 18, 2009.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

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

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

e/d/s = entered during session

Rep. Tom Pearce, from the 73rd District, offered the following invocation:

“Dear Jesus,

Let us who serve You never forget the reason for this season. And please reach out with Your love, comfort, healing, hope and strength to meet the needs of each and every citizen of this great state. Amen.”

Rep. Angerer moved that Reps. Bennett, Cushingberry, Durhal, Ebli, Bettie Scott, Smith and Tlaib be excused from today’s session.

The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 5220, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 5522 (MCL 324.5522), as amended by 2007 PA 75.

(The bill was received from the Senate on December 17, with substitute (S-1) and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 110, p. 2579.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 679

Yeas—43

Agema	Elsenheimer	Kurtz	Pearce
Amash	Genetski	Lori	Proos
Ball	Green	Lund	Rocca
Bolger	Haines	Marleau	Rogers
Booher	Hansen	McMillin	Schmidt, W.
Calley	Haveman	Meekhof	Schuitmaker
Caul	Hildenbrand	Meltzer	Scott, P.
Crawford	Horn	Moore	Stamas
Daley	Jones, Rick	Moss	Tyler
Denby	Knollenberg	Opsommer	Walsh
DeShazor	Kowall	Pavlov	

Nays—54

Angerer	Espinoza	Leland	Roberts
Barnett	Geiss	Lemmons	Schmidt, R.
Bauer	Gonzales	Lindberg	Scripps
Bledsoe	Gregory	Lipton	Segal
Brown, L.	Griffin	Liss	Sheltrown
Brown, T.	Haase	Mayes	Slavens
Byrnes	Hammel	McDowell	Slezak
Byrum	Haug	Meadows	Spade
Clemente	Huckleberry	Melton	Stanley
Constan	Jones, Robert	Miller	Switalski
Corriveau	Kandrevas	Nerat	Valentine
Coulouris	Kennedy	Neumann	Warren

Dean
Donigan

Lahti
LeBlanc

Polidori

Young

In The Chair: Byrnes

By unanimous consent the House returned to the order of
Motions and Resolutions

Reps. Knollenberg and Walsh offered the following resolution:

House Resolution No. 192.

A resolution to express the sense of this legislative body that immediate steps must be taken to restore fully the educational funding previously reduced through the so-called 20j veto and the proration per pupil cut.

Whereas, Michigan's schools are facing an untenable situation. Nearly half way through their fiscal year, the public schools of this state have seen their financing reduced dramatically. Two specific and unexpected moves made by the Governor, the line item veto of so-called 20j funding for certain school districts and the proration cut of \$127 in per-pupil funding, are having a devastating impact, as schools scramble mid year to reduce services significantly; and

Whereas, While there is widespread agreement that the current budget situation calls for belt tightening and austerity, we must also realize that no single venture is more important to Michigan's ultimate recovery than the education of the next generation. Without the best learning opportunities for our young people, the state's ability to compete with other states and other countries is seriously compromised; and

Whereas, Citizens in all corners of this state are expressing a strong sense of urgency over restoring the school funding cuts resulting from the proration reduction and the 20j veto. They are upset over the impact of these major and late cuts and are very frustrated that the public's sense of urgency is not reflected in action at the Capitol. Even the Governor's announcement of a delay and possible reduction in the pro-rata cut does little to remedy the serious problems facing our state's public schools; now, therefore, be it

Resolved by the House of Representatives, That we hereby express the sense of this legislative body that immediate steps must be taken to restore fully the educational funding previously reduced through the so-called 20j veto and the proration per pupil cut. These steps shall include this body and the Senate not recessing for Christmas or the Holidays until the previously reduced funding is fully restored; and be it further

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

The resolution was referred to the Committee on Education.

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 Friday, December 18:

House Bill Nos. 5710 5711 5712 5713 5714 5715 5716 5717 5718 5719

Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 5220**, Reps. Lahti, Coulouris and Booher.

By unanimous consent the House returned to the order of
Messages from the Senate

House Bill No. 5220, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5522 (MCL 324.5522), as amended by 2007 PA 75.

The Senate has appointed Senators McManus, Gilbert and Basham as conferees to join with Representatives Lahti, Coulouris and Booher.

The bill was referred to the Conference Committee.

House Concurrent Resolution No. 30.

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

(For text of resolution, see House Journal No. 88, p. 2104.)

The Senate has adopted the concurrent resolution and named Senators Anderson, Barcia, Clarke, Gleason and Scott as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

Messages from the Governor

Date: December 17, 2009

Time: 4:32 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4257 (Public Act No. 182, I.E.), being

An act to amend 1991 PA 179, entitled “An act to regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 310 (MCL 484.2310), as amended by 2005 PA 235.

(Filed with the Secretary of State December 17, 2009, at 4:47 p.m.)

Date: December 17, 2009

Time: 4:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4182 (Public Act No. 183, I.E.), being

An act to amend 2000 PA 489, entitled “An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials,” by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2009 PA 62 and section 8 as amended by 2008 PA 102.

(Filed with the Secretary of State December 17, 2009, at 4:49 p.m.)

Date: December 17, 2009

Time: 4:38 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5298 (Public Act No. 186, I.E.), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1148 (MCL 380.1148).

(Filed with the Secretary of State December 17, 2009, at 4:55 p.m.)

Date: December 17, 2009

Time: 4:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5299 (Public Act No. 187, I.E.), being

An act 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 section 6 (MCL 388.1606), as amended by 2009 PA 121.

(Filed with the Secretary of State December 17, 2009, at 4:57 p.m.)

Date: December 18, 2009

Time: 1:13 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4377 (Public Act No. 188), being

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending the heading of part 129 and sections 12601, 12603, 12611, 12613, 12614, and 12905 (MCL 333.12601, 333.12603, 333.12611, 333.12613, 333.12614, and 333.12905), sections 12601 and 12613 as amended by 1988 PA 315, sections 12603 and 12611 as amended by 1993 PA 217, section 12614 as added by 1988 PA 296, and section 12905 as amended by 1993 PA 242, and by adding sections 12606, 12606a, 12606b, 12610, and 12914; and to repeal acts and parts of acts.

(Filed with the Secretary of State December 18, 2009, at 2:21 p.m.)

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that the Committee on Judiciary be discharged from further consideration of **Senate Bill No. 851**.

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

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

Second Reading of Bills

Senate Bill No. 851, entitled

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

The bill was read a second time.

Rep. Switalski 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. 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. 851, entitled

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

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

Roll Call No. 680

Yeas—95

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

Nays—7

Amash	Lund	Pavlov	Rocca
Hansen	Meltzer	Proos	

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 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending sections 507, 517, and

550 (MCL 600.507, 600.517, and 600.550), section 507 as amended by 2006 PA 607, section 517 as amended by 2006 PA 101, and section 550 as amended by 1990 PA 54.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 5686, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 205 (MCL 257.205), as amended by 1980 PA 398.

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

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

Rep. Angerer 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. Hansen moved to amend the bill as follows:

1. Amend page 2, line 3, after "MORE" by inserting "AND SHALL MAINTAIN AT LEAST 2 OFFICES IN A COUNTY HAVING A POPULATION OF 150,000 OR MORE".

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 2, following line 21, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5673 of the 95th Legislature is enacted into law."

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5686, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 205 (MCL 257.205), as amended by 1980 PA 398.

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

Roll Call No. 681

Yeas—59

Angerer	Espinoza	Leland	Schmidt, R.
Barnett	Geiss	Lemmons	Scripps
Bauer	Gonzales	Lindberg	Segal
Bledsoe	Gregory	Lipton	Sheltrown
Brown, L.	Haase	Liss	Slavens
Brown, T.	Hammel	Mayes	Slezak
Byrnes	Haugh	McDowell	Spade
Byrum	Huckleberry	Meadows	Stanley
Clemente	Jackson	Melton	Switalski
Constan	Johnson	Miller	Valentine

Corriveau	Jones, Robert	Nathan	Walsh
Coulouris	Kandrevas	Nerat	Warren
Dean	Kennedy	Neumann	Womack
Dillon	Lahti	Polidori	Young
Donigan	LeBlanc	Roberts	

Nays—43

Agema	Elsenheimer	Kowall	Pavlov
Amash	Genetski	Kurtz	Pearce
Ball	Green	Lori	Proos
Bolger	Griffin	Lund	Rocca
Booher	Haines	Marleau	Rogers
Calley	Hansen	McMillin	Schmidt, W.
Caul	Haveman	Meekhof	Schuitmaker
Crawford	Hildenbrand	Meltzer	Scott, P.
Daley	Horn	Moore	Stamas
Denby	Jones, Rick	Moss	Tyler
DeShazor	Knollenberg	Opsommer	

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.

Rep. Angerer moved that Rep. Melton be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of
Messages from the Senate

The Speaker laid before the House
House Bill No. 5087, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81101 (MCL 324.81101), as amended by 2004 PA 587.

(The bill was received from the Senate on December 17, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 110, p. 2579.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 682**Yeas—100**

Agema	Donigan	Kowall	Pavlov
Amash	Elsenheimer	Kurtz	Pearce
Angerer	Espinoza	Lahti	Polidori

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

Nays—1

Slavens

In The Chair: Byrnes

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. 33.

A concurrent resolution to urge the U.S. Congress and the U.S. Army Corps of Engineers to take immediate actions to prevent the Asian carp from entering the Great Lakes and to develop long-term strategies to address this problem.

(For text of resolution, see House Journal No. 103, p. 2360.)

The Senate has substituted (S-1) the concurrent resolution as follows:

House Concurrent Resolution No. 33.

A concurrent resolution to urge immediate actions to prevent the Asian carp from entering the Great Lakes and the development of long-term strategies to address this problem.

Whereas, Michigan has been a leader in the fight to keep invasive species out of the Great Lakes. Michigan was the first state to require ocean-going ships to kill invasive species in ballast water before it is discharged in state waters. It successfully defended in federal court a state's right to protect its waters, opening the door to state ballast water regulations throughout the Great Lakes region; and

Whereas, Asian carp are on the verge of invading the Great Lakes. Asian carp have been detected within eight miles of Lake Michigan and are already past the electrical barrier in the Chicago Sanitary and Ship Canal designed to stop them; and

Whereas, If allowed to enter the Great Lakes, Asian carp could become a dominant species in the lakes, further disrupting the ecological balance and threatening fishing and boating on the lakes. Asian carp are voracious feeders that would push out native fish and wildlife. Furthermore, silver carp, one of the two Asian carp species, can jump up to 10 feet out of the water when startled by boats, leading to well-documented injuries to boaters hit by fish weighing up to 70 pounds; and

Whereas, Immediate and decisive action is required to protect the \$7 billion Great Lakes commercial and recreational fishery and the \$9 billion Great Lakes recreational boating industry. The Asian carp threat is imminent, and the time for

half-hearted efforts and investigations has passed. Without a quick and strong response, such as the closure of navigation locks, the efforts of Michigan, the other Great Lakes states, and the federal government will be wasted, and a national treasure will be irrevocably changed; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the U.S. Congress and the U.S. Army Corps of Engineers to take immediate actions to prevent the Asian carp from entering the Great Lakes and to develop long-term strategies to address this problem; and be it further

Resolved, That we urge the Attorney General to work with the attorney generals from the other Great Lakes states to commence immediately legal action to prevent the spread of Asian carp; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the U.S. Army Chief of Engineers, the Division Commander of the U.S. Army Corps of Engineers' Great Lakes and Ohio River Division, the District Commander of the U.S. Army Corps of Engineers' Chicago District, and the Office of the Attorney General.

The Senate has adopted the concurrent resolution as substituted (S-1) and named Senators Anderson, Barcia, Basham, Brater, Clarke, Gleason, Hardiman, Pappageorge, Richardville and Scott as co-sponsors.

The question being on concurring in the substitute (S-1) made to the concurrent resolution by the Senate,
The substitute (S-1) was concurred in.

House Bill No. 5207, entitled

A bill to authorize the state administrative board to release, accept, and convey certain interests in property in Kalamazoo county; to prescribe certain conditions for the release, acceptance, and conveyance of those interests; to provide for certain powers and duties of the department of management and budget in implementing certain conveyances; to provide for disposition of certain revenue; and to repeal certain acts and parts of acts.

The Senate has passed the bill and ordered that it be given immediate effect.

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

Communications from State Officers

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

December 15, 2009

In compliance with the provisions of PA 232, 233, and 234 of 2008, I am forwarding information on the activities of the Department of Treasury in complying with the provisions of the statutes concerning divestment from Iran and Sudan. Please find attached the following:

- Copies of Treasury correspondence to scrutinized companies conducting business in Sudan and Iran.
- A copy of a report update, May 29, 2009, which removes Petroleo Brasileiro from the scrutinized list.
- A copy of the latest reports, dated September 30, 2009, reviewing our investments for businesses on the scrutinized list for Iran and Sudan.
- A listing of the companies from which the state has divested in order to comply with these statutes.

In addition, the Department intends to avail itself of a one-year extension as allowed under MCL 129.300 (2)(b) in implementing the provisions of PA 234 as concerns Syria. The Department continues to work toward developing sufficient information in order to properly implement those provisions.

Larry Steckelberg, Legislative Liaison
Michigan Department of Treasury

The communication was referred to the Clerk.

Introduction of Bills

Reps. Walsh, Knollenberg, Scripps, Haines, Moss, Marleau, Haugh, Agema and Denby introduced

House Bill No. 5720, entitled

A bill to consolidate certain state human resource operations in the department of management and budget; to create certain offices; and to impose certain duties and responsibilities on certain state officials and employees.

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

Reps. Calley, Ball, Bauer, Rick Jones, Byrum, Opsommer and Meadows introduced

House Bill No. 5721, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 2 (MCL 15.262), as amended by 2001 PA 38.

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

Rep. Hansen introduced

House Bill No. 5722, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 205 (MCL 257.205), as amended by 1980 PA 398.

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

Reps. Amash, Agema, Walsh, Marleau, Rick Jones, Knollenberg, Elsenheimer, Rogers, Green, Kowall, Hildenbrand, Denby, Paul Scott, Ball, Opsommer, Lori, Moss, Kurtz, Wayne Schmidt, McMillin, Daley, Stamas, Moore, Lund, Haines, Pearce, Tyler, Haveman, Crawford, Calley, Pavlov, Bolger, Meekhof, Meltzer, DeShazor, Proos, Rocca, Hansen, Schuitmaker, Booher, Horn, Miller, Lipton, Haase, Slavens, Roberts, Kandrevas, Dean, Johnson, Jackson and Tlaib introduced

House Bill No. 5723, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261d (MCL 18.1261d), as added by 2008 PA 193.

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

Reps. Leland, LeBlanc, Durhal, Constan, Liss, Kennedy, Lipton, Cushingberry, McDowell, Lahti, Lindberg, Nerat, Smith, Clemente and Womack introduced

House Bill No. 5724, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

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

Reps. Leland, Valentine, Tlaib, Melton, Womack, Geiss, Constan, Liss and Cushingberry introduced

House Bill No. 5725, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 4706 and 8733 (MCL 600.4706 and 600.8733), section 4706 as added by 1988 PA 104 and section 8733 as amended by 2003 PA 95, and by adding section 2977.

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

Reps. Geiss, Valentine, Tlaib, Melton, Womack, Constan, Liss and Cushingberry introduced

House Bill No. 5726, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending section 9 (MCL 205.429), as amended by 2004 PA 474.

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

Reps. Leland, Valentine, Tlaib, Melton, Womack, Geiss, Constan and Liss introduced

House Bill No. 5727, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 130 (MCL 207.1130).

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

Reps. Melton, Valentine, Tlaib, Womack, Geiss, Constan, Liss and Cushingberry introduced

House Bill No. 5728, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625n (MCL 257.625n), as amended by 2008 PA 539.

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

Reps. Leland, Valentine, Tlaib, Melton, Womack, Geiss, Constan, Liss and Cushingberry introduced

House Bill No. 5729, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7523 (MCL 333.7523), as amended by 2006 PA 130.

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

Reps. Bettie Scott, Valentine, Tlaib, Melton, Womack, Geiss, Constan, Liss and Cushingberry introduced

House Bill No. 5730, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159n and 535a (MCL 750.159n and 750.535a), section 159n as added by 1995 PA 187 and section 535a as amended by 2006 PA 129.

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

Reps. Johnson, Switalski and Donigan introduced

House Bill No. 5731, entitled

A bill to create a regional transit authority; to provide regional transportation; to prescribe certain powers and duties of the authority and of certain state agencies and officials; to authorize the levy of taxes and to provide for the issuance of bonds and notes; and to provide for the pledge of taxes, revenues, assessments, tax levies, and other funds for bond and note payments.

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

Reps. Switalski, Johnson and Donigan introduced

House Bill No. 5732, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10c, 10h, 10l, and 10n (MCL 247.660c, 247.660h, 247.660l, and 247.660n), section 10c as amended by 2008 PA 485, section 10h as amended by 2002 PA 498, section 10l as amended by 1987 PA 234, and section 10n as amended by 2002 PA 329.

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

Reps. Donigan, Switalski and Johnson introduced

House Bill No. 5733, entitled

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 4 (MCL 474.104), as amended by 1989 PA 233.

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

Announcements by the Clerk

December 17, 2009

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of the Saginaw Correctional Facility, Department of Corrections, December 2009.

Richard J. Brown
Clerk of the House

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that Rule 34 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that when the House adjourns today it stand adjourned until Saturday, December 19, at 12:01 a.m.
The motion prevailed.

Rep. Bolger moved that the House adjourn.
The motion prevailed, the time being 11:59 p.m.

The Speaker Pro Tempore declared the House adjourned until Saturday, December 19, at 12:01 a.m.

RICHARD J. BROWN
Clerk of the House of Representatives

