

No. 89  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
95th Legislature  
REGULAR SESSION OF 2009

---

---

House Chamber, Lansing, Thursday, October 15, 2009.

12:00 Noon.

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

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—excused	Gonzales—present	Liss—present	Schuitmaker—present
Bledsoe—present	Green—excused	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—excused
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—excused	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—excused	Kowall—present	Polidori—present	Young—present
Donigan—present	Kurtz—present		

e/d/s = entered during session

Rep. James Bolger, from the 63rd District, offered the following invocation:

“As we gather now for today’s session let us pause and ask for God’s help and guidance.  
Heavenly Father, thank You for Your gifts and Your presence.

Father, please help us to continually replenish our drive, focus, and intentions to face the challenges of today and tomorrow.

Please grant us the passion to work for what is best for our state and Your people; and grant us the patience to work together in a way that honors You.

Help us respect our differences and embrace our commonality.

Let us forgive others as we wish them to forgive us.

With the presence of distractions and politics, let us perform our duties with good humor and proper attention.

Please fill us with Your wisdom and grace in our actions today and every day.

We ask this of You, our Heavenly Father. Amen.”

---

Rep. Angerer moved that Reps. Bennett, Dillon, Nerat and Simpson be excused from today’s session.

The motion prevailed.

Rep. Wayne Schmidt moved that Rep. Green be excused from today’s session.

The motion prevailed.

### Messages from the Governor

The following line items veto message from the Governor was received and read:

Executive Office, Lansing, October 14, 2009

Michigan House of Representatives  
State Capitol  
Lansing, MI 48909-7514

Ladies and Gentlemen:

Today I have signed **Enrolled House Bill 4446**, which authorizes expenditures by the Departments of Natural Resources and Environmental Quality for the fiscal year ending September 30, 2010. I have, however, disapproved five items and related boilerplate pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item vetoes are detailed in the attached copy of the bill, which has been filed with the Secretary of State.

First, I have disapproved a proposed appropriation of \$75,000 for a cormorant population mitigation program as these migratory birds are regulated and controlled by the federal government. The Department of Natural Resources will continue to work with federal agencies to administer a program to control and manage double-crested cormorants as required in Public Acts 47-49 of 2007. Next, I have disapproved Sections 226 and 1204—two earmarks of funds for non-essential services.

I also have disapproved Section 237(2) of the bill, which includes language attempting to require the Department of Environmental Quality to reimburse permit holders for costs associated with conducting feasibility studies to determine whether to utilize best available retrofit technologies. The Department already has adopted by reference federal regulations requiring best available retrofit technologies, and the Department indicates that enactment of this section would jeopardize federal approval of Michigan’s regional haze state implementation plan resulting in direct imposition of best available retrofit technologies by the federal government.

Finally, I have vetoed the proposed negative appropriation for department consolidation savings and related boilerplate language included in Section 1701 of the bill. While I have proposed the consolidation of the Departments of Natural Resources and Environmental Quality into a new Department of Natural Resources and Environment in Executive Order 2009-45, as authorized by Const 1963, art 5, § 2, that order is not yet effective and existing law mandates the continued operation of two separate departments. Should Executive Order 2009-45 take effect in January 2010, I expect that \$350,000 or more in savings through administrative efficiencies and economies may be realized. Until that time, however, the Departments of Natural Resources and Environmental Quality continue to exist and Michigan law mandates their continued operation. While further efficiencies and economies may be attainable, the Legislature may not constitutionally

delegate to the executive branch the authority and responsibility to reduce or eliminate services or programs mandated by law, if the amounts appropriated for such services or programs prove insufficient. Nor may the Legislature consolidate state departments through appropriations acts. In such circumstances, the Legislature is obligated to either authorize supplemental appropriations or act to reduce or eliminate programs and services unless a consolidation effectuated under Michigan law takes effect and results in administrative efficiencies.

To provide direction regarding the implementation of this new appropriations act, I note the following:

- Sections 231 and 237(1) of the bill constitute apparent attempts to alter the regulatory authority of the Department of Environmental Quality under the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 to 324.90106, and other applicable laws in a manner that fails to conform with Const 1963, art 4, § 25. To the extent these two sections conflict with the constitutional mandate to reenact and publish altered or amended laws, they are unenforceable. The provisions also appear to be outside the scope of the title and object of the bill in a manner that would violate Const 1963, art 4, § 24, and render the provisions invalid conditions on appropriations.
- Section 241 cannot be implemented until the requirements of 2008 PA 389 have been met, including, but not limited to, the requirement established in Enacting Section 1 of PA 389 that delays the effective date of that amendatory act until the date that deposits into the Beverage Container Redemption Antifraud Fund created in the Beverage Container Redemption Antifraud Act from money appropriated by the Legislature equal or exceed \$1,000,000.00.
- To the extent that Section 308 of the bill attempts to alter the regulatory authority of the Department of Environmental Quality under the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 to 324.90106, or other applicable laws, the provision fails to conform with Const 1963, art 4, § 25.
- Sections 228, 301, 306, and 801 of the bill include statements of legislative intent. While the Legislature has the right to state its advice, preferences, or wishes through a statement of intent, such statements do not impose conditions upon appropriations and are non-binding.

I thank the House of Representatives for presenting this budget.

Respectfully,  
Jennifer M. Granholm  
Governor

The bill was signed by the Governor October 14, 2009, at 1:20 p.m.

The bill was filed with the Secretary of State October 14, 2009, at 4:10 p.m. and assigned Public Act No. 118, I.E.

The question being on the passage of the disapproved items, the objections of the Governor to the contrary notwithstanding,

Rep. Angerer moved that the disapproved line items be re-referred to the Committee on Appropriations.

The motion prevailed.

By unanimous consent the House returned to the order of

### **Second Reading of Bills**

#### **House Bill No. 4726, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321a (MCL 257.321a), as amended by 2004 PA 362.

The bill was read a second time.

Rep. Roy Schmidt 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. 4726, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321a (MCL 257.321a), as amended by 2004 PA 362.

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

**Roll Call No. 501****Yeas—68**

Angerer	Elsenheimer	LeBlanc	Pavlov
Ball	Espinoza	Leland	Pearce
Bolger	Geiss	Lemmons	Polidori
Booher	Gonzales	Lindberg	Proos
Brown, T.	Haase	Lipton	Rogers
Byrnes	Haines	Liss	Schmidt, R.
Caul	Hammel	Lori	Schmidt, W.
Clemente	Hansen	Lund	Schuitmaker
Constan	Haugh	Marleau	Scripps
Corriveau	Haveman	Mayer	Sheltrown
Coulouris	Hildenbrand	McDowell	Slavens
Crawford	Huckleberry	Meadows	Slezak
Cushingberry	Jones, Rick	Melton	Spade
Dean	Kandrevas	Meltzer	Switalski
DeShazor	Kennedy	Moore	Tyler
Donigan	Knollenberg	Moss	Walsh
Ebli	Kowall	Neumann	Womack

**Nays—37**

Agema	Durhal	Lahti	Scott, P.
Amash	Genetski	McMillin	Segal
Barnett	Gregory	Meekhof	Smith
Bauer	Griffin	Miller	Stamas
Bledsoe	Horn	Nathan	Stanley
Brown, L.	Jackson	Opsommer	Tlaib
Byrum	Johnson	Roberts	Valentine
Calley	Jones, Robert	Rocca	Warren
Daley	Kurtz	Scott, B.	Young
Denby			

In The Chair: Scripps

The House agreed to the title of the bill.

Rep. Agema, 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 bill has the possibility of leading to more people on the drivers responsibility act. While it is a way to obtain more money for cities there is also a new \$45 fine that didn’t exist before.”

**Second Reading of Bills**

Pending the Second Reading of

**House Bill No. 4538, entitled**

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 34a (MCL 791.234a), as amended by 2008 PA 158.

Rep. Angerer moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

Pending the Second Reading of

**House Bill No. 5128, entitled**

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending section 3 (MCL 287.703), as amended by 2002 PA 458, and by adding section 7a.

Rep. Angerer moved that the bill be re-referred to the Committee on Agriculture.  
The motion prevailed.

Pending the Second Reading of

**House Bill No. 4621, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2170.

Rep. Angerer moved that the bill be re-referred to the Committee on Senior Health, Security, and Retirement.  
The motion prevailed.

Pending the Second Reading of

**House Bill No. 5210, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 11b (MCL 400.11b), as amended by 2000 PA 61.

Rep. Angerer moved that the bill be re-referred to the Committee on Senior Health, Security, and Retirement.  
The motion prevailed.

Pending the Second Reading of

**House Bill No. 5448, entitled**

A bill to amend 2003 PA 152, entitled "A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 217a, 217d, 307, 312e, 312h, 320e, 801, 801d, 802, 803b, 803m, 804, 806, 807, 810, 811, 811c, 811h, and 812 (MCL 257.217a, 257.217d, 257.307, 257.312e, 257.312h, 257.320e, 257.801, 257.801d, 257.802, 257.803b, 257.803m, 257.804, 257.806, 257.807, 257.810, 257.811, 257.811c, 257.811h, and 257.812), section 217a as amended by 1988 PA 419, section 217d as amended by 2000 PA 78, section 307 as amended by 2002 PA 534, section 312e as amended by 2002 PA 652, section 312h as amended by 1989 PA 299, section 320e as amended by 1998 PA 346, section 801 as amended by 2002 PA 417, section 801d as amended by 1984 PA 123, section 802 as amended by 1998 PA 396, section 803b as amended by 1996 PA 142, section 803m as amended and section 811c as added by 1994 PA 332, section 804 as amended and section 811h as added by 2000 PA 77, section 806 as amended by 2002 PA 497, section 807 as amended by 1998 PA 384, section 810 as amended by 1987 PA 238, section 811 as amended by 2000 PA 456, and section 812 as amended by 1989 PA 280, and by adding sections 803r and 810b; and to repeal acts and parts of acts," by repealing enacting section 2.

Rep. Angerer moved that the bill be re-referred to the Committee on Appropriations.  
The motion prevailed.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Sheltroun, Hildenbrand, Schuitmaker, Moore, Polidori, Mayes, Huckleberry, McDowell, Dean, Durhal, Gonzales, LeBlanc, Neumann, Rogers, Valentine and Booher offered the following resolution:

**House Resolution No. 168.**

A resolution to memorialize Congress to adopt the Humane and Optimal Restoration and Sustainability of Equines Act.

Whereas, The last three horse slaughterhouses operating in the United States were closed in 2007. That has not, however, stopped the transport of horses to Mexico and Canada for processing. Unfortunately, horse slaughter is not humane euthanasia. The horses suffer extreme hardships when shipped across our borders to slaughter plants in other countries. In addition, many horses have been sent to slaughter against the wishes of their previous owners; and

Whereas, The Humane and Optimal Restoration and Sustainability of Equines (H.O.R.S.E.) Act has been introduced in Congress to protect the rights of owners who never want to see their horse go to processing, but also to provide humane methods for handling those horses that do go to processing. The act would tighten regulations for equines being transported to processing plants and increase enforcement of laws at international borders to ensure that horses going to processing plants are truly meant to be transported there; and

Whereas, The act would require horses brought to processing plants that have identification designations, such as lip tattoos or microchips, be checked to see if they are registered on a national do-not-slaughter list. Euthanization of horses for any purpose would occur in a manner that is quick, painless, and as stress-free as possible. Employees at equine processing facilities involved in the euthanasia of horses prior to processing would be trained in methods approved by the American Veterinary Medical Association and the American Association of Equine Practitioners; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to adopt the Humane and Optimal Restoration and Sustainability of Equines Act; 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 Agriculture.

Rep. Spade offered the following resolution:

**House Resolution No. 169.**

A resolution recognizing October 2009 as Poverty Awareness Month in the state of Michigan.

Whereas, Michigan must focus on reducing poverty and preventing citizens from descending into poverty, specifically during these economically challenging times; and

Whereas, In the state of Michigan, an increasing amount of individuals cannot afford to meet their basic needs; and

Whereas, According to the U.S. Census Bureau in 2008, the official poverty rate for the state of Michigan was 14.4 percent with 1.4 million living in poverty, equating to approximately one in every seven Michiganders; and

Whereas, Michigan's children are the state's most valuable resource. Poverty disproportionately affects Michigan's children with one in every five children living in poverty; and

Whereas, In 2008, the U.S. Census Bureau reported that the official national poverty rate for the United States was 13.2 percent with 39.8 million people living below the poverty line; this statistic was up from 12.5 percent or 37.3 million in 2007; and

Whereas, Nineteen percent or 14.1 million children in the United States were living in poverty in 2008, up from 18 percent or 13.3 million in 2007; and

Whereas, The General Assembly of the United Nations has declared October 17th as the International Day for the Eradication of Poverty; and

Whereas, The number of individuals and families facing poverty in our state and nation is increasing due to economic hardships and lack of employment; and

Whereas, Greater attention must be placed on the poor and low income in order to break the cycle of poverty; 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 bring about the eradication of poverty and destitution; now, therefore, be it

Resolved the House of Representatives, That the members of this legislative body recognize October 2009 as Poverty Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hansen, Haveman, Mayes, Genetski, Booher, Horn, Denby, Bolger, Pearce, Daley, Meekhof, Crawford, Proos, Rogers, Opsommer, Kurtz, Agema, Lund, Scripps, Tyler, Ball, Kowall and Marleau offered the following concurrent resolution:

**House Concurrent Resolution No. 31.**

A concurrent resolution to disapprove Section V, Department of Agriculture, of Executive Order No. 2009-45, setting forth changes in the organization of the executive branch.

Whereas, Governor Granholm has issued an executive order proposing the reorganization of the executive branch relative to the Department of Agriculture; the Department of Energy, Labor and Economic Growth; the Department of



Environmental Quality; the Department of Natural Resources; and the Department Treasury. Executive Order 2009-45 was signed on October 8, 2009; and

Whereas, Section V, Department of Agriculture, of Executive Order No. 2009-45 would transfer and, in some cases, abolish certain independent agriculture commissions, boards, and authorities. The executive order would transfer the Commission of Agriculture to the Department of Agriculture; transfer to the Department of Agriculture and abolish the Agricultural Preservation Fund Board, Michigan Family Farm Development Authority, and Pesticide Advisory Committee; and transfer the Office of the Racing Commissioner from the Department of Agriculture to the Michigan Gaming Control Board; and

Whereas, The transfer of the Commission of Agriculture would strip its authority to select the department director and reduce the commission to an advisory role. Functional oversight of the Department of Agriculture, its director, and decisions on vital programs affecting the state's agriculture industry would be lost. This oversight should remain in the hands of the open, bipartisan, citizen-based commission, not a political bureaucracy; and

Whereas, The transfer of the Office of the Racing Commissioner will further cripple Michigan's already struggling horse racing industry, as horse racing would likely be a low priority of the Gaming Control Board; and

Whereas, The sum effect of these actions would be to weaken the century-long partnership between the agricultural sector and government. These commissions, boards, and authorities provide critical government transparency and accountability to the public. This system has allowed for continuity and consistency of programs affecting Michigan's \$71.3 billion agriculture industry; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we hereby disapprove Section V, Department of Agriculture, of Executive Order No. 2009-45, issued October 8, 2009, and proposing the transfer of certain agriculture commissions, boards, and authorities; and be it further

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

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 and joint resolution had been printed and placed upon the files of the members on Thursday, October 15:

<b>House Bill Nos.</b>	<b>5512</b>	<b>5513</b>	<b>5514</b>	<b>5515</b>	<b>5516</b>	<b>5517</b>	
<b>House Joint Resolution</b>		<b>II</b>					
<b>Senate Bill Nos.</b>	<b>895</b>	<b>896</b>	<b>897</b>	<b>898</b>	<b>899</b>	<b>900</b>	<b>901</b>

#### Reports of Standing Committees

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

##### **House Bill No. 4962, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide

for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 1g and 9a (MCL 247.651g and 247.659a), as amended by 2007 PA 199.

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

Nays: None

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

#### **House Bill No. 5219, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1079.

With the recommendation that the bill be referred to the Committee on Military and Veterans Affairs and Homeland Security.

#### Favorable Roll Call

To Report Out:

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

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Military and Veterans Affairs and Homeland Security.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 15, 2009

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

Absent: Rep. Nerat

Excused: Rep. Nerat

#### Messages from the Senate

#### **House Bill No. 4191, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2007 PA 154.

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.

#### **House Bill No. 4629, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 201 (MCL 208.1201), as amended by 2008 PA 168.

The Senate has substituted (S-2) the bill.



The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 2007 PA 36, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations," by amending section 201 (MCL 208.1201), as amended by 2009 PA 105.

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

#### **House Bill No. 4922, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 8 (MCL 207.808), as amended by 2008 PA 257.

The Senate has substituted (S-8) the bill.

The Senate has passed the bill as substituted (S-8), 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.

### **Notices**

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4186**.

Rep. Agema

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 5204**.

Rep. Agema

### **Messages from the Governor**

Date: October 12, 2009  
Time: 3:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

#### **Enrolled House Bill No. 5127 (Public Act No. 117), being**

An act to amend 1988 PA 466, entitled "An act to authorize and require the appointment of a state veterinarian within the department of agriculture; to protect the human food chain and the livestock and aquaculture industries of the state through prevention, control, and eradication of infectious, contagious, or toxicological diseases of livestock and other animals; to prevent the importation of certain nonindigenous animals under certain circumstances; to safeguard the human population from certain diseases that are communicable between animals and humans; to prevent or control the contamination of livestock with certain toxic substances through certain livestock or livestock products; to provide for indemnification for livestock under certain circumstances; to provide for certain powers and duties for certain state agencies and departments; to provide for the promulgation of rules; to provide for certain hearings; to provide for remedies and penalties; and to repeal acts and parts of acts," (MCL 287.701 to 287.745) by adding section 46.

(Filed with the Secretary of State October 12, 2009, at 4:14 p.m.)

### **Introduction of Bills**

Rep. Green introduced

#### **House Bill No. 5518, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5732 (MCL 600.5732) and by adding section 5736.

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

Reps. Knollenberg, Crawford, Marleau, Meltzer, Denby, Moss, Rick Jones, Genetski, Agema, Amash, Walsh, Pearce, Kowall, Rogers, Hildenbrand, Lindberg, DeShazor, Ball, Booher, Bolger, Tyler, Opsommer, Kurtz, Pavlov, Moore, Daley, Haveman, Stamas, Rocca, Calley, Horn, Lund, Schuitmaker, Meekhof, Wayne Schmidt, Donigan, Bauer, Segal, Geiss, Haines, Slezak, Barnett, Haugh, Scripps, Dean, Roy Schmidt, Sheltroun and Melton introduced

**House Bill No. 5519, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 491 (MCL 18.1491). The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Bolger introduced

**House Bill No. 5520, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 2a (MCL 28.422a), as amended by 2008 PA 194.

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

Reps. Pearce, Lund, Lori, Opsommer, Knollenberg, DeShazor, Tyler, Kowall and Agema introduced

**House Bill No. 5521, entitled**

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

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

Reps. Meekhof, Kowall, Wayne Schmidt, Agema and Amash introduced

**House Joint Resolution JJ, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IV, to provide that certain state budget bills be presented to the governor on or before a certain date.

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

---

Rep. Elsenheimer moved that the House adjourn.  
The motion prevailed, the time being 1:20 p.m.

Associate Speaker Pro Tempore Scripps declared the House adjourned until Tuesday, October 20, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives