

No. 108  
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**House of Representatives**  
95th Legislature  
REGULAR SESSION OF 2009

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House Chamber, Lansing, Tuesday, December 15, 2009.

10:00 a.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	Lahti—present	Proos—present
Amash—present	Ebli—present	LeBlanc—present	Roberts—present
Angerer—present	Elsenheimer—present	Leland—present	Rocca—present
Ball—present	Espinoza—present	Lemmons—present	Rogers—present
Barnett—present	Geiss—present	Lindberg—present	Schmidt, R.—present
Bauer—present	Genetski—excused	Lipton—present	Schmidt, W.—present
Bennett—excused	Gonzales—present	Liss—present	Schuitmaker—present
Bledsoe—present	Green—present	Lori—present	Scott, B.—excused
Bolger—present	Gregory—present	Lund—present	Scott, P.—excused
Booher—present	Griffin—present	Marleau—present	Scripps—present
Brown, L.—present	Haase—present	Mayes—present	Segal—present
Brown, T.—present	Haines—present	McDowell—present	Sheltrown—present
Byrnes—present	Hammel—present	McMillin—present	Simpson—excused
Byrum—present	Hansen—present	Meadows—present	Slavens—present
Calley—present	Haugh—present	Meekhof—present	Slezak—present
Caul—present	Haveman—present	Melton—present	Smith—present
Clemente—present	Hildenbrand—present	Meltzer—present	Spade—present
Constan—present	Horn—present	Miller—present	Stamas—excused
Corriveau—present	Huckleberry—present	Moore—present	Stanley—present
Coulouris—present	Jackson—present	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—present	Tlaib—present
Cushingberry—excused	Jones, Rick—present	Nerat—excused	Tyler—present
Daley—present	Jones, Robert—present	Neumann—present	Valentine—present
Dean—present	Kandrevas—present	Opsommer—present	Walsh—present
Denby—present	Kennedy—present	Pavlov—present	Warren—present
DeShazor—present	Knollenberg—present	Pearce—present	Womack—present
Dillon—excused	Kowall—present	Polidori—excused	Young—present
Donigan—present	Kurtz—present		

e/d/s = entered during session

Rep. Douglas A. Geiss, from the 22nd District, offered the following invocation:

“Dear Lord,

We praise You for leading us through this difficult year.

We praise You for reminding us that there is more right in this world than is wrong.

It is through You that we acknowledge that what unites us as Michiganders and U.S. Citizens is far stronger than any one disagreement can undo.

We are reminded that the land You have entrusted to us is a beautiful jewel and that the state of Michigan, while having faced a difficult year, will recover and prosper with Your good graces.

For we are like brothers and sisters: often each others toughest critics, but yet if ever challenged by any other, we are each others strongest supporters.

Let us also remember that You said that there is no greater love than to lay down your life for a friend.

So, at this time, let us remember those Michigan service men and women who have given the ultimate sacrifice, and may we know that it is through their love of their State, their Country and their brothers and sisters that we are able to assemble here today. Amen.”

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Rep. Angerer moved that Reps. Bennett, Cushingberry, Dillon, Nerat, Polidori, Bettie Scott and Simpson be excused from today’s session.

The motion prevailed.

Rep. Wayne Schmidt moved that Reps. Genetski, Paul Scott and Stamas be excused from today’s session.

The motion prevailed.

### Reports of Standing Committees

The Speaker laid before the House

#### **House Concurrent Resolution No. 30.**

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

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

(The concurrent resolution was reported by the Committee on Intergovernmental and Regional Affairs on December 8.)

The question being on the adoption of the concurrent resolution,

Rep. LeBlanc moved to substitute (H-1) the resolution as follows:

#### **Substitute for House Concurrent Resolution No 30.**

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

Whereas, Section 77 of Chapter 14 of the Revised Statutes of 1846, being MCL § 51.77, as added by 1978 PA 416, being MCL § 51.77, provides funding for county secondary road patrol services pursuant to an agreement with the Office of Criminal Justice, which, pursuant to Executive Order No. 1989 – 4, is now the Office of Highway Safety Planning within the Department of State Police. An agreement also provides a maintenance of law enforcement effort standard for counties providing these secondary road patrol services, unless it is recognized that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 76 of Chapter 14 of the Revised Statutes of 1846 (MCL § 51.76), permits road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a road patrol agreement is void if the city or village reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 77 of Chapter 14 provides a formula for funding county secondary road patrol services. This formula permits road patrol services provided by county sheriff departments to cities and villages to be eligible for secondary road patrol funding as long as the city or village complies with the MCL § 51.76 law enforcement maintenance of effort requirement, unless any reduction is recognized to be due to cuts in general services due to economic conditions; and

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

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

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

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

**House Resolution No. 186.**

A 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. 2359.)

(The resolution was reported by the Committee on Great Lakes and Environment on December 10.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**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 resolution was reported by the Committee on Great Lakes and Environment on December 10.)

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Agema, Angerer, Barnett, Bauer, Bledsoe, Booher, Lisa Brown, Terry Brown, Byrnes, Byrum, Calley, Clemente, Constan, Corriveau, Crawford, Daley, Dean, DeShazor, Donigan, Ebli, Elsenheimer, Espinoza, Geiss, Gonzales, Gregory, Griffin, Haase, Haines, Hammel, Hansen, Haugh, Haveman, Hildenbrand, Horn, Huckleberry, Johnson, Rick Jones, Robert Jones, Kandrevas, Kennedy, Knollenberg, Kowall, Kurtz, Lahti, LeBlanc, Leland, Lindberg, Lipton, Liss, Lori, Marleau, Mayes, McDowell, Meadows, Meekhof, Melton, Miller, Moore, Nathan, Neumann, Opsommer, Pavlov, Pearce, Proos, Roberts, Rocca, Rogers, Roy Schmidt, Wayne Schmidt, Schuitmaker, Scripps, Segal, Slavens, Slezak, Smith, Spade, Stanley, Switalski, Tlaib, Valentine and Womack were named co-sponsors of the concurrent resolution.

The Speaker laid before the House

**Senate Concurrent Resolution No. 28.**

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 concurrent resolution, see House Journal No. 104, p. 2389.)

(The concurrent resolution was reported by the Committee on Great Lakes and Environment on December 10.)

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. 4327, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending section 202 (MCL 37.2202), as amended by 1991 PA 11.

(The bill was received from the Senate on December 10, 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. 107, p. 2483.)

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. 626****Yeas—89**

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

**Nays—11**

Amash	Byrnes	Kennedy	Tlaib
Barnett	Haase	Lipton	Warren
Brown, L.	Haugh	Roberts	

In The Chair: Byrnes

The House agreed to the full title.

Reps. Angerer, Bauer, Terry Brown, Constan, Crawford, DeShazor, Espinoza, Geiss, Gonzales, Gregory, Hansen, Horn, Robert Jones, Lori, Marleau, Miller, Moss, Proos, Rocca, Schuitmaker, Stanley, Tyler and Valentine were named co-sponsors of the bill.

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

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

“Mr. Speaker and members of the House:

HB 4327 makes a wholly redundant and unnecessary amendment to the Elliott-Larsen civil rights act.

The act already provides that an employer may not discriminate against an individual for any employment-related purpose on the basis of sex (MCL 37.2202).

The act also provides that ‘sex’ includes, but is not limited to, pregnancy, childbirth, or a medical condition related to pregnancy or childbirth that does not include nontherapeutic abortion not intended to save the life of the mother (MCL 37.2201).

HB 4327 is 100% politics and 0% substance. The only effect it will have is to increase legal costs as lawyers waste their time researching the reasons for the redundancy.”

The Speaker laid before the House

**House Bill No. 5574, entitled**

A bill to amend 2006 PA 480, entitled “Uniform video services local franchise act,” (MCL 484.3301 to 484.3314) by adding section 15.

(The bill was received from the Senate on December 10, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 107, p. 2483.)

The question being on concurring in the amendment made to the bill by the Senate,

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

**Roll Call No. 627**

**Yeas—96**

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

**Nays—4**

Agema	Amash	McMillin	Meltzer
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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.

Rep. Angerer moved that House Committees be given leave to meet during the balance of today's session. The motion prevailed.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Angerer moved that when the House adjourns today it stand adjourned until Wednesday, December 16, at 10:00 a.m.

The motion prevailed.

### 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 11:

<b>House Bill Nos.</b>	<b>5678</b>	<b>5679</b>	<b>5680</b>	<b>5681</b>	<b>5682</b>	<b>5683</b>	<b>5684</b>	<b>5685</b>	<b>5686</b>	<b>5687</b>	<b>5688</b>	<b>5689</b>	<b>5690</b>	<b>5691</b>
	<b>5692</b>	<b>5693</b>	<b>5694</b>	<b>5695</b>	<b>5696</b>	<b>5697</b>								
<b>Senate Bill Nos.</b>	<b>1014</b>	<b>1015</b>	<b>1016</b>	<b>1017</b>	<b>1018</b>	<b>1019</b>	<b>1020</b>	<b>1021</b>	<b>1022</b>	<b>1023</b>	<b>1024</b>	<b>1025</b>	<b>1026</b>	<b>1027</b>
	<b>1028</b>	<b>1029</b>	<b>1030</b>											

The Clerk announced the enrollment printing and presentation to the Governor on Monday, December 14, for her approval of the following bills:

**Enrolled House Bill No. 4218 at 3:04 p.m.**

**Enrolled House Bill No. 4377 at 3:06 p.m.**

**Enrolled House Bill No. 5298 at 3:08 p.m.**

**Enrolled House Bill No. 5299 at 3:10 p.m.**

### Reports of Standing Committees

The Committee on Transportation, by Rep. Byrnes, Chair, reported

**House Bill No. 5141, entitled**

A bill to amend 1917 PA 253, entitled "An act to authorize the transfer of moneys from the general fund of counties, in certain instances, to the county road fund of said counties, to be used in the construction, maintenance and repair of highways," by amending section 1 (MCL 247.121).

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. Byrnes, Kandrevas, Haugh, Roy Schmidt, Young, Opsommer, Bolger, DeShazor, Knollenberg and Wayne Schmidt

Nays: None

The Committee on Transportation, by Rep. Byrnes, Chair, reported

**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.

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

1. Amend page 4, line 5, after "IF" by inserting "**THE DRIVER OF THE SCHOOL BUS IS EMPLOYED AS A SCHOOL BUS DRIVER ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBDIVISION AND**".

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Byrnes, Kandrevas, Donigan, Geiss, Griffin, Haugh, Roy Schmidt, Young, Opsommer, Bolger, DeShazor, Knollenberg and Wayne Schmidt

Nays: None

The Committee on Transportation, by Rep. Byrnes, Chair, reported

**House Bill No. 5461, entitled**

A bill to provide for the establishment of a private source of funding for public infrastructure; to prescribe the powers and duties of certain public entities; to finance public infrastructure through public and private sources; to authorize the acquisition and disposal of interests in real and personal property; to authorize certain public and private entity partnerships; to authorize the creation and implementation of certain plans and negotiated benefit areas; to promote economic development; to authorize the use of tax increment financing; to prescribe powers and duties of certain state and local officials; to provide for rule promulgation; and to provide for enforcement of the act.

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. Byrnes, Kandrevas, Donigan, Geiss, Griffin, Haugh, Roy Schmidt, Young, Pearce and Wayne Schmidt

Nays: Rep. Opsommer

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 15, 2009

Present: Reps. Byrnes, Kandrevas, Donigan, Geiss, Griffin, Haugh, Roy Schmidt, Young, Opsommer, Bolger, DeShazor, Knollenberg, Pearce and Wayne Schmidt

Absent: Reps. Leland, Nerat and Paul Scott

Excused: Reps. Leland, Nerat and Paul Scott

The Committee on Energy and Technology, by Rep. Mayes, Chair, reported

**House Bill No. 5654, entitled**

A bill to amend 2008 PA 295, entitled "Clean, renewable, and efficient energy act," by amending section 51 (MCL 460.1051).

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. Mayes, Geiss, Clemente, Ebli, Huckleberry, Johnson, Lindberg, Lipton, Melton, Roberts, Horn, Crawford, Marleau, Opsommer, Proos and Wayne Schmidt

Nays: None

The Committee on Energy and Technology, by Rep. Mayes, Chair, reported

**House Bill No. 5680, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 253 (MCL 206.253), as added by 2008 PA 287.

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. Mayes, Geiss, Lisa Brown, Clemente, Ebli, Huckleberry, Johnson, Lindberg, Lipton, Melton, Roberts, Horn, Crawford, Marleau, Opsommer, Proos and Wayne Schmidt

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mayes, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Tuesday, December 15, 2009

Present: Reps. Mayes, Geiss, Lisa Brown, Clemente, Ebli, Huckleberry, Johnson, Lindberg, Lipton, Melton, Roberts, Horn, Crawford, Marleau, Opsommer, Proos, Wayne Schmidt and Schuitmaker

Absent: Rep. Scripps

Excused: Rep. Scripps

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Monday, December 14, 2009

Present: Reps. Meadows, Lipton, Constan, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker, Amash and Kowall

Absent: Reps. Lisa Brown, Corriveau, Haveman, Rick Jones and Rocca

## Messages from the Senate

**Senate Bill No. 926, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 29, 94a, and 101 (MCL 388.1603, 388.1606, 388.1629, 388.1694a, and 388.1701), as amended by 2009 PA 121, and by adding section 9.

The Senate has nonconcurrent in the House substitute (H-2) and appointed Senators Kuipers, Van Woerkom and Thomas as conferees.

The message was referred to the Clerk for record.

**Senate Bill No. 981, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 449, 504, 507, 1246, 1280, and 1536 (MCL 380.449, 380.504, 380.507, 380.1246, 380.1280, and 380.1536), section 449 as amended by 2004 PA 303, section 504 as amended by 2008 PA 1, section 507 as amended by 1995 PA 289, section 1246 as amended by 2004 PA 148, section 1280 as amended by 2006 PA 123, and section 1536 as added by 2006 PA 335, and by adding sections 11c, 1249, 1280c, and 1280d.

The Senate has nonconcurrent in the House substitute (H-2) and appointed Senators Kuipers, Van Woerkom and Thomas as conferees.

The message was referred to the Clerk for record.

## Messages from the Governor

Date: December 11, 2009

Time: 3:55 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4674 (Public Act No. 159, I.E.), being**

An act to amend 2007 PA 36, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business,

and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations," by amending section 431a (MCL 208.1431a), as added by 2008 PA 92.

(Filed with the Secretary of State December 14, 2009, at 9:50 a.m.)

Date: December 14, 2009

Time: 4:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4658 (Public Act No. 173, I.E.), being**

An act to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.11) by adding section 9o.

(Filed with the Secretary of State December 15, 2009, at 9:03 a.m.)

Date: December 14, 2009

Time: 4:12 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4673 (Public Act No. 174, I.E.), being**

An act to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.11) by adding section 9r.

(Filed with the Secretary of State December 15, 2009, at 9:05 a.m.)

### Introduction of Bills

Reps. Barnett, Donigan, Stanley, Constan, Liss, Haugh and Kennedy introduced

**House Bill No. 5698, entitled**

A bill to amend 1967 PA 288, entitled "Land division act," by amending sections 102, 151, 172, 173, 198, 210, 224a, 229, 242, 244, 255b, 256, 257, and 290 (MCL 560.102, 560.151, 560.172, 560.173, 560.198, 560.210, 560.224a, 560.229, 560.242, 560.244, 560.255b, 560.256, 560.257, and 560.290), section 102 as amended by 1996 PA 591 and section 224a as amended by 1996 PA 219.

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

Reps. Kennedy, Liss, Spade, Switalski, Valentine, Haugh, Barnett, Cushingberry, Haase, Womack and Slavens introduced **House Bill No. 5699, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5838a and 5851 (MCL 600.5838a and 600.5851), section 5838a as amended by 1993 PA 78 and section 5851 as amended by 1993 PA 283.

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

Reps. Scripps, Meekhof, Byrnes, Griffin, Robert Jones and Warren introduced

**House Bill No. 5700, entitled**

A bill to amend 2008 PA 295, entitled "Clean, renewable, and efficient energy act," by amending sections 5, 7, 173, 175, and 177 (MCL 460.1005, 460.1007, 460.1173, 460.1175, and 460.1177).

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

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Rep. Terry Brown moved that the House adjourn.

The motion prevailed, the time being 12:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, December 16, at 10:00 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives