

No. 29
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Wednesday, April 1, 2009.

1:30 p.m.

The House was called to order by Associate Speaker Pro Tempore Espinoza.

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—excused	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. Gail Haines, from the 43rd District, offered the following invocation:

“Heavenly Father, guide us today in our thoughts, words, and deeds as we come together today to do Your work. Be with us as we steer Michigan through these times of economic hardship toward better times. Thank You for the opportunity to serve and may our work be in Thy name and for Thy glory. Amen.”

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

Reports of Standing Committees

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

House Bill No. 4175, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 279.

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. Melton, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Slezak, Calley, Kowall, Lund, Stamas and Walsh

Nays: None

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

House Bill No. 4176, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 465.

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. Melton, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Slezak, Calley, Kowall, Lund, Stamas and Walsh

Nays: None

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

House Bill No. 4177, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 476a (MCL 500.476a), as amended by 2007 PA 187.

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. Melton, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Slezak, Calley, Kowall, Lund, Stamas and Walsh

Nays: None

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

House Bill No. 4178, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 18a.

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. Melton, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Slezak, Calley, Kowall, Lund, Stamas and Walsh

Nays: None

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

House Bill No. 4264, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2008 PA 448.

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

Nays: None

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

House Bill No. 4395, entitled

A bill to establish the boy scouts of Michigan fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

With the recommendation that the bill be referred to the Committee on Families and Children's Services.

Favorable Roll Call

To Report Out:

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

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Families and Children's Services.

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

House Bill No. 4396, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 560.

With the recommendation that the bill be referred to the Committee on Families and Children's Services.

Favorable Roll Call

To Report Out:

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

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Families and Children's Services.

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

House Bill No. 4412, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 78a, 78e, 78f, and 78g (MCL 211.78a, 211.78e, 211.78f, and 211.78g), section 78a as amended by 2008 PA 352, section 78e as added by 1999 PA 123, and sections 78f and 78g as amended by 2003 PA 263.

With the recommendation that the bill be referred to the Committee on Urban Policy.

Favorable Roll Call

To Report Out:

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

Nays: None

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

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

House Bill No. 4709, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 117 (MCL 208.1117).

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

Nays: None

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

Senate Bill No. 89, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 429 (MCL 208.1429).

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

Nays: None

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

Senate Bill No. 91, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 503 (MCL 208.1503).

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

Nays: None

The Committee on Tax Policy, by Rep. Melton, Vice-Chair, reported

Senate Bill No. 98, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 501 (MCL 208.1501).

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 1, 2009

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

Absent: Reps. Ebli, Mayes, Warren and Meltzer

Excused: Reps. Ebli, Mayes, Warren and Meltzer

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

Senate Bill No. 188, entitled

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending sections 1, 2, and 4 (MCL 780.651, 780.652, and 780.654), section 1 as amended by 2003 PA 185 and section 4 as amended by 2002 PA 112.

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, 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, April 1, 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. 4470, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the

department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 3 (MCL 408.473).

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. Valentine, Womack, 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, April 1, 2009

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

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

House Bill No. 4282, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 264 (MCL 18.1264), as added by 1988 PA 504.

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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Lemmons, Nerat, Sheltroun and Womack

Nays: Reps. Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

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.

(For text of resolution, see House Journal No. 17, p. 267.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 40.

A resolution memorializing the Congress of the United States to enact an oversight mechanism or structure to ensure that federal financial assistance to the domestic automotive industry is used to pay purchase commitments 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 memorializing the Congress of the United States to enact an oversight mechanism or structure to ensure that federal financial assistance to the domestic automotive industry is used to pay purchase commitments 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.

Favorable Roll Call

To Report Out:

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

Nays: None

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, April 1, 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

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

House Bill No. 4473, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

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. Lindberg, Kennedy, Kandrevas, Liss, Bettie Scott, Slezak, Young and Haveman

Nays: Reps. Amash and Daley

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

Senate Bill No. 399, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 64 (MCL 421.64), as amended by 2003 PA 174.

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. Lindberg, Kennedy, Kandrevas, Liss, Bettie Scott, Slezak, Amash, Daley, Haveman and McMillin
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 1, 2009

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Wednesday, April 1, 2009

Present: Reps. Warren, Nerat, Bledsoe, Kennedy, Leland, Meadows, Roberts, Scripps, Meekhof, Daley, Haveman, Rick Jones, Pavlov and Wayne Schmidt

Absent: Rep. Ebli

Excused: Rep. Ebli

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, April 1, 2009

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

Absent: Rep. Donigan

Excused: Rep. Donigan

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 1, 2009

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

Absent: Reps. Constan and Moore

Excused: Reps. Constan and Moore

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, April 1, 2009

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

Absent: Rep. Griffin

Excused: Rep. Griffin

Notices

Pursuant to Rule 41, the Speaker has made the following reassignment:
House Bill No. 4675 referred to the Committee on Tax Policy on March 26, 2009.

Communications from State Officers

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

March 31, 2009

In compliance with sections 208 and 215(1) of PA 251 of 2008, the Department of Energy Labor & Economic Growth is reporting on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year.

Please provide notice to the House and Senate Appropriations subcommittees on the budget for the department, the Joint Committee on Administrative Rules, and the House and Senate fiscal agencies.

This report may be viewed on our website, at

http://www.michigan.gov/documents/dleg/RQST_5461_P.A._251_Sec._215_policy_changes_272063_7.pdf

The menu route to the report is: <http://michigan.gov/dleg>, Inside DELEG, to Legislative Reports, to FY 2009, then to P.A. 251.

If you have any questions regarding this information, please feel free to contact me at 335.2626.

Sincerely,
Jeannine Benedict
Administrative Rules Specialist
For R. Thomas Martin, Director
Office of Policy & Legislative Affairs

The communication was referred to the Clerk.

Announcements by the Clerk

March 31, 2009

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

Financial audit of the Michigan Education Trust (MET) Plans B and C, a discretely presented component unit of the State of Michigan, for the period October 1, 2006 through September 30, 2008.

March 31, 2009

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

Financial audit of the Michigan Education Trust (MET) Plan D, 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

The Speaker Pro Tempore assumed the Chair.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 12.

A resolution to express support for the people of India following the terrorist attacks in Mumbai and to memorialize the President and Congress to work with Indian authorities in both humanitarian and strategic capacities.

(For text of resolution, see House Journal No. 5, p. 76.)

(The resolution was reported by the Committee on Military and Veterans Affairs and Homeland Security on February 18.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Resolution No. 47.

A resolution to memorialize the Congress of the United States to oppose preemptive federal insurance regulatory measures.

(For text of resolution, see House Journal No. 22, p. 380.)
 (The resolution was reported by the Committee on Insurance on March 26.)
 The question being on the adoption of the resolution,
 The resolution was adopted.

Second Reading of Bills

House Bill No. 4199, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41301 (MCL 324.41301), as amended by 2005 PA 77, and by adding section 41325.

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

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

Rep. Lahti 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. 4199, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41301 (MCL 324.41301), as amended by 2005 PA 77, and by adding section 41325.

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

Roll Call No. 127

Yeas—88

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

Nays—21

Agema	Knollenberg	Meekhof	Pearce
Amash	Kurtz	Meltzer	Proos

Daley
Denby
Genetski
Haveman

Lund
Marleau
McMillin

Moss
Opsommer
Pavlov

Stamas
Tyler
Walsh

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 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 41325.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4579, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 41301 (MCL 324.41301), as amended by 2005 PA 77.

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

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

Rep. Warren 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. 4579, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 41301 (MCL 324.41301), as amended by 2005 PA 77.

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

Roll Call No. 128

Yeas—108

Agema
Angerer
Ball
Barnett
Bauer
Bennett
Bledsoe
Bolger
Booher
Brown, L.
Brown, T.
Byrnes
Byrum

Durhal
Elsenheimer
Espinoza
Geiss
Genetski
Gonzales
Green
Gregory
Griffin
Haase
Haines
Hammel
Hansen

Lahti
LeBlanc
Leland
Lemmons
Lindberg
Lipton
Liss
Lori
Lund
Marleau
Mayer
McDowell
McMillin

Proos
Roberts
Rocca
Rogers
Schmidt, R.
Schmidt, W.
Schuitmaker
Scott, B.
Scott, P.
Scripps
Segal
Sheltrown
Simpson

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

Nays—1

Amash

In The Chair: Byrnes

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

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

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 41301, 41305, 41306, 41309, 41311, 41313, and 41323 (MCL 324.41301, 324.41305, 324.41306, 324.41309, 324.41311, 324.41313, and 324.41323), section 41301 as amended by 2005 PA 77, section 41305 as amended and section 41306 as added by 2005 PA 79, section 41309 as amended by 2005 PA 76, sections 41311 and 41313 as added by 2005 PA 80, and section 41323 as added by 2005 PA 75; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4426, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3104 (MCL 500.3104), as amended by 2002 PA 662.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4426, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3104 (MCL 500.3104), as amended by 2002 PA 662.

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

Roll Call No. 129**Yeas—67**

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

Nays—42

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

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. 4427, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 134 and 3104 (MCL 500.134 and 500.3104), section 134 as amended by 1990 PA 256 and section 3104 as amended by 2002 PA 662.

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

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

Rep. Segal 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. 4427, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 134 and 3104 (MCL 500.134 and 500.3104), section 134 as amended by 1990 PA 256 and section 3104 as amended by 2002 PA 662.

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

Roll Call No. 130

Yeas—65

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

Nays—44

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

Second Reading of Bills

House Bill No. 4429, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3104 (MCL 500.3104), as amended by 2002 PA 662.

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

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

Rep. Denby moved to amend the bill as follows:

1. Amend page 8, line 8, after "(7)(d)" by striking out the comma and inserting "AND".
2. Amend page 8, line 10, after "(7)(D)" by striking out the balance of the sentence and inserting a period.
3. Amend page 8, line 20, after "of" by striking out "9" and inserting "5".
4. Amend page 9, line 8, after "any" by striking out "5" and inserting "3".
5. Amend page 9, line 10, after "issues." by striking out "SIX" and inserting "Four".

The motion did not prevail and the amendments were not adopted, a majority of the members serving not 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. 4429, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3104 (MCL 500.3104), as amended by 2002 PA 662.

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

Roll Call No. 131

Yeas—65

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

Nays—44

Agema	Elsenheimer	Kowall	Pavlov
Amash	Genetski	Kurtz	Pearce
Ball	Green	Lori	Proos
Bolger	Griffin	Lund	Rocca
Booher	Haines	Marleau	Rogers
Calley	Hansen	McMillin	Schmidt, W.

Caul	Haveman	Meekhof	Schuitmaker
Crawford	Hildenbrand	Meltzer	Scott, P.
Daley	Horn	Moore	Stamas
Denby	Jones, Rick	Moss	Tyler
DeShazor	Knollenberg	Opsommer	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.

Second Reading of Bills

House Bill No. 4471, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending sections 2 and 3 (MCL 15.262 and 15.263), section 2 as amended by 2001 PA 38 and section 3 as amended by 1988 PA 278.

The bill was read a second time.

Rep. Scripps 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. 4471, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending sections 2 and 3 (MCL 15.262 and 15.263), section 2 as amended by 2001 PA 38 and section 3 as amended by 1988 PA 278.

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

Roll Call No. 132

Yeas—65

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

Nays—44

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

Second Reading of Bills**House Bill No. 4722, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 447.

The bill was read a second time.

Rep. Scripps 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. 4722, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 447.

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

Roll Call No. 133**Yeas—109**

Agema	Durhal	Lahti	Proos
Amash	Elsenheimer	LeBlanc	Roberts
Angerer	Espinoza	Leland	Rocca
Ball	Geiss	Lemmons	Rogers
Barnett	Genetski	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	Mayes	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—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.

Reps. Angerer, Ball, Barnett, Bledsoe, Bolger, Booher, Lisa Brown, Terry Brown, Byrnes, Byrum, Calley, Clemente, Constan, Corriveau, Coulouris, Daley, Dean, DeShazor, Espinoza, Geiss, Griffin, Haase, Hammel, Hansen, Haugh, Hildenbrand, Huckleberry, Johnson, Robert Jones, Kandrevas, Kennedy, Knollenberg, Kurtz, Lahti, LeBlanc, Leland, Lipton, Liss, Lori, Lund, Marleau, Mayes, McDowell, Melton, Moss, Nathan, Nerat, Opsommer, Polidori, Proos, Rocca, Wayne Schmidt, Schuitmaker, Paul Scott, Segal, Simpson, Slavens, Slezak, Smith, Spade, Stamas, Stanley, Switalski, Tyler, Valentine, Walsh and Warren were named co-sponsors of the bill.

Second Reading of Bills

Senate Bill No. 188, entitled

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending sections 1, 2, and 4 (MCL 780.651, 780.652, and 780.654), section 1 as amended by 2003 PA 185 and section 4 as amended by 2002 PA 112.

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 adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 188, entitled

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending sections 1, 2, and 4 (MCL 780.651, 780.652, and 780.654), section 1 as amended by 2003 PA 185 and section 4 as amended by 2002 PA 112.

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

Roll Call No. 134**Yeas—94**

Agema	Donigan	Kurtz	Polidori
Amash	Elsenheimer	LeBlanc	Proos
Angerer	Espinoza	Leland	Roberts
Ball	Geiss	Lemmons	Rocca
Barnett	Genetski	Lindberg	Rogers
Bauer	Gonzales	Lipton	Schmidt, R.
Bledsoe	Green	Liss	Schmidt, W.
Bolger	Gregory	Lori	Schuitmaker
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	Meltzer	Spade
Corriveau	Horn	Moore	Stamas
Coulouris	Huckleberry	Moss	Switalski
Crawford	Jones, Rick	Nerat	Tyler
Daley	Jones, Robert	Neumann	Valentine
Dean	Kandrevas	Opsommer	Walsh
Denby	Kennedy	Pavlov	Warren
DeShazor	Knollenberg	Pearce	Womack
Dillon	Kowall		

Nays—15

Bennett	Jackson	Miller	Stanley
Constan	Johnson	Nathan	Tlaib
Cushingberry	Lahti	Scott, B.	Young
Durhal	Melton	Smith	

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 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending sections 1 and 4 (MCL 780.651 and 780.654), section 1 as amended by 2003 PA 185 and section 4 as amended by 2002 PA 112.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**Senate Bill No. 98, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 501 (MCL 208.1501).

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

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

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

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

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

Senate Bill No. 98, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 501 (MCL 208.1501).

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

Roll Call No. 135

Yeas—109

Agema	Durhal	Lahti	Proos
Amash	Elsenheimer	LeBlanc	Roberts
Angerer	Espinoza	Leland	Rocca
Ball	Geiss	Lemmons	Rogers
Barnett	Genetski	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	Mayes	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—0

In The Chair: Byrnes

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

"An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts,"

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

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.

(For text of resolution, see House Journal No. 17, p. 267.)

(The resolution was reported by the Committee on Commerce on April 1, with substitute (H-1).)

(For substitute, see today's Journal p. 562.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

Rep. Angerer moved that consideration of the resolution be postponed for the day.

The motion prevailed.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Melton, Simpson, Leland, Sheltroun, Mayes, Byrnes and Meadows offered the following resolution:

House Resolution No. 66.

A resolution to memorialize Congress and the President to allow auto suppliers to trade with Cuba.

Whereas, While much national attention has focused on the major domestic auto makers, the other key cog in this sector of America's manufacturing might is the network of auto suppliers. These primarily smaller companies are facing a drastic situation not only because of decreased vehicle sales, but also because of the credit crunch made more severe by the delay in payments to suppliers that has long been standard practice. In acknowledgement of the large number of auto suppliers teetering on the brink of bankruptcy, the U.S. Treasury Department recently extended a \$5 billion line of credit to the auto suppliers as part of the Troubled Asset Relief Program; and

Whereas, Congress has been working to ease restrictions on travel and trade between the United States and Cuba. Specifically, these proposals include making it easier to sell agricultural and medical goods to Cuba. These initial steps to foster commerce should be broadened to include auto suppliers. Opening a new market for this beleaguered sector of manufacturing, just as these companies need a spark, could help them survive the current downturn. Doing so would also signal a new era just as Cuba may be poised to emerge from its communist-dominated state in the near future; and

Whereas, Among the goods most needed within Cuba are parts for American automobiles, which are coveted in many quarters. It is estimated that there are 60,000 pre-1959 American cars in Cuba, a figure that may represent as many as one out of every 8 passenger vehicles in the country. This inordinately high number makes this a market ripe for auto supply companies that could meet this pent-up demand. The symbolism of this unique relationship between the Cuban people and American cars from the pre-revolutionary era cannot be ignored; and

Whereas, The current challenges facing our economy, especially in the area of manufacturing and within the auto suppliers network, will only be overcome with far-sighted thinking. Clearly, approaches of the past have not worked as well as necessary. It would be wise to cultivate a broader trade relationship with a nation very likely to face an historic turning point in the very near future. Doing so through auto suppliers holds the potential for both short- and long-term benefits to our state and nation; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress and the President to allow auto suppliers to trade with Cuba; and be it further

Resolved, That copies of this resolution be transmitted to The Office of 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 resolution was referred to the Committee on Commerce.

Reps. Spade, Ball, Booher, Terry Brown, Byrnes, Byrum, Caul, Constan, Cushingberry, Dean, Durhal, Espinoza, Geiss, Gonzales, Gregory, Griffin, Haase, Haines, Haugh, Rick Jones, Robert Jones, Knollenberg, Lahti, Lemmons, Liss, Lori, Marleau, Mayes, Miller, Neumann, Pearce, Polidori, Proos, Rocca, Rogers, Wayne Schmidt, Sheltroun, Valentine and Hansen offered the following resolution:

House Resolution No. 67.

A resolution recognizing April 2009 as Sexual Assault Awareness and Prevention Month in Michigan.

Whereas, The American Medical Association has stated that a “woman is raped every 46 seconds in the United States” and that sexual assault is a “silent epidemic”; and

Whereas, It is estimated by the Bureau of Justice Statistics that over 70 percent of rapes are never reported to police; and

Whereas, Only 41 percent of sexual assault victims pursue prosecution by reporting their attacks to law enforcement agencies; and

Whereas, Sixty-seven percent of all victims of sexual assault reported to law enforcement agencies were under 18 years of age, and 34 percent of all victims were under 12 years of age; and

Whereas, Women, children, and men are all victims of sexual assault and it is estimated that one in three women, one in four girls, one in six boys, and one in 11 men will be victims at least once in their lifetimes; and

Whereas, Rape and sexual assault impacts women, children, and men of all racial, cultural, and economic backgrounds; and

Whereas, In addition to the immediate physical and emotional costs, sexual assault may also have associated severe and long-lasting consequences of posttraumatic stress disorder, substance abuse, major depression, homelessness, eating disorders, and suicide; and

Whereas, The Centers for Disease Control and Prevention have identified sexual assault as a significant, costly, and preventable health issue; and

Whereas, Women, children, and men in our state have the right to be safe from sexual violence in their homes, at school, at work, and on the streets; and

Whereas, It is our responsibility to support rape survivors by treating them with dignity, compassion, and respect; and

Whereas, It is crucially important to hold perpetrators responsible for sexual attacks, and to prevent sexual violence at every opportunity; and

Whereas, It is important to recognize the strength, courage, and challenges of the victims and survivors of sexual assault and their families and friends as they struggle to cope with the reality of sexual assault; and

Whereas, It is critical to draw state-wide and national attention to this very important issue so that citizens across the State of Michigan are educated and in a better position to prevent sexual assault; now, there for, be it

Resolved by the House of Representatives, That the members of this legislative body recognize April 2009 Sexual Assault Awareness and Prevention Month in Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Bolger, Ball, Booher, Terry Brown, Byrnes, Caul, Cushingberry, Dean, Durhal, Espinoza, Geiss, Green, Gregory, Griffin, Haines, Haugh, Horn, Rick Jones, Robert Jones, Knollenberg, Lahti, Lemmons, Lori, Marleau, Mayes, McMillin, Miller, Pearce, Proos, Rogers, Wayne Schmidt, Sheltroun, Spade, Tyler, Valentine and Hansen offered the following resolution:

House Resolution No. 68.

A resolution to encourage Michigan’s public schools to participate in Junior Achievement programs, and declare April to be Junior Achievement Financial Literacy Month in the state of Michigan.

Whereas, Junior Achievement is a not-for-profit organization that fosters partnerships between business and educators and uses hands-on curriculum to help young people understand the economics of life; and

Whereas, Junior Achievement’s purpose is to inspire and prepare young people to succeed in a global economy; and

Whereas, Since Junior Achievement’s creation in 1919, the program has reached more than 79 million students. It is devoted to its mission of ensuring that every child in America has a fundamental understanding of financial literacy and the free enterprise system; and

Whereas, Junior Achievement is designed to be taught in the classroom by business, parent, and community volunteers. Classroom volunteers make economic concepts relevant, fuel the entrepreneurial spirit, and challenge students to excel; and

Whereas, Junior Achievement has been primarily funded by the private sector of businesses, individuals, and foundations. A declining economy has limited Junior Achievement’s ability to provide service that meets the demand for programs in Michigan. With local and state government support, Junior Achievement would be able to expand its delivery of curriculum to adequately prepare Michigan’s young people for a global economy, while advancing an important policy objective of the state; and

Whereas, Junior Achievement brings volunteers into the classrooms to lead exciting, hands-on activities in grades K-12. These activities show students the relevance of education to the workplace and help prepare them for secondary school and lifelong learning. Concepts and skills taught at each program level build on those learned in preceding grades; and

Whereas, Junior Achievement programs focus on developing and preparing young people for issues they will encounter in the economic and employment environment. Students are taught to use economics, business, and financial literacy to prepare for and improve their quality of life; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body encourage Michigan's public schools to participate in Junior Achievement Programs and thus encourage the development of entrepreneurial curricula, and that April 2009 shall be Junior Achievement Financial Literacy Month in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Superintendent of Public Instruction and the State Board of Education.

The question being on the adoption of the resolution,

The resolution was adopted.

PURSUANT TO ARTICLE XI, SECTION 5 OF THE MICHIGAN CONSTITUTION, THIS RESOLUTION REQUIRES A TWO-THIRDS VOTE OF THE MEMBERS ELECTED AND SERVING

Reps. Moss, Agema, Amash, Ball, Booher, Haines, Horn, Knollenberg, Lori, Marleau, McMillin, Pearce, Rogers, Wayne Schmidt and Tyler offered the following concurrent resolution:

House Concurrent Resolution No. 16.

A concurrent resolution to reject the proposed increase in rates of compensation recommended by the Civil Service Commission and contained in the Executive Budget for Fiscal Year 2009-2010.

Whereas, Article XI, Section 5 of the *Constitution of the State of Michigan of 1963* provides that the Governor shall transmit increases in rates of compensation for employees in the state classified civil service to the Legislature as part of the Executive Budget. This section of the Michigan Constitution further provides:

Within 60 calendar days following such transmission, the legislature may, by a two-thirds vote of the members elected to and serving in each house, reject or reduce increases in rates of compensation authorized by the commission. Any reduction ordered by the legislature shall apply uniformly to all classes of employees affected by the increases and shall not adjust pay differentials already established by the civil service commission. The legislature may not reduce rates of compensation below those in effect at the time of the transmission of increases authorized by the commission.

The Governor has transmitted the 2009-2010 Executive Budget to the Legislature, and it contains recommendations for increases in rates of compensation authorized by the Civil Service Commission; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, pursuant to Article XI, Section 5 of the *Constitution of the State of Michigan of 1963*, we hereby reject the proposed increase in rates of compensation for classified state employees recommended by the Civil Service Commission and contained in the Executive Budget for Fiscal Year 2009-2010; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor and the Office of the State Employer.

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

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, April 1:

House Bill Nos.	4723	4724	4725	4726	4727	4728	4729	4730	4731	4732	4733	4734	4735	4736
	4737	4738	4739	4740	4741	4742	4743	4744	4745	4746	4747	4748	4749	
Senate Bill Nos.	413	414	415	416	417	418								

The Clerk announced that the following Senate bills had been received on Wednesday, April 1:

Senate Bill Nos.	34	243	247	362	363
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Reports of Standing Committees

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

House Bill No. 4436, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2010; to provide for the expenditure

of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

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

Favorable Roll Call

To Report Out:

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

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 31, 2009

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

Messages from the Senate

House Bill No. 4668, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 17 (MCL 421.17), as amended by 2003 PA 174.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4669, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 20 (MCL 421.20), as amended by 2008 PA 479.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4096, entitled

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending sections 1, 2, and 4 (MCL 780.651, 780.652, and 780.654), section 1 as amended by 2003 PA 185 and section 4 as amended by 2002 PA 112.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending section 2 (MCL 780.652).

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

House Bill No. 4397, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 622 and 1223 (MCL 380.622 and 380.1223), as amended by 2008 PA 307.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Senate Bill No. 34, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 78101 and 78110 (MCL 324.78101 and 324.78110), section 78101 as amended by 2006 PA 466 and section 78110 as amended by 2004 PA 587.

The Senate has passed the bill.

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

Senate Bill No. 243, entitled

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The Senate has passed the bill.

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

Senate Bill No. 247, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The Senate has passed the bill.

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

Senate Bill No. 362, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 216 and 719a (MCL 257.216 and 257.719a), section 216 as amended by 2008 PA 539 and section 719a as amended by 1996 PA 136, and by adding sections 38a, 49a, and 74a.

The Senate has passed the bill.

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

Senate Bill No. 363, entitled

A bill to regulate recreational vehicle dealers, manufacturers, wholesalers, warrantors, and their representatives; to regulate dealings between recreational vehicle manufacturers, wholesalers, warrantors, and dealers; to regulate dealings between consumers and recreational vehicle manufacturers, wholesalers, warrantors, and dealers; to prohibit certain trade practices; to provide for the powers and duties of certain state and local governmental officers and entities; and to provide remedies.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Calley introduced

House Bill No. 4750, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by repealing section 281 (MCL 208.1281).

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

Rep. Calley introduced

House Bill No. 4751, entitled

A bill to provide for family military leave from employment for certain relatives of an individual called to active military service; to prohibit retaliation; and to prescribe remedies.

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

Rep. Huckleberry introduced

House Bill No. 4752, entitled

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

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

Reps. Horn, Booher, Stamas, Moore, Caul and Terry Brown introduced

House Bill No. 4753, entitled

A bill to authorize certain local units of government to levy a special assessment on certain parcels of property for certain purposes; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments; and to prescribe certain duties of certain local officials.

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

Rep. Jackson introduced

House Bill No. 4754, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," (MCL 418.101 to 418.941) by adding section 352a.

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

Rep. Jackson introduced

House Bill No. 4755, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 465.

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

Reps. Warren, Smith, Lipton, Scripps, Robert Jones, Miller and Meadows introduced

House Bill No. 4756, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 4 (MCL 125.1504), as amended by 2004 PA 584.

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

Rep. Roberts moved that the House adjourn.

The motion prevailed, the time being 4:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, April 2, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives