

No. 57
STATE OF MICHIGAN
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House Chamber, Lansing, Wednesday, June 9, 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—excused	Gonzales—present	Lipton—present	Schmidt, W.—present
Bledsoe—present	Green—present	Liss—present	Schuitmaker—present
Bolger—present	Gregory—present	Lori—present	Scott, B.—present
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—e/d/s	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. Brian N. Calley, from the 87th District, offered the following invocation:

“Lord, this state needs You now. Help us to return to the beginning, to the first day of this nation, when we called You the Creator. When we acknowledged that our unalienable rights of Life, Liberty and the Pursuit of Happiness, come from You. I Corinthians 16:9: ‘For a great door and effectual is opened unto me,’ and, Lord, that is so true for everyone in this room and for the citizens of this state. But walking through that door does not promise us a parade on the other side, for the second part of that verse says, ‘and there are many adversaries.’ Give us courage to face down those adversaries. Give us the strength to overcome them and we will give You the Glory. In Jesus’ name, Amen.”

Rep. Angerer moved that Rep. Bennett be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House
House Resolution No. 187.

A resolution to express support for active transportation infrastructure options that promote walking and bicycle usage and reduce childhood obesity.

(For text of resolution, see House Journal No. 105 of 2009, p. 2407.)

(The resolution was reported by the Committee on Transportation on May 27.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House
House Concurrent Resolution No. 34.

A concurrent resolution to express support for active transportation infrastructure options that promote walking and bicycle usage and reduce childhood obesity.

(For text of concurrent resolution, see House Journal No. 105 of 2009, p. 2409.)

(The concurrent resolution was reported by the Committee on Transportation on May 27.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Third Reading of Bills

House Bill No. 5889, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2011; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

(The bill was read a third time and postponed for the day on March 25, see House Journal No. 31, p. 462.)

The question being on the passage of the bill,

Rep. Agema moved to amend the bill as follows:

1. Amend page 9, line 7, by striking out “551,352,700” and inserting “564,192,700”.
2. Amend page 9, line 8, by striking out “307,403,800” and inserting “314,563,800”.
3. Amend page 9, line 9, by striking out “1,468,944,100” and inserting “1,488,944,100”.
4. Amend page 9, line 17, by striking out “894,756,500” and inserting “914,756,500” and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 34, following line 15, by inserting:

“Sec. 505. The appropriation to county road commissions and cities and villages in part 1 includes the recognition of \$20,000,000.00 to be redirected from the 21st century jobs fund to the Michigan transportation fund for distribution to county road commissions and cities and villages in accordance with the provision of 1951 PA 51.”.

The motion was seconded and the amendments were not adopted, a majority of the members serving not voting therefor. The question being on the passage of the bill,

Rep. Moss moved to amend the bill as follows:

1. Amend page 19, following line 12, by inserting:

“Sec. 236. (1) The department shall provide a detailed monthly spending report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget director if the department was found to have exceeded its spending authority in the immediately preceding fiscal year.

(2) The monthly report shall be provided by the department director no later than the 15th day of each month and shall innumerate all expenditures made in the previous month. This report shall be provided to the senate and house appropriations committees though testimony delivered under oath.”.

The motion was seconded and the amendment was not adopted, a majority of the members serving not voting therefor. The question being on the passage of the bill,

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

The motion was seconded and the substitute (H-5) was adopted, a majority of the members serving voting therefor. The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 249

Yeas—59

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

Nays—47

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

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.

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

“Mr. Speaker and members of the House:

This bill takes money from the general fund to spend on roads, but it fails to identify where in the general fund the money is actually going to come from.

Roads are absolutely a priority, but so is having a balanced budget. It is utterly irresponsible to spend money that the state does not have on the hopes that funds will be found later. These types of short-sighted decisions are setting the stage for yet another budget crisis and yet another tax hike.

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

Second Reading of Bills

House Bill No. 6129, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 15a (MCL 125.2665a), as added by 2008 PA 154.

The bill was read a second time.

Rep. Roy Schmidt 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. 6129, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 15a (MCL 125.2665a), as added by 2008 PA 154.

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

Roll Call No. 250

Yeas—85

Angerer	Ebli	Kurtz	Rocca
Ball	Espinoza	Lahti	Schmidt, R.
Barnett	Geiss	LeBlanc	Schmidt, W.
Bauer	Gonzales	Leland	Scott, B.
Bledsoe	Green	Lemmons	Scripps
Booher	Gregory	Lindberg	Segal
Brown, L.	Griffin	Lipton	Sheltrown
Brown, T.	Haase	Liss	Slavens
Byrnes	Haines	Lori	Slezak
Byrum	Hammel	Lund	Smith
Calley	Haugh	Mayes	Spade
Caul	Haveman	McDowell	Stamas
Clemente	Hildenbrand	Meadows	Stanley
Constan	Horn	Melton	Switalski
Corriveau	Huckleberry	Moss	Tlaib

Crawford
Cushingberry
Dean
Denby
Dillon
Donigan
Durhal

Johnson
Jones, Rick
Jones, Robert
Kandrevas
Kennedy
Knollenberg

Nathan
Nerat
Neumann
Pearce
Polidori
Roberts

Tyler
Valentine
Walsh
Warren
Womack
Young

Nays—21

Agema
Amash
Bolger
Daley
DeShazor
Elsenheimer

Genetski
Hansen
Kowall
Marleau
McMillin

Meekhof
Meltzer
Miller
Moore
Opsommer

Pavlov
Proos
Rogers
Schuitmaker
Scott, P.

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.

Second Reading of Bills

House Bill No. 6203, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending sections 2 and 16 (MCL 125.2782 and 125.2796), section 2 as amended by 2006 PA 70.

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

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

Rep. Clemente 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. 6203, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending sections 2 and 16 (MCL 125.2782 and 125.2796), section 2 as amended by 2006 PA 70.

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

Roll Call No. 251

Yeas—91

Angerer
Ball
Barnett
Bauer

Espinoza
Geiss
Gonzales
Green

LeBlanc
Leland
Lemmons
Lindberg

Roberts
Rocca
Schmidt, R.
Schmidt, W.

Bledsoe	Gregory	Lipton	Scott, B.
Booher	Griffin	Liss	Scripps
Brown, L.	Haase	Lori	Segal
Brown, T.	Haines	Lund	Sheltrown
Byrnes	Hammel	Mayes	Slavens
Byrum	Hansen	McDowell	Slezak
Calley	Haugh	Meadows	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
Dean	Jones, Robert	Nerat	Valentine
Denby	Kandrevas	Neumann	Walsh
Dillon	Kennedy	Pavlov	Warren
Donigan	Knollenberg	Pearce	Womack
Durhal	Kurtz	Polidori	Young
Ebli	Lahti	Proos	

Nays—15

Agema	DeShazor	Marleau	Rogers
Amash	Elsenheimer	McMillin	Schuitmaker
Bolger	Genetski	Meekhof	Scott, P.
Daley	Kowall	Opsommer	

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 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending sections 6 and 16 (MCL 125.2786 and 125.2796).

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.

Rep. Jackson entered the House Chambers.

Second Reading of Bills

House Bill No. 4556, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 675d (MCL 257.675d), as amended by 2008 PA 171.

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

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

Rep. Green 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. 4556, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 675d (MCL 257.675d), as amended by 2008 PA 171.

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

Roll Call No. 252

Yeas—103

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

Nays—4

Bolger	Griffin	Miller	Rocca
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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.

Second Reading of Bills

Senate Bill No. 1153, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

Rep. Smith moved to amend the bill as follows:

1. Amend page 18, line 2, after “professionals,” by inserting “pharmacists, pharmacy technicians,”.

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

Rep. Proos moved to amend the bill as follows:

1. Amend page 6, line 8, by striking out “100” and inserting “(320,000,000)” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 30, following line 19, by inserting:

“Sec. 233. (1) The negative appropriation in part 1 for inmate housing fund represents correctional cost savings of \$320,000,000 which roughly equates to an \$7,111.00 reduction in the department’s annual cost per prisoner to place Michigan in line with the average cost per prisoner of comparable states and shall be satisfied by cost savings realized through departmental savings and efficiencies directly or indirectly affecting its cost per offender.

(2) Appropriation authorization adjustments required due to negative appropriations for correctional cost savings shall be made only after the approval of transfers by the legislature under section 393 of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) By March 1, 2011, the department shall report to the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status of actions taken to meet the savings identified in this section.”.

The question being on the adoption of the amendments offered by Proos,

Rep. Proos demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Proos,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 253

Yeas—43

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

Nays—64

Angerer	Ebli	LeBlanc	Schmidt, R.
Barnett	Espinoza	Leland	Scott, B.

Bauer	Geiss	Lemmons	Scripps
Bledsoe	Gonzales	Lindberg	Segal
Brown, L.	Gregory	Lipton	Sheltrown
Brown, T.	Griffin	Liss	Slavens
Byrnes	Haase	Mayes	Slezak
Byrum	Hammel	McDowell	Smith
Clemente	Haugh	Meadows	Spade
Constan	Huckleberry	Melton	Stanley
Corriveau	Jackson	Miller	Switalski
Cushingberry	Johnson	Nathan	Tlaib
Dean	Jones, Robert	Nerat	Valentine
Dillon	Kandrevas	Neumann	Warren
Donigan	Kennedy	Polidori	Womack
Durhal	Lahti	Roberts	Young

In The Chair: Byrnes

Rep. Proos moved to amend the bill as follows:

1. Amend page 12, following line 21, by inserting:

“Sec. 112. CORRECTIONS COST SAVINGS

Corrections cost savings	\$ (68,800,000)
GROSS APPROPRIATION	\$ (68,800,000)

Appropriated from:

Special revenue funds:

State general fund/general purpose	\$ (68,800,000)”
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and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 30, following line 19, by inserting:

“Sec. 233. (1) The negative appropriation in part 1 for correctional cost savings of \$68,800,000.00 represents the identified employee economic increases for salaries and wages, insurance, and retirement in sections 106, 107, 108, 109, and 110 of part 1 that directly impact and increase the cost per prisoner per day for an average prisoner population of 45,000 by \$4.19 over the appropriations under 2009 PA 114 for the same functions for the fiscal year ending September 30, 2010, and expresses the directive of the legislature that the department identify savings to offset the effect of those employee economic increases.

(2) Appropriation authorization adjustments required due to negative appropriations for correctional cost savings shall be made only after the approval of transfers by the legislature under section 393 of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) By March 1, 2011, the department shall report to the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status of actions taken to meet the savings identified in this section.”.

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

Rep. Proos moved to amend the bill as follows:

1. Amend page 12, following line 21, by inserting:

“Sec. 112. CORRECTIONS COST SAVINGS

Corrections cost savings	\$ (46,689,200)
GROSS APPROPRIATION	\$ (46,689,200)

Appropriated from:

Special revenue funds:

State general fund/general purpose	\$ (46,689,200)”
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and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 30, following line 19, by inserting:

“Sec. 233. (1) The negative appropriation in part 1 for correctional cost savings of \$46,689,200.00 represents the identified employee economic increases for salaries and wages, insurance, and retirement in sections 106, 107, 108, 109, and 110 of part 1 that are directly attributable to the 3% classified civil service pay raise and that directly impact and increase the cost per prisoner per day for an average prisoner population of 45,000 by \$2.84 over the appropriations under 2009 PA 114 for the same functions for the fiscal year ending September 30, 2010, and expresses the directive of the legislature that the department identify savings to offset the effect of those employee economic increases.

(2) Appropriation authorization adjustments required due to negative appropriations for correctional cost savings shall be made only after the approval of transfers by the legislature under section 393 of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) By March 1, 2011, the department shall report to the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status of actions taken to meet the savings identified in this section.”.

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

Rep. Moss moved to amend the bill as follows:

1. Amend page 32, following line 7, by inserting:

“Sec. 236. (1) The department shall provide a detailed monthly spending report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget director if the department was found to have exceeded its spending authority in the immediately preceding fiscal year.

(2) The monthly report shall be provided by the department director no later than the 15th day of each month and shall innumerate all expenditures made in the previous month. This report shall be provided to the senate and house appropriations committees through testimony delivered under oath.”.

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. 1153, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

Roll Call No. 254

Yeas—63

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

Nays—44

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

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.

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

Rep. Melton moved that Rule 41 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Melton moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.
The motion prevailed, 3/5 of the members present voting therefor.

Reps. Agema, Genetski, Kurtz, Moore, Crawford, McMillin, Walsh, Bolger, Haveman, Booher, Meekhof, Hildenbrand, Calley, Proos, Tyler, Paul Scott, Meltzer, Rick Jones, Moss, Marleau, Lund, Caul, Daley, Horn, Pavlov and Rogers offered the following resolution:

House Resolution No. 295.

A resolution to express support for Arizona's new legislation regarding immigration and to oppose any boycott of Arizona businesses.

Whereas, The state of Arizona has recently taken action in response to problems its citizens face as the result of illegal immigration. The strong reaction in some quarters to Arizona's enactment of a measure to require law enforcement personnel to take action reflects a lack of full appreciation of the ineffectiveness of federal immigration laws and policies to safeguard our border; and

Whereas, The United States is in the midst of a major wave of immigration. Unlike other periods of high immigration in our nation's history, the newcomers to this country in recent years include a very large percentage of illegal immigrants. In spite of the fact that there have been calls for federal action for many years to deal with illegal immigration, very few effective steps have been taken until now. Arizona's action demonstrates a sensitivity to the public's concerns about safety, as well as economic and other issues; and

Whereas, Arizona's location, on the front lines of the immigration issue, makes this entire matter much more than the theoretical debate it can become elsewhere in the country. When she signed the law, which requires police personnel to make a reasonable attempt to determine a person's immigration status when there is reasonable suspicion, Arizona Governor Jan Brewer addressed concerns about racial profiling and called for proper training to prevent it from occurring; and

Whereas, Arizona's actions may yet propel the federal government to step up to its responsibilities at long last. Calls for boycotts or other actions toward Arizona do not reflect the realities of immigration, the needs of the people of Arizona, or the will of the American people; now, therefore, be it

Resolved by the House of Representatives, That we express support for Arizona's new legislation regarding immigration and oppose any boycott of Arizona businesses; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of Arizona.

The resolution was referred to the Committee on Judiciary.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, June 9:

House Bill Nos.	6237	6238	6239	6240	6241	6242	6243	
Senate Bill Nos.	1371	1372	1373	1374	1375	1376	1377	1378

The Clerk announced that the following Senate bill had been received on Wednesday, June 9:

Senate Bill No. 1343

Reports of Standing Committees

The Committee on Ethics and Elections, by Rep. Angerer, Chair, reported

House Bill No. 6163, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2912i.

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

Favorable Roll Call

To Report Out:

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

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Judiciary.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Angerer, Chair, of the Committee on Ethics and Elections, was received and read:

Meeting held on: Wednesday, June 9, 2010

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

Absent: Rep. Pearce

Excused: Rep. Pearce

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

House Bill No. 6175, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 560.

With the recommendation that the bill be referred to the Committee on Health Policy.

Favorable Roll Call

To Report Out:

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

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Health Policy.

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

House Bill No. 6176, entitled

A bill to establish the American Red Cross Michigan fund in the department of community health; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

With the recommendation that the bill be referred to the Committee on Health Policy.

Favorable Roll Call

To Report Out:

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

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Health Policy.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 9, 2010

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

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

Senate Bill No. 470, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 1029.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Johnson, Haugh, Byrnes, Stanley, Switalski, Crawford, Rick Jones and Stamas

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Johnson, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, June 9, 2010

Present: Reps. Johnson, Haugh, Byrnes, Stanley, Switalski, Crawford, Rick Jones and Stamas

Absent: Reps. Melton, Bettie Scott and Rocca

Excused: Reps. Melton, Bettie Scott and Rocca

The Committee on Agriculture, by Rep. Huckleberry, Chair, reported

House Bill No. 5280, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 1105 and 1109 (MCL 289.1105 and 289.1109), section 1105 as amended by 2008 PA 338 and section 1109 as amended by 2007 PA 113, and by adding section 4102.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Huckleberry, Mayes, Barnett, Griffin, Haase, Nerat, Valentine, Tyler, Daley, Hansen and Kurtz

Nays: None

The Committee on Agriculture, by Rep. Huckleberry, Chair, reported

House Bill No. 5837, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 1105 and 1109 (MCL 289.1105 and 289.1109), section 1105 as amended by 2008 PA 338 and section 1109 as amended by 2007 PA 113, and by adding section 4102.

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. Huckleberry, Mayes, Barnett, Griffin, Haase, Nerat, Valentine, Tyler, Daley, Hansen and Kurtz

Nays: None

The Committee on Agriculture, by Rep. Huckleberry, Chair, reported

House Bill No. 5843, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 4105 (MCL 289.4105), as amended by 2007 PA 113.

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. Huckleberry, Mayes, Barnett, Griffin, Haase, Nerat, Valentine, Tyler, Daley, Hansen and Kurtz

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Huckleberry, Chair, of the Committee on Agriculture, was received and read:
Meeting held on: Wednesday, June 9, 2010

Present: Reps. Huckleberry, Mayes, Barnett, Griffin, Haase, Nerat, Valentine, Tyler, Daley, Hansen and Kurtz

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

House Bill No. 5175, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding sections 1060, 1060a, 1060b, 1062, 1064, 1066, 1068, and 1070.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Byrnes, Constan, Kandrevas, Schuitmaker and Kowall

Nays: None

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

House Bill No. 5482, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding sections 1060c and 1072.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Byrnes, Constan, Kandrevas, Schuitmaker and Kowall
Nays: None

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

House Bill No. 5483, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 1 of chapter XIIA (MCL 712A.1), as amended by 2001 PA 211, and by adding section 18s.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Byrnes, Constan, Kandrevas, Schuitmaker and Kowall
Nays: None

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

House Bill No. 5484, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 18r to chapter XIIA.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Byrnes, Constan, Kandrevas, Schuitmaker and Kowall
Nays: None

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

House Bill No. 5485, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 1 of chapter XIIA (MCL 712A.1), as amended by 2001 PA 211.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Byrnes, Constan, Kandrevas, Schuitmaker and Kowall
Nays: None

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

House Bill No. 5486, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 18q to chapter XIIA.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Byrnes, Constan, Kandreas, Schuitmaker and Kowall

Nays: None

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

House Bill No. 5487, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 18n to chapter X11A.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Constan, Kandreas, Schuitmaker, Amash and Kowall

Nays: Rep. Byrnes

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

House Bill No. 5488, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 18o to chapter X11A.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Byrnes, Constan, Kandreas, Schuitmaker and Kowall

Nays: None

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

House Bill No. 5489, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 18p to chapter X11A.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Byrnes, Constan, Kandreas, Schuitmaker and Kowall

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 9, 2010

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

Absent: Rep. Corriveau

Excused: Rep. Corriveau

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Wednesday, June 9, 2010

Present: Reps. Clemente, Stanley, Byrnes, Geiss, Griffin, Leland, Segal, Knollenberg, Bolger, Denby and Tyler

Notices

Pursuant to Rule 41 as suspended, the Speaker has made the following reassignments:

Senate Bill No. 1085 referred to the Committee on Labor on June 9, 2010.

Senate Bill No. 1086 referred to the Committee on Labor on June 9, 2010.

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 5882**.

Rep. Angerer

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 6135, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 33b (MCL 791.233b), as amended by 1994 PA 217.

The Senate has passed the bill by a 3/4 vote, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 6136, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2006 PA 574.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 6137, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 171 (MCL 750.171).

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

Senate Bill No. 1343, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 434 (MCL 208.1434), as amended by 2009 PA 240.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Moore introduced

House Bill No. 6244, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48703 (MCL 324.48703), as amended by 2008 PA 291.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Reps. Clemente and Griffin introduced

House Bill No. 6245, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 15a (MCL 125.1415a), as amended by 1994 PA 363, and by adding section 18.

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

Rep. Angerer introduced

House Bill No. 6246, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 322 (MCL 168.322), as amended by 2003 PA 302.

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

Rep. Angerer introduced

House Bill No. 6247, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 4 (MCL 168.4), as amended by 2003 PA 302.

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

Rep. Donigan introduced

House Bill No. 6248, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 642a (MCL 168.642a), as amended by 2005 PA 71.

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

Rep. Donigan introduced

House Bill No. 6249, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 381 (MCL 168.381), as amended by 2006 PA 122.

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

Rep. Genetski introduced

House Bill No. 6250, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3406q (MCL 500.3406q), as amended by 2003 PA 88.

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

Reps. Lahti, McDowell, Lindberg, Nerat, Smith, Hammel and Neumann introduced

House Bill No. 6251, 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 section 1 (MCL 125.1651), as amended by 2008 PA 225.

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

Reps. Liss, Constan, Slavens and Geiss introduced

House Bill No. 6252, entitled

A bill to amend 1999 PA 276, entitled “Banking code of 1999,” (MCL 487.11101 to 487.15105) by adding section 4103b.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Reps. Melton, Johnson and Womack introduced

House Bill No. 6253, entitled

A bill to amend 1990 PA 72, entitled “Local government fiscal responsibility act,” by amending section 21 (MCL 141.1221), as amended by 2003 PA 282.

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

Reps. Womack, Melton and Johnson introduced

House Bill No. 6254, entitled

A bill to amend 1990 PA 72, entitled “Local government fiscal responsibility act,” by amending section 18 (MCL 141.1218).

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

Reps. Johnson, Melton and Womack introduced

House Bill No. 6255, entitled

A bill to amend 1990 PA 72, entitled “Local government fiscal responsibility act,” by amending section 20 (MCL 141.1220).

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

Rep. Lindberg moved that the House adjourn.
The motion prevailed, the time being 4:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 10, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives

