

No. 74
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House of Representatives
95th Legislature
REGULAR SESSION OF 2010

House Chamber, Lansing, Tuesday, August 24, 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	Proos—present
Amash—present	Ebli—present	Lahti—present	Roberts—present
Angerer—present	Elsenheimer—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—excused	Leland—present	Rogers—present
Barnett—present	Geiss—present	Lemmons—present	Schmidt, R.—present
Bauer—present	Genetski—present	Lindberg—present	Schmidt, W.—present
Bennett—present	Gonzales—present	Lipton—present	Schuitmaker—present
Bledsoe—present	Green—present	Liss—present	Scott, B.—present
Bolger—present	Gregory—present	Lori—present	Scott, P.—present
Booher—present	Griffin—present	Lund—present	Scripps—present
Brown, L.—present	Haase—present	Marleau—excused	Segal—present
Brown, T.—present	Haines—present	Mayes—present	Sheltrown—present
Byrnes—present	Hammel—present	McDowell—present	Slavens—present
Byrum—present	Hansen—present	McMillin—present	Slezak—present
Calley—present	Haugh—present	Meadows—present	Smith—present
Caul—present	Haveman—present	Meekhof—present	Spade—excused
Clemente—present	Hildenbrand—excused	Melton—present	Stamas—present
Constan—present	Horn—present	Meltzer—present	Stanley—present
Corriveau—present	Huckleberry—present	Miller—present	Switalski—present
Crawford—present	Jackson—excused	Moss—present	Tlaib—present
Cushingberry—excused	Johnson—present	Nathan—excused	Tyler—present
Daley—present	Jones, Rick—present	Nerat—present	Valentine—present
Dean—present	Jones, Robert—present	Neumann—present	Walsh—present
Denby—present	Kandrevas—present	Opsommer—present	Warren—present
DeShazor—present	Kennedy—present	Pavlov—present	Womack—present
Dillon—present	Knollenberg—present	Pearce—present	Young—e/d/s
Donigan—present	Kowall—present	Polidori—present	

e/d/s = entered during session

Rep. Tonya L. Schuitmaker, from the 80th District, offered the following invocation:

“Dear Father in Heaven,

We come before Thee to ask a special blessing upon us today as we gather in friendship and unity. We ask Thee, Father, for strength and integrity in helping us make good and righteous decisions as we prepare to sustain the laws and legislation of this country. As leaders of this state, we have been entrusted with the responsibility of making crucial decisions for the citizens we preside over and for our great Nation. We ask for Thy blessing in maintaining our honesty and clarity of mind as we thoughtfully and thoroughly reflect on those decisions affecting the citizens we serve. As we face challenges and obstacles in our endeavors we ask for Thy influence to be with us in overcoming those challenges so we might assist those in need.

In God’s name
Amen.”

Rep. Dean moved that Reps. Cushingberry, Espinoza, Jackson, Nathan and Spade be excused from today’s session. The motion prevailed.

Rep. Pearce moved that Reps. Hildenbrand and Marleau be excused from today’s session. The motion prevailed.

Messages from the Senate

The Speaker laid before the House

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 bill was received from the Senate on June 8, with substitute (S-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 9, see House Journal No. 56, p. 890.)

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

Rep. Dean moved that the bill be re-referred to the Committee on Judiciary. The motion prevailed.

Second Reading of Bills

House Bill No. 5034, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2918 (MCL 600.2918).

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5034, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2918 (MCL 600.2918).

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

Roll Call No. 364**Yeas—99**

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 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.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 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.

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

Roll Call No. 365**Yeas—85**

Angerer	Durhal	LeBlanc	Rocca
Ball	Ebli	Leland	Rogers
Barnett	Geiss	Lemmons	Schmidt, R.
Bauer	Gonzales	Lindberg	Schmidt, W.
Bennett	Green	Lipton	Schuitmaker
Bledsoe	Gregory	Liss	Scott, B.
Bolger	Griffin	Lori	Scripps
Booher	Haines	Mayes	Segal
Brown, T.	Hammel	McDowell	Sheltrown
Byrnes	Hansen	Meadows	Slavens
Byrum	Haugh	Meekhof	Slezak
Caul	Haveman	Meltzer	Smith
Clemente	Horn	Miller	Stamas
Constan	Huckleberry	Moss	Stanley
Corriveau	Johnson	Nerat	Switalski
Crawford	Jones, Rick	Neumann	Tlaib
Daley	Jones, Robert	Pavlov	Tyler
Dean	Kandrevas	Pearce	Valentine
Denby	Kennedy	Polidori	Walsh
DeShazor	Knollenberg	Proos	Warren
Dillon	Kurtz	Roberts	Womack
Donigan			

Nays—14

Agema	Elsenheimer	Lahti	Melton
Amash	Genetski	Lund	Opsommer
Brown, L.	Haase	McMillin	Scott, P.
Calley	Kowall		

In The Chair: Byrnes

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

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

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.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**House Bill No. 6272, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5422 and 5423 (MCL 700.5422 and 700.5423), section 5423 as amended by 2005 PA 204.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 68, p. 1208),

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Switalski moved to substitute (H-1) the bill.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6272, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5422 and 5423 (MCL 700.5422 and 700.5423), section 5423 as amended by 2005 PA 204.

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

Roll Call No. 366

Yeas—98

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

Nays—1

Amash

In The Chair: Byrnes

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

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

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5410, 5422, 5423, and 5501 (MCL 700.5410, 700.5422, 700.5423, and 700.5501), section 5423 as amended by 2005 PA 204.

The motion prevailed.

The House agreed to the title as amended.
Rep. Dean 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
Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, August 19, for her approval of the following bills:

Enrolled House Bill No. 5835 at 2:48 p.m.
Enrolled House Bill No. 5834 at 2:50 p.m.
Enrolled House Bill No. 5833 at 2:52 p.m.
Enrolled House Bill No. 5832 at 2:54 p.m.
Enrolled House Bill No. 5831 at 2:56 p.m.
Enrolled House Bill No. 5830 at 2:58 p.m.
Enrolled House Bill No. 5273 at 3:00 p.m.

The Clerk announced that the following bill had been printed and placed upon the files of the members on Thursday, August 19:

Senate Bill No. 1464

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, August 20:

House Bill Nos. 6374 6375 6376 6377 6378 6379 6380 6381 6382 6383 6384 6385 6386 6387

The Clerk announced that the following Senate bills had been received on Tuesday, August 24:

Senate Bill Nos. 1354 1373

Reports of Standing Committees

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported

House Bill No. 6270, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending sections 302 and 306 (MCL 32.702 and 32.706), section 302 as amended by 2002 PA 654.

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. Polidori, Roberts, Geiss, Liss, Roy Schmidt, Rick Jones, Agema, Amash and Kurtz

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported

House Bill No. 6271, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 55 (MCL 38.55), as amended by 2004 PA 33.

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. Polidori, Roberts, Geiss, Liss, Roy Schmidt, Rick Jones, Agema, Amash and Kurtz

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Polidori, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Tuesday, August 24, 2010

Present: Reps. Polidori, Roberts, Geiss, Liss, Roy Schmidt, Rick Jones, Agema, Amash and Kurtz

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported
House Bill No. 6177, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending the title and sections 11 and 18 (MCL 432.11 and 432.18), the title as amended by 1996 PA 95 and sections 11 and 18 as amended by 2004 PA 383, and by adding section 45.

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, Huckleberry, LeBlanc, 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. 6377, entitled

A bill to amend 1981 PA 178, entitled "City motor vehicle racing act of 1981," by amending the title and sections 1, 2, 3, 4, 5, 7, 8, and 11 (MCL 257.1701, 257.1702, 257.1703, 257.1704, 257.1705, 257.1707, 257.1708, and 257.1711).

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, Huckleberry, LeBlanc, 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. 6378, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4 (MCL 117.4), as added by 1981 PA 175.

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, Huckleberry, LeBlanc, 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. 6379, entitled

A bill to amend 1925 PA 368, entitled "An act to prohibit obstructions and encroachments on public highways, to provide for the removal thereof, to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies and municipalities may enter upon, construct and maintain telegraph, telephone,

power or cable television lines, pipe lines, wires, cables, poles, conduits, sewers and like structures upon, over, across or under public roads, bridges, streets and waters and to provide penalties for the violation of this act,” by amending section 21 (MCL 247.191), as added by 1981 PA 176.

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, Huckleberry, LeBlanc, 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. 6380, entitled

A bill to amend 1969 PA 200, entitled “An act to regulate driveways, banners, events, and parades upon and over highways; to provide for the promulgation of rules; to prescribe requirements for the issuance of permits; and to provide for the issuance of those permits,” by amending sections 3, 6, and 9 (MCL 247.323, 247.326, and 247.329), as amended by 1981 PA 177.

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, Huckleberry, LeBlanc, 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. 6381, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 922a (MCL 257.922a), as added by 1981 PA 174.

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, Huckleberry, LeBlanc, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

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

Senate Bill No. 1402, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1163.

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, Huckleberry, LeBlanc, 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, August 24, 2010

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

Absent: Rep. Ebli

Excused: Rep. Ebli

Messages from the Senate

House Bill No. 5295, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 261 (MCL 208.1261).

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. 1354, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1062 and 1068 (MCL 600.1062 and 600.1068), section 1062 as amended by 2006 PA 620 and section 1068 as added by 2004 PA 224.

The Senate has passed the bill.

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

Senate Bill No. 1373, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7212, 7403, and 7404 (MCL 333.7212, 333.7403, and 333.7404), as amended by 2002 PA 710.

The Senate has passed the bill.

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

Messages from the Governor

Date: August 23, 2010

Time: 10:52 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5830 (Public Act No. 147, I.E.), being

An act to amend 1980 PA 497, entitled "An act to establish, protect, and enforce by lien the rights of persons performing labor or providing material or equipment for the improvement of real property; to provide for certain defenses with respect thereto; to establish the homeowner construction lien recovery fund; to provide for the powers and duties of certain state officers and agencies; to provide for the assessment of certain occupations; to provide remedies and prescribe penalties; and to repeal acts and parts of acts," by amending the title and sections 104, 106, and 118 (MCL 570.1104, 570.1106, and 570.1118), the title and sections 104 and 106 as amended by 2006 PA 497 and section 118 as amended by 1982 PA 17, and by adding section 118a; and to repeal acts and parts of acts.

(Filed with the Secretary of State August 23, 2010, at 11:24 a.m.)

Date: August 23, 2010

Time: 10:54 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5831 (Public Act No. 148, I.E.), being

An act to amend 1956 PA 217, entitled "An act to safeguard persons and property; to provide for licensing and regulation of electricians and electrical contractors concerning the construction, alteration, installation of electrical wiring

and equipment and for the inspection of electrical wiring; to create an electrical administrative board; to create certain committees for certain purposes; to provide certain powers and duties for certain departments; to provide for the assessment of certain fees and for the promulgation of rules; and to prescribe penalties for violations of this act," by amending sections 3b, 8b, and 8e (MCL 338.883b, 338.888b, and 338.888e), sections 3b and 8e as added by 1990 PA 246 and section 8b as amended by 1992 PA 130.

(Filed with the Secretary of State August 23, 2010, at 11:26 a.m.)

Date: August 23, 2010

Time: 10:56 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5832 (Public Act No. 149, I.E.), being

An act to amend 1984 PA 192, entitled "An act to regulate the use, installation, alteration, and servicing of specified heating, cooling, ventilating, and refrigerating equipment and systems; to create a board of mechanical rules; to provide for the licensing of installing contractors and of servicing contractors of heating, cooling, ventilating, and refrigerating equipment and systems; to prescribe fees; to provide for the promulgation of rules; and to prescribe penalties," by amending sections 6, 11, and 16 (MCL 338.976, 338.981, and 338.986), section 6 as amended by 2004 PA 271 and section 11 as amended by 1990 PA 5.

(Filed with the Secretary of State August 23, 2010, at 11:28 a.m.)

Date: August 23, 2010

Time: 10:58 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5833 (Public Act No. 150, I.E.), being

An act to amend 2002 PA 733, entitled "An act to regulate the installation, alteration, maintenance, improvement, and inspection of plumbing; to provide certain powers and duties for certain state agencies and departments; to create a plumbing board; to define plumbing, plumbing contractors, and the classification of plumbers and to set standards for those classifications; to provide for the licensing and regulation of classes of plumbers and plumbing contractors; to prescribe fees and the disposition of money derived from those fees; to provide for the promulgation of rules; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending sections 21, 43, and 47 (MCL 338.3531, 338.3553, and 338.3557).

(Filed with the Secretary of State August 23, 2010, at 11:30 a.m.)

Date: August 23, 2010

Time: 11:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5834 (Public Act No. 151, I.E.), being

An act to amend 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 2404, 2409, and 2411 (MCL 339.2404, 339.2409, and 339.2411), sections 2404 and 2411 as amended by 2007 PA 157 and section 2409 as amended by 1988 PA 463.

(Filed with the Secretary of State August 23, 2010, at 11:32 a.m.)

Date: August 23, 2010

Time: 11:02 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5835 (Public Act No. 152, I.E.), being

An act to amend 1927 PA 175, entitled "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,” by amending section 15b of chapter XVII (MCL 777.15b), as added by 2002 PA 206.

(Filed with the Secretary of State August 23, 2010, at 11:34 a.m.)

Rep. Young entered the House Chambers.

Introduction of Bills

Rep. Meadows introduced

House Bill No. 6388, entitled

A bill 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,” by amending section 10a (MCL 460.10a), as amended by 2008 PA 286.

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

Rep. Lipton introduced

House Bill No. 6389, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

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

Rep. Lipton introduced

House Bill No. 6390, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 29 (MCL 791.229), as amended by 1998 PA 512.

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

Reps. Lipton, Durhal, Lemmons, Tlaib and Nathan introduced

House Bill No. 6391, entitled

A bill to establish the Detroit college promise fund in the department of treasury; 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.

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

Reps. Lipton, Nathan, Durhal, Lemmons and Tlaib introduced

House Bill No. 6392, 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.

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

Reps. Rick Jones, Meltzer, Agema, Knollenberg, Liss, Kowall and Crawford introduced

House Bill No. 6393, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5o (MCL 28.425o), as amended by 2008 PA 407.

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

Reps. Rick Jones, Agema, Knollenberg and Kowall introduced

House Bill No. 6394, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7421.

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

Reps. Valentine, Liss, Constan, Kennedy, Huckleberry, Geiss, Womack, Slavens, Donigan, Ebli, Miller, Segal, Robert Jones, Kandrevas, Neumann, Roy Schmidt, Hammel, Terry Brown, Polidori, Mayes, Slezak, Roberts, Lisa Brown, Meadows, Espinoza and Haase introduced

House Bill No. 6395, entitled

A bill to provide for certain license sanctions against the holders of certain licenses; to provide certain powers and duties for certain state agencies; to provide for sanctions against employers for actions regarding the employment of undocumented workers; and to provide remedies.

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

Reps. Byrnes, Leland, Miller and Donigan introduced

House Bill No. 6396, entitled

A bill to authorize a county to levy a tax on an operator's or chauffeur's license; and to provide for the powers and duties of certain government officials.

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

Reps. Byrnes, Donigan, Leland and Miller introduced

House Bill No. 6397, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811 (MCL 257.811), as amended by 2006 PA 589.

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

Reps. Leland, Byrnes, Donigan and Miller introduced

House Bill No. 6398, entitled

A bill to provide for a specific tax on motor fuel by certain counties; to describe powers of certain counties and state agencies; and to authorize direct local elections pertaining to specific motor fuel taxes.

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

Reps. Tlaib, Slavens, Geiss, Durhal, Roberts, Switalski and Nathan introduced

House Bill No. 6399, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16c of chapter XVII (MCL 777.16c), as amended by 2000 PA 279.

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

Reps. Tlaib, Slavens, Geiss, Durhal, Roberts, Switalski and Nathan introduced

House Bill No. 6400, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 72 (MCL 750.72).

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

Reps. Lisa Brown, Lipton, Roberts, Byrnes, Slavens, Nathan and Bennett introduced

House Bill No. 6401, entitled

A bill to amend 1965 PA 166, entitled "An act to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; and to prescribe penalties," (MCL 408.551 to 408.558) by adding section 6a.

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

Rep. Opsommer introduced

House Bill No. 6402, entitled

A bill to prohibit certain covenants attaching to real property; to prohibit the imposition of certain fees upon transfer of that real property; and to provide for remedies.

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

Reps. McMillin, Agema and Paul Scott introduced

House Joint Resolution III, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 10 of article I, sections 12 and 48 of article IV, section 23 of article V, sections 3 and 18 of article VI, section 9 of article VII, sections 5, 6, and 7 of article VIII, and section 5 of article XI and adding section 8 to article XI, to impose a three-year reduction of five percent in the pay rate for all public servants in this state.

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

Reps. Donigan, Byrnes and Leland introduced

House Joint Resolution JJJ, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 8 and 9 of article IX, to allow the levy of a sales tax by local units of government, to restrict the proceeds of that tax, and to allow local motor fuel taxes to be dedicated to public transit purposes.

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

Rep. Horn moved that the House adjourn.

The motion prevailed, the time being 3:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, August 25, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives