No. 34 STATE OF MICHIGAN

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House of Representatives

95th Legislature REGULAR SESSION OF 2009

House Chamber, Lansing, Tuesday, April 28, 2009.

Proos—present

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Agema—present Amash—present Angerer—present Ball—present Barnett—present Bauer—present Bennett-present Bledsoe-present Bolger—present Booher—present Brown, L.—present Brown, T.—present Byrnes—present Byrum—present Calley—present Caul—present Clemente—present Constan—present Corriveau—present Coulouris—present Crawford—present Cushingberry—present Daley—present Dean—present Denby—present DeShazor—present Dillon—present Donigan—present

Durhal—present Ebli—present Elsenheimer—present Espinoza—present Geiss—present Genetski—present Gonzales—present Green—present Gregory—present Griffin—present Haase—present Haines—present Hammel—present Hansen—present Haugh—present Haveman—present Hildenbrand—present Horn—present Huckleberry—present Jackson—present Johnson—present Jones, Rick—present Jones, Robert—excused Kandrevas—present Kennedy—present Knollenberg—present Kowall—present Kurtz—present

LeBlanc—present Leland—present Lemmons—present Lindberg—present Lipton—present Liss-present Lori—present Lund—present Marleau—present Mayes—present McDowell—present McMillin—present Meadows—present Meekhof—present Melton—present Meltzer—present Miller—present Moore—present Moss—present Nathan—present Nerat—present Neumann—present Opsommer—present Pavlov—present Pearce—present Polidori—present

Lahti—present

Roberts—present Rocca—present Rogers—present Schmidt, R.—present Schmidt, W.—present Schuitmaker—present Scott, B.—present Scott, P.—present Scripps—present Segal—present Sheltrown—present Simpson—present Slavens—present Slezak—present Smith—present Spade—present Stamas—present Stanley—present Switalski—present Tlaib—present Tyler—present Valentine—present Walsh—present Warren—present Womack—present Young-present

Rep. Joseph Haveman, from the 90th District, offered the following invocation:

"Almighty God, thank Thee for the job of this day. May we find gladness in all its toil and difficulty, its pleasure and success, and even in its failure and sorrow. We would look always away from ourselves, and behold the glory and the need of the world that we may have the will and the strength to bring the gift of gladness to others; that with them we stand to bear the burden and heat of the day and offer Thee the praise of work well done. Amen."

Rep. Angerer moved that Rep. Robert Jones be excused from today's session. The motion prevailed.

Motions and Resolutions

Rep. Angerer moved that the Committee on Labor be discharged from further consideration of **House Resolution No. 84**.

(For first notice see House Journal No. 33, p. 695.)

The question being on the motion made by Rep. Angerer,

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

The Speaker laid before the House

House Resolution No. 84.

A resolution recognizing April 28, 2009, as Equal Pay Day in the state of Michigan.

(For text of resolution, see House Journal No. 33, p. 691.)

(The resolution was discharged from the Committee on Labor on April 28.)

The question being on the adoption of the resolution,

Rep. Angerer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

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

Roll Call No. 175 Yeas—108

Agema Durhal Lahti Angerer Ebli LeBlanc Ball Leland Elsenheimer Barnett Espinoza Lemmons Bauer Geiss Lindberg Bennett Genetski Lipton Bledsoe Gonzales Liss Bolger Green Lori Booher Gregory Lund Brown, L. Griffin Marleau Brown, T. Haase Mayes **Byrnes** Haines McDowell Byrum Hammel McMillin Calley Hansen Meadows Haugh Meekhof Caul Clemente Haveman Melton Constan Hildenbrand Meltzer Corriveau Miller Horn Coulouris Huckleberry Moore

Proos Roberts Rocca Rogers Schmidt, R. Schmidt, W. Schuitmaker Scott, B. Scott, P. Scripps Segal Sheltrown Simpson Slavens Slezak Smith Spade Stamas Stanley

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

Nays—1

Amash

In The Chair: Byrnes

Reps. Angerer, Ball, Bennett, Booher, Terry Brown, Clemente, Constan, Cushingberry, Dean, Denby, Espinoza, Gonzales, Hammel, Huckleberry, Jackson, Johnson, Kandrevas, Lahti, LeBlanc, Leland, Lemmons, Lipton, Lori, Mayes, McDowell, Melton, Meltzer, Miller, Neumann, Opsommer, Polidori, Wayne Schmidt, Spade and Womack were named co-sponsors of the resolution.

Reports of Standing Committees

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

House Resolution No. 71.

A resolution to memorialize the United States Congress to increase funding for research into the causes and treatment of autism and to improve training and support for individuals with autism and those who care for individuals with autism. (For text of resolution, see House Journal No. 31, p. 638.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Corriveau, Segal, Byrum, Coulouris, Donigan, Johnson, Liss, Neumann, Roy Schmidt, Simpson, Slavens, Valentine, Womack, Marleau, Ball, Calley, Crawford, Denby, Green and Paul Scott

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Corriveau, Chair, of the Committee on Health Policy, was received and read: Meeting held on: Tuesday, April 28, 2009

Present: Reps. Corriveau, Segal, Byrum, Coulouris, Donigan, Johnson, Liss, Neumann, Roy Schmidt, Simpson, Slavens, Valentine, Womack, Marleau, Ball, Calley, Crawford, Denby, Green and Paul Scott

Absent: Rep. Moore Excused: Rep. Moore

The Speaker laid before the House

House Resolution No. 71.

A resolution to memorialize the United States Congress to increase funding for research into the causes and treatment of autism and to improve training and support for individuals with autism and those who care for individuals with autism. (For text of resolution, see House Journal No. 31, p. 638.)

(The resolution was reported by the Committee on Health Policy on April 28.)

The question being on the adoption of the resolution,

Rep. Angerer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

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

Roll Call No. 176

Yeas—106

Agema Durhal Leland Ebli Angerer Lemmons Ball Elsenheimer Lindberg Espinoza Lipton Barnett Bauer Geiss Liss Gonzales Lori Bennett Bledsoe Green Lund Gregory Marleau Bolger Griffin Booher Mayes Brown, L. Haase **McDowell** Brown, T. Haines McMillin Byrnes Hammel Meadows **Byrum** Hansen Meekhof Calley Haugh Melton Haveman Meltzer Caul Hildenbrand Clemente Miller Constan Horn Moore Moss Corriveau Huckleberry Coulouris Jackson Nathan Crawford Johnson Nerat Jones, Rick Cushingberry Neumann Daley Kandrevas Opsommer Dean Kennedy Pavlov Knollenberg Denby Pearce DeShazor Kowall Polidori Lahti Dillon Proos LeBlanc Donigan

Roberts Rocca Rogers Schmidt, R. Schmidt, W. Schuitmaker Scott, B. Scott, P. Scripps Segal Sheltrown Simpson Slavens Slezak Smith Spade Stamas Stanley Switalski Tlaib Tyler Valentine Walsh Warren Womack Young

Nays—3

Amash Genetski Kurtz

In The Chair: Byrnes

Reps. Bennett, Terry Brown, Byrnes, Calley, Caul, Clemente, Corriveau, Crawford, Denby, DeShazor, Dillon, Donigan, Griffin, Haines, Horn, Jackson, Kandrevas, Kennedy, Kowall, Lahti, LeBlanc, Lori, McDowell, Opsommer, Rogers, Simpson, Slezak and Womack were named co-sponsors of the resolution.

Second Reading of Bills

Pending the Second Reading of

House Bill No. 4155, 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 the title and sections 5f, 5k, and 5o (MCL 28.425f, 28.425k, and 28.425o), the title as amended and section 5k as added by 2000 PA 381, section 5f as amended by 2008 PA 194, and section 5o as amended by 2008 PA 407.

Rep. Angerer moved that the bill be re-referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

The motion prevailed.

Pending the Second Reading of

House Bill No. 4156, entitled

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

Rep. Angerer moved that the bill be re-referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

The motion prevailed.

Pending the Second Reading of

House Bill No. 4164, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2008 PA 538.

Rep. Angerer moved that the bill be re-referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 13.

A concurrent resolution to urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste.

(For text of concurrent resolution, see House Journal No. 22, p. 381.)

(The concurrent resolution was reported by the Committee on Energy and Technology on March 31.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Second Reading of Bills

House Bill No. 4535, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19b of chapter XIIA (MCL 712A.19b), as amended by 2008 PA 199.

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

The motion prevailed.

Rep. Segal 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. 4535, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19b of chapter XIIA (MCL 712A.19b), as amended by 2008 PA 199.

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

Roll Call No. 177

Yeas-109

Durhal Lahti Proos Agema Roberts Amash Ebli LeBlanc Angerer Elsenheimer Leland Rocca Ball Lemmons Espinoza Rogers Barnett Geiss Lindberg Schmidt, R. Bauer Genetski Lipton Bennett Gonzales Liss Bledsoe Green Lori Bolger Gregory Lund Griffin Booher Marleau Brown, L. Haase Mayes Brown, T. Haines McDowell **Byrnes** Hammel McMillin Byrum Hansen Meadows Calley Haugh Meekhof Haveman Caul Melton Clemente Hildenbrand Meltzer Constan Miller Horn Corriveau Huckleberry Moore Coulouris Jackson Moss Johnson Nathan Crawford Jones, Rick Cushingberry Nerat Kandrevas Daley Neumann Kennedy Opsommer Dean Knollenberg Pavlov Denby DeShazor Kowall Pearce Dillon Kurtz Polidori Young Donigan

Schmidt, W. Schuitmaker Scott, B. Scott, P. Scripps Segal Sheltrown Simpson Slavens Slezak Smith Spade Stamas Stanley Switalski Tlaib Tyler Valentine Walsh Warren Womack

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Segal 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. 4820, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 18 (MCL 722.638), as amended by 1998 PA 428.

The bill was read a second time.

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

The motion prevailed.

Rep. Segal 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. 4820, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 18 (MCL 722.638), as amended by 1998 PA 428.

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

Roll Call No. 178

Yeas-109

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Segal 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. 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).

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

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

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

The motion prevailed.

Rep. Segal 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. 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).

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

Roll Call No. 179

Yeas—108

Lahti

Agema	Durhal
Angerer	Ebli
Ball	Elsenheimer
Barnett	Espinoza
Bauer	Geiss
Bennett	Genetski
Bledsoe	Gonzales
Bolger	Green
Booher	Gregory
Brown, L.	Griffin
Brown, T.	Haase
Byrnes	Haines
Byrum	Hammel
Calley	Hansen
Caul	Haugh
Clemente	Haveman
Constan	Hildenbrand
Corriveau	Horn
Coulouris	Huckleberry
Crawford	Jackson
Cushingberry	Johnson
Daley	Jones, Rick
Dean	Kandrevas
Denby	Kennedy
DeShazor	Knollenberg
Dillon	Kowall
Donigan	Kurtz

LeBlanc Leland Lemmons Lindberg Lipton Liss Lori Lund Marleau Mayes McDowell McMillin Meadows Meekhof Melton Meltzer Miller Moore Moss Nathan Nerat Neumann Opsommer Pavlov Pearce Polidori

Proos Roberts Rocca Rogers Schmidt, R. Schmidt, W. Schuitmaker Scott, B. Scott, P. Scripps Segal Sheltrown Simpson Slavens Slezak Smith Spade Stamas Stanley Switalski Tlaib Tyler Valentine Walsh Warren Womack Young

Nays—1

Amash

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Segal 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. 4683, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 8 (MCL 450.228), as amended by 1998 PA 48.

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. Segal 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. 4683, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 8 (MCL 450.228), as amended by 1998 PA 48.

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

Roll Call No. 180 Yeas—109

Agema Durhal Lahti Amash Ebli LeBlanc Angerer Elsenheimer Leland Ball Espinoza Lemmons Barnett Geiss Lindberg Bauer Genetski Lipton Bennett Gonzales Liss Bledsoe Green Lori Bolger Gregory Lund Booher Griffin Marleau Haase Brown, L. Mayes Brown, T. Haines McDowell Byrnes Hammel McMillin **Byrum** Hansen Meadows Calley Haugh Meekhof Haveman Caul Melton Hildenbrand Clemente Meltzer Constan Horn Miller Huckleberry Corriveau Moore Coulouris Jackson Moss

Proos Roberts Rocca Rogers Schmidt, R. Schmidt, W. Schuitmaker Scott, B. Scott, P. Scripps Segal Sheltrown Simpson Slavens Slezak Smith Spade Stamas Stanley Switalski

Crawford Johnson Nathan Tlaib Cushingberry Jones, Rick Nerat Tyler Kandrevas Valentine Daley Neumann Walsh Dean Kennedy Opsommer 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. Segal 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. 4684, entitled

A bill to amend 1986 PA 157, entitled "Michigan export development act," by amending section 10 (MCL 447.160), as amended by 2002 PA 302.

The bill was read a second time.

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

The motion prevailed.

Rep. Segal 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. 4684, entitled

A bill to amend 1986 PA 157, entitled "Michigan export development act," by amending section 10 (MCL 447.160), as amended by 2002 PA 302.

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

Roll Call No. 181 Yeas—109

Durhal Agema Lahti Proos Amash Ebli LeBlanc Roberts Angerer Elsenheimer Leland Rocca Ball Espinoza Lemmons Rogers Geiss Schmidt, R. Barnett Lindberg Genetski Lipton Schmidt, W. Bauer Liss Bennett Gonzales Schuitmaker Bledsoe Green Lori Scott, B. Scott, P. Bolger Gregory Lund Booher Griffin Scripps Marleau Brown, L. Haase Maves Segal Brown, T. Haines McDowell Sheltrown

Byrnes Hammel McMillin Simpson Byrum Hansen Meadows Slavens Calley Haugh Meekhof Slezak Caul Haveman Melton Smith Clemente Hildenbrand Meltzer Spade Constan Horn Miller Stamas Corriveau Huckleberry Moore Stanley Coulouris Jackson Moss Switalski Crawford Johnson Nathan Tlaib Cushingberry Jones, Rick 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. Segal 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. 4685, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies," by amending section 1 (MCL 445.111), as amended by 2002 PA 612.

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. Segal 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. 4685, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies," by amending section 1 (MCL 445.111), as amended by 2002 PA 612.

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

Roll Call No. 182 Yeas—109

Agema	Durhal	Lahti	Proos
Amash	Ebli	LeBlanc	Roberts

Angerer Elsenheimer Ball Espinoza Geiss Barnett Bauer Genetski Gonzales Bennett Bledsoe Green Bolger Gregory Griffin Booher Brown, L. Haase Brown, T. Haines **Byrnes** Hammel Byrum Hansen Calley Haugh Caul Haveman Clemente Hildenbrand Constan Horn Corriveau Huckleberry Coulouris Jackson Crawford Johnson Cushingberry Jones, Rick Daley Kandrevas Dean Kennedy Denby Knollenberg DeShazor Kowall Dillon Kurtz

Lindberg Lipton Liss Lori Lund Marleau Mayes McDowell McMillin Meadows Meekhof Melton Meltzer Miller Moore Moss Nathan Nerat Neumann Opsommer Pavlov Pearce Polidori

Leland

Lemmons

Rogers Schmidt, R. Schmidt, W. Schuitmaker Scott, B. Scott, P. Scripps Segal Sheltrown Simpson Slavens Slezak Smith Spade Stamas Stanley Switalski Tlaib Tyler Valentine Walsh Warren Womack Young

Rocca

Nays-0

In The Chair: Byrnes

Donigan

The House agreed to the title of the bill.

Rep. Segal 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. 4686, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159g and 411j (MCL 750.159g and 750.411j), section 159g as amended by 2002 PA 124 and section 411j as amended by 2002 PA 136.

The bill was read a second time.

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

The motion prevailed.

Rep. Segal 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. 4686, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159g and 411j (MCL 750.159g and 750.411j), section 159g as amended by 2002 PA 124 and section 411j as amended by 2002 PA 136. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 183

Yeas—109

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

Nays-0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Segal 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. 4687, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2007 PA 156.

The bill was read a second time.

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

The motion prevailed.

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

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

Proos

Roberts

Rocca

Rogers

Schmidt, R.

Schmidt, W.

Schuitmaker

Scott, B.

Scott, P.

Scripps

Sheltrown

Simpson Slavens

Slezak

Smith

Spade

Stamas

Stanley

Tlaib

Tyler

Walsh

Warren

Young

Womack

Switalski

Valentine

Segal

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4687, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2007 PA 156.

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

Roll Call No. 184

Yeas-109

Agema Durhal Lahti Amash Ebli LeBlanc Leland Angerer Elsenheimer Ball Espinoza Lemmons Barnett Geiss Lindberg Bauer Genetski Lipton Liss Bennett Gonzales Bledsoe Green Lori Gregory Lund Bolger Booher Griffin Marleau Brown, L. Haase Mayes Haines Brown, T. McDowell Byrnes Hammel McMillin Hansen Byrum Meadows Calley Haugh Meekhof Haveman Caul Melton Clemente Hildenbrand Meltzer Constan Horn Miller Corriveau Huckleberry Moore Coulouris Jackson Moss Crawford Johnson Nathan Cushingberry Jones, Rick Nerat Daley Kandrevas Neumann Kennedy Opsommer Dean Denby Knollenberg Pavlov Kowall DeShazor Pearce Dillon Kurtz Polidori Donigan

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Segal 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. 4688, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending sections 1a and 29 (MCL 445.1651a and 445.1679), section 1a as amended by 2008 PA 66 and section 29 as amended by 2008 PA 529.

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

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

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

The motion prevailed.

Rep. Segal 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. 4688, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending sections 1a and 29 (MCL 445.1651a and 445.1679), section 1a as amended by 2008 PA 66 and section 29 as amended by 2008 PA 529. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 185

Yeas-109

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

Navs—0

In The Chair: Byrnes

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

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

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 29 (MCL 445.1679), as amended by 2008 PA 529.

The motion prevailed.

The House agreed to the title as amended.

Rep. Segal 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. 4689, entitled

A bill to amend 1986 PA 316, entitled "Michigan education trust act," by amending section 19 (MCL 390.1439). The bill was read a second time.

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

The motion prevailed.

Rep. Segal 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. 4689, entitled

A bill to amend 1986 PA 316, entitled "Michigan education trust act," by amending section 19 (MCL 390.1439). Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 186 Yeas—109

Durhal Agema Amash Ebli Angerer Elsenheimer Ball Espinoza Barnett Geiss Genetski Bauer Bennett Gonzales Bledsoe Green Bolger Gregory Booher Griffin Brown, L. Haase Brown, T. Haines **Byrnes** Hammel Byrum Hansen Calley Haugh Caul Haveman Hildenbrand Clemente Constan Horn Corriveau Huckleberry Coulouris Jackson Crawford Johnson Cushingberry Jones, Rick Kandrevas Daley Kennedy Dean Knollenberg Denby DeShazor Kowall

Kurtz

Dillon

Donigan

Lemmons Lindberg Lipton Liss Lori Lund Marleau Maves McDowell McMillin Meadows Meekhof Melton Meltzer Miller Moore Moss Nathan Nerat Neumann Opsommer Pavlov Pearce

Polidori

Lahti

LeBlanc

Leland

Proos Roberts Rocca Rogers Schmidt, R. Schmidt, W. Schuitmaker Scott, B. Scott, P. Scripps Segal Sheltrown Simpson Slavens Slezak Smith Spade Stamas Stanley Switalski Tlaib Tyler Valentine Walsh Warren Womack Young

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Segal 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. 4690, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 515 (MCL 491.515), as added by 1987 PA 106.

The bill was read a second time.

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

The motion prevailed.

Rep. Segal 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. 4690, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 515 (MCL 491.515), as added by 1987 PA 106.

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

Roll Call No. 187 Yeas—109

Agema Durhal Lahti LeBlanc Amash Ebli Angerer Elsenheimer Leland Ball Espinoza Lemmons Geiss Barnett Lindberg Bauer Genetski Lipton Bennett Gonzales Liss Bledsoe Green Lori Bolger Gregory Lund Booher Griffin Marleau Brown, L. Haase Mayes Brown, T. Haines **McDowell Byrnes** Hammel McMillin Meadows Byrum Hansen Calley Haugh Meekhof Caul Haveman Melton Hildenbrand Meltzer Clemente Constan Horn Miller Corriveau Huckleberry Moore Coulouris Jackson Moss Crawford Johnson Nathan Jones, Rick Cushingberry Nerat Daley Kandrevas

Proos Roberts Rocca Rogers Schmidt, R. Schmidt, W. Schuitmaker Scott, B. Scott, P. Scripps Segal Sheltrown Simpson Slavens Slezak Smith Spade Stamas Stanley Switalski Tlaib Tyler 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. Segal 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. 4691, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1137 (MCL 450.3137), as added by 1984 PA 209.

The bill was read a second time.

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

The motion prevailed.

Rep. Segal 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. 4691, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1137 (MCL 450.3137), as added by 1984 PA 209.

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

Roll Call No. 188 Yeas—109

Durhal Agema Lahti Proos Amash Ebli LeBlanc Roberts Angerer Elsenheimer Leland Rocca Ball Espinoza Lemmons Rogers Barnett Geiss Lindberg Schmidt, R. Bauer Genetski Lipton Schmidt, W. Bennett Gonzales Liss Schuitmaker Bledsoe Green Lori Scott, B. Bolger Gregory Lund Scott, P. Booher Griffin Scripps Marleau Brown, L. Haase Mayes Segal Brown, T. Haines **McDowell** Sheltrown **Byrnes** Hammel McMillin Simpson Byrum Hansen Meadows Slavens

Calley Haugh Meekhof Haveman Caul Melton Clemente Hildenbrand Meltzer Constan Horn Miller Corriveau Huckleberry Moore Coulouris Jackson Moss Crawford Johnson Nathan Cushingberry Jones, Rick Nerat Daley Kandrevas Neumann Dean Kennedy Opsommer Denby Knollenberg Pavlov Kowall DeShazor Pearce Dillon Kurtz Polidori Donigan

Slezak Smith Spade Stamas Stanley Switalski Tlaib Tyler Valentine Walsh Warren Womack Young

Navs—0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Segal 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

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 Friday, April 24:

House Bill Nos. 4827 4828 4829 4830 4831 4832 **House Joint Resolution** \mathbf{T}

amended by 2002 PA 370.

Senate Bill Nos. 459 460 461 462 463 464 465 466 467 468 469

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, April 28:

Senate Bill Nos. 473 474 475 476 477 478

Reports of Standing Committees

The Committee on Intergovernmental and Regional Affairs, by Rep. Donigan, Chair, reported House Bill No. 4184, entitled

A bill to amend 1919 PA 71, entitled "An act to provide for the formulation and establishment of a uniform system of accounting and reporting in the several departments, offices, and institutions of the state government, and in all county offices; to provide for the examination of the books and accounts of each state department, office, and institution, and of each county office; to provide for financial reports from all those departments, institutions, and offices, and for the tabulation and publication of comparative financial statistics relating to the departments, institutions, and offices; to provide for the administration of this act; to provide for the powers and duties of the department of treasury, the state treasurer, the library of Michigan and depository libraries, and other officers and entities; to provide penalties; and to provide for meeting the expense authorized by this act," by amending sections 4 and 5 (MCL 21.44 and 21.45), as

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. Donigan, Bledsoe, Haugh, Kennedy, Lund, Denby and Wayne Schmidt

Nays: None

The Committee on Intergovernmental and Regional Affairs, by Rep. Donigan, Chair, reported

House Bill No. 4758, entitled

A bill to amend 2008 PA 456, entitled "An act to amend 1966 PA 346, entitled "An act to create a state housing development authority; to define the powers and duties of the authority; to establish a housing development revolving fund; to establish a land acquisition and development fund; to establish a rehabilitation fund; to establish a conversion condominium fund; to create certain other funds and provide for the expenditure of certain funds; to authorize the making and purchase of loans, deferred payment loans, and grants to qualified developers, sponsors, individuals, mortgage lenders, and municipalities; to establish and provide acceleration and foreclosure procedures; to provide tax exemption; to authorize payments instead of taxes by nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, mobile home park corporations, and mobile home park associations; and to prescribe criminal penalties for violations of this act," (MCL 125.1401 to 125.1499c) by adding chapter 3B," by repealing enacting section 1.

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. Donigan, Barnett, Bledsoe, Haugh, Kennedy, Lund, Denby and Wayne Schmidt

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Donigan, Chair, of the Committee on Intergovernmental and Regional Affairs, was received and read:

Meeting held on: Tuesday, April 28, 2009

Present: Reps. Donigan, Barnett, Bledsoe, Haugh, Kennedy, Lund, Denby and Wayne Schmidt

Absent: Reps. Robert Jones, Young and Meekhof Excused: Reps. Robert Jones and Meekhof

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported **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.

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. Polidori, Roberts, Byrnes, Rick Jones and Agema

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Polidori, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Tuesday, April 28, 2009

Present: Reps. Polidori, Roberts, Byrnes, Liss, Roy Schmidt, Rick Jones, Agema, Amash and Kurtz

Notices

Pursuant to Rule 41, the Speaker has made the following reassignment: **House Bill No. 4830** referred to the Committee on Urban Policy on April 24, 2009.

Communications from State Officers

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

Notice of Filing Administrative Rules

April 9, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Natural Resources and the State Office of Administrative Hearings and Rules filed Administrative Rule #2007-007-NR (Secretary of State Filing #09-04-05) on this date at 1:20 p.m. for the Department of Natural Resources, entitled "Endangered and Threatened Species".

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

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

The communication was referred to the Clerk.

Introduction of Bills

Reps. McMillin, Agema, Rick Jones, Spade and Calley introduced

House Bill No. 4833, entitled

A bill to amend 1982 PA 455, entitled "The library privacy act," by amending section 6 (MCL 397.606), as amended by 2000 PA 212.

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

Reps. Donigan, Liss, Segal, Young, Geiss and Haugh introduced

House Bill No. 4834, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20174. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Stanley, Robert Jones, Bledsoe, Young, Geiss, Jackson, Durhal, Tlaib, Switalski, Nathan, Slavens, Leland, Scripps, Gregory, Warren, Roy Schmidt and Cushingberry introduced

House Bill No. 4835, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16g and 21 of chapter XVII (MCL 777.16g and 777.21), section 16g as amended by 2008 PA 521 and section 21 as amended by 2006 PA 655.

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

Reps. Robert Jones, Stanley, Warren, Donigan, Smith, Bauer, Geiss, Young, Durhal, Leland, Scripps, Gregory, Roy Schmidt and Cushingberry introduced

House Bill No. 4836, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 147b (MCL 750.147b), as added by 1988 PA 371, and by adding section 377d.

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

Reps. Walsh, Hammel, Corriveau, Constan, LeBlanc, Crawford, Tyler, Meltzer, Lori, Daley, Haveman, Haines, Slavens, Polidori, Kennedy and Wayne Schmidt introduced

House Bill No. 4837, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 105 and 121 (MCL 389.105 and 389.121), section 105 as amended by 2003 PA 306 and section 121 as amended by 1997 PA 135.

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

Reps. Meekhof, Ball, Booher and Agema introduced

House Bill No. 4838, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," (MCL 125.3101 to 125.3702) by adding section 515.

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

Rep. Young introduced

House Bill No. 4839, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2111 (MCL 500.2111), as amended by 2002 PA 492; and to repeal acts and parts of acts.

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

Rep. Opsommer moved that the House adjourn.

The motion prevailed, the time being 3:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 29, at 1:30 p.m.

RICHARD J. BROWN Clerk of the House of Representatives