

No. 50
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House of Representatives
95th Legislature
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House Chamber, Lansing, Wednesday, June 3, 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—present	Lori—present	Scott, B.—present
Bolger—present	Gregory—present	Lund—present	Scott, P.—present
Booher—present	Griffin—present	Marleau—present	Scripps—present
Brown, L.—present	Haase—present	Mayes—present	Segal—present
Brown, T.—present	Haines—present	McDowell—present	Sheltrown—present
Byrnes—present	Hammel—present	McMillin—present	Simpson—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—excused	Jackson—present	Moss—present	Switalski—present
Crawford—present	Johnson—excused	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. Eileen Kowall, from the 44th District, offered the following invocation:

“Almighty God, our Heavenly Father, we stand before You blessed with the opportunity to serve Your people. We ask You to watch over us and guide us in our deliberations on the House floor today. On our shoulders rests the burden of governing our great state of Michigan in difficult times. Give us the wisdom to discern what is right and the courage to do it. Allow us to disagree, but not be disagreeable. Let us always respect one another and act in a manner pleasing to You. In Jesus’ name we pray. Amen.”

Rep. Angerer moved that Reps. Coulouris and Johnson be excused from today’s session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 383, entitled

A bill to amend 1846 RS 81, entitled “Of fraudulent conveyances and contracts, relative to goods, chattels, and things in action,” by amending section 1 (MCL 566.131).

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. 35, p. 738),

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

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. 383, entitled

A bill to amend 1846 RS 81, entitled “Of fraudulent conveyances and contracts, relative to goods, chattels, and things in action,” by amending section 1 (MCL 566.131).

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

Roll Call No. 268

Yeas—107

Agema	Ebli	LeBlanc	Roberts
Amash	Elsenheimer	Leland	Rocca
Angerer	Espinoza	Lemmons	Rogers
Ball	Geiss	Lindberg	Schmidt, R.
Barnett	Genetski	Lipton	Schmidt, W.
Bauer	Gonzales	Liss	Schuitmaker
Bennett	Green	Lori	Scott, B.
Bledsoe	Gregory	Lund	Scott, P.
Bolger	Griffin	Marleau	Scripps
Booher	Haase	Mayes	Segal
Brown, L.	Haines	McDowell	Sheltrown
Brown, T.	Hammel	McMillin	Simpson
Byrnes	Hansen	Meadows	Slavens
Byrum	Haugh	Meekhof	Slezak
Calley	Haveman	Melton	Smith
Caul	Hildenbrand	Meltzer	Spade

Clemente	Horn	Miller	Stamas
Constan	Huckleberry	Moore	Stanley
Corriveau	Jackson	Moss	Switalski
Crawford	Jones, Rick	Nathan	Tlaib
Daley	Jones, Robert	Nerat	Tyler
Dean	Kandrevas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren
Dillon	Kowall	Pearce	Womack
Donigan	Kurtz	Polidori	Young
Durhal	Lahti	Proos	

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. 384, entitled**

A bill to amend 1846 RS 63, entitled “Of uses and trusts,” (MCL 555.1 to 555.27) by adding section 28.
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. 35, p. 738),
The amendment was adopted, a majority of the members serving voting therefor.
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. 384, entitled**

A bill to amend 1846 RS 63, entitled “Of uses and trusts,” (MCL 555.1 to 555.27) by adding section 28.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 269**Yeas—108**

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	Green	Lori	Scott, B.
Bolger	Gregory	Lund	Scott, P.
Booher	Griffin	Marleau	Scripps

Brown, L.	Haase	Mayes	Segal
Brown, T.	Haines	McDowell	Sheltrown
Byrnes	Hammel	McMillin	Simpson
Byrum	Hansen	Meadows	Slavens
Calley	Haugh	Meekhof	Slezak
Caul	Haveman	Melton	Smith
Clemente	Hildenbrand	Meltzer	Spade
Constan	Horn	Miller	Stamas
Corriveau	Huckleberry	Moore	Stanley
Crawford	Jackson	Moss	Switalski
Cushingberry	Jones, Rick	Nathan	Tlaib
Daley	Jones, Robert	Nerat	Tyler
Dean	Kandreas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren
Dillon	Kowall	Pearce	Womack
Donigan	Kurtz	Polidori	Young

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. 385, entitled

A bill to amend 1998 PA 434, entitled “Uniform fraudulent transfer act,” by amending section 1 (MCL 566.31).

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. 35, p. 738),

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

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. 385, entitled

A bill to amend 1998 PA 434, entitled “Uniform fraudulent transfer act,” by amending section 1 (MCL 566.31).

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

Roll Call No. 270

Yeas—108

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	Green	Lori	Scott, B.
Bolger	Gregory	Lund	Scott, P.
Booher	Griffin	Marleau	Scripps
Brown, L.	Haase	Mayes	Segal
Brown, T.	Haines	McDowell	Sheltrown
Byrnes	Hammel	McMillin	Simpson
Byrum	Hansen	Meadows	Slavens
Calley	Haugh	Meekhof	Slezak
Caul	Haveman	Melton	Smith
Clemente	Hildenbrand	Meltzer	Spade
Constan	Horn	Miller	Stamas
Corriveau	Huckleberry	Moore	Stanley
Crawford	Jackson	Moss	Switalski
Cushingberry	Jones, Rick	Nathan	Tlaib
Daley	Jones, Robert	Nerat	Tyler
Dean	Kandrevas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren
Dillon	Kowall	Pearce	Womack
Donigan	Kurtz	Polidori	Young

Nays—0

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 define and regulate fraudulent transfers and conveyances; to set aside and modify certain transfers and conveyances; to make uniform the law of fraudulent transfers; 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.

Second Reading of Bills

Senate Bill No. 386, entitled

A bill to amend 1967 PA 224, entitled “Powers of appointment act of 1967,” by amending section 13 (MCL 556.123).

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. 35, p. 739),

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

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. 386, entitled

A bill to amend 1967 PA 224, entitled “Powers of appointment act of 1967,” by amending section 13 (MCL 556.123).

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

Roll Call No. 271**Yeas—108**

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	Green	Lori	Scott, B.
Bolger	Gregory	Lund	Scott, P.
Booher	Griffin	Marleau	Scripps
Brown, L.	Haase	Mayer	Segal
Brown, T.	Haines	McDowell	Sheltrown
Byrnes	Hammel	McMillin	Simpson
Byrum	Hansen	Meadows	Slavens
Calley	Haug	Meekhof	Slezak
Caul	Haveman	Melton	Smith
Clemente	Hildenbrand	Meltzer	Spade
Constan	Horn	Miller	Stamas
Corriveau	Huckleberry	Moore	Stanley
Crawford	Jackson	Moss	Switalski
Cushingberry	Jones, Rick	Nathan	Tlaib
Daley	Jones, Robert	Nerat	Tyler
Dean	Kandrevas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren
Dillon	Kowall	Pearce	Womack
Donigan	Kurtz	Polidori	Young

Nays—0

In The Chair: Byrnes

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

“An act relating to powers, the creation and exercise of powers, release of powers, contracts to appoint, dispositions when powers are unexercised, rights of creditors of donees of powers, computations under the rule against perpetuities, reservation of powers of revocation, and recording of instruments; and to repeal certain 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.

Second Reading of Bills**Senate Bill No. 387, entitled**

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1103, 1104, 1105, 1106, 1107, 1201, 1209, 1210, 1212, 1214, 1308, 1403, 1507, 2501, 2504, 2511, 2519, 2705, 2722, 2901, 2904, 2907, 3104, 3403, 3703, 3705, 3713, 3715, 3801, 3803, 3805, 3914, 3915, 5407, 5421, 6101, 7101, 7102, 7103, 7104, 7105, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7301, 7302, 7303, 7304, 7305, 7401, 7402, 7403, 7404, 7405, 7406, 7407, 7410, 7501, 7502, 7503, 7504, 7505, 7506, 7507, and 7508 (MCL 700.1103, 700.1104, 700.1105, 700.1106, 700.1107, 700.1201, 700.1209, 700.1210, 700.1212, 700.1214, 700.1308, 700.1403, 700.1507, 700.2501, 700.2504, 700.2511, 700.2519, 700.2705, 700.2722, 700.2901, 700.2904, 700.2907, 700.3104, 700.3403, 700.3703, 700.3705, 700.3713, 700.3715, 700.3801, 700.3803, 700.3805, 700.3914, 700.3915, 700.5407, 700.5421, 700.6101, 700.7101, 700.7102, 700.7103, 700.7104, 700.7105, 700.7201, 700.7202, 700.7203, 700.7204, 700.7205, 700.7206, 700.7207,

700.7301, 700.7302, 700.7303, 700.7304, 700.7305, 700.7401, 700.7402, 700.7403, 700.7404, 700.7405, 700.7406, 700.7407, 700.7410, 700.7501, 700.7502, 700.7503, 700.7504, 700.7505, 700.7506, 700.7507, and 700.7508), sections 1103 and 7503 as amended by 2000 PA 177, section 1104 as amended by 2006 PA 299, sections 1105, 3803, 7303, and 7406 as amended and section 7410 as added by 2004 PA 314, section 1106 as amended by 2004 PA 532, sections 1107, 1214, 2504, 7206, 7501, and 7507 as amended by 2000 PA 54, sections 2519, 3715, 7401, 7502, and 7508 as amended by 2005 PA 204, section 3705 as amended by 2004 PA 481, and section 3805 as amended by 2007 PA 73, by amending the heading of article VII and the headings of parts 1, 2, 3, 4, and 5 of article VII, by adding sections 7107, 7108, 7109, 7110, 7111, 7112, 7113, 7208, 7209, 7210, 7211, 7411, 7412, 7413, 7414, 7415, 7416, 7417, 8201, 8202, 8204, and 8206, and by adding parts 6, 7, 8, and 9 to article VII; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 35, p. 739),

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

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. 387, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1103, 1104, 1105, 1106, 1107, 1201, 1209, 1210, 1212, 1214, 1308, 1403, 1507, 2501, 2504, 2511, 2519, 2705, 2722, 2901, 2904, 2907, 3104, 3403, 3703, 3705, 3713, 3715, 3801, 3803, 3805, 3914, 3915, 5407, 5421, 6101, 7101, 7102, 7103, 7104, 7105, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7301, 7302, 7303, 7304, 7305, 7401, 7402, 7403, 7404, 7405, 7406, 7407, 7410, 7501, 7502, 7503, 7504, 7505, 7506, 7507, and 7508 (MCL 700.1103, 700.1104, 700.1105, 700.1106, 700.1107, 700.1201, 700.1209, 700.1210, 700.1212, 700.1214, 700.1308, 700.1403, 700.1507, 700.2501, 700.2504, 700.2511, 700.2519, 700.2705, 700.2722, 700.2901, 700.2904, 700.2907, 700.3104, 700.3403, 700.3703, 700.3705, 700.3713, 700.3715, 700.3801, 700.3803, 700.3805, 700.3914, 700.3915, 700.5407, 700.5421, 700.6101, 700.7101, 700.7102, 700.7103, 700.7104, 700.7105, 700.7201, 700.7202, 700.7203, 700.7204, 700.7205, 700.7206, 700.7207, 700.7301, 700.7302, 700.7303, 700.7304, 700.7305, 700.7401, 700.7402, 700.7403, 700.7404, 700.7405, 700.7406, 700.7407, 700.7410, 700.7501, 700.7502, 700.7503, 700.7504, 700.7505, 700.7506, 700.7507, and 700.7508), sections 1103 and 7503 as amended by 2000 PA 177, section 1104 as amended by 2006 PA 299, sections 1105, 3803, 7303, and 7406 as amended and section 7410 as added by 2004 PA 314, section 1106 as amended by 2004 PA 532, sections 1107, 1214, 2504, 7206, 7501, and 7507 as amended by 2000 PA 54, sections 2519, 3715, 7401, 7502, and 7508 as amended by 2005 PA 204, section 3705 as amended by 2004 PA 481, and section 3805 as amended by 2007 PA 73, by amending the heading of article VII and the headings of parts 1, 2, 3, 4, and 5 of article VII, by adding sections 7107, 7108, 7109, 7110, 7111, 7112, 7113, 7208, 7209, 7210, 7211, 7411, 7412, 7413, 7414, 7415, 7416, 7417, 8201, 8202, 8204, and 8206, and by adding parts 6, 7, 8, and 9 to article VII; 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. 272

Yeas—108

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	Green	Lori	Scott, B.
Bolger	Gregory	Lund	Scott, P.
Booher	Griffin	Marleau	Scripps
Brown, L.	Haase	Mayes	Segal
Brown, T.	Haines	McDowell	Sheltrown
Byrnes	Hammel	McMillin	Simpson
Byrum	Hansen	Meadows	Slavens

Calley	Haugh	Meekhof	Slezak
Caul	Haveman	Melton	Smith
Clemente	Hildenbrand	Meltzer	Spade
Constan	Horn	Miller	Stamas
Corriveau	Huckleberry	Moore	Stanley
Crawford	Jackson	Moss	Switalski
Cushingberry	Jones, Rick	Nathan	Tlaib
Daley	Jones, Robert	Nerat	Tyler
Dean	Kandrevas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren
Dillon	Kowall	Pearce	Womack
Donigan	Kurtz	Polidori	Young

Nays—0

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 codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; 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.

Second Reading of Bills

House Bill No. 4723, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 8a (MCL 125.2688a), as amended by 2008 PA 116.

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

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

Rep. Espinoza 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. 4723, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 8a (MCL 125.2688a), as amended by 2008 PA 116.

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

Roll Call No. 273

Yeas—103

Angerer	Ebli	Leland	Rocca
Ball	Elsenheimer	Lemmons	Rogers

Barnett	Espinoza	Lindberg	Schmidt, R.
Bauer	Geiss	Lipton	Schmidt, W.
Bennett	Gonzales	Liss	Schuitmaker
Bledsoe	Green	Lori	Scott, B.
Bolger	Gregory	Lund	Scott, P.
Booher	Griffin	Marleau	Scripps
Brown, L.	Haase	Mayes	Segal
Brown, T.	Haines	McDowell	Sheltrown
Byrnes	Hammel	Meadows	Simpson
Byrum	Hansen	Meekhof	Slavens
Calley	Haugh	Melton	Slezak
Caul	Haveman	Meltzer	Smith
Clemente	Hildenbrand	Miller	Spade
Constan	Horn	Moore	Stamas
Corriveau	Huckleberry	Moss	Stanley
Crawford	Jackson	Nathan	Switalski
Cushingberry	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	Lahti	Proos	Young
Durhal	LeBlanc	Roberts	

Nays—5

Agema	Genetski	Kurtz	McMillin
Amash			

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 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 3 (MCL 125.2683), as amended by 2008 PA 217, and by adding section 8g.

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.

Second Reading of Bills

House Bill No. 4724, entitled

A bill to create the blue water bridge oversight committee in the legislative council; to provide for certain duties, functions, and powers; and to provide for certain duties of certain state agencies.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Pavlov 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. Pavlov 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. 4724, entitled

A bill to create the blue water bridge oversight committee in the legislative council; to provide for certain duties, functions, and powers; and to provide for certain duties of certain state agencies.

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

Roll Call No. 274

Yeas—108

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	Green	Lori	Scott, B.
Bolger	Gregory	Lund	Scott, P.
Booher	Griffin	Marleau	Scripps
Brown, L.	Haase	Mayes	Segal
Brown, T.	Haines	McDowell	Sheltrown
Byrnes	Hammel	McMillin	Simpson
Byrum	Hansen	Meadows	Slavens
Calley	Haugh	Meekhof	Slezak
Caul	Haveman	Melton	Smith
Clemente	Hildenbrand	Meltzer	Spade
Constan	Horn	Miller	Stamas
Corriveau	Huckleberry	Moore	Stanley
Crawford	Jackson	Moss	Switalski
Cushingberry	Jones, Rick	Nathan	Tlaib
Daley	Jones, Robert	Nerat	Tyler
Dean	Kandreas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren
Dillon	Kowall	Pearce	Womack
Donigan	Kurtz	Polidori	Young

Nays—0

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 provide for certain duties of certain state agencies.
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
Messages from the Senate

The Speaker laid before the House

House Bill No. 4308, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and capital outlay for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

(The bill was received from the Senate on May 27, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 28, see House Journal No. 47, p. 975.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Gonzales moved to amend the Senate substitute (S-1) as follows:

1. Amend page 5, following line 13, by inserting:

“Sec. 105. STATE TRANSPORTATION DEPARTMENT

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	30,400,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	30,400,000
Federal revenues:		
Total federal revenues.....		30,400,000
Special revenue funds:		
Total local revenues.....		0
Total private revenues.....		0
Total other state restricted revenues		0
State general fund/general purpose	\$	0
(2) CAPITAL OUTLAY: AIRPORT IMPROVEMENT PROGRAMS		
Airport safety, protection and improvement program (ARRA).....	\$	30,400,000
GROSS APPROPRIATION	\$	30,400,000

Appropriated from:

Federal revenues:

DOT, federal aviation administration, grants-in-aid for airports (ARRA)		30,400,000
State general fund/general purpose	\$	0”

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

2. Amend page 7, following line 10, by inserting:

“Sec. 206. From the funds appropriated in part 1, the Michigan economic recovery office shall develop, post, and maintain a user-friendly and publicly accessible Internet site to clearly illustrate all state expenditures of federal funds under the American recovery and reinvestment act of 2009, Public Law 111-5. The postings shall include all reports required by the American recovery and reinvestment act of 2009, Public Law 111-5, detailing expenditures of funds received.”.

3. Amend page 7, line 22, by striking out all of section 401.

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

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 275

Yeas—93

Angerer	Ebli	Lindberg	Schmidt, R.
Ball	Espinoza	Lipton	Schmidt, W.
Barnett	Geiss	Liss	Schuitmaker
Bauer	Gonzales	Lori	Scott, B.
Bennett	Green	Marleau	Scott, P.
Bledsoe	Gregory	Mayes	Scripps
Bolger	Griffin	McDowell	Segal
Booher	Haase	Meadows	Sheltrown
Brown, L.	Hammel	Melton	Simpson

Brown, T.	Hansen	Meltzer	Slavens
Byrnes	Haugh	Miller	Slezak
Byrum	Hildenbrand	Moore	Smith
Calley	Huckleberry	Moss	Spade
Caul	Jackson	Nathan	Stamas
Clemente	Jones, Rick	Nerat	Stanley
Constan	Jones, Robert	Neumann	Switalski
Corriveau	Kandrevas	Opsommer	Tlaib
Crawford	Kennedy	Pavlov	Tyler
Cushingberry	Kowall	Pearce	Valentine
Dean	Lahti	Polidori	Walsh
DeShazor	LeBlanc	Proos	Warren
Dillon	Leland	Roberts	Womack
Donigan	Lemmons	Rocca	Young
Durhal			

Nays—15

Agema	Elsenheimer	Horn	McMillin
Amash	Genetski	Knollenberg	Meekhof
Daley	Haines	Kurtz	Rogers
Denby	Haveman	Lund	

In The Chair: Byrnes

The House agreed to the title as amended.

Rep. Dean 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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, June 3:

House Bill Nos.	5031	5032	5033	5034				
Senate Bill Nos.	616	617	618	619	620	621	622	623

The Clerk announced that the following Senate bill had been received on Wednesday, June 3:

Senate Bill No. 426

Reports of Standing Committees

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

Senate Bill No. 490, entitled

A bill to amend 1950 (Ex Sess) PA 21, entitled "An act to create the Mackinac bridge authority, and to prescribe its powers and duties; to provide for the determination of the physical and financial feasibility of a bridge connecting the upper and lower peninsulas of Michigan; to provide for a board of consulting engineers, and to prescribe its powers and

duties; and to make an appropriation to carry out the provisions of this act,” (MCL 254.301 to 254.302) by amending the title and by adding section 1a.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Byrnes, Kandrevas, Donigan, Geiss, Griffin, Haugh, Leland, Nerat, Young, Opsommer, Bolger, DeShazor, Knollenberg, Pearce, Wayne Schmidt and Paul Scott

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 2, 2009

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

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

House Bill No. 4985, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” (MCL 169.201 to 169.282) by adding section 48.

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. Angerer, Haase, Lisa Brown, Donigan, Scripps, Slavens, Meltzer, Kurtz and Pearce

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 3, 2009

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

The Committee on Senior Health, Security, and Retirement, by Rep. Neumann, Chair, reported

House Bill No. 5011, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1a of chapter IV (MCL 764.1a), as amended by 2005 PA 106.

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. Neumann, Slavens, Constan, Robert Jones, Lemmons, Ball, DeShazor and Tyler

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Neumann, Chair, of the Committee on Senior Health, Security, and Retirement, was received and read:

Meeting held on: Wednesday, June 3, 2009

Present: Reps. Neumann, Slavens, Constan, Robert Jones, Lemmons, Ball, DeShazor and Tyler

Absent: Rep. Moore

Excused: Rep. Moore

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

House Bill No. 4887, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101 and 36104a (MCL 324.36101 and 324.36104a), section 36101 as amended by 2008 PA 336 and section 36104a as added by 1996 PA 233.

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 3, 2009

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

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

House Bill No. 4322, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Kandrevas, Bettie Scott, Schuitmaker, Amash, Haveman, Rick Jones and Kowall

Nays: None

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

House Bill No. 4845, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3141 and 3145 (MCL 500.3141 and 500.3145).

With the recommendation that the substitute (H-1) be adopted.

The committee further recommended that the bill and substitute be referred to the Committee on Insurance.

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Kandrevas, Bettie Scott and Warren

Nays: None

The further recommendation was concurred in and the bill and substitute were referred to the Committee on Insurance.

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

House Bill No. 5033, entitled

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

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, Corriveau, Kandrevas, Bettie Scott and Warren

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 3, 2009

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

Absent: Rep. Coulouris

Excused: Rep. Coulouris

The Committee on Regulatory Reform, by Rep. Haugh, Vice-Chair, reported

House Bill No. 4536, entitled

A bill to amend 1943 PA 148, entitled "An act to provide for the regulation and licensing of proprietary schools in the state; to require surety; to provide for collection and disposition of fees; and to prescribe penalties for the violation of this act," by amending sections 1, 1a, 2, 2a, 2b, and 3 (MCL 395.101, 395.101a, 395.102, 395.102a, 395.102b, and 395.103), sections 1, 2, 2a, 2b, and 3 as amended and section 1a as added by 1983 PA 60, and by adding section 2c.

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. Haugh, Byrnes, Griffin, Melton, Bettie Scott, Stanley, Rocca, Crawford, Rick Jones and Stamas

Nays: None

The Committee on Regulatory Reform, by Rep. Haugh, Vice-Chair, reported

House Bill No. 4793, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2004 and 2005 (MCL 339.2004 and 339.2005), section 2004 as amended by 1988 PA 463 and section 2005 as amended by 1998 PA 90.

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. Haugh, Byrnes, Griffin, Melton, Bettie Scott, Stanley, Rocca, Crawford, Rick Jones and Stamas

Nays: None

The Committee on Regulatory Reform, by Rep. Haugh, Vice-Chair, reported

Senate Bill No. 264, entitled

A bill to prohibit the sale of certain uncertified cigarettes; to provide standards for testing and fire safety certification of cigarettes; to provide remedies and civil sanctions; to provide for the powers and duties of certain state governmental officers and entities; and to repeal acts and parts of acts.

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. Haugh, Byrnes, Griffin, Melton, Stanley, Rocca, Crawford and Stamas

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 3, 2009

Present: Reps. Haugh, Byrnes, Griffin, Melton, Bettie Scott, Stanley, Rocca, Crawford, Rick Jones and Stamas

Absent: Rep. Johnson

Excused: Rep. Johnson

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 3, 2009

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

Absent: Reps. Coulouris and Kowall

Excused: Reps. Coulouris and Kowall

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 3, 2009

Present: Reps. Lindberg, Kennedy, Kandrevas, Liss, Bettie Scott, Slezak, Young, Amash, Daley, Haveman and McMillin

Messages from the Senate**House Bill No. 4286, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 504 (MCL 324.504), as amended by 2004 PA 130.

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. 426, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending sections 2 and 14 (MCL 207.552 and 207.564), section 2 as amended by 2008 PA 581 and section 14 as amended by 2008 PA 457.

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Department of Energy, Labor and Economic Growth was received and read:

June 2, 2009

The enclosed annual report, *Status of Telecommunications Competition in Michigan*, is submitted on behalf of the Michigan Public Service Commission (Commission) in accordance with Section 103 of the Michigan Telecommunications Act (MTA). This report, as well as reports from previous years, is available on the Commission Web site at www.michigan.gov/mpsc. The purpose of this report is to describe the status of competition in telecommunications services in Michigan, including, but not limited to, the toll and local exchange markets in the state. The report includes information on the traditional wireline industry as well as services provided via diverse telecommunications technologies, such as wireless and Voice over Internet Protocol (VoIP). The report also contains information regarding high speed Internet lines in Michigan.

In a trend that began in 2002, the total number of wirelines in Michigan has again decreased. For 2008, the total number of wirelines in Michigan decreased by over 600,000 lines from the previous year. In 2005 and 2006, as noted in earlier reports, there was a decrease in the percentage of lines served by competitive providers, however in 2007 the competitive providers' market share increased. For 2008, the competitive providers' share remained stable at 20 percent.

While competitive providers can offer service to customers through a variety of methods that use the incumbent providers' networks, in 2008 we again saw a large increase, from 25.1 percent to 32.5 percent, in the percentage of competitive lines served via the competitive providers' own facilities. This growth suggests that the competitive network infrastructure is, in fact, continuing to shift toward facilities-based competition versus competition reliant solely on the incumbents' networks. As in 2007, this trend is more evident in residential lines, as almost three fourths of the lines provided via CLEC facilities are residential customers. The percentages of residential versus business lines provided by CLECs via the incumbents' network are more balanced. Though the competitive market share is still below the 2004 high of 27.5 percent, the continued network investment by competitive providers, along with the stable market share for CLECs over the past two years, is a very positive trend.

While the Commission does not have jurisdiction over most types of advanced and non-wireline telecommunications, additional data available to the Commission allows for the monitoring of developments in these markets. The number of wireless subscriptions in Michigan continues to increase; the FCC reports that there are over 7.6 million wireless subscriptions in Michigan as of December 31, 2007. High speed Internet connections have also increased substantially; over one million additional lines were reported to the FCC for the 12 month period between December 31, 2006 and December 31, 2007. This increase brings Michigan's total high speed lines to just over 3.5 million as of December 31, 2007. Along with monitoring FCC data regarding high speed lines in Michigan, the Commission has taken an active role in the proceedings surrounding the broadband provisions of the American Recovery and Reinvestment Act of 2009 (ARRA), in the first half of this year. The Commission expects to be able to comment more comprehensively on the broadband provisions of the ARRA and any resulting effects on Michigan's telecommunications market in next year's report.

The *Status of Telecommunications Competition in Michigan* report for 2008 shows that, while the total number of wirelines continues to decrease, competitive providers are maintaining a 20 percent market share. Additionally, competitive providers are serving more lines via their own facilities. This represents continued investment in Michigan's competitive telecommunications infrastructure despite the weakened economy and serves as an indication that the provider has the intent of remaining in the marketplace in the long term. The Commission will continue to strive to meet its obligations under the MTA to ensure a just and reasonable primary basic local exchange service rate; enforce basic consumer protections, including prohibitions against slamming and cramming; and resolve disputes that arise under the MTA. At the same time, the Commission is committed to monitoring developments in the wireless and broadband realms and any resulting impacts on the competitive landscape in Michigan. The Commission will also apprise the Governor and the Legislature of any future developments that may warrant action.

Very truly yours,
Orjiakor N. Isiogu, Chairman
Monica Martinez, Commissioner
Steven A. Transeth, Commissioner

The communication was referred to the Clerk.

Introduction of Bills

Reps. Wayne Schmidt and Caul introduced

House Bill No. 5035, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2008 PA 506.

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

Reps. Ebli, Melton, LeBlanc and Valentine introduced

House Bill No. 5036, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2977.

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

Rep. Geiss introduced

House Bill No. 5037, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2951 (MCL 600.2951), as added by 1982 PA 186.

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

Rep. Ebli introduced

House Bill No. 5038, 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," (MCL 28.421 to 28.435) by adding section 3.

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

Rep. Smith introduced

House Bill No. 5039, entitled

A bill to amend 1964 PA 208, entitled "An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program," by amending sections 4, 5, 6, 10, and 11 (MCL 390.974, 390.975, 390.976, 390.980, and 390.981), sections 4 and 5 as amended by 1986 PA 270 and section 6 as amended by 1980 PA 500; and to repeal acts and parts of acts.

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

Rep. Lund moved that the House adjourn.
The motion prevailed, the time being 3:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 4, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives