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**House of Representatives**  
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House Chamber, Lansing, Tuesday, May 26, 2009.

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

e/d/s = entered during session

Rep. Matt Lori, from the 59th District, offered the following invocation:

“Gracious God, You are the Creator of the Universe, Sustainer of Life, and our everlasting Father; we ask that You share Your power to help us as we shoulder the awesome burdens of guiding our state.

In our roles as legislators we do not take lightly our responsibilities as we analyze what is right and needed for the benefit of our constituents. But our task is also to seek solutions beneficial to our entire great state of Michigan and we pray, as did Solomon of old, for wisdom and strength in our leadership roles. We ask for Your guidance as we deliberate on issues today.

And so, dear Father please strengthen us, help us and guide our way as we walk with You!”

Rep. Opsommer moved that Reps. Booher and Green be excused from today’s session.  
The motion prevailed.

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

### Second Reading of Bills

#### House Bill No. 4129, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 1305, 1307, and 1308 (MCL 339.1305, 339.1307, and 339.1308), sections 1305 and 1307 as amended by 1988 PA 463.

The bill was read a second time.

Rep. Byrnes 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. 4129, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 1305, 1307, and 1308 (MCL 339.1305, 339.1307, and 339.1308), sections 1305 and 1307 as amended by 1988 PA 463.

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

#### Roll Call No. 256

#### Yeas—99

Angerer	Durhal	LeBlanc	Rocca
Ball	Ebli	Leland	Rogers
Barnett	Elsenheimer	Lemmons	Schmidt, R.
Bauer	Espinoza	Lindberg	Schmidt, W.
Bennett	Geiss	Lipton	Schuitmaker
Bledsoe	Gonzales	Liss	Scott, P.
Bolger	Gregory	Lori	Scripps
Brown, L.	Griffin	Marleau	Segal
Brown, T.	Haase	Mayer	Sheltrown
Byrnes	Haines	McDowell	Simpson
Byrum	Hammel	Meadows	Slavens
Calley	Hansen	Meekhof	Slezak
Caul	Haugh	Melton	Smith

Clemente	Haveman	Meltzer	Spade
Constan	Hildenbrand	Miller	Stamas
Corriveau	Horn	Moore	Stanley
Coulouris	Huckleberry	Nathan	Switalski
Crawford	Jackson	Nerat	Tlaib
Cushingberry	Johnson	Neumann	Tyler
Daley	Jones, Rick	Opsommer	Valentine
Dean	Jones, Robert	Pavlov	Walsh
Denby	Kandrevas	Pearce	Warren
DeShazor	Kennedy	Polidori	Womack
Dillon	Kowall	Proos	Young
Donigan	Lahti	Roberts	

**Nays—8**

Agema	Genetski	Kurtz	McMillin
Amash	Knollenberg	Lund	Moss

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Angerer 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. 222, entitled**

A bill to amend 2000 PA 321, entitled "Recreational authorities act," by amending section 3 (MCL 123.1133), as amended by 2003 PA 135.

The bill was read a second time.

Rep. Angerer 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****Senate Bill No. 222, entitled**

A bill to amend 2000 PA 321, entitled "Recreational authorities act," by amending section 3 (MCL 123.1133), as amended by 2003 PA 135.

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

**Roll Call No. 257****Yeas—65**

Angerer	Durhal	Lahti	Schmidt, R.
Barnett	Ebli	Leland	Scripps
Bauer	Espinoza	Lemmons	Segal
Bennett	Geiss	Lindberg	Sheltrown
Bledsoe	Gonzales	Lipton	Simpson
Brown, L.	Gregory	Liss	Slavens
Brown, T.	Griffin	Mayes	Slezak

Byrnes	Haase	McDowell	Smith
Byrum	Hammel	Meadows	Spade
Clemente	Haugh	Melton	Stanley
Constan	Huckleberry	Miller	Switalski
Corriveau	Jackson	Nathan	Tlaib
Coulouris	Johnson	Nerat	Valentine
Cushingberry	Jones, Robert	Neumann	Warren
Dean	Kandrevas	Polidori	Womack
Dillon	Kennedy	Roberts	Young
Donigan			

**Nays—42**

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

In The Chair: Byrnes

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

“An act to provide for the establishment of recreational authorities; to provide powers and duties of an authority; to authorize the assessment of a fee, the levy of a property tax, and the issuance of bonds and notes by an authority; and to provide for the powers and duties of certain government officials.”

The House agreed to the full title.

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

The question being on the motion made by Rep. Hildenbrand,

Rep. Hildenbrand demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Hildenbrand,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 258****Yeas—66**

Angerer	Durhal	LeBlanc	Schmidt, R.
Barnett	Ebli	Leland	Scripps
Bauer	Espinoza	Lemmons	Segal
Bennett	Geiss	Lindberg	Sheltrown
Bledsoe	Gonzales	Lipton	Simpson
Brown, L.	Gregory	Liss	Slavens
Brown, T.	Griffin	Mayes	Slezak
Byrnes	Haase	McDowell	Smith
Byrum	Hammel	Meadows	Spade
Clemente	Haugh	Melton	Stanley
Constan	Huckleberry	Miller	Switalski
Corriveau	Jackson	Nathan	Tlaib
Coulouris	Johnson	Nerat	Valentine

Cushingberry	Jones, Robert	Neumann	Warren
Dean	Kandrevas	Polidori	Womack
Dillon	Kennedy	Roberts	Young
Donigan	Lahti		

**Nays—41**

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

In The Chair: Byrnes

**Second Reading of Bills****House Bill No. 4897, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40116 (MCL 324.40116), as amended by 2004 PA 325.

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

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 2, line 6, by striking out all of subsection (3) and renumbering the remaining subsections.
2. Amend page 2, line 13, after “SECTION” by striking out the balance of the subsection through “(B)” on line 18 and inserting a comma.

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

Rep. Sheltroun 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. 4897, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40116 (MCL 324.40116), as amended by 2004 PA 325.

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

**Roll Call No. 259****Yeas—107**

Agema	Durhal	Lahti	Proos
Amash	Ebli	LeBlanc	Roberts

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

### Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Angerer 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. 96, entitled

A bill to amend 1965 PA 290, entitled “Boiler act of 1965,” by amending section 13c (MCL 408.763c), as added by 2008 PA 159.

The bill was read a second time.

Rep. Angerer 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

#### Senate Bill No. 96, entitled

A bill to amend 1965 PA 290, entitled “Boiler act of 1965,” by amending section 13c (MCL 408.763c), as added by 2008 PA 159.

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

**Roll Call No. 260****Yeas—87**

Angerer	Durhal	Lahti	Proos
Ball	Ebli	LeBlanc	Roberts
Barnett	Elsenheimer	Leland	Rocca
Bauer	Espinoza	Lemmons	Rogers
Bledsoe	Geiss	Lindberg	Schmidt, W.
Brown, L.	Genetski	Lipton	Schuitmaker
Brown, T.	Gonzales	Liss	Scott, P.
Byrnes	Gregory	Lori	Scripps
Byrum	Griffin	Lund	Segal
Calley	Haase	Marleau	Simpson
Caul	Haines	Mayes	Slavens
Clemente	Hammel	McDowell	Slezak
Constan	Haugh	Meadows	Smith
Corriveau	Hildenbrand	Melton	Stamas
Coulouris	Huckleberry	Meltzer	Stanley
Crawford	Jackson	Miller	Switalski
Cushingberry	Johnson	Moore	Tlaib
Dean	Jones, Rick	Moss	Tyler
Denby	Jones, Robert	Nathan	Warren
DeShazor	Kandrevas	Nerat	Womack
Dillon	Kennedy	Opsommer	Young
Donigan	Kurtz	Pavlov	

**Nays—20**

Agema	Hansen	McMillin	Schmidt, R.
Amash	Haveman	Meekhof	Sheltrown
Bennett	Horn	Neumann	Spade
Bolger	Knollenberg	Pearce	Valentine
Daley	Kowall	Polidori	Walsh

In The Chair: Byrnes

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

“An act to regulate the use, construction, installation, and repair of certain boilers; to create a board of boiler rules; to prescribe uniform rules and regulations for certain boilers; to provide for the licensing of certain boiler inspectors, installers, and repairers and registration of certain boiler operators and stationary engineers; to provide for powers and duties for certain state agencies and officers; to provide fees for registrations, licenses, permits, inspections, and certificates; to provide penalties and remedies for the violation of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

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

**Second Reading of Bills****House Bill No. 4377, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending the heading of part 129 and sections 12601, 12603, 12611, 12613, 12614, 12905, and 12915 (MCL 333.12601, 333.12603, 333.12611, 333.12613, 333.12614,

333.12905, and 333.12915), sections 12601 and 12613 as amended by 1988 PA 315, sections 12603 and 12611 as amended by 1993 PA 217, section 12614 as added by 1988 PA 296, section 12905 as amended by 1993 PA 242, and section 12915 as amended by 1982 PA 526, and by adding sections 12606, 12606a, and 12606b; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Regulatory Reform,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Geiss moved to amend the bill as follows:

1. Amend page 5, line 22, after "(1)" by inserting "Except as otherwise provided by law ~~IN THIS PART~~,".
2. Amend page 6, following line 19, by inserting:

**"SEC. 12603A. THE OWNER OR OPERATOR OF A FOOD SERVICE ESTABLISHMENT OR A PLACE OF EMPLOYMENT THAT IS NOT A PUBLIC PLACE DESCRIBED IN SECTION 12601(O)(i) OR (ii) MAY ALLOW SMOKING IN A LEGAL SMOKING ROOM IN THE ELIGIBLE PLACE OF EMPLOYMENT OR FOOD SERVICE ESTABLISHMENT IF ALL OF THE FOLLOWING REQUIREMENTS ARE MET:**

**(A) THE LEGAL SMOKING ROOM IS AN ENCLOSED ROOM SEPARATE FROM THE NONSMOKING AREAS OF THE ELIGIBLE PLACE OF EMPLOYMENT OR FOOD SERVICE ESTABLISHMENT. THE LEGAL SMOKING ROOM SHALL BE ENCLOSED ON ALL SIDES BY ANY COMBINATION OF SOLID WALLS, WINDOWS, OR DOORS THAT EXTEND FROM THE FLOOR TO CEILING.**

**(B) THE LEGAL SMOKING ROOM IS EQUIPPED WITH 1 OF THE FOLLOWING:**

**(i) A SEPARATE VENTILATION OR AIR FILTRATION SYSTEM DESIGNED TO REMOVE SMOKE FROM THE AIR IN THE ROOM AND PREVENT SMOKE FROM INFILTRATING INTO THE NONSMOKING AREAS OF THE ELIGIBLE PLACE OF EMPLOYMENT OR FOOD SERVICE ESTABLISHMENT.**

**(ii) A DOUBLE-DOOR SYSTEM DESIGNED TO PREVENT THE RELEASE OF SMOKE FROM THE ROOM BY TRAPPING IT BETWEEN THE 2 DOORS AND PREVENTING SMOKE FROM INFILTRATING INTO THE NONSMOKING AREAS OF THE ELIGIBLE PLACE OF EMPLOYMENT OR FOOD SERVICE ESTABLISHMENT.**

**(C) NO INDIVIDUAL IS REQUIRED TO ENTER OR PASS THROUGH THE LEGAL SMOKING ROOM OF THE ELIGIBLE PLACE OF EMPLOYMENT OR FOOD SERVICE ESTABLISHMENT UNLESS HE OR SHE DOES SO ON A VOLUNTARY BASIS. THIS SUBDIVISION APPLIES TO AN EMPLOYEE OF THE OWNER OR OPERATOR OF AN ELIGIBLE PLACE OF EMPLOYMENT OR FOOD SERVICE ESTABLISHMENT, AND SECTION 12606 APPLIES TO THE RIGHT GRANTED TO EMPLOYEES UNDER THIS SECTION.**

**(D) THE LEGAL SMOKING ROOM IS CLOSED 1 HOUR OR MORE BEFORE THE END OF NORMAL BUSINESS HOURS OF THE ELIGIBLE PLACE OF EMPLOYMENT OR FOOD SERVICE ESTABLISHMENT TO ALLOW THOROUGH VENTILATION BEFORE ANY EMPLOYEE IS REQUIRED TO ENTER THE ROOM TO PERFORM ANY CLEANING OR OTHER ROOM MAINTENANCE."**

3. Amend page 14, line 3, after "(1)" by inserting "Except as otherwise provided in this section **12603A**,".

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

Rep. Stamas moved to amend the bill as follows:

1. Amend page 6, line 13, after "SIGNS." by inserting "**THIS SUBSECTION DOES NOT APPLY ON AND AFTER THE EXPIRATION OF 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.**

**(3)**".

2. Amend page 16, line 19, after "SIGNS." by inserting "**THIS SUBSECTION DOES NOT APPLY ON AND AFTER THE EXPIRATION OF 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.**

**(7)**" and renumbering the remaining subsection.

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

Rep. Stamas moved to amend the bill as follows:

1. Amend page 14, line 5, by striking out "**NOT ALLOW SMOKING**" and inserting "be nonsmoking".

2. Amend page 16, following line 25, by inserting:

**"(7) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART TO THE CONTRARY, THE OWNER, OPERATOR, MANAGER, OR PERSON HAVING CONTROL OF THE AREA WHERE SMOKING IS PROHIBITED UNDER THIS SECTION IS NOT IN VIOLATION OF THIS PART DUE SOLELY TO THE FACT THAT AN INDIVIDUAL SMOKES IN THE FOOD SERVICE ESTABLISHMENT. THE OWNER, OPERATOR, MANAGER, OR PERSON HAVING CONTROL OF THE AREA WHERE SMOKING IS PROHIBITED UNDER**



**THIS SECTION SHALL DOCUMENT ANY INFORMATION IT HAS WITH REGARD TO A VIOLATION OF THIS PART BY AN INDIVIDUAL AND ANY ACTIONS THE OWNER, OPERATOR, MANAGER, OR PERSON HAS TAKEN TO ENSURE COMPLIANCE WITH THIS PART AND SHALL SUBMIT THAT INFORMATION UPON REQUEST TO THE DEPARTMENT OR LOCAL HEALTH DEPARTMENT AUTHORIZED TO ENFORCE THIS PART.”** and renumbering the remaining subsection.

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

Rep. Pearce moved to amend the bill as follows:

1. Amend page 2, following line 25, by inserting:

“(K) ~~(H)~~—“Licensed premises” means any portion of a building, structure, room, or enclosure in which alcoholic liquor may be sold for consumption on the premises pursuant to a license issued by the Michigan liquor control commission.” and relettering the remaining subdivisions.

2. Amend page 3, following line 19, by inserting:

“(v) **LICENSED PREMISES THAT ARE LOCATED WITHIN A 20-MILE RADIUS OF A CASINO OPERATED BY A FEDERALLY RECOGNIZED INDIAN TRIBE UNDER THE INDIAN GAMING REGULATORY ACT, 25 USC 2701 TO 2721, WHICH TRIBAL CASINO ALLOWS SMOKING.”**

3. Amend page 14, line 3, after “(1)” by inserting “Except as otherwise provided in this section.”.

4. Amend page 14, line 7, after “**12606.**” by inserting “**THIS SECTION DOES NOT APPLY TO A FOOD SERVICE ESTABLISHMENT THAT IS LOCATED WITHIN A 20-MILE RADIUS OF A CASINO OPERATED BY A FEDERALLY RECOGNIZED INDIAN TRIBE UNDER THE INDIAN GAMING REGULATORY ACT, 25 USC 2701 TO 2721, WHICH TRIBAL CASINO ALLOWS SMOKING.**”.

5. Amend page 17, line 14, after “**12601(M)(ii)**” by striking out “**OR (iv)**” and inserting a comma and “**(iv), OR (v)**”.

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

Rep. Rick Jones moved to amend the bill as follows:

1. Amend page 3, following line 19, by inserting:

“(v) **AN ORGANIZATION OF THE VETERANS OF FOREIGN WARS, THE AMERICAN LEGION, OR ANY OTHER WAR VETERANS’ ORGANIZATION.**”.

2. Amend page 17, line 14, after “**12601(M)(ii)**” by striking out “**OR (iv)**” and inserting a comma and “**(iv), OR (v)**”.

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

Rep. Rick Jones moved to amend the bill as follows:

1. Amend page 3, following line 19, by inserting:

“(v) **A FRATERNAL ORGANIZATION, PRIVATE CLUB, BANQUET FACILITY, OR OTHER ESTABLISHMENT NOT IN FACT OPEN TO THE PUBLIC.**”.

2. Amend page 17, line 14, after “**12601(M)(ii)**” by striking out “**OR (iv)**” and inserting a comma and “**(iv), OR (v)**”.

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

Rep. Genetski moved to amend the bill as follows:

1. Amend page 17, line 27, after “effect” by striking out “30 days after the date it is enacted into law” and inserting “January 1, 2010”.

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

Rep. Wayne Schmidt moved to amend the bill as follows:

1. Amend page 3, following line 19, by inserting:

“(v) **A 501(C)(3) OR (4) ORGANIZATION RECOGNIZED BY THE INTERNAL REVENUE CODE THAT IS HOSTING A CHARITABLE EVENT.**”.

2. Amend page 17, line 14, after “**12601(M)(ii)**” by striking out “**OR (iv)**” and inserting a comma and “**(iv), OR (v)**”.

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

Rep. Stamas moved to amend the bill as follows:

1. Amend page 3, following line 1, by inserting:

“(K) **“LICENSED PREMISES” MEANS ANY PORTION OF A FULLY ENCLOSED FACILITY IN WHICH ALCOHOLIC LIQUOR MAY BE SOLD FOR CONSUMPTION ON THE PREMISES PURSUANT TO A LICENSE ISSUED BY THE MICHIGAN LIQUOR CONTROL COMMISSION.**” and relettering the remaining subdivisions.

2. Amend page 3, line 16, after “**ESTABLISHMENT**” by striking out the balance of the subparagraph and inserting a period.
3. Amend page 3, following line 19, by inserting:  
“(v) **LICENSED PREMISES.**”.
4. Amend page 6, line 20, after “**EMPLOYER**” by striking out “**OR A FOOD SERVICE ESTABLISHMENT**”.
5. Amend page 6, line 24, after the first “**PART**” by striking out the balance of the sentence and inserting a period.
6. Amend page 6, line 26, after the first “**PART**” by striking out “**AND EACH FOOD SERVICE ESTABLISHMENT SUBJECT TO PART 129**”.
7. Amend page 7, line 1, after “**EMPLOYER**” by striking out “**OR FOOD SERVICE ESTABLISHMENT**”.
8. Amend page 7, line 5, after “**EMPLOYER**” by striking out “**OR FOOD SERVICE ESTABLISHMENT**”.
9. Amend page 7, line 7, after “**EMPLOYER**” by striking out “**OR FOOD SERVICE ESTABLISHMENT**”.
10. Amend page 7, line 9, after “**EMPLOYER**” by striking out “**OR FOOD SERVICE ESTABLISHMENT**”.
11. Amend page 7, line 12, after “**SECTION**” by striking out the balance of the subdivision and inserting a period.
12. Amend page 7, line 15, after “**RIGHTS**” by striking out the balance of the line through “**ESTABLISHMENTS**” on line 16.
13. Amend page 7, line 18, after “**IF**” by striking out “**EMPLOYER OR FOOD SERVICE ESTABLISHMENT**” and inserting “**THE EMPLOYER**”.
14. Amend page 7, line 24, after “**OF**” by striking out “**SECTIONS**” and inserting “**SECTION**”.
15. Amend page 7, line 25, by striking out “**AND 12905**”.
16. Amend page 8, line 22, after the first “**PART**” by striking out “**OR PART 129**”.
17. Amend page 10, line 3, after the first “**PART**” by striking out “**OR PART 129**”.
18. Amend page 12, line 3, after the first “**PART**” by striking out “**OR PART 129**”.
19. Amend page 12, line 9, by striking out all of section 12613.
20. Amend page 13, line 14, after “part” by striking out “**AND PART 129**”.
21. Amend page 13, line 18, after “with” by striking out “**SECTIONS**” and inserting “section”.
22. Amend page 13, line 19, by striking out “**AND 12905**”.
23. Amend page 14, line 1, by striking out the balance of the bill and inserting:  
“Enacting section 1. Sections 12604a, 12605, 12607, 12615, 12617, 21333, and 21733 of the public health code, 1978 PA 368, MCL 333.12604a, 333.12605, 333.12607, 333.12615, 333.12617, 333.21333, and 333.21733, are repealed.”.

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

Rep. Corriveau moved to amend the bill as follows:

1. Amend page 3, following line 19, by inserting:  
“(v) **THE NON-FOOD-SERVICE-ESTABLISHMENT PORTION OF THE PREMISES OF A LICENSEE UNDER THE HORSE RACING LAW OF 1995, 1995 PA 279, MCL 431.301 TO 431.336.**”.

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

Rep. Simpson moved to amend the bill as follows:

1. Amend page 2, following line 24, by inserting:  
“(K) **“LICENSED BINGO EVENT OR MILLIONAIRE PARTY” MEANS A BINGO EVENT OR MILLIONAIRE PARTY CONDUCTED BY A LICENSEE UNDER THE TRAXLER-MCCAULEY-LAW-BOWMAN BINGO ACT, 1972 PA 382, MCL 432.101 TO 432.120.**” and relettering the remaining subdivisions.
2. Amend page 3, following line 19, by inserting:  
“(v) **A PLACE AT WHICH A LICENSED BINGO EVENT OR MILLIONAIRE PARTY IS BEING CONDUCTED.**”.
3. Amend page 17, line 14, after “**SECTION**” by striking out “**12601(M)(ii) OR (iv)**” and inserting “**12601(M)(ii), (iv), OR (v)**”.

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

Rep. Johnson moved to amend the bill as follows:

1. Amend page 3, line 14, after “A” by inserting “**SMOKING ESTABLISHMENT,**”.
2. Amend page 4, following line 25, by inserting:  
“(Q) **“SMOKING ESTABLISHMENT” MEANS AN ESTABLISHMENT THAT MEETS THE REQUIREMENTS OF SECTION 12606A AND IS EXEMPT UNDER THAT SECTION FROM THE SMOKING PROHIBITION OF SECTION 12603.**” and relettering the remaining subdivision.

3. Amend page 7, line 27, after “**12606A.**” by inserting “**(1) AN ESTABLISHMENT THAT MEETS ALL OF THE REQUIREMENTS OF THIS SUBSECTION IS CONSIDERED A SMOKING ESTABLISHMENT UNDER THIS PART, IS EXEMPT FROM THE SMOKING PROHIBITION OF SECTION 12603, AND MAY ALLOW SMOKING ON ITS PREMISES. TO QUALIFY FOR THE EXEMPTION UNDER THIS SECTION, THE PERSON WHO OWNS OR OPERATES THE ESTABLISHMENT SHALL FILE AN AFFIDAVIT WITH THE DEPARTMENT ON OR BEFORE THE EXPIRATION OF 30 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION IF THE ESTABLISHMENT IS IN EXISTENCE ON THE EFFECTIVE DATE OF THIS SECTION OR 30 DAYS OR MORE BEFORE HE OR SHE WISHES TO USE THIS EXEMPTION, AND ON JANUARY 31 OF EACH YEAR AFTER THE EFFECTIVE DATE OF THE EXEMPTION. THE AFFIDAVIT SHALL BE SIGNED BY THE OWNER OR OPERATOR OF THE ESTABLISHMENT AND SHALL CERTIFY THAT THE ESTABLISHMENT MEETS ALL OF THE FOLLOWING REQUIREMENTS:**

**(A) THE OWNER OR OPERATOR OF THE ESTABLISHMENT IS THE HOLDER OF AN ON-PREMISES LICENSE FOR THAT ESTABLISHMENT ISSUED UNDER THE MICHIGAN LIQUOR CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1101 TO 436.2303.**

**(B) THE ESTABLISHMENT IS LOCATED ON PREMISES THAT ARE PHYSICALLY SEPARATED FROM ANY AREAS OF THE SAME OR ADJACENT ESTABLISHMENT IN WHICH SMOKING IS PROHIBITED UNDER THIS PART OR PART 129 AND WHERE SMOKE DOES NOT INFILTRATE INTO THOSE NONSMOKING AREAS. AS USED IN THIS SUBDIVISION, “PHYSICALLY SEPARATED” MEANS AN AREA THAT IS ENCLOSED ON ALL SIDES BY ANY COMBINATION OF SOLID WALLS, WINDOWS, OR DOORS THAT EXTEND FROM THE FLOOR TO CEILING.**

**(C) THE ESTABLISHMENT PROHIBITS ENTRY TO AN INDIVIDUAL UNDER THE AGE OF 21, OTHER THAN EMPLOYEES OF THE ESTABLISHMENT WHO ARE 18 YEARS OF AGE OR OLDER, DURING THE TIME THE ESTABLISHMENT IS OPEN FOR BUSINESS.**

**(D) THE ESTABLISHMENT IS NOT A PUBLIC PLACE UNDER SECTION 12601(M)(i) OR (ii).”** and renumbering the remaining subdivisions.

4. Amend page 10, line 11, after “**A**” by inserting “**SMOKING ESTABLISHMENT,**”.

5. Amend page 10, line 12, after “**THE**” by inserting “**SMOKING ESTABLISHMENT,**”.

6. Amend page 10, line 14, after “**A**” by inserting “**SMOKING ESTABLISHMENT,**”.

7. Amend page 10, line 16, after “**A**” by inserting “**SMOKING ESTABLISHMENT,**”.

8. Amend page 10, line 20, after “**A**” by inserting “**SMOKING ESTABLISHMENT,**”.

9. Amend page 10, line 26, after the second “**THE**” by inserting “**SMOKING ESTABLISHMENT,**”.

10. Amend page 11, line 2, after “**A**” by inserting “**SMOKING ESTABLISHMENT,**”.

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

Rep. Johnson moved to amend the bill as follows:

1. Amend page 8, line 8, after “**EXEMPTION**” by inserting “**IF THE CIGAR BAR IS IN EXISTENCE ON OR BEFORE DECEMBER 31, 2009**”.

2. Amend page 8, line 10, after the second “**BAR**” by inserting “**WAS IN EXISTENCE ON OR BEFORE DECEMBER 31, 2009 AND THAT IT**”.

3. Amend page 9, line 12, after “**EXEMPTION**” by inserting “**IF THE TOBACCO SPECIALTY RETAIL STORE IS IN EXISTENCE ON OR BEFORE DECEMBER 31, 2009**”.

4. Amend page 9, line 16, after “**STORE**” by inserting “**WAS IN EXISTENCE ON OR BEFORE DECEMBER 31, 2009 AND THAT IT**”.

5. Amend page 11, line 12, after the first “**THE**” by striking out the balance of the sentence and inserting “**MICHIGAN GAMING CONTROL BOARD.**”.

6. Amend page 11, line 22, after “**(B)**” by striking out “**A MAJORITY OF**” and inserting “**ALL OF THE**”.

7. Amend page 11, line 23, after “**IN**” by inserting “**THE LOWER PENINSULA OF**”.

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

Rep. Paul Scott moved to substitute (H-8) the bill.

The motion did not prevail and the substitute (H-8) was not adopted, a majority of the members serving not voting therefor.

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

The motion did not prevail and the substitute (H-5) was not adopted, a majority of the members serving not voting therefor.

Rep. Gonzales 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. 4377, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending the heading of part 129 and sections 12601, 12603, 12611, 12613, 12614, 12905, and 12915 (MCL 333.12601, 333.12603, 333.12611, 333.12613, 333.12614, 333.12905, and 333.12915), sections 12601 and 12613 as amended by 1988 PA 315, sections 12603 and 12611 as amended by 1993 PA 217, section 12614 as added by 1988 PA 296, section 12905 as amended by 1993 PA 242, and section 12915 as amended by 1982 PA 526, and by adding sections 12606, 12606a, and 12606b; and to repeal acts and parts of acts.

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

#### Roll Call No. 261

#### Yeas—73

Angerer	Ebli	Lemmons	Schuitmaker
Ball	Gonzales	Lindberg	Scott, P.
Barnett	Gregory	Lipton	Scripps
Bauer	Griffin	Liss	Segal
Bennett	Haase	Lori	Sheltrown
Brown, L.	Haines	Marleau	Simpson
Brown, T.	Hammel	McDowell	Slavens
Byrnes	Hansen	Meadows	Slezak
Byrum	Haugh	Melton	Smith
Calley	Jackson	Meltzer	Spade
Constan	Johnson	Miller	Stanley
Corriveau	Jones, Robert	Moss	Switalski
Coulouris	Kandrevas	Nathan	Tlaib
Crawford	Kennedy	Nerat	Tyler
Dean	Knollenberg	Polidori	Valentine
DeShazor	Kowall	Proos	Warren
Dillon	LeBlanc	Roberts	Womack
Donigan	Leland	Rocca	Young
Durhal			

#### Nays—31

Agema	Espinoza	Lahti	Pavlov
Amash	Geiss	Lund	Pearce
Bledsoe	Genetski	Mayes	Rogers
Bolger	Haveman	McMillin	Schmidt, R.
Caul	Hildenbrand	Meekhof	Schmidt, W.
Daley	Horn	Moore	Stamas
Denby	Jones, Rick	Neumann	Walsh
Elsenheimer	Kurtz	Opsommer	

In The Chair: Jackson

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 1978 PA 368, entitled "Public health code," by amending the heading of part 129 and sections 12601, 12603, 12611, 12613, 12614, and 12905 (MCL 333.12601, 333.12603, 333.12611, 333.12613, 333.12614, and 333.12905),

sections 12601 and 12613 as amended by 1988 PA 315, sections 12603 and 12611 as amended by 1993 PA 217, section 12614 as added by 1988 PA 296, and section 12905 as amended by 1993 PA 242, and by adding sections 12606, 12606a, and 12606b; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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Rep. Clemente, under Rule 31, made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 261 because of a possible conflict of interest.”

Rep. Huckleberry, under Rule 31, made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 261 because of a possible conflict of interest.”

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

“Mr. Speaker and members of the House:

An amendment (1A) I offered to House Bill 4377 was not allowed a record roll call vote today. My amendment would have provided for Legal Smoking Rooms as part of HB 4377. In summary, the amendment would allow restaurants and bars to have a separate space for smoking, within their establishments. The LSR would be self contained and would have to be equipped with ventilation such that no smoke is allowed to leave the room. No individual or employee would be required to enter the room, nor would they be exposed to smoke. The room would be required to close one hour before the end of normal business hours to allow for the room to fully ventilate prior to any employee being required to enter and clean the room.

It is my basic belief that an individual has the right to choose, as long as their choice does not impact another person(s). It is my opinion that my amendment would have allowed for a win-win situation for all stakeholders: 1) Non-Smokers are not impacted by smoke, 2) Employees are not impacted by smoke, 3) Smokers can pursue their enjoyment without being subjected to cold winter outside or be forced to huddle in doorways.

In addition, Detroit Metro Airport, which is in my district, has raised concerns with House Bill 4377 as presented. Specifically, international travelers would be required to exit the building, smoke, then go back through security screening checkpoints and make it to their gate during layovers. It is the opinion of the Airport that many passengers would not go through this arduous task and would simply utilize the restrooms. My amendment would provide a solution without harming non-smokers.

While I have tried to equally weigh the rights of non-smokers and smokers within the state of Michigan, the bill as presented protects some of the people some of the time, a position I cannot support. Therefore, I respectfully vote ‘NO’ for this version of the smoking ban legislation.”

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Rep. Angerer moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

#### **Motions and Resolutions**

Rep. Angerer moved that when the House adjourns today it stand adjourned until Wednesday, May 27, at 10:30 a.m.

The motion prevailed.

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Friday, May 22, for her approval of the following bills:

**Enrolled House Bill No. 4781 at 9:50 a.m.**

**Enrolled House Bill No. 4224 at 9:52 a.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, May 22:

**House Bill Nos. 4981 4982 4983 4984 4985**

**Senate Bill Nos. 598 599 600 601 602 603 604 605 606 607**

The Clerk announced that the following Senate bill had been received on Tuesday, May 26:

**Senate Bill No. 164**

### Reports of Standing Committees

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

**Senate Bill No. 419, entitled**

A bill to amend 1971 PA 22, entitled "An act prescribing the age at which persons may donate their blood," by amending section 1 (MCL 722.41), as amended by 1981 PA 228.

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. Corriveau, Segal, Byrum, Donigan, Liss, Roy Schmidt, Simpson, Slavens, Valentine, Marleau, Ball, Calley, Crawford, Denby, Moore and Paul Scott

Nays: None

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 26, 2009

Present: Reps. Corriveau, Segal, Byrum, Donigan, Liss, Roy Schmidt, Simpson, Slavens, Valentine, Womack, Marleau, Ball, Calley, Crawford, Denby, Moore and Paul Scott

Absent: Reps. Coulouris, Johnson, Neumann and Green

Excused: Reps. Coulouris, Johnson, Neumann and Green

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

**House Bill No. 4977, entitled**

A bill to amend 1988 PA 511, entitled "Community corrections act," by amending section 8 (MCL 791.408).

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, Constan, Coulouris, Kandrevas, Warren, Haveman and Rick Jones

Nays: Rep. Rocca

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 26, 2009

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

Absent: Rep. Bettie Scott

Excused: Rep. Bettie Scott

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 26, 2009

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

Absent: Reps. Clemente, Ebli, Johnson and Lipton

Excused: Reps. Clemente, Ebli, Johnson and Lipton

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Donigan, Chair, of the Committee on Intergovernmental and Regional Affairs, was received and read:

Meeting held on: Tuesday, May 26, 2009

Present: Reps. Donigan, Barnett, Bledsoe, Haugh, Robert Jones, Kennedy, Young, Lund and Wayne Schmidt

Absent: Reps. Denby and Meekhof

Excused: Reps. Denby and Meekhof

**Messages from the Senate****House Bill No. 4145, entitled**

A bill to amend 2006 PA 237, entitled "An act to amend 1994 PA 451, entitled, "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 80110, 80111, and 80112 (MCL 324.80110, 324.80111, and 324.80112), as added by 1995 PA 58; and to repeal acts and parts of acts," by repealing enacting section 1.

The Senate has passed the bill and ordered that it be given immediate effect.

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

**Senate Bill No. 164, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as amended by 2008 PA 169.

The Senate has passed the bill.

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

**Messages from the Governor**

Date: May 20, 2009

Time: 3:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4453 (Public Act No. 29, I.E.), being**

An act to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof;

the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending the title and section 3204 (MCL 600.3204), the title as amended by 1999 PA 239 and section 3204 as amended by 2004 PA 186, and by adding section 3205.

(Filed with the Secretary of State May 21, 2009, at 11:52 a.m.)

Date: May 20, 2009

Time: 3:12 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4454 (Public Act No. 30, I.E.), being**

An act to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," (MCL 600.101 to 600.9947) by adding sections 3205a and 3205b.

(Filed with the Secretary of State May 21, 2009, at 11:54 a.m.)

Date: May 20, 2009

Time: 3:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4455 (Public Act No. 31, I.E.), being**

An act to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," (MCL 600.101 to 600.9947) by adding sections 3205c, 3205d, and 3205e; and to repeal acts and parts of acts.

(Filed with the Secretary of State May 21, 2009, at 11:56 a.m.)

### Introduction of Bills

Rep. Young introduced

**House Bill No. 4986, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2009 PA 16.

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

Rep. Schuitmaker introduced

**House Bill No. 4987, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 269 (MCL 206.269), as added by 2004 PA 313.

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

Reps. Meekhof and Green introduced

**House Bill No. 4988, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 53 (MCL 24.253), as amended by 2004 PA 23.

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



Reps. Rocca, Melton and Johnson introduced

**House Bill No. 4989, entitled**

A bill to regulate guaranteed asset protection waivers offered or provided in connection with finance agreements for certain motor vehicles; to provide for the powers and duties of certain state governmental officers and entities; and to provide remedies.

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

Reps. Johnson and Melton introduced

**House Bill No. 4990, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 127.

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

Reps. Johnson and Melton introduced

**House Bill No. 4991, entitled**

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 13 (MCL 492.113), as amended by 2002 PA 699.

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

Reps. Melton and Johnson introduced

**House Bill No. 4992, entitled**

A bill to amend 1966 PA 224, entitled "Retail installment sales act," by amending section 3 (MCL 445.853).

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

Reps. Melton and Johnson introduced

**House Bill No. 4993, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509v and 509w (MCL 168.509v and 168.509w), as added by 1994 PA 441.

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

Reps. Melton and Johnson introduced

**House Bill No. 4994, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2008 PA 561.

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

Reps. Lahti, Lindberg, McDowell, Nerat, Booher, Spade, Gonzales, Polidori, Cushingberry and Paul Scott introduced

**House Bill No. 4995, entitled**

A bill to require all official depictions of the state of Michigan to include both peninsulas of the state.

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

Reps. Scripps, Mayes, Kandreas, Valentine and Robert Jones introduced

**House Bill No. 4996, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 534, 537, 603, and 1027 (MCL 436.1534, 436.1537, 436.1603, and 436.2027), sections 537, 603, and 1027 as amended and section 534 as added by 2008 PA 218.

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

Reps. Geiss, Gonzales, Constan, Miller, Kandreas, Tlaib, Kennedy, Haugh, Liss, Ebli, Valentine, Switalski, Durhal, Gregory and LeBlanc introduced

**House Bill No. 4997, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 16, 22, 26, 28, 29, 33, 34, 35, 41, 42, 47, 52, 55, and 57 (MCL 169.215, 169.216, 169.222, 169.226, 169.228, 169.229, 169.233, 169.234,

169.235, 169.241, 169.242, 169.247, 169.252, 169.255, and 169.257), sections 15, 26, 29, 42, 47, 52, and 57 as amended by 2001 PA 250, section 16 as amended by 2000 PA 50, sections 22, 28, and 41 as amended by 1999 PA 237, sections 33 and 34 as amended by 1999 PA 238, section 35 as amended by 2000 PA 75, and section 55 as amended by 1995 PA 264, and by adding sections 43a and 48.

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

Reps. Jackson, Durhal, Johnson, Nathan, Tlaib, Womack, Kennedy, Constan, Stanley, Smith, Lemmons, Coulouris, Gregory and Leland introduced

**House Bill No. 4998, entitled**

A bill to amend 2008 PA 554, entitled "Regional convention facility authority act," by amending sections 11 and 19 (MCL 141.1361 and 141.1369).

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

Reps. Mayes, Hansen, Lindberg, Proos, Miller, Tyler, Ebli, Horn, Schuitmaker, Marleau, Byrum, Terry Brown, Scripps, Lahti, Polidori, Crawford, Clemente, Wayne Schmidt, Opsommer, Meadows and Lisa Brown introduced

**House Bill No. 4999, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2008 PA 579.

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

Reps. Terry Brown, Espinoza, Polidori, Constan, Mayes, Bauer, Sheltroun and Dean introduced

**House Bill No. 5000, entitled**

A bill to provide a right of cancellation in wind leases.

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

Rep. Caul introduced

**House Bill No. 5001, entitled**

A bill to amend 2000 PA 261, entitled "Agricultural property recapture act," by amending section 6 (MCL 211.1006).

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

Reps. Lori, Walsh, Proos, Lund, DeShazor, Bolger, Rick Jones, Elsenheimer, Kurtz, Opsommer, Haines, Pearce, Schuitmaker and Tyler introduced

**House Bill No. 5002, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 2a of chapter XI (MCL 771.2a), as amended by 2006 PA 507.

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

Reps. Lori, Walsh, Proos, Lund, DeShazor, Bolger, Rick Jones, Elsenheimer, Kurtz, Haines, Pearce, Schuitmaker, Tyler and Opsommer introduced

**House Bill No. 5003, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7333c.

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

Reps. Lori, Walsh, Proos, Lund, DeShazor, Bolger, Rick Jones, Denby, Kurtz, Elsenheimer, Opsommer, Haines, Barnett, Bauer, Bledsoe, Rogers, Kandrevas, Scripps, Pearce, Schuitmaker, Tyler, Meadows and Kowall introduced

**House Bill No. 5004, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80101, 80171, 80176, 80177, 80178, 80180, 80183, 80184, 80186, 80187, and 80190 (MCL 324.80101, 324.80171, 324.80176, 324.80177, 324.80178, 324.80180, 324.80183, 324.80184, 324.80186, 324.80187, and 324.80190), section 80101 as amended by 2004 PA 547, sections 80171, 80186, and 80190 as added by 1995 PA 58, sections 80176, 80177, and 80178 as amended by 2001 PA 12, section 80180 as amended by 2007 PA 8, and sections 80183, 80184, and 80187 as amended by 1996 PA 174.

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

Reps. Tyler, Lund, Lori, Bolger, Haines, Denby, Walsh, Proos, Schuitmaker, Kowall, Moss, Meltzer, Knollenberg, Rick Jones, Rogers, Paul Scott, Ball, DeShazor, Hansen, Bledsoe, Kurtz, Scripps, Barnett, Bauer, Pearce, Opsommer, Wayne Schmidt, Crawford, McMillin, Meekhof, Clemente, Daley, Meadows, Mayes and Kandrevas introduced

**House Bill No. 5005, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82101, 82127, 82128, 82129, 82136, 82139, 82140, 82142, 82143, 82144, 82146, and 82148 (MCL 324.82101, 324.82127, 324.82128, 324.82129, 324.82136, 324.82139, 324.82140, 324.82142, 324.82143, 324.82144, 324.82146, and 324.82148), section 82101 as amended by 2008 PA 145, section 82127 as amended by 2001 PA 12, sections 82128 and 82129 as amended by 1999 PA 22, sections 82136, 82142, and 82146 as added by 1995 PA 58, sections 82139, 82140, 82143, and 82144 as amended by 1996 PA 183, and section 82148 as amended by 2005 PA 175.

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

Reps. Schuitmaker, Lund, Lori, Bolger, Haines, Denby, Walsh, Proos, Kowall, Moss, Meltzer, Knollenberg, Rick Jones, Rogers, Paul Scott, Ball, Opsommer, DeShazor, Hansen, Tyler, Bledsoe, Kurtz, Barnett, Bauer, Pearce, Wayne Schmidt, Crawford, McMillin, Meekhof, Clemente, Daley, Scripps, Meadows, Mayes and Kandrevas introduced

**House Bill No. 5006, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13g of chapter XVII (MCL 777.13g), as amended by 2003 PA 232.

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

Reps. Kandrevas, Slezak, Geiss, Haugh, Scripps, Walsh, Tyler, Barnett, Bauer, Bledsoe, Mayes, Kowall, Rogers, Lori, Proos, Dean, Schuitmaker, Meadows and Wayne Schmidt introduced

**House Bill No. 5007, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81101, 81134, 81136, 81137, 81140, 81141, and 81144 (MCL 324.81101, 324.81134, 324.81136, 324.81137, 324.81140, 324.81141, and 324.81144), section 81101 as amended by 2004 PA 587, section 81134 as amended by 2001 PA 12, sections 81136 and 81141 as amended by 1996 PA 175, and sections 81137, 81140, and 81144 as added by 1995 PA 58, and by adding section 81140b; and to repeal acts and parts of acts.

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

Reps. Bledsoe, Tyler, Walsh, Geiss, Stanley, Barnett, Schuitmaker, Mayes, Kowall, Rogers, Lori, Kandrevas, Scripps, Proos, Meadows and Wayne Schmidt introduced

**House Bill No. 5008, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13g of chapter XVII (MCL 777.13g), as amended by 2003 PA 232.

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

Reps. Schuitmaker and Meadows introduced

**House Bill No. 5009, entitled**

A bill to amend 2008 PA 148, entitled "Personal property trust perpetuities act," by amending section 4 (MCL 554.94).

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

Reps. Meadows and Schuitmaker introduced

**House Bill No. 5010, entitled**

A bill to amend 1988 PA 418, entitled "Uniform statutory rule against perpetuities," by amending section 5 (MCL 554.75), as amended by 2008 PA 149.

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

**Announcements by the Clerk**

May 20, 2009

Received from the Auditor General a copy of the following audit report and/or report summary:

Performance audit of Cash Receipts and Branch Office Customer Service, Department of State, May 2009.

Richard J. Brown  
Clerk of the House

Rep. McDowell moved that the House adjourn.  
The motion prevailed, the time being 6:25 p.m.

Associate Speaker Pro Tempore Jackson declared the House adjourned until Wednesday, May 27, at 10:30 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives