

No. 56
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2010

House Chamber, Lansing, Tuesday, June 8, 2010.

1:30 p.m.

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

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

| | | | |
|----------------------|-----------------------|------------------|---------------------|
| Agema—present | Durhal—present | Kurtz—present | Polidori—present |
| Amash—present | Ebli—present | Lahti—present | Proos—present |
| Angerer—present | Elsenheimer—present | LeBlanc—present | Roberts—present |
| Ball—present | Espinoza—present | Leland—present | Rocca—present |
| Barnett—present | Geiss—present | Lemmons—present | Rogers—present |
| Bauer—present | Genetski—present | Lindberg—present | Schmidt, R.—present |
| Bennett—present | Gonzales—present | Lipton—present | Schmidt, W.—present |
| Bledsoe—present | Green—present | Liss—present | Schuitmaker—present |
| Bolger—present | Gregory—present | Lori—present | Scott, B.—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—present |
| Clemente—present | Hildenbrand—present | Melton—present | Spade—present |
| Constan—present | Horn—present | Meltzer—present | Stamas—present |
| Corriveau—present | Huckleberry—present | Miller—present | Stanley—present |
| Crawford—present | Jackson—excused | Moore—present | Switalski—present |
| Cushingberry—present | Johnson—present | Moss—present | Tlaib—present |
| Daley—present | Jones, Rick—present | Nathan—present | Tyler—present |
| Dean—present | Jones, Robert—present | Nerat—present | Valentine—present |
| Denby—present | Kandrevas—present | Neumann—present | Walsh—present |
| DeShazor—present | Kennedy—present | Opsommer—present | Warren—present |
| Dillon—present | Knollenberg—present | Pavlov—present | Womack—present |
| Donigan—present | Kowall—present | Pearce—present | Young—present |

e/d/s = entered during session

Rep. Barb Byrum, from the 67th District, offered the following invocation:

“Good Afternoon:

A person of faith once said to ‘Do all the good you can, by all the means you can, in all the ways you can, in all the places you can, at all times you can, to all the people you can, as long as you can.’

I implore you to reach into your hearts to protect the freedoms we so deeply cherish in accordance with the values in which each one of us believes.

Join me in a moment of silence to reflect on how our individual beliefs should guide us towards the best for the people of this great state.

Thank you.”

Rep. Melton moved that Reps. Jackson and Bettie Scott be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 151.

A resolution to memorialize the Congress of the United States to increase funding available for beach water quality monitoring.

(For text of resolution, see House Journal No. 71 of 2009, p. 1486.)

(The resolution was reported by the Committee on Great Lakes and Environment on May 27.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

Senate Concurrent Resolution No. 37.

A concurrent resolution to urge inclusion of an addendum to address aquatic invasive species in the Great Lakes Water Quality Agreement.

(For text of concurrent resolution, see House Journal No. 31, p. 471.)

(The concurrent resolution was reported by the Committee on Great Lakes and Environment on May 27.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

Senate Concurrent Resolution No. 38.

A concurrent resolution to urge the Great Lakes-St. Lawrence River Basin Water Resources Council to scrutinize carefully the proposed diversion at Waukesha, Wisconsin.

(For text of concurrent resolution, see House Journal No. 31, p. 472.)

(The concurrent resolution was reported by the Committee on Great Lakes and Environment on May 27.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Messages from the Senate

The Speaker laid before the House

House Bill No. 5363, entitled

A bill to amend 1990 PA 187, entitled “The pupil transportation act,” by amending sections 51 and 53 (MCL 257.1851 and 257.1853), as amended by 2006 PA 108.

(The bill was received from the Senate on June 2, with substitute (S-4), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 55, p. 871.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 238**Yeas—106**

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

Nays—0

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.

Second Reading of Bills**Senate Bill No. 763, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing sections 11 and 12 (MCL 750.11 and 750.12).

The bill was read a second time.

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

The motion prevailed.

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

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

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

Senate Bill No. 763, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing sections 11 and 12 (MCL 750.11 and 750.12).

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

Roll Call No. 239

Yeas—106

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

Nays—0

In The Chair: Byrnes

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

Rep. Melton 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. 764, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2004 PA 216.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 764, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2004 PA 216.

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

Roll Call No. 240

Yeas—106

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

Nays—0

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The House agreed to the full title.

Rep. Melton 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. 765, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing chapter LXVI (MCL 750.442 to 750.447).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 765, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing chapter LXVI (MCL 750.442 to 750.447).

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

Roll Call No. 241

Yeas—106

| | | | |
|-----------|-------------|----------|-------------|
| Agema | Durhal | Lahti | Polidori |
| Amash | Ebli | LeBlanc | Proos |
| Angerer | Elsenheimer | Leland | Roberts |
| Ball | Espinoza | Lemmons | Rocca |
| Barnett | Geiss | Lindberg | Rogers |
| Bauer | Genetski | Lipton | Schmidt, R. |
| Bennett | Gonzales | Liss | Schmidt, W. |
| Bledsoe | Green | Lori | Schuitmaker |
| Bolger | Gregory | Lund | Scott, P. |
| Booher | Griffin | Marleau | Scripps |
| Brown, L. | Haase | Mayes | Segal |
| Brown, T. | Haines | McDowell | Sheltrown |

| | | | |
|--------------|---------------|----------|-----------|
| Byrnes | Hammel | McMillin | Slavens |
| Byrum | Hansen | Meadows | Slezak |
| Calley | Haugh | Meekhof | Smith |
| Caul | Haveman | Melton | Spade |
| Clemente | Hildenbrand | Meltzer | Stamas |
| Constan | Horn | Miller | Stanley |
| Corriveau | Huckleberry | Moore | Switalski |
| Crawford | Johnson | Moss | Tlaib |
| Cushingberry | Jones, Rick | Nathan | Tyler |
| Daley | Jones, Robert | Nerat | Valentine |
| Dean | Kandrevas | Neumann | Walsh |
| Denby | Kennedy | Opsommer | Warren |
| DeShazor | Knollenberg | Pavlov | Womack |
| Dillon | Kowall | Pearce | Young |
| Donigan | Kurtz | | |

Nays—0

In The Chair: Byrnes

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

Rep. Melton 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. 766, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16v of chapter XVII (MCL 777.16v), as amended by 2008 PA 412.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 766, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16v of chapter XVII (MCL 777.16v), as amended by 2008 PA 412.

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

Roll Call No. 242

Yeas—106

| | | | |
|---------|-------------|---------|----------|
| Agema | Durhal | Lahti | Polidori |
| Amash | Ebli | LeBlanc | Proos |
| Angerer | Elsenheimer | Leland | Roberts |
| Ball | Espinoza | Lemmons | Rocca |

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

Nays—0

In The Chair: Byrnes

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The House agreed to the full title.

Rep. Melton 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. 767, entitled

A bill to amend 2004 PA 403, entitled “Michigan unarmed combat regulatory act,” by amending section 22 (MCL 338.3622), as amended by 2007 PA 196.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 767, entitled

A bill to amend 2004 PA 403, entitled “Michigan unarmed combat regulatory act,” by amending section 22 (MCL 338.3622), as amended by 2007 PA 196.

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

Roll Call No. 243

Yeas—106

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

Nays—0

In The Chair: Byrnes

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

“An act to regulate certain forms of boxing; to create certain commissions and to provide certain powers and duties for certain state agencies and departments; to license and regulate certain persons engaged in boxing, certain persons connected to the business of boxing, and certain persons conducting certain contests and exhibitions; to confer immunity under certain circumstances; to provide for the conducting of certain tests; to assess certain fees; to create certain funds; to promulgate rules; to provide for penalties and remedies; and to repeal acts and parts of acts.”

The House agreed to the full title.
Rep. Melton 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. 5211, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending sections 203 and 501 (MCL 125.3203 and 125.3501), section 501 as amended by 2008 PA 12.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5211, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending sections 203 and 501 (MCL 125.3203 and 125.3501), section 501 as amended by 2008 PA 12.

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

Roll Call No. 244

Yeas—69

| | | | |
|--------------|---------------|----------|-------------|
| Angerer | Durhal | Kennedy | Roberts |
| Ball | Ebli | Lahti | Schmidt, R. |
| Barnett | Elsenheimer | LeBlanc | Schmidt, W. |
| Bauer | Espinoza | Leland | Scripps |
| Bennett | Geiss | Lemmons | Segal |
| Bledsoe | Gonzales | Lindberg | Sheltrown |
| Booher | Gregory | Lipton | Slavens |
| Brown, L. | Griffin | Liss | Slezak |
| Brown, T. | Haase | Mayes | Smith |
| Byrnes | Haines | McDowell | Spade |
| Byrum | Hammel | Meadows | Stanley |
| Clemente | Haugh | Melton | Switalski |
| Constan | Huckleberry | Miller | Tlaib |
| Corriveau | Johnson | Nathan | Valentine |
| Cushingberry | Jones, Rick | Nerat | Warren |
| Dean | Jones, Robert | Neumann | Womack |
| Dillon | Kandrevas | Polidori | Young |
| Donigan | | | |

Nays—37

| | | | |
|--------|-------------|----------|--------|
| Agema | Green | Lund | Pearce |
| Amash | Hansen | Marleau | Proos |
| Bolger | Haveman | McMillin | Rocca |
| Calley | Hildenbrand | Meekhof | Rogers |

| | | | |
|----------|-------------|----------|-------------|
| Caul | Horn | Meltzer | Schuitmaker |
| Crawford | Knollenberg | Moore | Scott, P. |
| Daley | Kowall | Moss | Stamas |
| Denby | Kurtz | Opsommer | Tyler |
| DeShazor | Lori | Pavlov | Walsh |
| Genetski | | | |

In The Chair: Byrnes

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

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

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending section 203 (MCL 125.3203).

The motion prevailed.

The House agreed to the title as amended.

Rep. Melton 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. 5212, entitled

A bill to amend 2008 PA 33, entitled “Michigan planning enabling act,” by amending sections 3, 31, 33, 39, and 41 (MCL 125.3803, 125.3831, 125.3833, 125.3839, and 125.3841).

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5212, entitled

A bill to amend 2008 PA 33, entitled “Michigan planning enabling act,” by amending sections 3, 31, 33, 39, and 41 (MCL 125.3803, 125.3831, 125.3833, 125.3839, and 125.3841).

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

Roll Call No. 245

Yeas—69

| | | | |
|-----------|-------------|----------|-------------|
| Angerer | Durhal | Kennedy | Roberts |
| Ball | Ebli | Lahti | Schmidt, R. |
| Barnett | Elsenheimer | LeBlanc | Schmidt, W. |
| Bauer | Espinoza | Leland | Scripps |
| Bennett | Geiss | Lemmons | Segal |
| Bledsoe | Gonzales | Lindberg | Sheltrown |
| Booher | Gregory | Lipton | Slavens |
| Brown, L. | Griffin | Liss | Slezak |
| Brown, T. | Haase | Mayes | Smith |
| Byrnes | Haines | McDowell | Spade |
| Byrum | Hammel | Meadows | Stanley |
| Clemente | Haugh | Melton | Switalski |

| | | | |
|--------------|---------------|----------|-----------|
| Constan | Huckleberry | Miller | Tlaib |
| Corriveau | Johnson | Nathan | Valentine |
| Cushingberry | Jones, Rick | Nerat | Warren |
| Dean | Jones, Robert | Neumann | Womack |
| Dillon | Kandrevas | Polidori | Young |
| Donigan | | | |

Nays—37

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

In The Chair: Byrnes

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

The Speaker Pro Tempore called Associate Speaker Pro Tempore Scripps to the Chair.

Second Reading of Bills

Senate Bill No. 1157, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2011; to provide for the expenditures of those appropriations; 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. Agema moved to amend the bill as follows:

1. Amend page 27, following line 22, by inserting:

“Sec. 486. It is the intent of the legislature that each public university shall submit a report to the house and senate appropriations committees by October 15, 2010, on the university’s efforts to accommodate the sincerely held religious beliefs of students enrolled in counseling degree programs at the university.”

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

Rep. Genetski moved to amend the bill as follows:

1. Amend page 11, following line 22, by inserting:

“Sec. 217. A university receiving an appropriation in part 1 shall agree to develop, post, and maintain a user-friendly and publicly accessible Internet site, with all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. The universities 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.”

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

Rep. Haines moved to amend the bill as follows:

1. Amend page 11, following line 22, by inserting:

“Sec. 217. A university 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 line items appropriated in sections 102 through 116 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 university shall provide the senate and house appropriations subcommittees on higher education, 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.

Reps. Hildenbrand and Dean moved to amend the bill as follows:

1. Amend page 27, following line 22, by inserting:

“Sec. 484. It is the intent of the legislature that each public university that has received a donation of human embryos that is subject to section 27 of article I of the state constitution of 1963, or that is conducting ongoing research using human embryonic stem cells derived from donated human embryos pursuant to section 27 of article I of the state constitution of 1963, shall submit a report to the director of the department of community health by December 1, 2010 that includes all of the following:

(a) The number of human embryos and the number of human embryo stem cell lines received by the university during fiscal year 2009-2010.

(b) The number of human embryos utilized for research purposes during fiscal year 2009-2010.

(c) The number of human embryo stem cell lines created from the embryos received during fiscal year 2009-2010.

(d) The number of donated human embryos being held in storage by the university as of September 30, 2010.

(e) The number of research projects using human embryonic stem cells derived from donated embryos being conducted by the university.”.

The question being on the adoption of the amendment offered by Reps. Hildenbrand and Dean,

Rep. Melton demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Hildenbrand and Dean,

The amendment was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 246

Yeas—58

| | | | |
|-------------|-------------|----------|-------------|
| Agema | Espinoza | Lori | Pearce |
| Amash | Genetski | Lund | Proos |
| Bolger | Green | Marleau | Rocca |
| Booher | Haines | Mayes | Rogers |
| Brown, T. | Hansen | McDowell | Schmidt, R. |
| Calley | Haveman | McMillin | Schmidt, W. |
| Caul | Hildenbrand | Meekhof | Schuitmaker |
| Constan | Horn | Meltzer | Scott, P. |
| Crawford | Huckleberry | Moore | Sheltrown |
| Daley | Jones, Rick | Moss | Slezak |
| Dean | Knollenberg | Nerat | Spade |
| Denby | Kowall | Neumann | Stamas |
| DeShazor | Kurtz | Opsommer | Tyler |
| Ebli | Lahti | Pavlov | Walsh |
| Elsenheimer | LeBlanc | | |

Nays—48

| | | | |
|---------|---------|-----------|---------|
| Angerer | Dillon | Kandrevas | Roberts |
| Ball | Donigan | Kennedy | Scripps |
| Barnett | Durhal | Leland | Segal |
| Bauer | Geiss | Lemmons | Slavens |

| | | | |
|--------------|---------------|----------|-----------|
| Bennett | Gonzales | Lindberg | Smith |
| Bledsoe | Gregory | Lipton | Stanley |
| Brown, L. | Griffin | Liss | Switalski |
| Byrnes | Haase | Meadows | Tlaib |
| Byrum | Hammel | Melton | Valentine |
| Clemente | Haugh | Miller | Warren |
| Corriveau | Johnson | Nathan | Womack |
| Cushingberry | Jones, Robert | Polidori | Young |

In The Chair: Scripps

Rep. McMillin moved to amend the bill as follows:

1. Amend page 38, following line 26, by inserting:

“Enacting section 1. This act does not take effect unless House Joint Resolution AAA of the 95th Legislature is approved by 3/4 of the members in each chamber.”.

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 38, following line 26, by inserting:

“Enacting section 1. This act does not take effect unless House Joint Resolution AAA of the 95th Legislature is agreed to by 2/3 of the members of each house 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. Agema moved to amend the bill as follows:

1. Amend page 10, following line 25, by inserting:

(4) If a state institution of higher education fails to comply with section 217, the state treasurer shall withhold 5% from the monthly installments under subsection (1) paid to the university until the requirements of section 217 are met.”.

2. Amend page 11, following line 22, by inserting:

“Sec. 217. In light of sections 1, 3, and 4 of 1846 RS 83, MCL 551.1, 551.3, and 551.4, and section 1 of 1939 PA 168, MCL 551.271, a state institution of higher education receiving funding under this article shall not use funds appropriated in part 1 to extend employee benefits to the unmarried partners of the institution of higher education’s employees.”.

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

Rep. Bauer 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 to amend the bill as follows:

1. Amend page 11, following line 22, by inserting:

“Sec. 218. In an effort to better improve transparency and to further identify effective educational practices, it is the intent of the legislature that a public university 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 public university 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 public university shall not expend more than \$100.00 from the appropriations in part 1 to implement the requirements of this section.”.

2. Amend page 20, following line 16, by inserting:

“Sec. 318. It is the intent of the legislature that, when additional state revenue becomes available, 1 of the foremost priorities for the expenditure of any additional revenue in the higher education budget will be to fund a broad-based postsecondary financial aid grant or scholarship program to assist and invest in Michigan students.”.

3. Amend page 27, following line 22, by inserting:

“Sec. 481. It is the intent of the legislature to consider an appropriation of funds for grants to universities for the purpose of hiring a consultant when a university is exploring the possibility of creating an urban center or core in its community.”.

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

Rep. Hildenbrand moved to amend the bill as follows:

1. Amend page 27, following line 22, by inserting:

“Sec. 484. It is the intent of the legislature that each public university that has received a donation of human embryos that is subject to section 27 of article I of the state constitution of 1963, or that is conducting ongoing research using

human embryonic stem cells derived from donated human embryos pursuant to section 27 of article I of the state constitution of 1963, shall submit a report to the director of the department of community health by December 1, 2010 that includes all of the following:

(a) The number of human embryos and the number of human embryonic stem cell lines received by the university during fiscal year 2009-2010.

(b) The number of human embryos utilized for research purposes during fiscal year 2009-2010.

(c) The number of human embryo stem cell lines created from the embryos received during fiscal year 2009-2010.

(d) The number of donated human embryos being held in storage by the university as of September 30, 2010.

(e) The number of research projects using human embryonic stem cells derived from donated embryos being conducted by the university.”

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1157, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2011; to provide for the expenditures of those appropriations; 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:

Roll Call No. 247

Yeas—55

| | | | |
|--------------|---------------|----------|-----------|
| Angerer | Donigan | Kandreas | Sripps |
| Ball | Durhal | Kennedy | Segal |
| Barnett | Ebli | Leland | Sheltrown |
| Bauer | Espinoza | Lemmons | Slavens |
| Bennett | Geiss | Lindberg | Smith |
| Bledsoe | Gonzales | Lipton | Stanley |
| Brown, L. | Gregory | Liss | Switalski |
| Byrnes | Griffin | Meadows | Tlaib |
| Byrum | Haase | Melton | Valentine |
| Clemente | Hammel | Miller | Walsh |
| Constan | Haugh | Nathan | Warren |
| Corriveau | Huckleberry | Nerat | Womack |
| Cushingberry | Johnson | Polidori | Young |
| Dillon | Jones, Robert | Roberts | |

Nays—51

| | | | |
|-----------|-------------|----------|-------------|
| Agema | Genetski | Lori | Pearce |
| Amash | Green | Lund | Proos |
| Bolger | Haines | Marleau | Rocca |
| Booher | Hansen | Mayes | Rogers |
| Brown, T. | Haveman | McDowell | Schmidt, R. |
| Calley | Hildenbrand | McMillin | Schmidt, W. |
| Caul | Horn | Meekhof | Schuitmaker |
| Crawford | Jones, Rick | Meltzer | Scott, P. |
| Daley | Knollenberg | Moore | Slezak |
| Dean | Kowall | Moss | Spade |

Denby
DeShazor
Elsenheimer

Kurtz
Lahti
LeBlanc

Neumann
Opsommer
Pavlov

Stamas
Tyler

In The Chair: Scripps

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

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

The Speaker, on behalf of the entire membership offered the following resolution:

House Resolution No. 294.

A resolution to recognize the perfect game pitched by Armando Galarraga of the Detroit Tigers on June 2, 2010, against the Cleveland Indians.

Whereas, The Detroit Tigers are an important part of our great state and provide countless hours of entertainment to our citizens every summer; and

Whereas, A perfect game, a no-hitter where no opposing player reaches a base, is pitched very rarely. This feat is so difficult only 20 perfect games have been pitched in the history of major league baseball. The Detroit Tigers have never pitched a perfect game before; and

Whereas, Armando Galarraga, a native of Venezuela, has spent the last two seasons with the Detroit Tigers. On Wednesday, June 2, 2010, he threw 88 pitches, of which 67 were strikes; and

Whereas, Umpire James Joyce, had called the last out incorrectly and has admitted it. Armando Galarraga responded with poise and class and returned to the mound to finish the game; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body offer this expression of our highest tribute to honor Armando Galarraga of the Detroit Tigers, for his perfect game that was pitched on June 2, 2010, against the Cleveland Indians; and be it further

Resolved, That copies of this resolution be transmitted to Armando Galarraga and the Detroit Tigers as evidence of our lasting esteem for his perfect game.

The question being on the adoption of the resolution,

Rep. Melton demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 248

Yeas—101

| | | | |
|-----------|-------------|----------|-------------|
| Agema | Elsenheimer | LeBlanc | Polidori |
| Angerer | Espinoza | Leland | Proos |
| Ball | Geiss | Lemmons | Rocca |
| Barnett | Gonzales | Lindberg | Rogers |
| Bauer | Green | Lipton | Schmidt, R. |
| Bennett | Gregory | Liss | Schmidt, W. |
| Bledsoe | Griffin | Lori | Schuitmaker |
| Bolger | Haase | Lund | Scott, P. |
| Booher | Haines | Marleau | Scripps |
| Brown, L. | Hammel | Mayes | Segal |
| Brown, T. | Hansen | McDowell | Sheltrown |
| Byrnes | Haugh | McMillin | Slavens |
| Byrum | Haveman | Meadows | Slezak |
| Clemente | Hildenbrand | Meekhof | Smith |
| Constan | Horn | Melton | Spade |

| | | | |
|--------------|---------------|----------|-----------|
| Corriveau | Huckleberry | Meltzer | Stamas |
| Crawford | Johnson | Miller | Stanley |
| Cushingberry | Jones, Rick | Moore | Switalski |
| Daley | Jones, Robert | Moss | Tlaib |
| Dean | Kandrevas | Nathan | Tyler |
| Denby | Kennedy | Nerat | Valentine |
| DeShazor | Knollenberg | Neumann | Walsh |
| Dillon | Kowall | Opsommer | Warren |
| Donigan | Kurtz | Pavlov | Womack |
| Durhal | Lahti | Pearce | Young |
| Ebli | | | |

Nays—5

| | | | |
|--------|------|----------|---------|
| Amash | Caul | Genetski | Roberts |
| Calley | | | |

In The Chair: Scripps

Rep. Genetski, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

While I greatly appreciate the talent and skill that a perfect game takes to pitch in Major League Baseball, I feel that there are many more pressing issues before state government at this time like unemployment, a struggling economy, a \$1.6 billion budget deficit, and increasing tuition. My personal congratulations go out to Mr. Galarraga and the entire Tigers organization, but I feel the legislature’s time and energy are better focused on other issues.”

Rep. Calley, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

There are many important amendments that are denied record roll call votes by House leadership. This resolution not only received time on the schedule, but it got a record roll call vote. While I do believe that a perfect game pitched in the MLB is worthy of congratulations, this resolution does not rise to the level of importance given it in the context of other issues facing the state today.”

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 Thursday, June 3:

| | | | | | | | | | | |
|-------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| House Bill Nos. | 6235 | 6236 | | | | | | | | |
| Senate Bill Nos. | 1361 | 1362 | 1363 | 1364 | 1365 | 1366 | 1367 | 1368 | 1369 | 1370 |

The Clerk announced that the following Senate bills had been received on Tuesday, June 8:

| | | | | | | | |
|-------------------------|------------|------------|-------------|-------------|-------------|-------------|-------------|
| Senate Bill Nos. | 978 | 979 | 1015 | 1016 | 1017 | 1251 | 1266 |
|-------------------------|------------|------------|-------------|-------------|-------------|-------------|-------------|

Reports of Standing Committees

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

House Bill No. 6206, entitled

A bill relating to the promotion of convention business and tourism in this state; to provide for regional tourism and convention marketing and promotion programs in certain areas; to provide for imposition and collection of assessments on the owners of transient facilities to support tourism and convention marketing and promotion programs; to provide for

the disbursement of the assessments; to establish the functions and duties of certain state departments and employees; and to prescribe penalties and 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. Sheltroun, Slezak, Ebli, Huckleberry, Lindberg, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

House Bill No. 6235, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 409 (MCL 208.1409), as amended by 2008 PA 572.

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. Sheltroun, Slezak, Ebli, Huckleberry, LeBlanc, Lindberg, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheltroun, Chair, of the Committee on Tourism, Outdoor Recreation and Natural Resources, was received and read:

Meeting held on: Tuesday, June 8, 2010

Present: Reps. Sheltroun, Slezak, Ebli, Huckleberry, LeBlanc, Lindberg, Stanley, Stamas, Bolger, Hansen and Horn

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Leland, Chair, of the Committee on Urban Policy, was received and read:

Meeting held on: Tuesday, June 8, 2010

Present: Reps. Leland, Barnett, Segal, Stanley, Womack, Paul Scott, Hansen, Meltzer and Pavlov

Absent: Reps. Nathan and Meadows

Excused: Reps. Nathan and Meadows

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Corriveau, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Tuesday, June 8, 2010

Present: Reps. Corriveau, Segal, Byrum, Donigan, Griffin, Haase, Liss, Neumann, Roy Schmidt, Slavens, Valentine, Womack, Marleau, Ball, Crawford, Denby, Green, Moore and Paul Scott

Absent: Reps. Johnson and Calley

Excused: Reps. Johnson and Calley

Messages from the Senate

House Bill No. 5274, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 625n, 732a, and 904d (MCL 257.303, 257.625n, 257.732a, and 257.904d), sections 303, 732a, and 904d as amended by 2008 PA 463 and section 625n as amended by 2008 PA 539, and by adding section 304.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 219, 303, 319, 625n, 626, 732a, and 904d (MCL 257.219, 257.303, 257.319, 257.625n, 257.626, 257.732a, and 257.904d), section 219 as amended by 2005 PA 317, sections 303, 319, 626, 732a, and 904d as amended by 2008 PA 463, and section 625n as amended by 2008 PA 539, and by adding section 304.

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

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.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Hardiman, Jelinek and Clark-Coleman as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 1152, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Kahn, Pappageorge and Cherry as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 1154, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Jelinek, Brown and Switalski as conferees.

The message was referred to the Clerk for record.

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.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators McManus, Jelinek and Brater as conferees.

The message was referred to the Clerk for record.

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, 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, 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, 388.1631f, 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, 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.

The Senate has nonconcurred in the House substitute (H-4) and appointed Senators Jelinek, Brown and Switalski as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 978, entitled

A bill to amend 2003 PA 260, entitled "Tax reverted clean title act," by amending sections 2 and 3 (MCL 211.1022 and 211.1023).

The Senate has passed the bill.

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

Senate Bill No. 979, entitled

A bill to amend 2003 PA 258, entitled "Land bank fast track act," by amending sections 3 and 23 (MCL 124.753 and 124.773).

The Senate has passed the bill.

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

Senate Bill No. 1015, entitled

A bill to amend 2003 PA 258, entitled "Land bank fast track act," by amending section 2 (MCL 124.752).

The Senate has passed the bill.

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

Senate Bill No. 1016, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7ll.

The Senate has passed the bill.

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

Senate Bill No. 1017, 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 Senate has passed the bill.

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

Senate Bill No. 1251, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 2009 PA 209.

The Senate has passed the bill.

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

Senate Bill No. 1266, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7gg (MCL 211.7gg), as added by 2003 PA 261.

The Senate has passed the bill.

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

Messages from the Governor

Date: June 3, 2010

Time: 9:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5749 (Public Act No. 88, I.E.), 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 section 17967 (MCL 333.17967), as added by 2008 PA 471.

(Filed with the Secretary of State June 7, 2010, at 9:12 a.m.)

Date: June 3, 2010

Time: 9:34 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5406 (Public Act No. 89, I.E.), being

An act 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.

(Filed with the Secretary of State June 7, 2010, at 9:14 a.m.)

Communications from State Officers

The following communications from the Department of Energy, Labor and Economic Growth's Office of Financial and Insurance Regulation were received and read:

June 7, 2010

Pursuant to MCL 500.2409, the Commissioner of the Office of Financial and Insurance Regulation is required to make a determination as to whether a reasonable degree of competition in the workers' compensation insurance market exists. Be advised that the State of Competition in the Workers' Compensation Insurance Market report is attached to this correspondence.

If you have any questions or concerns, please feel free to contact Jenita Moore, Deputy Commissioner for Policy at (517) 373-1866.

June 7, 2010

Pursuant to MCL 500.3515, the Commissioner of the Office of Financial and Insurance Regulation is required to make a determination as to whether the greater copayment and coinsurance levels allowed by the amendatory act that added this subsection have increased the number of employers who have contracted for health maintenance organization services and whether these levels have increased the number of enrollees receiving health maintenance organization services. Be advised that the annual report required by MCL 500.3515 is attached to this correspondence.

If you have any questions or concerns, please feel free to contact Jenita Moore, Deputy Commissioner for Policy at (517) 373-1866.

June 7, 2010

Pursuant to MCL 500.3721, the Commissioner of the Office of Financial and Insurance Regulation is required to make a determination as to whether a reasonable degree of competition in the small employer carrier health market exists on a statewide basis. Be advised that the State of Competition in the Small Employer Carrier Health Insurance Market report is attached to this correspondence.

If you have any questions or concerns, please feel free to contact Jenita Moore, Deputy Commissioner for the Policy Division at (517) 373-1866.

June 7, 2010

Pursuant to MCL 500.2213b(7), the Commissioner of the Office of Financial and Insurance Regulation is required to issue an annual report compiling the gross written premium for short-term or one-time limited duration policies or certificates issued in Michigan during the preceding calendar year. Be advised that the annual report required by MCL 500.2213b(7) is attached to this correspondence.

If you have any questions or concerns, please feel free to contact Jenita Moore, Deputy Commissioner for Policy at (517) 373-1866.

Felicia A. Barnes, Executive Secretary
Office of Financial & Insurance Regulation
Policy Division
Phone: 517-373-1866
Fax: 517-335-1727
Email: barnesf1@michigan.gov

The communications were referred to the Clerk.

Introduction of Bills

Rep. Sheltroun introduced

House Bill No. 6237, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 415 (MCL 208.1415). The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. McMillin introduced

House Bill No. 6238, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90h. The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. McMillin introduced

House Bill No. 6239, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2005 PA 336.

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

Reps. Corriveau and Ball introduced

House Bill No. 6240, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3406f, 3503, and 3539 (MCL 500.3406f, 500.3503, and 500.3539), section 3406f as added by 1996 PA 517, section 3503 as amended by 2006 PA 366, and section 3539 as amended by 2005 PA 306, and by adding chapter 37A.

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

Reps. Ball and Corriveau introduced

House Bill No. 6241, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 402b (MCL 550.1402b), as amended by 1999 PA 7, and by adding section 220.

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

Rep. Clemente introduced

House Bill No. 6242, entitled

A bill to create the Michigan new economy commission; to provide for its operation; to impose duties on certain state and local officials; to make recommendations and make certain reports; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Rep. Clemente introduced

House Bill No. 6243, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 1, 2, 3, 4, 7, and 17 (MCL 125.1651, 125.1652, 125.1653, 125.1654, 125.1657, and 125.1667), section 1 as amended by 2008 PA 225, section 2 as amended by 1985 PA 159, section 3 as amended by 2005 PA 115, section 4 as amended by 2006 PA 279, section 7 as amended by 2008 PA 226, and section 17 as amended by 1993 PA 122.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Rep. Lipton moved that the House adjourn.

The motion prevailed, the time being 4:35 p.m.

Associate Speaker Pro Tempore Scripps declared the House adjourned until Wednesday, June 9, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

