

No. 75
STATE OF MICHIGAN
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House of Representatives
95th Legislature
REGULAR SESSION OF 2010

House Chamber, Lansing, Wednesday, August 25, 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—present | 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—present | 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—excused | Haugh—present | Meadows—present | Smith—present |
| Caul—present | Haveman—present | Meekhof—present | Spade—present |
| Clemente—present | Hildenbrand—present | Melton—present | Stamas—present |
| Constan—present | Horn—present | Meltzer—present | Stanley—present |
| Corriveau—present | Huckleberry—present | Miller—present | Switalski—present |
| Crawford—present | Jackson—present | Moss—present | Tlaib—present |
| Cushingberry—present | Johnson—present | Nathan—present | 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—present |
| Donigan—present | Kowall—present | Polidori—excused | |

e/d/s = entered during session

Rep. Shanelle Jackson, from the 9th District, offered the following invocation:

“Father, in the name of Jesus, we come before Your throne giving You glory, honor and praise. We just worship You, magnify You and glorify You. Lord, Your word says that man cannot live by bread alone, but by every word that comes from the mouth of God. Father, we are going to stand on Your word. Your word says if we have the mind of Christ that greater is he that is in us than he that is in the world, that we can do all things through Christ Who strengthens us, including Lord, being great legislators, including moving our state forward, including doing work that leaves an indelible mark on people’s lives and helping move them forward as we go forward. I just thank You, Heavenly Father, for allowing us to walk in that. I thank You that everyone’s mind is peaceful, Heavenly Father and that their hearts are in the right place, so that they can begin to walk in what it is You said we are called to do. So right now, we just give You the glory, honor and praise and we thank You, Heavenly Father, that we will be able to work together to do Your will, Heavenly Father. In Jesus’ name we pray, Amen.”

Rep. Pearce moved that Rep. Calley be excused from today’s session.
The motion prevailed.

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

Motions and Resolutions

Rep. Bennett moved that the Committee on Regulatory Reform be discharged from further consideration of **House Concurrent Resolution No. 54** and motion postponed for the day on August 18, see House Journal No. 72, p. 1255.
(For first notice see House Journal No. 69, p. 1230.)

The question being on the motion made previously by Rep. Bennett,
Rep. Angerer demanded the yeas and nays.
The demand was supported.

The question being on the motion made previously by Rep. Bennett,

Rep. Angerer moved that consideration of the motion be postponed for the day.
The motion prevailed.

Rep. Angerer moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5872**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

House Bill No. 5872, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2009 PA 203 and section 17b as amended by 2007 PA 137.
The bill was read a second time.

Rep. Terry Brown moved to substitute (H-2) the bill.
The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Terry Brown moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.
Rep. Angerer moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Rep. Opsommer moved that Rep. DeShazor be excused temporarily from today's session.
The motion prevailed.

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

House Bill No. 5872, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2009 PA 203 and section 17b as amended by 2007 PA 137.

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

Roll Call No. 367

Yeas—90

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

Nays—14

| | | | |
|----------|---------|----------|-----------|
| Agema | Haveman | McMillin | Opsommer |
| Amash | Horn | Meekhof | Scott, P. |
| Crawford | Kowall | Meltzer | Young |
| Green | Kurtz | | |

In The Chair: Byrnes

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

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

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 2010 PA 110, and by adding section 11p.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

House Bill No. 6086, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, Miller, Smith, Spade, Switalski and Tlaib

Nays: Reps. Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos and Rogers

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 25, 2010

Present: Reps. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

Second Reading of Bills

House Bill No. 6086, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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. Proos moved to amend the bill as follows:

1. Amend page 15, following line 16, by inserting:

"Sec. 402. (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. Smith moved to amend the bill as follows:

1. Amend page 2, line 5, by striking out "276,123,800" and inserting "271,485,000".

2. Amend page 2, line 6, by striking out "44,529,100" and inserting "49,167,900".

- 3. Amend page 7, line 25, by striking out “(1,700,000)” and inserting “2,900,000”.
- 4. Amend page 7, line 26, by striking out “2,900,000” and inserting “(1,700,000)” and adjusting the subtotals, totals, and section 201 accordingly.
- 5. Amend page 8, line 12, by striking out “Michigan reformatory - Ionia” and inserting “Muskegon correctional facility - Muskegon”.

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

Rep. Spade moved to amend the bill as follows:

- 1. Amend page 10, line 3, by striking out all of subsection (5) and inserting:

“(5) PUBLIC ASSISTANCE

| | | |
|--|----|--------------|
| Family independence program | \$ | 0 |
| GROSS APPROPRIATION | \$ | 0 |
| Appropriated from: | | |
| Federal revenues: | | |
| Total federal revenues..... | | (77,310,800) |
| Special revenue funds: | | |
| Michigan merit award trust fund..... | | 30,100,000 |
| State general fund/general purpose | \$ | 47,210,800”. |

- 2. Amend page 12, following line 24, by inserting:

“Sec. 109. HIGHER EDUCATION

(1) APPROPRIATION SUMMARY

| | | |
|--|----|--------------|
| GROSS APPROPRIATION | \$ | 0 |
| Interdepartmental grant revenues: | | |
| Total interdepartmental grants and intradepartmental transfers | | 0 |
| ADJUSTED GROSS APPROPRIATION | \$ | 0 |
| Federal revenues: | | |
| Total federal revenues..... | | 77,573,200 |
| Special revenue funds: | | |
| Total local revenues | | 0 |
| Total private revenues | | 0 |
| Total other state restricted revenues | | (30,100,000) |
| State general fund/general purpose | \$ | (47,473,200) |

(2) GRANTS AND FINANCIAL AID

| | | |
|---|----|---------------|
| State competitive scholarships..... | \$ | 0 |
| Tuition grants..... | | 0 |
| Tuition incentive program | | 0 |
| GROSS APPROPRIATION | \$ | 0 |
| Appropriated from: | | |
| Federal revenues: | | |
| Higher education act of 1965, title IV, 20 USC..... | | (1,292,400) |
| Temporary assistance for needy families | | 78,865,600 |
| Special revenue funds: | | |
| Michigan merit award trust fund..... | | (30,100,000) |
| State general fund/general purpose | \$ | (47,473,200)” |

and adjusting the subtotals, totals, and section 201 accordingly.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6086, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 15, line 2, after “fund” by striking out “in subsequent fiscal years.” and inserting “over a period of 5 fiscal years beginning in the fiscal year ending September 30, 2012.”.

The motion was seconded and the amendment 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. 368

Yeas—57

| | | | |
|--------------|-------------|----------|-------------|
| Angerer | Espinoza | Leland | Schmidt, R. |
| Bauer | Geiss | Lemmons | Scott, B. |
| Bennett | Gonzales | Lindberg | Scripps |
| Brown, T. | Griffin | Lipton | Segal |
| Byrnes | Haase | Liss | Sheltroun |
| Byrum | Hammel | Mayes | Slavens |
| Clemente | Haugh | McDowell | Slezak |
| Constan | Huckleberry | Meadows | Smith |
| Corriveau | Jackson | Melton | Spade |
| Cushingberry | Johnson | Miller | Stanley |
| Dean | Kandrevas | Nathan | Switalski |
| Dillon | Kennedy | Nerat | Tlaib |
| Donigan | Lahti | Neumann | Valentine |
| Durhal | LeBlanc | Roberts | Womack |
| Ebli | | | |

Nays—47

| | | | |
|-----------|---------------|----------|-------------|
| Agema | Elsenheimer | Kowall | Proos |
| Amash | Genetski | Kurtz | Rocca |
| Ball | Green | Lori | Rogers |
| Barnett | Gregory | Lund | Schmidt, W. |
| Bledsoe | Haines | Marleau | Schuitmaker |
| Bolger | Hansen | McMillin | Scott, P. |
| Booher | Haveman | Meekhof | Stamas |
| Brown, L. | Hildenbrand | Meltzer | Tyler |
| Caul | Horn | Moss | Walsh |
| Crawford | Jones, Rick | Opsommer | Warren |
| Daley | Jones, Robert | Pavlov | Young |
| Denby | Knollenberg | Pearce | |

In The Chair: Byrnes

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

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

A bill to make, supplement, and adjust appropriations for various state departments and agencies and for community colleges for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

The motion prevailed.

The House agreed to the title as amended.

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

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

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, September 1, at 10:00 a.m. The motion prevailed.

Reps. Melton, Corriveau, Ball, Constan, Kennedy, Liss, Neumann and Rogers offered the following resolution:

House Resolution No. 320.

A resolution to memorialize Congress to enact the Literacy for All, Results for the Nation Act.

Whereas, Literacy development begins at birth and requires a sustained engagement and investment. The Literacy for All, Results for the Nation (LEARN) Act, H.R. 4037, would provide aid to states and educational agencies for comprehensive planning to improve the literacy of students from birth through grade twelve. Discretionary grants would be provided to bridge America's learning gap by supporting text-rich learning environments to improve reading, writing, and academic achievement. The act would provide for competitive subgrants focused on early language and literacy development in children under the age of six and districts with the highest percentages of disadvantaged or low-performing students. The Secretary of Education would perform a five-year evaluation of initiatives funded through the act, thus making school districts and states accountable for the dollars they receive and programs they support; and

Whereas, According to the most recent National Assessment of Educational Progress (NAEP), approximately 70 percent of fourth and eighth graders read below the proficiency level. Only one-third of secondary school students who enter the ninth grade can expect to graduate in four years with adequate skills needed to succeed in higher education and their place of work. These statistics are worrisome when 25 of today's fastest growing professions require higher than average literacy skills; and

Whereas, The LEARN Act would benefit Michigan, especially Detroit and other urban centers. Forty-seven percent of Detroit's adults are functionally illiterate and over 50 percent of displaced Detroit workers are literacy challenged. This low rate of literacy impacts the ability of Michigan's largest city to attract industries seeking professionals that are prepared for today's work environment. This challenge exacerbates joblessness, poverty, and crime; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to enact the Literacy for All, Results for the Nation Act (LEARN); and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Education.

Reps. Huckleberry, Ball, Constan, Hansen, Hildenbrand, Horn, Liss, Neumann, Roberts, Rogers, Slavens and Tyler offered the following resolution:

House Resolution No. 321.

A resolution to declare September 11-17, 2010, as Patriot Week in the state of Michigan.

Whereas, With great respect and recognition to the 2,993 victims of the September, 11, 2001 attacks, we begin Patriot Week in honor of their memories and through remembrance of the many documents, founding citizens and symbols of their American history; and

Whereas, On September 17 of each year Constitution and Citizenship Day is federally recognized to commemorate the formation and signing on September 17, 1787, of the Constitution and recognize all who are born in the U.S. or by naturalization, have become U.S. citizens; and

Whereas, We embrace Constitution and Citizenship Day and its mandates that all publicly funded educational institutions provide education programming on the history of the American Constitution on that day; and

Whereas, During the week of September 11-17 countless organizations and individuals will take time to honor vital figures of our nation's past, critical writings and symbols of our country, and all else that makes America the greatest nation in our world's history; now, therefore be it

Resolved by the House of Representatives, That the members of this legislative body declare September 11-17, 2010, as Patriot Week in the state of Michigan. We initiate the start of this celebratory week on September 11 in remembrance of the thousands that sacrificed their lives during the 2001 attacks and concluding this week of honor on September 17th, Constitution and Citizenship Day. We encourage all citizens, government entities and local municipalities, the business community, not-for-profit groups, and educational organizations throughout the state of Michigan to acknowledge and participate in this week long holiday of remembrance of American historical documents, significant founding individuals, documents, and symbols of America so that they may offer the respect and honor that is owed; and be it further

Resolved, That the copies of this resolution be transmitted to the State Board of Education, Michigan public and nonpublic schools, State Bar of Michigan, Michigan Supreme Court, Senate Majority Leader Mike Bishop, and Governor Jennifer M. Granholm.

The question being on the adoption of the resolution,
The resolution was adopted.

Reps. Lisa Brown, Ball, Constan, Kennedy, Liss, Neumann, Roberts, Rogers and Slavens offered the following resolution:

House Resolution No. 322.

A resolution to declare August 26, 2010, as Women’s Equality Day in the state of Michigan.

Whereas, August 21, 2010, has been designated by Congress as Women’s Equality Day; and

Whereas, 2010 is the 90th anniversary of the ratification of the 19th Amendment to the U.S. Constitution; and

Whereas, The 19th Amendment guarantees citizens of United States rights and privileges available to all citizens equally regardless of sex; and

Whereas, Michigan joined Illinois and Wisconsin as the first states to ratify the 19th Amendment on June 10, 1919; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare August 26, 2010, as Women’s Equality Day in the state of Michigan.

The question being on the adoption of the resolution,
The resolution was adopted.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, August 25, for her approval of the following bill:

Enrolled House Bill No. 6097 at 2:56 p.m.

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members on Wednesday, August 25:

| | | | | | | | | | | | | | | |
|--------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| House Bill Nos. | 6388 | 6389 | 6390 | 6391 | 6392 | 6393 | 6394 | 6395 | 6396 | 6397 | 6398 | 6399 | 6400 | 6401 |
| | 6402 | | | | | | | | | | | | | |
| House Joint Resolutions | JJJ | III | | | | | | | | | | | | |
| Senate Bill Nos. | 1465 | 1466 | 1467 | 1468 | 1469 | 1470 | 1471 | 1472 | 1473 | 1474 | | | | |

Reports of Standing Committees

The Committee on Ethics and Elections, by Rep. Haase, Vice-Chair, reported

House Bill No. 4880, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 932c.

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. Haase, Lisa Brown, Donigan, Scripps and Slavens

Nays: None

The Committee on Ethics and Elections, by Rep. Haase, Vice-Chair, reported

House Bill No. 4881, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11d of chapter XVII (MCL 777.11d), as added by 2002 PA 31.

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. Haase, Lisa Brown, Donigan, Scripps and Slavens

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 25, 2010

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

Absent: Reps. Angerer and Meltzer

Excused: Reps. Angerer and Meltzer

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

House Bill No. 6224, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 205 and 307 (MCL 436.1205 and 436.1307), section 205 as amended by 2001 PA 274.

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, Melton, Stanley, Rocca, 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, August 25, 2010

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

Absent: Reps. Bettie Scott and Switalski

Excused: Reps. Bettie Scott and Switalski

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

House Bill No. 4269, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 387 (MCL 750.387), as amended by 1998 PA 311.

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, Corriveau, Kandrevas, Warren, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

House Bill No. 4270, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16s of chapter XVII (MCL 777.16s), as amended by 2008 PA 414.

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, Corriveau, Kandrevas, Warren, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

House Bill No. 4537, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 169 (MCL 750.169).

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, Constan, Corriveau, Kandrevas, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

House Bill No. 6156, entitled

A bill to amend 2006 PA 88, entitled "Inmate reimbursement to municipalities act," by amending section 2 (MCL 801.312).

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, Corriveau, Kandrevas, Warren, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

Senate Bill No. 950, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 286.

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

1. Amend page 4, following line 2, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2011."

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Byrnes, Constan, Corriveau, Kandrevas, Warren, Rick Jones, Kowall and Rocca

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, August 25, 2010

Present: Reps. Meadows, Lipton, Lisa Brown, Byrnes, Constan, Corriveau, Kandrevas, Warren, Amash, Haveman, Rick Jones, Kowall and Rocca

Absent: Reps. Bettie Scott and Schuitmaker

Excused: Reps. Bettie Scott and Schuitmaker

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, August 25, 2010

Present: Reps. Ebli, Melton, Barnett, Robert Jones, Kandrevas, Lipton, Mayes, Meadows, Slezak, Warren, Lund and Stamas

Absent: Reps. Calley, Kowall, Meekhof, Meltzer and Walsh

Excused: Reps. Kowall, Meltzer and Walsh

Messages from the Senate**Senate Concurrent Resolution No. 52.**

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

Whereas, Section 76 of Chapter 14 of the Revised Statutes of 1846, being MCL § 51.76, as added by 1978 PA 416, permits secondary road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a secondary 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. Section 77 of Chapter 14, being MCL § 51.77, also provides a similar maintenance of effort standard for counties providing these secondary road patrol services, unless it is recognized that the reduction was merely due to cuts in general services due to economic conditions; and

Whereas, Indeed, subsection (3) of MCL § 51.76 specifically provides, in part, that: "A concurrent resolution adopted by a majority vote of the Senate and the House of Representatives which states that the city or village is required to reduce general services because of economic conditions and is not reducing law enforcement services shall be presumptive that the city or village has not violated the strictures of this subsection"; 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 Senate (the House of Representatives 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 section 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 secondary road patrol services as they relate to maintenance of effort.

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4932**, Reps. Johnson, Haugh and Rocca.

Introduction of Bills

Reps. Slavens, Tlaib, Roberts, Wayne Schmidt, Neumann and Liss introduced

House Bill No. 6403, 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 12a (MCL 28.432a), as amended by 2006 PA 559.

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

Reps. Roberts, Slavens, Wayne Schmidt, Tlaib, Neumann and Liss introduced

House Bill No. 6404, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 231 (MCL 750.231), as amended by 2006 PA 401.

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

Reps. Horn, Mayes, Stamas and Schuitmaker introduced

House Bill No. 6405, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by repealing sections 819 and 824 (MCL 600.819 and 600.824).

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

Reps. Nerat, Liss, McDowell, Lindberg, Haugh, Kennedy, Constan, Ebli, Valentine, Slavens, Lemmons, Donigan and Leland introduced

House Bill No. 6406, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719a (MCL 257.719a), as amended by 2009 PA 32.

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

Rep. Hildenbrand moved that the House adjourn.

The motion prevailed, the time being 5:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, September 1, at 10:00 a.m.

RICHARD J. BROWN
Clerk of the House of Representatives