

No. 56
STATE OF MICHIGAN
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House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Wednesday, June 17, 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—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. Chuck Moss, from the 40th District, offered the following invocation:

“George Washington’s *Circular Letter to the governors of the states*, dated June 8, 1783.

I now make it my earnest prayer, that God would have you, and the State over which you preside, in His holy protection, that He would incline the hearts of the Citizens to cultivate a spirit of subordination and obedience to Government, to entertain a brotherly affection and love for one another, for their fellow Citizens of the United States at large, and particularly for their brethren who have served in the Field and finally, that He would most graciously be pleased to dispose us all, to do Justice, to love mercy, and to demean ourselves with that Charity humility and pacific temper of mind, which were the Characteristics of the Divine Author of our blessed Religion, and without an humble imitation of whose example in these things, we can never hope to be a happy Nation.

IN YOUR NAME WE PRAY, AMEN.”

Messages from the Senate

The Speaker laid before the House

House Bill No. 4930, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4x (MCL 205.54x), as amended by 2006 PA 17.

(The bill was received from the Senate on June 11, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 16, see House Journal No. 54, p. 1083.)

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 302

Yeas—106

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

Nays—4

Amash

Bennett

Daley

Miller

In The Chair: Byrnes

The House agreed to the full title.

Reps. Agema, Angerer, Bolger, Lisa Brown, Terry Brown, Crawford, DeShazor, Espinoza, Geiss, Gregory, Griffin, Horn, Huckleberry, Johnson, Robert Jones, Kennedy, LeBlanc, Leland, Lemmons, Lori, Marleau, Mayes, Polidori, Proos, Wayne Schmidt, Schuitmaker, Scripps, Sheltroun, Smith, Spade and Tyler were named co-sponsors of the bill.

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

Second Reading of Bills**House Bill No. 4161, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17708, 17751, and 17763 (MCL 333.7405, 333.17708, 333.17751, and 333.17763), as amended by 2006 PA 672.

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

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

Rep. LeBlanc 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. 4161, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17708, 17751, and 17763 (MCL 333.7405, 333.17708, 333.17751, and 333.17763), as amended by 2006 PA 672.

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

Roll Call No. 303**Yeas—110**

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

Sheltroun

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
Coulouris	Jackson	Moss	Switalski
Crawford	Johnson	Nathan	Tlaib
Cushingberry	Jones, Rick	Nerat	Tyler
Daley	Jones, Robert	Neumann	Valentine
Dean	Kandreas	Opsommer	Walsh
Denby	Kennedy	Pavlov	Warren
DeShazor	Knollenberg	Pearce	Womack
Dillon	Kowall	Polidori	Young
Donigan	Kurtz		

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 amend 1978 PA 368, entitled “Public health code,” by amending sections 7405, 17708, and 17763 (MCL 333.7405, 333.17708, and 333.17763), as amended by 2006 PA 672.

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.

Reps. Angerer, Barnett, Terry Brown, Crawford, Denby, Dillon, Durhal, Espinoza, Geiss, Gonzales, Gregory, Griffin, Hammel, Haugh, Horn, Robert Jones, Lemmons, Liss, Marleau, Mayes, Meadows, Proos, Rocca, Schuitmaker, Slavens, Slezak and Stamas were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4828, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 145e.

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

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

Rep. Schuitmaker 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. Polidori 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. 4828, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 145e.

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

Roll Call No. 304**Yeas—109**

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

Nays—1

Genetski

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 1931 PA 328, entitled “The Michigan penal code,” by amending section 224 (MCL 750.224), as amended by 2006 PA 401, and by adding section 222b.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

Senate Bill No. 624, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 4k (MCL 205.94k), as amended by 2006 PA 18.

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. Clemente, Stanley, Byrnes, Leland, Segal, Bolger, Denby and Tyler

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 17, 2009

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

Absent: Rep. Griffin

Excused: Rep. Griffin

Second Reading of Bills

Senate Bill No. 624, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4k (MCL 205.94k), as amended by 2006 PA 18. 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. 624, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4k (MCL 205.94k), as amended by 2006 PA 18. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 305**Yeas—106**

Agema	Elsenheimer	LeBlanc	Roberts
Angerer	Espinoza	Leland	Rocca
Ball	Geiss	Lemmons	Rogers
Barnett	Genetski	Lindberg	Schmidt, R.
Bauer	Gonzales	Lipton	Schmidt, W.
Bledsoe	Green	Liss	Schuitmaker
Bolger	Gregory	Lori	Scott, B.
Booher	Griffin	Lund	Scott, P.
Brown, L.	Haase	Marleau	Scripps
Brown, T.	Haines	Mayes	Segal
Byrnes	Hammel	McDowell	Sheltrown
Byrum	Hansen	McMillin	Simpson
Calley	Haugh	Meadows	Slavens
Caul	Haveman	Meekhof	Slezak
Clemente	Hildenbrand	Melton	Smith
Constan	Horn	Meltzer	Spade
Corriveau	Huckleberry	Moore	Stamas
Coulouris	Jackson	Moss	Stanley
Crawford	Johnson	Nathan	Switalski
Cushingberry	Jones, Rick	Nerat	Tlaib

Dean	Jones, Robert	Neumann	Tyler
Denby	Kandrevas	Opsommer	Valentine
DeShazor	Kennedy	Pavlov	Walsh
Dillon	Knollenberg	Pearce	Warren
Donigan	Kowall	Polidori	Womack
Durhal	Kurtz	Proos	Young
Ebli	Lahti		

Nays—4

Amash	Bennett	Daley	Miller
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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 levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations.”

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that the Committee on Intergovernmental and Regional Affairs be discharged from further consideration of **House Bill No. 4602**.

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Pending the Second Reading of

House Bill No. 4602, entitled

A bill to amend 2008 PA 554, entitled “Regional convention facility authority act,” by amending sections 9 and 19 (MCL 141.1359 and 141.1369).

Rep. Angerer moved that the bill be referred to the Committee on Regulatory Reform.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 585**.

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Pending the Second Reading of

Senate Bill No. 585, entitled

A bill to amend 2008 PA 554, entitled "Regional convention facility authority act," by amending sections 5 and 19 (MCL 141.1355 and 141.1369).

Rep. Angerer moved that the bill be referred to the Committee on Regulatory Reform.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 586**.

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Pending the Second Reading of

Senate Bill No. 586, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending section 5 (MCL 141.475), as amended by 2008 PA 586.

Rep. Angerer moved that the bill be referred to the Committee on Regulatory Reform.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 587**.

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Pending the Second Reading of

Senate Bill No. 587, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending sections 3, 8, 9, 10, and 12 (MCL 207.623, 207.628, 207.629, 207.630, and 207.632), as amended by 2008 PA 553.

Rep. Angerer moved that the bill be referred to the Committee on Regulatory Reform.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 588**.

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Pending the Second Reading of
Senate Bill No. 588, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as amended by 2008 PA 256.

Rep. Angerer moved that the bill be referred to the Committee on Regulatory Reform.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

The motion prevailed, 3/5 of the members present voting therefor.

Reps. Johnson, Terry Brown, Constan, Dean, Geiss, Gonzales, Lemmons, Liss, Lori, McMillin, Miller, Rogers, Sheltroun, Stanley, Switalski, Valentine, Lisa Brown, Cushingberry, Durhal, Haugh, Leland, Neumann and Roberts offered the following resolution:

House Resolution No. 108.

A resolution to memorialize Congress to provide that companies that receive tax breaks or other incentives and then move American jobs to other countries lose all governmental benefits.

Whereas, It is a common practice at virtually all levels of government for governmental bodies to extend tax breaks or to develop other incentives to help companies of all types to grow and to encourage the creation of jobs. These policies range not only from generous tax credits, but also to partnerships that train workers, assist in relocation, and meet a wide range of business needs. Some of these federal, state, or local programs have proven quite successful; and

Whereas, It is increasingly frustrating to learn of companies that have received various benefits from government that then take actions that kill jobs at facilities in this country and send jobs to plants or offices in other countries. The recent announcement made by American Axle that it is sending some 500 jobs to one of its operations in Mexico is an example of the worst of this practice; and

Whereas, With local units and states competing vigorously by offering a variety of packages of tax incentives and other benefits, the only effective way to address abuses is with federal action. While some states include "claw back" provisions requiring companies to repay subsidies if conditions are not met, there clearly needs to be universal enforcement of this concept; and

Whereas, When a governmental body extends tax or other benefits to a corporation, it is an expression of public trust in the company, a commitment from the people. When a company breaks this trust and acts without respect for these bonds, damage is done in ways that cannot be fully reflected in dollars. Companies taking such actions with some of their plants while still maintaining others that receive other benefits can be said to be using public help to finance the outsourcing of American jobs. This is wrong, no matter what level of government is involved; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to provide that companies that receive tax breaks or other incentives and then move American jobs to other countries lose all governmental benefits; and be it further

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

The resolution was referred to the Committee on Commerce.

Reps. Meltzer, Lipton, Barnett, Denby, Haines, Lund, Constan, Dean, DeShazor, Green, Horn, Kowall, Lori, Rogers, Sheltroun, Stanley, Cushingberry, Durhal and Neumann offered the following resolution:

House Resolution No. 109.

A resolution to memorialize Congress to enact legislation to eliminate the 24-month Medicare waiting period for participants on Social Security Disability Insurance.

Whereas, The Medicare program created in 1965 provided health insurance to an estimated 44.8 million beneficiaries in 2008. In 1972, Medicare expanded health insurance coverage to people living with significant disabilities. An estimated 7.3 million enrollees under the age of 65 qualified for Medicare in 2008 because of permanent and severe disability. Medicare benefits provide an invaluable safety net for Americans, especially those with multiple sclerosis, spinal cord injury, ALS, Huntington's Disease, Parkinson's Disease, brain injury, Ataxia, spastic paraplegia, end-stage renal disease, and other illnesses or disabilities; and

Whereas, Federal law mandates a 24-month waiting period from the time a disabled individual first receives SSDI benefits to the time Medicare coverage begins, and the SSDI program delays benefits for five months while the person’s disability is determined, effectively creating a 29-month waiting period. As of December 2007, there were approximately 1.8 million disabled individuals who qualified for SSDI and were awaiting Medicare coverage. Consequently, under these conditions, by the time Medicare began, an estimated 25 percent would have incomes below the federal poverty line, and close to 30 percent would be enrolled in state Medicaid programs; and

Whereas, Approximately 68,700 SSDI beneficiaries who are awaiting Medicare coverage reside in Michigan. It has been estimated that as many as one-third of the individuals currently awaiting coverage, who are already sick and vulnerable individuals, may be uninsured. Many forgo medical treatments, stop medications and therapy, and further compromise their health. In addition, many individuals accumulate healthcare related debt, and often declare bankruptcy; and

Whereas, While disabled former employees eligible for COBRA can purchase up to 29 months of employer sponsored health coverage (which is 11 months more than the limit for the non-disabled population), employers are allowed to charge 150 percent of the combined employee and employer share of the coverage cost during the additional 11 months. The high COBRA premium, even at the non-disabled rates, proves unaffordable for many as shown in a recent Commonwealth Fund study that found only 9 percent of all unemployed workers receive COBRA coverage; and

Whereas, An American Medical Association study shows death rates among SSDI beneficiaries are highest during the first two years of SSDI enrollment, the time period SSDI beneficiaries must wait to be enrolled in Medicare. The Ending the Medicare Disability Waiting Period Act of 2009 (S.700/H.R. 1708) was reintroduced during the 111th Congress with cosponsors Senator Debbie Stabenow and Representatives Dale Kildee, Carolyn Cheeks Kilpatrick, and Thaddeus McCotter. This measure would phase out over 10 years the Medicare waiting period; and

Whereas, To make federal comprehensive health care reform meaningful, Congress must work to include elimination of the Medicare 24-month disability waiting period as part of this reform; now, therefore be it

Resolved, by the Senate, That we memorialize the United States Congress to enact legislation to eliminate the 24-month Medicare waiting period for participants on Social Security Disability Insurance; and be it further

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

The resolution was referred to the Committee on Health Policy.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members on Wednesday, June 17:

House Bill Nos.	5090	5091	5092	5093	5094	5095	5096	5097	5098	5099	5100	5101	5102	5103
	5104	5105	5106	5107	5108	5109	5110							
House Joint Resolutions		W		X										

The Clerk announced that the following Senate bills had been received on Wednesday, June 17:

Senate Bill Nos.	13	431	434	435	438	439
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Reports of Standing Committees

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

House Bill No. 4805, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 277.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

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

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.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

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 17, 2009

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

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

House Bill No. 5086, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8c (MCL 125.2688c), as amended by 2006 PA 284.

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. 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 17, 2009

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Robert Jones, Chair, of the Committee on Commerce, was received and read:

Meeting held on: Wednesday, June 17, 2009

Present: Reps. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Lemmons, Nathan, Nerat, Sheltroun, Womack, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

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 17, 2009

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

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 17, 2009

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Valentine, Chair, of the Committee on Families and Children's Services, was received and read:

Meeting held on: Wednesday, June 17, 2009

Present: Reps. Valentine, Womack, Liss, Neumann, Slavens, Kurtz, McMillin, Moore and Pavlov

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 17, 2009

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

Absent: Rep. Jackson

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 17, 2009

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

Messages from the Senate**Senate Bill No. 13, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 3 and 45 (MCL 24.203 and 24.245), section 3 as amended by 1988 PA 277 and section 45 as amended by 2004 PA 491, and by adding section 45b.

The Senate has passed the bill.

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

Senate Bill No. 431, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 39 (MCL 24.239), as amended by 2004 PA 23.

The Senate has passed the bill.

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

Senate Bill No. 434, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 32, 40, 43, 61, and 64 (MCL 24.232, 24.240, 24.243, 24.261, and 24.264), section 40 as amended by 1999 PA 262, section 43 as amended by 1989 PA 288, and section 61 as amended by 1982 PA 413.

The Senate has passed the bill.

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

Senate Bill No. 435, 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 Senate has passed the bill.

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

Senate Bill No. 438, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 1505.

The Senate has passed the bill.

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

Senate Bill No. 439, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 27.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 13.

A concurrent resolution to memorialize Congress to provide for waivers from requirements attached to stimulus funding that would hamper the state's efforts to meet its constitutional obligation to balance future budgets.

Whereas, The massive federal spending program to stimulate the national economy is, in many instances, accompanied by requirements for the states to implement certain provisions in their state statutes as a condition to receiving the money from Washington. The modifications of state laws will remain in place long after the federal money is spent; and

Whereas, Even as Michigan, a state long battered by transformational economic challenges, faces budgetary problems that make every federal dollar enticing, there are many observers who have expressed grave concerns over the conditions attached to the stimulus money. This concern has been articulated in conjunction with expanded government programs and requirements for permanent changes to Michigan law that will imperil our state's economic strength in the future; and

Whereas, Many people have also expressed strong reservations over the impact similar conditions will have on other key programs. The American Recovery and Reinvestment Act's prohibitions on making cuts to Medicaid, higher education operations, community college operations, and debt service mean that 47 percent of Michigan's General Fund/General Purpose budget is effectively off the table, even as we have a \$1.7 billion deficit to reconcile. As a consequence, the cuts that must be made can only come from other priority areas, such as health care, public emergency services, local government services, road infrastructure, and other core government functions; and

Whereas, The impact of the "strings" attached to the stimulus money is that the state is implicitly abdicating its authority and discretion related to meeting our essential responsibilities and establishing budget priorities to meet our constitutional obligations to provide core services such as health, public safety, welfare, and educating our children; and

Whereas, The strings attached to stimulus money cannot be glossed over in the state's efforts to deal with our present budget crisis. The federal mandates connected with accepting this money may hamstring future legislatures and generations and prevent the very reforms and new approaches this state so desperately needs to craft solutions; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize Congress to provide for waivers from requirements attached to stimulus funding that would hamper the state's efforts to meet its constitutional obligation to balance future budgets; and be it further

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

The Senate has adopted the concurrent resolution.

Reps. Agema, Crawford, Dean, DeShazor, Genetski, Green, Haines, Horn, Kowall, Kurtz, Lori, Opsommer, Pearce, Proos, Rogers, Sheltroun and Meltzer were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Government Operations.

Notices

Pursuant to Rule 41, the Speaker has made the following reassignment:

House Bill No. 5091 referred to the Committee on Health Policy on June 17, 2009.

Announcements by the Clerk

June 15, 2009

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

Financial audit, including the provisions of the Single Audit Act, of the Michigan Economic Development Corporation (MEDC), a discretely presented component unit of the State of Michigan, for the period October 1, 2006 through September 30, 2008.

Richard J. Brown
Clerk of the House

By unanimous consent the House returned to the order of

Introduction of Bills

Reps. Slavens, Geiss, Liss, Robert Jones, Bledsoe, Angerer, Kennedy, Womack, Slezak, Constan, Switalski, Durhal and Barnett introduced

House Bill No. 5111, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 61506 and 61506b (MCL 324.61506 and 324.61506b), section 61506 as amended and section 61506b as added by 1998 PA 303, and by adding section 61506d.

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

Rep. Calley introduced

House Bill No. 5112, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 417 (MCL 208.1417).

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

Rep. Calley introduced

House Bill No. 5113, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2008 PA 316 and section 1278b as amended by 2007 PA 141.

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

Reps. Calley, Rogers, Rick Jones, McMillin, Pearce, Agema, Knollenberg, LeBlanc, Kurtz, Huckleberry, Horn, Green, Hansen, Bolger, Haines, Moss, Denby, Dean, Amash and Genetski introduced

House Bill No. 5114, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 6a (MCL 722.26a), as added by 1980 PA 434.

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

Rep. Durhal introduced

House Bill No. 5115, entitled

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

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

Rep. Durhal introduced

House Bill No. 5116, entitled

A bill to amend 2008 PA 554, entitled "Regional convention facility authority act," by amending section 5 (MCL 141.1355).

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

Rep. Tlaib introduced

House Bill No. 5117, entitled

A bill to amend 2008 PA 554, entitled "Regional convention facility authority act," by amending section 29 (MCL 141.1379).

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

Rep. Tlaib introduced

House Bill No. 5118, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending section 5 (MCL 141.475), as amended by 2008 PA 586.

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

Rep. Johnson introduced

House Bill No. 5119, entitled

A bill to amend 2008 PA 554, entitled "Regional convention facility authority act," by amending section 7 (MCL 141.1357).

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

Rep. Johnson introduced

House Bill No. 5120, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending sections 6 and 10 (MCL 207.626 and 207.630), section 10 as amended by 2008 PA 553.

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

Reps. Haugh, Womack, Slezak, Kandrevas, Liss, Stanley, Roy Schmidt, Geiss, Gregory, Nathan, Wayne Schmidt, Dean, Switalski and Scripps introduced

House Bill No. 5121, entitled

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending sections 3a and 4a (MCL 432.103a and 432.104a), section 3a as amended by 2006 PA 427 and section 4a as added by 1999 PA 108, and by adding section 4b.

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

Rep. Kandrevas introduced

House Bill No. 5122, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending sections 2, 7, 7a, 11a, 17, 18, and 21 (MCL 252.302, 252.307, 252.307a, 252.311a, 252.317, 252.318, and 252.321), sections 2, 7, 17, and 18 as amended and section 11a as added by 2006 PA 448 and section 7a as added by 2006 PA 447.

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

Rep. LeBlanc introduced

House Bill No. 5123, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8507 (MCL 600.8507), as amended by 2005 PA 326.

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

Rep. LeBlanc introduced

House Bill No. 5124, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2006 PA 457.

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

Rep. Leland moved that the House adjourn.
The motion prevailed, the time being 5:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 18, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives