

**No. 17**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**95th Legislature**  
**REGULAR SESSION OF 2009**

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House Chamber, Lansing, Wednesday, March 4, 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—excused	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—excused	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. Kevin Daley, from the 82nd District, offered the following invocation:

“O Lord our God, If ever we needed Your wisdom and Your guidance, it is now—as the Legislature begins a new session, standing on the threshold of a new year, fraught with so many opportunities and possibilities in the face of such challenging times.

We pray that You will bless these men and women chosen by the people of the state of Michigan with courage to lead. You know our needs, our motives, our hopes, and our fears. Heavenly Father, wrap Your loving arms around each one and give us strength to do the right thing. Speak to us Your wisdom, which is greater than our own. May we hear Your voice and seek Your guidance.

We pray that You will give the men and women of this Legislature wisdom beyond their years, hope that is unending, and creativity that comes from the Creator that will address the challenges that are before us: challenges that have real faces, challenges that call for bold solutions, and challenges that push us to recognize our dependency on You.

We know deep in our hearts that without You we can do nothing, but with You we can do all things. Therefore, let us not be afraid as we confront the tasks that are before us, but rather give You thanks that You have matched us with this hour. May we resolve, God helping us, to be part of the answer, and not a part of the problem. In Jesus’ name we pray. Amen.”

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

Rep. Opsommer moved that Rep. Hildenbrand be excused from today’s session.  
The motion prevailed.

### Second Reading of Bills

#### House Bill No. 4247, entitled

A bill to amend 2006 PA 480, entitled “Uniform video services local franchise act,” by amending section 10 (MCL 484.3310).

(The bill was read a second time, amendment offered and bill postponed for the day on February 26, see House Journal No. 15, p. 223.)

Rep. Barnett moved to amend the bill as follows:

1. Amend page 5, line 18, after “**MEDIATION.**” by inserting “**EACH PARTY SHALL APPOINT 1 INDIVIDUAL TO ACT AS A MEDIATOR IN THE MEDIATION. THOSE 2 INDIVIDUALS SHALL SELECT A NEUTRAL INDIVIDUAL TO SERVE AS THE THIRD MEDIATOR ON THE PANEL.**”.

2. Amend page 5, line 19, by striking out “**MEDIATOR**” and inserting “**MEDIATORS**”.

3. Amend page 6, line 3, after “**HEARING**” by striking out the comma and “**INCLUDING ATTORNEY FEES,**”.

The question being on the adoption of the amendments offered previously by Rep. Barnett,  
Rep. Barnett withdrew the amendments.

Rep. Barnett moved to amend the bill as follows:

1. Amend page 5, line 5, after “**COMPLAINT**” by inserting “**TO THE COMMISSION**”.

2. Amend page 5, line 8, after “**ALLEGATIONS,**” by striking out “**AND**”.

3. Amend page 5, line 9, after “**REQUESTED**” by striking out the balance of the line through “**THAT**” on line 10 and inserting a comma and “**AND**”.

4. Amend page 5, line 11, after “**SHALL**” by inserting “**FURTHER**”.

5. Amend page 5, line 16, after “**ON**” by striking out “**AN**” and inserting “**THE**”.

6. Amend page 6, line 3, after “**INCLUDING**” by striking out “**ATTORNEY FEES**” and inserting “**A REASONABLE, NONEXCESSIVE ATTORNEY FEE**”.

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

Rep. Mayes 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. 4247, entitled**

A bill to amend 2006 PA 480, entitled "Uniform video services local franchise act," by amending section 10 (MCL 484.3310).

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

**Roll Call No. 13**

**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	Horn	Meltzer	Spade
Constan	Huckleberry	Miller	Stamas
Corriveau	Jackson	Moore	Stanley
Coulouris	Johnson	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

**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.

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Committee on Labor, by Rep. Lindberg, Chair, reported

**House Resolution No. 10.**

A resolution memorializing the Congress of the United States to enact the Employee Free Choice Act.

(For text of resolution, see House Journal No. 5, p. 75.)

With the recommendation that the resolution be adopted.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Lindberg, Kennedy, Kandrevas, Liss, Bettie Scott, Slezak and Young

Nays: Reps. Amash, Daley, Haveman and McMillin

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 4, 2009

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

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Rep. Hansen moved that Rep. Marleau be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Resolution No. 10.**

A resolution memorializing the Congress of the United States to enact the Employee Free Choice Act.

(For text of resolution, see House Journal No. 5, p. 75.)

(The resolution was reported by the Committee on Labor on March 4.)

The question being on the adoption of the resolution,

Rep. Rogers moved to substitute (H-1) the resolution as follows:

**Substitute for House Resolution No. 10.**

A resolution to memorialize the President and the Congress of the United States to oppose the Employee Free Choice Act.

Whereas, The Employee Free Choice Act (EFCA) is federal legislation that would bring significant changes to work-places across our country. The measure, which is sometimes referred to as the "card check" bill, would replace the current practice, with workers using private ballots to consider the establishment of union representation, with a new system utilizing cards to express support for union representation; and

Whereas, The Employee Free Choice Act, which actually replaces free choice with the possibility of significant abuses of workers' rights to express themselves without reprisal, would revamp a system that has worked. Indeed, under the current election process, most elections are held within 56 days of the filing of an elections petition, and labor unions win two-thirds of these elections; and

Whereas, Secret ballots are a cornerstone of the democratic process and the best way to protect voters in any election from intimidation. To replace this with a process that seems likely to increase the chance of some workers being coerced into involuntarily signing the cards conflicts with American tradition; and

Whereas, This legislation also contains language that would force binding arbitration on employees and employers. This provision undermines the system of collective bargaining. Under such a system, once a labor union becomes certified, the union and employer must begin first contract negotiations within a matter of days. After just a few months, a federal governmental panel would be able to impose a binding decision on both parties for 2 years that would include wages, benefits, and work rules. Our labor law system never intended for the government to be allowed to impose binding contracts on employees and employers; and

Whereas, This legislation would create new competitive disadvantages for American job providers by creating additional business climate burdens at a time when our economy is teetering and millions of workers are facing or experiencing the loss of their jobs; and

Whereas, Even longtime labor ally and former U.S. Senator and Democratic presidential nominee George McGovern has come out in opposition to the Employee Free Choice Act. Of the EFCA, Senator McGovern has written "This legislation is called the Employee Free Choice Act; I am sad to say it runs counter to ideals that were once the core of the labor movement. Instead of providing a voice for the unheard, EFCA risks silencing those who would speak." Clearly, this caution should be heeded; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and the Congress of the United States to oppose the Employee Free Choice Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, 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 motion did not prevail and the substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

The question being on the adoption of the resolution,

Rep. Angerer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

### Roll Call No. 14

### Yeas—67

Angerer	Ebli	Leland	Scott, B.
Barnett	Espinoza	Lemmons	Scripps
Bauer	Geiss	Lindberg	Segal
Bennett	Gonzales	Lipton	Sheltrown
Bledsoe	Gregory	Liss	Simpson
Brown, L.	Griffin	Mayer	Slavens
Brown, T.	Haase	McDowell	Slezak
Byrnes	Hammel	Meadows	Smith
Byrum	Haugh	Melton	Spade
Clemente	Huckleberry	Miller	Stanley
Constan	Jackson	Nathan	Switalski
Corriveau	Johnson	Nerat	Tlaib
Coulouris	Jones, Robert	Neumann	Valentine
Dean	Kandrevas	Polidori	Warren
Dillon	Kennedy	Roberts	Womack
Donigan	Lahti	Rocca	Young
Durhal	LeBlanc	Schmidt, R.	

### Nays—40

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

In The Chair: Byrnes

### Second Reading of Bills

#### House Bill No. 4030, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1561 and 1596 (MCL 380.1561 and 380.1596), section 1561 as amended by 1996 PA 339.

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

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

Rep. Geiss 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. 4030, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1561 and 1596 (MCL 380.1561 and 380.1596), section 1561 as amended by 1996 PA 339.

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

#### Roll Call No. 15

#### Yeas—71

Angerer	Durhal	Lahti	Scott, B.
Ball	Ebli	LeBlanc	Scripps
Barnett	Espinoza	Leland	Segal
Bauer	Geiss	Lemmons	Sheltrown
Bennett	Gonzales	Lindberg	Simpson
Bledsoe	Green	Lipton	Slavens
Brown, L.	Gregory	Liss	Slezak
Brown, T.	Griffin	Mayer	Smith
Byrnes	Haase	McDowell	Spade
Byrum	Hammel	Meadows	Stanley
Clemente	Haugh	Melton	Switalski
Constan	Haveman	Nathan	Tlaib
Corriveau	Huckleberry	Nerat	Valentine
Coulouris	Jackson	Neumann	Walsh
Dean	Johnson	Polidori	Warren
DeShazor	Jones, Robert	Roberts	Womack
Dillon	Kandrevas	Rocca	Young
Donigan	Kennedy	Schmidt, R.	

#### Nays—37

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

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 1976 PA 451, entitled "The revised school code," by amending section 1561 (MCL 380.1561), as amended by 1996 PA 339.

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. Ball, Constan, DeShazor, Donigan, Durhal, Gregory, Haugh, Huckleberry, Jackson, Johnson, Robert Jones, Kennedy, Lahti, LeBlanc, Leland, Lemmons, Liss, Melton, Bettie Scott, Valentine and Womack were named co-sponsors of the bill.

Rep. Miller, 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:

This is a policy that MUST happen in Michigan, but ironically I have to vote against it. In my short time here, I have voted for education proposals that I believed in but found out later that put a crushing burden on our local schools, making their jobs harder. These include background checks for school employees and the Michigan Merit curriculum to name two. The estimated fiscal of this bill is in the neighborhood of \$230 million. Our schools are already under-funded especially the Career & Technical programs and remedial education programs that will be need for these at-risk students to succeed. In a perfect world, we would be able to give all these students the instruction they deserve, but I am afraid that right now to pass this measure without the necessary appropriation is only wishful thinking."

### Second Reading of Bills

#### House Bill No. 4132, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1561 and 1596 (MCL 380.1561 and 380.1596), section 1561 as amended by 1996 PA 339.

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

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

Rep. Lemmons 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. 4132, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1561 and 1596 (MCL 380.1561 and 380.1596), section 1561 as amended by 1996 PA 339.

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

#### Roll Call No. 16

#### Yeas—71

Angerer	Durhal	Lahti	Scott, B.
Ball	Ebli	LeBlanc	Scripps
Barnett	Espinoza	Leland	Segal
Bauer	Geiss	Lemmons	Sheltrown
Bennett	Gonzales	Lindberg	Simpson
Bledsoe	Green	Lipton	Slavens
Brown, L.	Gregory	Liss	Slezak
Brown, T.	Griffin	Mayer	Smith
Byrnes	Haase	McDowell	Spade

Byrum	Hammel	Meadows	Stanley
Clemente	Haugh	Melton	Switalski
Constan	Haveman	Nathan	Tlaib
Corriveau	Huckleberry	Nerat	Valentine
Coulouris	Jackson	Neumann	Walsh
Dean	Johnson	Polidori	Warren
DeShazor	Jones, Robert	Roberts	Womack
Dillon	Kandrevas	Rocca	Young
Donigan	Kennedy	Schmidt, R.	

### Nays—37

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

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 1976 PA 451, entitled “The revised school code,” by amending section 1596 (MCL 380.1596).

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.

Rep. Miller, 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:

This is a policy that MUST happen in Michigan, but ironically I have to vote against it. In my short time here, I have voted for education proposals that I believed in but found out later that put a crushing burden on our local schools, making their jobs harder. These include background checks for school employees and the Michigan Merit curriculum to name two. The estimated fiscal of this bill is in the neighborhood of \$230 million. Our schools are already under-funded especially the Career & Technical programs and remedial education programs that will be need for these at-risk students to succeed. In a perfect world, we would be able to give all these students the instruction they deserve, but I am afraid that right now to pass this measure without the necessary appropriation is only wishful thinking.”

### Second Reading of Bills

#### House Bill No. 4071, entitled

A bill to amend 1957 PA 261, entitled “Michigan legislative retirement system act,” by amending section 50b (MCL 38.1050b), as amended by 1998 PA 501.

The bill was read a second time.

Rep. Smith 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. 4071, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 50b (MCL 38.1050b), as amended by 1998 PA 501.

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

#### Roll Call No. 17

#### 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	Horn	Meltzer	Spade
Constan	Huckleberry	Miller	Stamas
Corriveau	Jackson	Moore	Stanley
Coulouris	Johnson	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

#### 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

#### House Bill No. 4074, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," (MCL 141.2101 to 141.2821) by adding section 519.

The bill was read a second time.

Rep. Valentine 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. 4074, entitled**

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," (MCL 141.2101 to 141.2821) by adding section 519.

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

**Roll Call No. 18**

**Yeas—107**

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	Horn	Meltzer	Spade
Constan	Huckleberry	Miller	Stamas
Corriveau	Jackson	Moore	Stanley
Coulouris	Johnson	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—1**

Agema

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

#### House Bill No. 4076, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 3 (MCL 38.3).  
The bill was read a second time.

Rep. Valentine 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. 4076, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 3 (MCL 38.3).

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

#### Roll Call No. 19

#### 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	Horn	Meltzer	Spade
Constan	Huckleberry	Miller	Stamas
Corriveau	Jackson	Moore	Stanley
Coulouris	Johnson	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

#### 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

#### House Bill No. 4077, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending section 103 (MCL 141.2103).  
The bill was read a second time.

Rep. Marleau 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. 4077, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending section 103 (MCL 141.2103).  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 20

#### 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	Horn	Meltzer	Spade
Constan	Huckleberry	Miller	Stamas
Corriveau	Jackson	Moore	Stanley
Coulouris	Johnson	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

#### 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

#### House Bill No. 4078, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending section 205 (MCL 38.2205).  
The bill was read a second time.

Rep. Calley 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. 4078, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending section 205 (MCL 38.2205).  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 21

#### 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	Horn	Meltzer	Spade
Constan	Huckleberry	Miller	Stamas
Corriveau	Jackson	Moore	Stanley
Coulouris	Johnson	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

#### 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

#### House Bill No. 4079, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending section 42 (MCL 38.1642), as amended by 2004 PA 50.

The bill was read a second time.

Rep. Moss 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. 4079, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending section 42 (MCL 38.1642), as amended by 2004 PA 50.

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

#### Roll Call No. 22

#### 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	Horn	Meltzer	Spade
Constan	Huckleberry	Miller	Stamas
Corriveau	Jackson	Moore	Stanley
Coulouris	Johnson	Moss	Switalski
Crawford	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

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

#### House Bill No. 4073, entitled

A bill to authorize and create irrevocable trusts for the purpose of holding, investing, and distributing assets to be used for certain postemployment health care benefits; to set forth certain rights that public employees have in retirement health care benefits under certain circumstances; to provide for the establishment and amendment of certain irrevocable trust agreements; and to prescribe certain powers and duties of certain retirement systems, state departments, public officials, and public employees.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Judiciary,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The question being on the adoption of the substitute (H-5) offered by Rep. Schuitmaker,

Rep. Schuitmaker demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-5) offered by Rep. Schuitmaker,

The substitute (H-5) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

#### Roll Call No. 23

#### Yeas—41

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

#### Nays—67

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

Dean	Kandrevas	Polidori	Warren
Dillon	Kennedy	Roberts	Womack
Donigan	Lahti	Rocca	Young
Durhal	LeBlanc	Schmidt, R.	

In The Chair: Byrnes

Rep. Hammel 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. 4073, entitled**

A bill to authorize and create irrevocable trusts for the purpose of holding, investing, and distributing assets to be used for certain postemployment health care benefits; to set forth certain rights that public employees have in retirement health care benefits under certain circumstances; to provide for the establishment and amendment of certain irrevocable trust agreements; and to prescribe certain powers and duties of certain retirement systems, state departments, public officials, and public employees.

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

**Roll Call No. 24**

**Yeas—67**

Angerer	Ebli	Leland	Scott, B.
Barnett	Espinoza	Lemmons	Scripps
Bauer	Geiss	Lindberg	Segal
Bennett	Gonzales	Lipton	Sheltrown
Bledsoe	Gregory	Liss	Simpson
Brown, L.	Griffin	Mayes	Slavens
Brown, T.	Haase	McDowell	Slezak
Byrnes	Hammel	Meadows	Smith
Byrum	Haugh	Melton	Spade
Clemente	Huckleberry	Miller	Stanley
Constan	Jackson	Nathan	Switalski
Corriveau	Johnson	Nerat	Tlaib
Coulouris	Jones, Robert	Neumann	Valentine
Dean	Kandrevas	Polidori	Warren
Dillon	Kennedy	Roberts	Womack
Donigan	Lahti	Rocca	Young
Durhal	LeBlanc	Schmidt, R.	

**Nays—41**

Agema	Elsenheimer	Kurtz	Pavlov
Amash	Genetski	Lori	Pearce
Ball	Green	Lund	Proos
Bolger	Haines	Marleau	Rogers
Booher	Hansen	McMillin	Schmidt, W.
Calley	Haveman	Meekhof	Schuitmaker
Caul	Horn	Meltzer	Scott, P.

Crawford  
Daley  
Denby  
DeShazor

Jones, Rick  
Knollenberg  
Kowall

Moore  
Moss  
Opsommer

Stamas  
Tyler  
Walsh

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.

Reps. Meltzer and Haines, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This legislation is a necessary first step in stabilizing the state of Michigan’s retirement system, but as it is currently written, I cannot support allowing lifetime benefits for lawmakers.

I support the amendment to implement the Public Employee Retirement Health Care Funding Act without the contractual guarantee for lifetime retirement benefits.

My major objection to this bill is simple - it creates a contractual obligation for the state to pay for retiree healthcare benefits, guaranteeing lifetime healthcare benefits for public employees. It is ridiculous to give thousands of government employees - and lawmakers - these incredibly generous benefits at taxpayer expense, at a time when the private sector is hemorrhaging jobs. This is totally out of line with private sector realities, and is a move in the wrong direction.

Business owners are struggling to keep their doors open and their workers employed, cutting pay and benefits just to stay afloat, and are only dreaming of providing lifetime healthcare benefits.

This legislation will make it harder to attract new investment and businesses to our state and will cause Michigan to lose more jobs.”

### Second Reading of Bills

#### House Bill No. 4075, entitled

A bill to amend 2001 PA 34, entitled “Revised municipal finance act,” (MCL 141.2101 to 141.2821) by adding section 518.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Judiciary,

The substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Amash moved to substitute (H-6) the bill.

The question being on the adoption of the substitute (H-6) offered by Rep. Amash,

Rep. Amash demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-6) offered by Rep. Amash,

The substitute (H-6) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

#### Roll Call No. 25

#### Yeas—41

Agema  
Amash  
Ball  
Bolger

Elsenheimer  
Genetski  
Green  
Haines

Kurtz  
Lori  
Lund  
Marleau

Pavlov  
Pearce  
Proos  
Rogers

Booher	Hansen	McMillin	Schmidt, W.
Calley	Haveman	Meekhof	Schuitmaker
Caul	Horn	Meltzer	Scott, P.
Crawford	Jones, Rick	Moore	Stamas
Daley	Knollenberg	Moss	Tyler
Denby	Kowall	Opsommer	Walsh
DeShazor			

**Nays—67**

Angerer	Ebli	Leland	Scott, B.
Barnett	Espinoza	Lemmons	Scripps
Bauer	Geiss	Lindberg	Segal
Bennett	Gonzales	Lipton	Sheltrown
Bledsoe	Gregory	Liss	Simpson
Brown, L.	Griffin	Mayes	Slavens
Brown, T.	Haase	McDowell	Slezak
Byrnes	Hammel	Meadows	Smith
Byrum	Haugh	Melton	Spade
Clemente	Huckleberry	Miller	Stanley
Constan	Jackson	Nathan	Switalski
Corriveau	Johnson	Nerat	Tlaib
Coulouris	Jones, Robert	Neumann	Valentine
Dean	Kandrevas	Polidori	Warren
Dillon	Kennedy	Roberts	Womack
Donigan	Lahti	Rocca	Young
Durhal	LeBlanc	Schmidt, R.	

In The Chair: Byrnes

Rep. Corriveau 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. 4075, entitled**

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," (MCL 141.2101 to 141.2821) by adding section 518.

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

**Roll Call No. 26****Yeas—67**

Angerer	Ebli	Leland	Scott, B.
Barnett	Espinoza	Lemmons	Scripps
Bauer	Geiss	Lindberg	Segal
Bennett	Gonzales	Lipton	Sheltrown
Bledsoe	Gregory	Liss	Simpson
Brown, L.	Griffin	Mayes	Slavens
Brown, T.	Haase	McDowell	Slezak
Byrnes	Hammel	Meadows	Smith

Byrum	Haugh	Melton	Spade
Clemente	Huckleberry	Miller	Stanley
Constan	Jackson	Nathan	Switalski
Corriveau	Johnson	Nerat	Tlaib
Coulouris	Jones, Robert	Neumann	Valentine
Dean	Kandrevas	Polidori	Warren
Dillon	Kennedy	Roberts	Womack
Donigan	Lahti	Rocca	Young
Durhal	LeBlanc	Schmidt, R.	

### Nays—41

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

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.

Reps. Meltzer and Haines, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This legislation is a necessary first step in stabilizing the state of Michigan’s retirement system, but as it is currently written, I cannot support allowing lifetime benefits for lawmakers.

I support the amendment to implement the Public Employee Retirement Health Care Funding Act without the contractual guarantee for lifetime retirement benefits.

My major objection to this bill is simple - it creates a contractual obligation for the state to pay for retiree healthcare benefits, guaranteeing lifetime healthcare benefits for public employees. It is ridiculous to give thousands of government employees - and lawmakers - these incredibly generous benefits at taxpayer expense, at a time when the private sector is hemorrhaging jobs. This is totally out of line with private sector realities, and is a move in the wrong direction.

Business owners are struggling to keep their doors open and their workers employed, cutting pay and benefits just to stay afloat, and are only dreaming of providing lifetime healthcare benefits.

This legislation will make it harder to attract new investment and businesses to our state and will cause Michigan to lose more jobs.”

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. Liss, Kennedy, Womack, Ball, Booher, Lisa Brown, Terry Brown, Constan, Crawford, Dean, Donigan, Durhal, Geiss, Gonzales, Gregory, Haase, Hammel, Haugh, Huckleberry, Rick Jones, Robert Jones, Lahti, LeBlanc, Leland, Lemmons, Lori, Marleau, Miller, Neumann, Opsommer, Pearce, Polidori, Rogers, Roy Schmidt, Wayne Schmidt, Sheltrown, Slavens, Smith, Spade, Stanley, Switalski, Tyler and Valentine offered the following resolution:

**House Resolution No. 38.**

A resolution recognizing March 12, 2009, as World Kidney Day and the month of March as Kidney Awareness Month in the state of Michigan.

Whereas, Healthy kidneys are essential to regulate the body by water and other chemicals in your blood, remove fluids, waste, toxins and drugs introduced to the body, release hormones that regulate blood pressure, make red blood cells and promote strong bones; and

Whereas, More than 940,000 Michiganians, about one in eight adults, suffer from chronic kidney disease; and

Whereas, Of the 18,000 Michiganians afflicted with kidney failure and of the 12,000 Michiganians on dialysis, approximately 45 percent are African American; and

Whereas, The two main causes of chronic kidney disease are diabetes and high blood pressure, which are responsible for more than 70 percent of all cases; and

Whereas, Kidney disease caused by diabetes and high blood pressure can often be prevented or delayed; and

Whereas, One in three children born in 2000 will develop type 2 diabetes and become at risk for kidney disease unless young people start eating less and exercising more; and

Whereas, The mission of the National Kidney Foundation of Michigan is to prevent kidney disease and improve the quality of life for those living with it, and to promote early detection to aid in preventing the progression from kidney disease to kidney failure, which requires dialysis or a kidney transplant to maintain life; and

Whereas, The cost of treatment for kidney disease patients is disproportionately higher than any other chronic disease; and

Whereas, The National Kidney Foundation of Michigan has continually served the people of Michigan for the last 54 years, and with the help of dedicated volunteers and supporters across the state will continue to offer more programs and services to more people than any other affiliate in the country; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize March 12, 2009, is recognized as World Kidney Day and the month of March as Kidney Awareness Month in Michigan in the hope that all possible support will continue to be extended to chronic kidney disease patients in Michigan and throughout the country and world.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Rogers, Elsenheimer, Kowall, Moss, Lund, Schuitmaker, Meekhof, Hildenbrand, DeShazor, Genetski, Green, Agema, Proos, Kurtz, Lori, Tyler, McMillin, Crawford, Pavlov, Moore, Daley, Horn, Caul, Denby, Amash, Meltzer, Knollenberg, Ball, Haveman and Opsommer offered the following resolution:

**House Resolution No. 39.**

A resolution to memorialize Congress to take the necessary short- and long-term actions to make health insurance coverage affordable for millions of Americans without employment-based coverage, including removing any requirement to exhaust COBRA coverage prior to seeking coverage in the individual market.

Whereas, During this economic crisis, the ranks of the uninsured are swelling, with the recently unemployed and those whose employers have dropped employee health care benefits to cut costs. In December 2008, Michigan's unemployment rate grew to 10.6 percent and the national average rose to 7.2 percent; and

Whereas, Solutions to the loss of employer health coverage provided under federal COBRA and HIPAA provisions are too costly and restrictive for many Americans who need insurance. COBRA allows individuals who have left a job to continue their employer's health benefit group plan by assuming up to 102 percent of the premium cost of the plan. Full-family COBRA coverage is nearly equivalent to 84 percent of the standard unemployment benefit; and

Whereas, Federal law requires COBRA coverage to be exhausted in many circumstances before a family can move into the individual market under the protection of HIPAA. Depending on a family's circumstances, it can take 18 months or more to exhaust COBRA coverage. Families that demonstrate months of credible coverage without a break of 63 days or more can move into the individual market without being subjected to medical underwriting of pre-existing conditions. Most families cannot afford the cost of months of COBRA coverage, which forces a break in coverage and the loss of HIPAA protections. While well intentioned, the federal laws do not work in times of economic hardship; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to take the necessary short- and long-term actions to make health insurance coverage affordable for millions of Americans without employment based coverage, including removing any requirement to exhaust COBRA coverage prior to seeking coverage in the individual market; 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 Labor.

Reps. Meltzer, LeBlanc, Lori, Walsh, McMillin, Wayne Schmidt, Horn, Agema, Opsommer, Proos, Meadows, Rick Jones and Genetski offered the following resolution:

**House Resolution No. 40.**

A resolution to memorialize the Congress of the United States to enact an oversight mechanism or structure to ensure that the federal stimulus assistance to the domestic automotive industry be used to pay outstanding debts due to the tool, die, and mold industry.

Whereas, Our domestic automobile industry has been the focus of much of the economic stimulus activity in Congress. While the health and well-being of the automotive industry is a key to our nation's, and, in particular, Michigan's economic recovery, scant attention has been paid to the tool, die, and mold industry's role in the automotive manufacturing process. Indeed, the production from our local tool, die, and mold shops is one of the first steps in the development of new and redesigned products that ultimately grace the showroom floor. Due to the fact that their contribution to the process takes place up to 24 months or more in advance of motor vehicle production, stimulus for the financially strapped automakers and Tier 1 suppliers may, in turn, take many months to trickle down to the tool, die, and mold shops, and may not reach down to that level at all; and

Whereas, The tool, die, and mold industry plays a key role in the automotive manufacturing industry. Nonetheless, the domestic tooling, machining, and molding industries have been hard hit by the tumultuous forces of foreign competition, rapidly escalating materials costs, tight credit, and pressures from automakers and suppliers to reduce costs. This has resulted in job losses and economic hardships throughout the industry. Indeed, in Michigan, tool, die, and mold employment peaked around 1998, and, by 2003 it had lost over 30,000 jobs. Most of the companies threatened are higher wage, mom and pop operations scattered throughout every corner of the state. Now with the potential of federal stimulus aid, the industry has hopes of revitalization as long as those stimulus dollars flow down past the automakers and the Tier 1 suppliers; and

Whereas, Clearly, as tool, die, and mold companies are struggling to keep their heads above water, it is incumbent on Washington to ensure that economic stimulus funds go where they will pay the greatest dividends. Congress must assure that these stimulus payments flow down past the manufacturers and their first suppliers to where they are owed — our tool, die, and mold operations in Michigan; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the Congress of the United States to enact an oversight mechanism or structure to ensure that the federal stimulus assistance for the domestic automotive industry be used to pay outstanding debts due to the tool, die, and mold industry; 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. Lahti, Ball, Booher, Terry Brown, Constan, Dean, Donigan, Durhal, Ebli, Geiss, Gonzales, Haase, Hammel, Haugh, Huckleberry, Rick Jones, Robert Jones, Kurtz, LeBlanc, Leland, Lemmons, Liss, Lori, Marleau, Miller, Neumann, Polidori, Rocca, Roy Schmidt, Sheltroun, Smith, Spade, Stanley and Valentine offered the following concurrent resolution:

**House Concurrent Resolution No. 12.**

A concurrent resolution to memorialize the Congress of the United States to appoint an independent counsel to investigate the Prisoner of War - Missing in Action issue.

Whereas, The Prisoner of War - Missing in Action (POW/MIA) issue has been a national dilemma since the end of World War II; and

Whereas, There is a strong need for an independent investigation into all unresolved matters relating to any United States military personnel unaccounted for from the Vietnam era, the Korean conflict, World War II, Cold War Missions, or Gulf War, including MIAs and POWs; and

Whereas, It is the responsibility and the duty of the United States government to bring home Americans missing in action from the Vietnam War, the Cold War, the Korean War, World War II, and Desert Storm; and

Whereas, As of July 2005, the Government Accountability Office listed 88,115 service men and women unaccounted for from World War II, Korean/Cold War conflicts, Vietnam War, Gulf War, and other conflicts; and

Whereas, American POWs and their missing comrades have demonstrated the true spirit of our nation and should never be forgotten; and

Whereas, The families of these inspiring Americans deserve to know what truly happened to their loved ones; and

Whereas, Americans from every generation have answered the call to duty with dedication and valor. These brave Americans deserve the respect and gratitude of our nation, and all efforts should be made to resolve the Prisoner of War - Missing in Action issue in their honor; now, therefore, be it

Resolved by the House of Representative (the Senate concurring), That we memorialize the Congress of the United States to appoint an independent counsel to investigate the Prisoner of War - Missing in Action issue; 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 concurrent resolution was referred to the Committee on Military and Veterans Affairs and Homeland Security.

### 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, March 4:

<b>House Bill Nos.</b>	<b>4480</b>	<b>4481</b>	<b>4482</b>	<b>4483</b>	<b>4484</b>	<b>4485</b>	<b>4486</b>	<b>4487</b>	<b>4488</b>	<b>4489</b>	<b>4490</b>	<b>4491</b>	<b>4492</b>	<b>4493</b>
	<b>4494</b>	<b>4495</b>	<b>4496</b>	<b>4497</b>	<b>4498</b>	<b>4499</b>	<b>4500</b>	<b>4501</b>	<b>4502</b>	<b>4503</b>	<b>4504</b>			
<b>Senate Bill Nos.</b>	<b>282</b>	<b>283</b>	<b>285</b>	<b>286</b>	<b>287</b>	<b>288</b>	<b>289</b>	<b>290</b>	<b>291</b>	<b>292</b>	<b>293</b>	<b>294</b>	<b>295</b>	<b>296</b>
	<b>297</b>	<b>298</b>	<b>299</b>	<b>300</b>	<b>301</b>	<b>302</b>	<b>303</b>	<b>304</b>	<b>305</b>	<b>306</b>	<b>307</b>	<b>308</b>	<b>309</b>	<b>310</b>
	<b>311</b>	<b>312</b>	<b>313</b>	<b>314</b>	<b>315</b>	<b>316</b>	<b>317</b>	<b>318</b>						

The Clerk announced that the following Senate bills had been received on Wednesday, March 4:

**Senate Bill Nos.**     **21**     **22**     **24**

### Reports of Standing Committees

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

**House Bill No. 4381, entitled**

A bill to regulate political activity; to regulate certain candidates for elective office and state officials; to require financial statements and reports; to prescribe the powers and duties of certain state and local governmental officers and agencies; to impose fees; to prescribe penalties and civil sanctions; and to provide remedies.

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. Angerer, Haase, Lisa Brown, Donigan, Scripps and Slavens

Nays: Reps. Meltzer and Kurtz

### 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, March 4, 2009

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

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

**House Bill No. 4200, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7cc and 7dd (MCL 211.7cc and 211.7dd), section 7cc as amended by 2008 PA 198 and section 7dd as amended by 2008 PA 243.

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. Ebli, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Mayes, Slezak, Warren, Calley, Kowall, Lund, Meekhof, Stamas and Walsh

Nays: None

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

**House Bill No. 4479, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 37 (MCL 211.37), as amended by 1994 PA 415.

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. Ebli, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Mayes, Slezak, Warren, Calley, Kowall, Lund, Meekhof, Stamas and Walsh

Nays: None

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, March 4, 2009

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

Absent: Reps. Melton and Meltzer

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

**House Bill No. 4248, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 68c (MCL 38.68c), as added by 2007 PA 95.

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, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

**House Bill No. 4315, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520c (MCL 750.520c), as amended by 2007 PA 163.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 4, 2009

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

The Committee on Families and Children's Services, by Rep. Valentine, Chair, reported

**House Bill No. 4159, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115g, 115i, and 115j (MCL 400.115g, 400.115i, and 400.115j), section 115g as amended by 2004 PA 193 and sections 115i and 115j as amended by 2002 PA 648.

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. Valentine, Liss, Neumann, Slavens, Kurtz, McMillin, Moore and Pavlov

Nays: None

## 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, March 4, 2009

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

Absent: Rep. Womack

Excused: Rep. Womack

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

**House Bill No. 4458, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 1104 and 13815 (MCL 333.1104 and 333.13815), section 1104 as amended by 1996 PA 307 and section 13815 as added by 1990 PA 21.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

To Report Out:

Yeas: Reps. Johnson, Haugh, Byrnes, Griffin, Bettie Scott and Stanley

Nays: Reps. Crawford and Stamas

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

**House Bill No. 4459, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13805, 13807, 13809, 13810, 13811, 13813, 13817, 13819, 13821, 13823, 13825, 13827, 13829, 13830, and 13831 (MCL 333.13805, 333.13807, 333.13809, 333.13810, 333.13811, 333.13813, 333.13817, 333.13819, 333.13821, 333.13823, 333.13825, 333.13827, 333.13829, 333.13830, and 333.13831), sections 13805, 13807, 13809, 13810, and 13811 as added by 1990 PA 21, sections 13813,

13817, 13819, 13823, 13825, 13827, 13829, 13830, and 13831 as added by 1990 PA 18, and section 13821 as amended by 1996 PA 67, and by adding sections 13812, 13820, 13832, and 13833.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Johnson, Haugh, Byrnes, Griffin, Bettie Scott and Stanley

Nays: Reps. Crawford and Stamas

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 4, 2009

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

#### 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, March 4, 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. Simpson, Chair, of the Committee on Agriculture, was received and read:

Meeting held on: Wednesday, March 4, 2009

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

#### Messages from the Senate

##### **Senate Bill No. 21, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 413 (MCL 168.413), as amended by 1999 PA 218.

The Senate has passed the bill.

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

##### **Senate Bill No. 22, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 467b (MCL 168.467b), as amended by 1999 PA 218.

The Senate has passed the bill.

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

##### **Senate Bill No. 24, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 426d (MCL 168.426d), as amended by 1999 PA 218.

The Senate has passed the bill.

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

### Notices

February 27, 2009

Mr. Richard J. Brown, Clerk  
Michigan House of Representatives  
State Capitol Building  
Lansing, Michigan 48913

Dear Mr. Clerk:

I hereby make a change to the following Appropriations Subcommittee for the 2009-2010 Legislative Session:

**Joint Capital Outlay**

Remove Rep. Terry Brown

Thank you for your attention to this matter.

Regards,  
Andy Dillon  
Speaker  
Michigan House of Representatives

### Communications from State Officers

The following communication from the Department of Community Health was received and read:

February 23, 2009

In accordance with Public Act 336 of 1994 (Section 333.2723), the Michigan Department of Community Health is submitting the Michigan Essential Health Provider (MEHP) Recruitment Strategy Report. This report details the progress over the past three fiscal years. It also includes accomplishments since the program's inception in 1991.

If you have any questions, please contact William J. Hart, Jr. at (517) 241-3184.

Sincerely,  
Janet Olszewski  
Director

The communication was referred to the Clerk.

The following communication from the Secretary of State was received and read:

Notice of Filing  
Administrative Rules

February 25, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Agriculture and the State Office of Administrative Hearings and Rules filed Administrative Rule #2007-019-AC (Secretary of State Filing #09-02-03) on this date at 4:40 p.m. for the Department of Agriculture, entitled "Racing Commissioner – General Rules".

This rule becomes effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a (6), of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Terri Lynn Land  
Secretary of State  
Robin L. Houston, Departmental Supervisor  
Office of the Great Seal

The communication was referred to the Clerk.

**Introduction of Bills**

Rep. Byrnes introduced

**House Bill No. 4505, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3206, 3207, 3208, 3209, and 3614 (MCL 700.3206, 700.3207, 700.3208, 700.3209, and 700.3614), section 3206 as amended by 2008 PA 41 and sections 3207, 3208, and 3209 as added and section 3614 as amended by 2006 PA 299, and by adding section 3210.

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

Reps. Lahti, McDowell, Spade, Gonzales, Nerat, Lindberg, Sheltroun, Terry Brown, Booher, Neumann and Switalski introduced

**House Bill No. 4506, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

Reps. Espinoza, Sheltroun and Terry Brown introduced

**House Bill No. 4507, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81131 (MCL 324.81131), as amended by 2008 PA 240.

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

Reps. Caul, Ball, Booher, Sheltroun and Dean introduced

**House Bill No. 4508, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17751a.

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

Reps. Meadows and Rick Jones introduced

**House Bill No. 4509, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 44 (MCL 791.244), as amended by 1999 PA 191.

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

Reps. Rick Jones and Meadows introduced

**House Bill No. 4510, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 35 (MCL 791.235), as amended by 1998 PA 315.

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

Reps. Geiss, LeBlanc, Sheltroun, Durhal, Stanley, Bledsoe, Tlaib, Leland, Gregory, Constan, Bauer and Valentine introduced

**House Bill No. 4511, entitled**

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

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

Reps. Polidori, Spade, Espinoza, Roy Schmidt, Durhal, Corriveau, McDowell, Neumann, Terry Brown, Gonzales, Lemmons, Leland, Dean, Meadows and Constan introduced

**House Bill No. 4512, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 241 (MCL 18.1241), as amended by 1999 PA 8.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Reps. Moore, Lund, Espinoza, Rick Jones, Polidori, Rogers and Stamas introduced

**House Bill No. 4513, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803f (MCL 257.803f), as amended by 1998 PA 68.

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

Reps. Lahti, McDowell, Ball, Lindberg, Simpson, Nerat, Sheltroun, Booher, Spade, Gonzales, Espinoza and Neumann introduced

**House Bill No. 4514, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 272 (MCL 206.272), as added by 2006 PA 372.

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

Reps. Slavens, Roberts, Valentine, Nathan, Kandrevas, Corriveau, Smith, Segal, Spade, Gonzales, Gregory, Neumann, Lisa Brown, Roy Schmidt, Ebli, Durhal, Melton, Huckleberry, Barnett, Haase, Kennedy, Tlaib, Switalski, Slezak, Scripps, Constan, Dean, Polidori, Warren, McDowell, Clemente, Nerat, Bauer, Bledsoe, Donigan, Miller, Geiss, Liss, Lipton, Terry Brown and Espinoza introduced

**House Bill No. 4515, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 434 (MCL 208.1434), as added by 2008 PA 580.

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

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Rep. Slavens moved that the House adjourn.

The motion prevailed, the time being 4:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 5, at 12:00 Noon.

RICHARD J. BROWN  
Clerk of the House of Representatives