

No. 11  
STATE OF MICHIGAN  
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OF THE  
**House of Representatives**  
95th Legislature  
REGULAR SESSION OF 2009

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House Chamber, Lansing, Wednesday, February 18, 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—present	LeBlanc—present	Roberts—present
Angerer—present	Elsenheimer—present	Leland—present	Rocca—present
Ball—present	Espinoza—present	Lemmons—present	Rogers—present
Barnett—present	Geiss—present	Lindberg—present	Schmidt, R.—present
Bauer—present	Genetski—present	Lipton—present	Schmidt, W.—present
Bennett—present	Gonzales—present	Liss—present	Schuitmaker—present
Bledsoe—present	Green—present	Lori—present	Scott, B.—present
Bolger—present	Gregory—present	Lund—present	Scott, P.—present
Booher—present	Griffin—present	Marleau—present	Scripps—present
Brown, L.—present	Haase—present	Mayes—present	Segal—present
Brown, T.—present	Haines—present	McDowell—present	Sheltrown—present
Byrnes—present	Hammel—present	McMillin—present	Simpson—present
Byrum—present	Hansen—present	Meadows—present	Slavens—present
Calley—present	Haugh—present	Meekhof—present	Slezak—present
Caul—present	Haveman—present	Melton—present	Smith—present
Clemente—present	Hildenbrand—present	Meltzer—present	Spade—present
Constan—present	Horn—present	Miller—present	Stamas—present
Corriveau—present	Huckleberry—present	Moore—present	Stanley—present
Coulouris—present	Jackson—present	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—present	Tlaib—present
Cushingberry—present	Jones, Rick—present	Nerat—present	Tyler—present
Daley—present	Jones, Robert—present	Neumann—present	Valentine—present
Dean—present	Kandrevas—present	Opsommer—present	Walsh—present
Denby—present	Kennedy—present	Pavlov—present	Warren—present
DeShazor—present	Knollenberg—present	Pearce—present	Womack—present
Dillon—present	Kowall—present	Polidori—present	Young—present
Donigan—present	Kurtz—present		

e/d/s = entered during session

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

“Dear Lord, we ask You to bless this chamber and all of us who work here and give us the strength to do what is right for the people we serve. We ask for Your help to work within our differences and strive to create an atmosphere where our families, our communities and our state can flourish. We ask for the humility to seek and accept different viewpoints to make this body and our state stronger.

Having just personally experienced family loss, please help us to remember that our life is but a dash. Not just in that it goes by quickly, but that it will be represented some day by the dash between the date of our birth and date of our death. So, help us be ever mindful that what matters most is what we do to serve others during that dash.

After the celebration of St. Valentine’s Day last weekend, help us to remember and cherish those we hold dear, and to show them the devotion that You have shown us. Guide us to love thy neighbor as thyself. Help us make decisions here that will help our families and our neighbors at home.

We ask this of You, our Lord, Amen.”

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The Speaker Pro Tempore assumed the Chair.

### Reports of Standing Committees

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

**House Resolution No. 24.**

A resolution to memorialize Congress and the President to invest in the manufacturing sector, including the domestic auto industry.

(For text of resolution, see House Journal No. 10, p. 141.)

With the recommendation that the resolution be adopted.

### Favorable Roll Call

To Report Out:

Yeas: Reps. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Lemmons, Nathan, Nerat, Sheltroun, Womack, Hansen, DeShazor, 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, February 18, 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 Speaker laid before the House

**House Resolution No. 24.**

A resolution to memorialize Congress and the President to invest in the manufacturing sector, including the domestic auto industry.

(For text of resolution, see House Journal No. 10, p. 141.)

(The resolution was reported by the Committee on Commerce on February 18.)

The question being on the adoption of the resolution,

Rep. Dillon moved to substitute (H-2) the resolution as follows:

**Substitute for House Resolution No. 24.**

A resolution to memorialize Congress and the President to invest in the manufacturing sector, including the domestic auto industry.

Whereas, As the country copes with economic challenges beyond those this generation has experienced, a host of ideas and proposals have been put forth. The complexities of the problems before us are mirrored in the variety of provisions incorporated in the stimulus legislation recently signed by President Obama. Many valid projects are in the mix, including those rebuilding our infrastructure. In the ongoing national discussion, however, it is imperative that appropriate focus remain on the cornerstone of our economy and our national defense – the manufacturing sector; and

Whereas, The rise of the domestic auto industry over the last century has not only fueled the manufacturing might of our nation, it has also contributed enormously to the growth of the middle class. Less obvious are the ways in which the auto industry continues to spur technological advances. Today’s moves to alternate power sources, with advanced battery and fuel cell capabilities, offer exciting possibilities not only in the production and use of cars, but also for the generation of power for homes and businesses; and

Whereas, A cornerstone of our domestic auto industry is the wide-ranging network of suppliers across the country, including many smaller companies that are centers of innovation and employment in many communities. This vulnerable sector, which has endured extensive losses due to lower volumes, delayed payments, and the tight credit markets, is critical not only to the auto industry, but also to the nation’s manufacturing capabilities; and

Whereas, In the overall effort to revitalize the economy, it is helpful to remember how other nations invest in their manufactures to propel their countries. Conversely, the far-reaching ramifications of the collapse of the domestic auto industry present a specter that must not be ignored; and

Whereas, With the acknowledged goal of cleaner technology and national fuel economy standards, there are many opportunities for renewal for an industry with millions of workers in the car companies themselves and within the broad network of suppliers in states all across America. These exciting possibilities can only reach fulfillment if our country’s leaders make the commitment to work together with the private sector to develop incentives and make significant investments in manufacturing, especially the domestic auto industry. Clearly, this is an investment in our people and our future that is essential; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress and the President to invest in the manufacturing sector, including the domestic auto industry; 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 motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Angerer, Ball, Barnett, Bauer, Bennett, Bledsoe, Bolger, Booher, Lisa Brown, Terry Brown, Byrnes, Byrum, Caul, Constan, Corriveau, Crawford, Daley, Dean, DeShazor, Donigan, Durhal, Elsenheimer, Espinoza, Geiss, Gonzales, Green, Gregory, Haase, Haines, Hammel, Hansen, Haugh, Haveman, Hildenbrand, Horn, Huckleberry, Jackson, Rick Jones, Robert Jones, Kandrevas, Kennedy, Knollenberg, Kowall, Lahti, LeBlanc, Leland, Lemmons, Lindberg, Lipton, Liss, Lori, Lund, Marleau, Mayes, McDowell, Melton, Meltzer, Miller, Moore, Moss, Nathan, Nerat, Neumann, Opsommer, Pavlov, Pearce, Polidori, Proos, Roberts, Rocca, Rogers, Roy Schmidt, Wayne Schmidt, Schuitmaker, Bettie Scott, Paul Scott, Scripps, Segal, Sheltroun, Slavens, Slezak, Smith, Spade, Stamas, Stanley, Tyler, Valentine, Walsh, Warren, Womack and Young were named co-sponsors of the resolution.

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 resolutions had been printed and placed upon the files of the members on Wednesday, February 18:

<b>House Bill Nos.</b>	<b>4258</b>	<b>4259</b>	<b>4260</b>	<b>4261</b>	<b>4262</b>	<b>4263</b>	<b>4264</b>	<b>4265</b>	<b>4266</b>	<b>4267</b>	<b>4268</b>	<b>4269</b>	<b>4270</b>	<b>4271</b>
	<b>4272</b>	<b>4273</b>	<b>4274</b>	<b>4275</b>	<b>4276</b>	<b>4277</b>	<b>4278</b>	<b>4279</b>	<b>4280</b>	<b>4281</b>	<b>4282</b>	<b>4283</b>	<b>4284</b>	<b>4285</b>
	<b>4286</b>	<b>4287</b>	<b>4288</b>	<b>4289</b>	<b>4290</b>	<b>4291</b>	<b>4292</b>	<b>4293</b>	<b>4294</b>	<b>4295</b>	<b>4296</b>	<b>4297</b>	<b>4298</b>	<b>4299</b>
	<b>4300</b>	<b>4301</b>	<b>4302</b>	<b>4303</b>	<b>4304</b>	<b>4305</b>	<b>4306</b>	<b>4307</b>	<b>4308</b>	<b>4309</b>	<b>4310</b>	<b>4311</b>	<b>4312</b>	<b>4313</b>
	<b>4314</b>	<b>4315</b>	<b>4316</b>	<b>4317</b>	<b>4318</b>	<b>4319</b>	<b>4320</b>	<b>4321</b>						
<b>House Joint Resolutions</b>		<b>J</b>	<b>K</b>											
<b>Senate Bill Nos.</b>	<b>227</b>	<b>228</b>	<b>229</b>	<b>230</b>	<b>231</b>	<b>232</b>	<b>233</b>	<b>234</b>	<b>235</b>	<b>236</b>	<b>256</b>			

The Clerk announced that the following Senate bill had been received on Wednesday, February 18:

**Senate Bill No. 202**

**Reports of Standing Committees**

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported  
**House Bill No. 4127, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 2008 PA 36.

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

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported  
**House Bill No. 4276, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2919) by adding section 1807a.

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, Liss, Roy Schmidt, Rick Jones, Agema, Amash and Kurtz

Nays: None

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

With the recommendation that the resolution be adopted.

**Favorable Roll Call**

To Report Out:

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

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, February 17, 2009

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

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

**House Bill No. 4071, entitled**

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

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**House Bill No. 4072, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 20d (MCL 38.20d), as amended by 2002 PA 93.

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, Constan, Corriveau, Coulouris, Kandreas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Kowall and Rocca

Nays: None

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

**House Bill No. 4074, entitled**

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

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**House Bill No. 4076, entitled**

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

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**House Bill No. 4077, entitled**

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending section 103 (MCL 141.2103).

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**House Bill No. 4078, entitled**

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

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**House Bill No. 4079, entitled**

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

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**House Bill No. 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.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 18, 2009

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 18, 2009

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

Absent: Rep. Coulouris

Excused: Rep. Coulouris

## 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, February 18, 2009

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 18, 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. Simpson, Chair, of the Committee on Agriculture, was received and read:

Meeting held on: Wednesday, February 18, 2009

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

## 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, February 18, 2009

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

**Messages from the Senate****Senate Bill No. 202, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 603 (MCL 436.1603), as amended by 2008 PA 218.

The Senate has passed the bill.

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

**Senate Concurrent Resolution No. 3.**

A concurrent resolution for the adoption of the Joint Rules of the Senate and House of Representatives.

Resolved by the Senate (the House of Representatives concurring), That the following rules be and are hereby adopted as the Joint Rules of the Senate and House of Representatives:

**JOINT RULES  
OF THE  
SENATE AND HOUSE OF REPRESENTATIVES**

**Transmission of Messages.**

Rule 1. All messages necessary for conducting legislative business between the two houses shall be communicated in writing and electronically by the Secretary of the Senate and the Clerk of the House of Representatives.

Amendments.

Rule 2. It shall be in the power of either house to amend an amendment made by the other to any bill or resolution.

**Conference Committees.**

Rule 3. (a) The house not concurring in the amendments of the other house shall appoint conferees and notify the amending house of its action. The amending house shall request return of the bill or resolution or appoint conferees. The conference committee shall consist of three members from each house, to be appointed as each house may determine. The first named member of the house in which the bill or resolution originated shall be chairperson of the conference committee. Upon appointment of conferees by both houses, the bill or resolution shall be referred to the conference committee. When one house amends or substitutes a bill that has been returned for concurrence from the other house, but then non-concurs in that bill as amended or substituted, those amendments or that substitute shall not be referred to the conference committee. The conference committee shall serve until the conference report has been adopted by both houses or rejected by a house.

(b) The conference committee shall consist of committees of the two houses with those two committees voting separately while in conference. The adoption of a conference report shall require concurring majorities of the members of each house. The conference committees of the two houses shall vote separately while in conference. The majority of each committee shall constitute a quorum of each committee and shall determine the position to be taken toward the propositions of the conference committee. If the conferees agree, a report shall be made which shall be signed by at least a majority of the conferees of each house who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report and three copies, shall be filed in the house of origin where the question shall be on the adoption of the conference report. If the conference report is adopted in the house of origin, the bill or resolution, including the original signed conference report, and two copies of the conference report shall be transmitted to the other house where the question shall be on the adoption of the conference report. If the conference report is adopted in the other house, the bill or resolution and the original signed copy of the conference report shall be returned to the house of origin and referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

**Conference Committee Clerk.**

Rule 4. The conference committee clerk shall be from the house of origin, who shall notify the Secretary of the Senate and the Clerk of the House of Representatives of all scheduled meetings for public posting and shall deliver written notice to each member of the conference committee and the majority and minority leaders of each house indicating the time and place of all scheduled meetings. Conference committees on appropriation bills may use fiscal agency personnel from the same house as the Chairperson for clerks.

**Conference Report: Rejection.**

Rule 5. If the conference report is rejected by the house of origin, it shall appoint second conferees and notify the other house of its action. The procedure shall then be the same as for an original conference.

If the conference report is rejected by the other house, it shall appoint second conferees, notify the house of origin of its action, and transmit the bill or resolution to the house of origin. Upon receipt of the bill or resolution, the house of origin shall appoint second conferees and refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.

**Disagreement of Conferees.**

Rule 6. If the conferees are unable to agree, a report of that fact shall be made to both houses. The report, that the conferees were unable to agree, shall be signed by at least a majority of the conferees of each house who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report that the conferees were unable to agree, and three copies shall be filed in the house of origin. Both houses shall appoint second conferees, and the house of origin shall refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.



**Second Conference: Failure.**

Rule 7. When a second conference committee fails to reach agreement, or when a second conference report is rejected by either house, no further conference is in order.

**Power of Conferees.**

Rule 8. The conference committee shall not consider any matters other than the matters of difference between the two houses.

For all bills making appropriations, adoption of a substitute by either house shall not open identical provisions contained in the other house-passed version of the bill as a matter of difference; nor shall the adoption of a substitute by either house open provisions not contained in either house version of the bill as a matter of difference.

When the conferees arrive at an agreement on the matters of difference that affects other parts of the bill or resolution, the conferees may recommend amendments to conform with the agreement. In addition, the conferees may also recommend technical amendments to the other parts of the bill or resolution, such as, necessary date revisions, adjusting totals, cross-references, misspelling and punctuation corrections, conflict amendments for bills enacted into law, additional anticipated federal or other flow through funding, and corrections to any errors in the bill or resolution or the title.

**Adoption of Conference Report.**

Rule 9. Conference reports shall not be subject to amendments or division. The vote on conference reports shall be taken by "yeas" and "nays" and shall require the same number of votes constitutionally required for passage of the bill or adoption of the resolution. Conference reports shall not be considered until printed in the Journal. The Journal printing requirement may be suspended by a house by a majority vote in that house, provided that a copy of the conference report has been made available to each Member.

**Conference Reports: Points of Order.**

Rule 10. Points of order regarding conference reports shall be decided by the presiding officer, subject to an appeal, which appeal shall be determined by a majority vote. When a conference report is ruled out of order, the conference report is returned to the originating conference committee with instructions to eliminate from the report such matters as have been declared not within the powers of the conferees to consider.

**Either House May Recede.**

Rule 11. At any time while in possession of the bill or resolution, either house may recede from its position in whole or in part, and the bill or resolution upon request may be returned to the other house for that purpose. If this further action is agreed to by both houses, the bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

**Correction of Errors.**

Rule 12. If errors are found in a bill or resolution which has been passed or adopted by both houses, the house in which the bill or resolution originated may make amendments to correct the errors and shall notify the other house of its action. If the corrective amendments are agreed to by the other house, the corrected bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

In addition, the Secretary of the Senate and Clerk of the House of Representatives, as the case may be, shall correct obvious technical errors in the enrolled bill or resolution, including adjusting totals, misspellings, the omission or redundancy of grammatical articles, cross-references, punctuation, updating bill or resolution titles, capitalization, citation formats, and plural or singular word forms.

**Bills and Joint Resolutions.**

Rule 13. Upon introduction, no bill shall include catch lines, a severing clause, or a general repealing clause, as distinguished from a specific or an express repealing clause. The Secretary of the Senate and the Clerk of the House of Representatives shall delete such catch lines and clauses from all bills.

The same joint resolution shall not propose an amendment to the Constitution on more than one subject matter. However, more than one section of the Constitution may be included in the same joint resolution if the subject matter of each section is germane to the proposed amendment.

**Yeas and Nays.**

Rule 14. The yeas and nays shall be taken and printed in the Journal of the house taking action upon the passage or adoption of any bill, joint resolution, conference report, and amendments made by the other house to a bill or joint resolution.

**No Members Present.**

Rule 15. In the event the presiding officer and all members are absent on a day scheduled for meeting, the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall call that house to order at the designated time and announce the absence of a quorum. That house shall be declared adjourned until the succeeding legislative day and hour previously designated.

In any event where either or both houses of the Legislature adjourns to a date certain for more than two days, a committee composed of the Majority Leader of the Senate and the Speaker of the House of Representatives may, by a unanimous vote of that committee, convene either or both houses of the Legislature at any time in case of emergency.

If a gubernatorial appointment that is subject to the advice and consent process is made at a time such that 60 days would lapse during an extended recess of the Senate, the Senate Majority Leader may schedule a session of the Senate for the sole purpose of carrying out the Senate's constitutional duties to advise and consent on gubernatorial appointments. No other action shall be taken by the Senate during session convened under this provision. The Senate Majority Leader shall notify the Secretary of the Senate at least 10 calendar days prior to the date of the scheduled session, and the Secretary of the Senate shall take all reasonable steps to notify the members of the Senate of the scheduled session.

**Passage, Adoption, and Enrollment Printing.**

Rule 16. Every bill passed or joint resolution adopted by both houses and returned to the house of origin shall forthwith be enrolled and signed by the Secretary of the Senate and the Clerk of the House of Representatives. Enrolled bills shall be presented to the Governor, and enrolled joint resolutions that propose an amendment to the Constitution shall be filed with the Secretary of State with a certificate attached to the effect that the joint resolution has been adopted by the Senate and House of Representatives, respectively, in accordance with the provisions of the Constitution. If the house having last passed the bill or adopted the joint resolution requests its return and such request is granted or a motion is made in the house of origin to amend errors in the bill or joint resolution or to give the bill immediate effect, the enrollment printing shall not occur.

Every bill, joint resolution, and concurrent resolution passed or adopted by either house shall be transmitted to the other house unless a motion for reconsideration is pending.

**Immediate Effect.**

Rule 17. Whenever both houses, by the constitutional vote, order that a bill take immediate effect, a statement shall be added at the enrollment of the bill in words to this effect: "This act is ordered to take immediate effect."

**Joint Resolutions.**

Rule 18. Joint resolutions shall be used for the following purposes:

1. Amendments to the Constitution of Michigan.
2. Ratification of amendments to the Constitution of the United States submitted by the Congress.
3. Matters upon which power is solely vested in the Legislatures of the several states by the Constitution of the United States.

Joint resolutions proposing amendments to the Constitution of Michigan shall require a 2/3 vote of the members elected and serving in each house for adoption. Other joint resolutions shall require a majority of the members elected and serving in each house for adoption. All joint resolutions shall require a record roll call vote.

**Veto Override: Filing with Secretary of State.**

Rule 19. When a bill is passed by both houses over the objections of the Governor or a bill is not filed by the Governor with the Secretary of State within the constitutionally mandated 14-day period, and the Legislature continues in session, an official enrolled bill with a letter from the house of origin signed by the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, shall be filed with the Secretary of State for a public act number to be assigned. The letter shall certify that the Governor's veto has been overridden by both houses of the Legislature or that the bill has not been returned within the specified time, as the case may be, in accordance with the provisions of the Constitution.

**Section Numbers of Compiled Laws - Amendments.**

Rule 20. The title of every bill to amend or repeal existing laws shall be clear and explicit so as to definitely fix what is proposed to be done. Such title shall refer to the act number and the year in which it was passed. If the bill was passed at an extra session of the Legislature, the title shall designate which extra session.

Such title shall contain the last title of the act it is proposed to amend. However, the short title (e.g., This act shall be known and may be cited as "The revised judicature act of 1961,") shall be used in acts where it has been defined by legislative enactment. The title shall also contain the chapter, part numbers and compiler's section numbers, if any, and the year of the compilation containing the same.

Following the passage of a bill with a short title, the house other than the house of origin shall replace the short title with the last full title of the act it is proposed to amend or repeal. Other corrective amendments to the title shall be made as may be necessary. The full title and amended title shall be agreed to by both houses.

When an amendment to a bill or a bill to amend an existing law is printed, words proposed to be added to such law shall be printed in upper case bold type, and the words to be omitted shall be printed in stricken-through type. This style requirement also applies to joint resolutions that amend the Constitution of Michigan.

All bills and joint resolutions introduced, amendments to joint resolutions, substitute bills and joint resolutions, and conference committee reports shall be approved as to form and section numbers by the Legislative Service Bureau.

#### **Tie-bars.**

Rule 21. A bill or resolution that is tie-barred to a request number shall not be considered for passage or adoption unless that tie-barred request item has been introduced. No bill or resolution shall be passed or adopted by either house until the tie-barred item has been designated in the appropriate blank space provided.

#### **Elections in Joint Convention.**

Rule 22. Whenever there is an election of any officer in joint convention, the result shall be certified by the President of the Senate and the Speaker of the House of Representatives. The results shall be announced by the presiding officers to their respective houses, printed in the Journal of each house, and communicated to the Governor by the Secretary of the Senate and the Clerk of the House of Representatives.

#### **Legislative Handbook.**

Rule 23. The initial appointment of the standing committee members of the two houses shall be printed in their respective Journals as soon as possible after the announcement. The Secretary of the Senate and the Clerk of the House of Representatives shall prepare and have printed a legislative handbook containing these appointments and other information they deem appropriate.

#### **Compensation.**

Rule 24. Compensation for members, officers, and employees of the Legislature shall be delivered to the Secretary of the Senate or Clerk of the House of Representatives, as the case may be, and transmitted directly to the payee.

If the office of a member of the Legislature becomes vacant, the compensation for the elected successor shall begin on the date of his or her oath of office.

#### **Committee Expenses.**

Rule 25. No committee created by concurrent resolution shall incur expenses in excess of \$2,500.00 unless authorized in the resolution creating that committee.

#### **Final Adjournment of Regular Sessions.**

Rule 26. In the regular session in each year, this rule for adjournment shall govern.

The Majority Floor Leader of the Senate and/or the Majority Floor Leader of the House of Representatives shall introduce a concurrent resolution providing for an adjournment schedule for the Legislature for that regular session.

#### **Daily Adjournment.**

Rule 27. Neither house shall remain in session on any legislative day beyond 12:00 midnight. If either house is in session at 12:00 midnight, the presiding officer shall declare that house adjourned until a fixed hour for meeting on the next legislative day. That house shall stand adjourned until the next fixed meeting time.

#### **Pending Business.**

Rule 28. Any business, bill, or joint resolution which has not been defeated by either house shall be considered pending under the provisions of Article 4, Section 13 of the Constitution.

It shall not be in order for either house, by suspension of rules or any other means, to reconsider in a subsequent year the vote by which any business, bill, joint resolution, or veto override was defeated in a previous year unless there is a pending motion to reconsider offered in the odd-numbered year.

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

### **Notices**

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

**Senate Bill No. 71** referred to the Committee on New Economy and Quality of Life on February 17, 2009.

### Introduction of Bills

Reps. Spade, Espinoza, Leland, Gonzales, Switalski, Terry Brown, Bauer, Booher and Ball introduced  
**House Bill No. 4322, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Spade, Rocca, Gonzales, Smith and Switalski introduced

**House Bill No. 4323, entitled**

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

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

Reps. Moss, Denby, Walsh, Agema, Crawford, Gregory, Marleau and Horn introduced

**House Bill No. 4324, entitled**

A bill to amend 1919 PA 339, entitled "Dog law of 1919," by amending section 6 (MCL 287.266), as amended by 2000 PA 438.

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

Reps. Spade, DeShazor, Lemmons, Tlaib, Leland, Switalski and Bauer introduced

**House Bill No. 4325, entitled**

A bill to amend 2004 PA 452, entitled "Identity theft protection act," (MCL 445.61 to 445.77) by adding sections 14, 14a, 14b, 14c, and 14d.

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

Reps. Gonzales, Spade, DeShazor, Lemmons, Tlaib, Leland, Switalski and Bauer introduced

**House Bill No. 4326, entitled**

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

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

Reps. Young, Johnson, Rick Jones, Melton, Warren, Durhal, Bettie Scott and Switalski introduced

**House Bill No. 4327, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending section 202 (MCL 37.2202), as amended by 1991 PA 11.

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

Rep. Mayes introduced

**House Bill No. 4328, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 244 (MCL 257.244), as amended by 2008 PA 539.

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

Reps. Melton, Knollenberg and Lahti introduced

**House Bill No. 4329, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3135 (MCL 500.3135), as amended by 2002 PA 697.

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

Reps. Durhal, Miller, Cushingberry, Johnson, Tlaib, Young, Constan, Donigan, Sheltrown and Dean introduced

**House Bill No. 4330, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 8309.

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

Reps. Cushingberry, Durhal and Sheltroun introduced

**House Bill No. 4331, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending the title and section 1108 (MCL 700.1108), and by adding sections 5109 and 5110.

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

Rep. Cushingberry introduced

**House Bill No. 4332, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 321 and 2543 (MCL 600.321 and 600.2543), section 321 as amended by 2007 PA 64 and section 2543 as amended by 2004 PA 328.

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

Rep. Lori introduced

**House Bill No. 4333, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 37a.

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

Rep. Lori introduced

**House Bill No. 4334, 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 5c (MCL 28.425c), as amended by 2002 PA 719; and to repeal acts and parts of acts.

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

Rep. Lori introduced

**House Bill No. 4335, entitled**

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

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

Rep. Lori introduced

**House Bill No. 4336, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 319, and 322 (MCL 257.303, 257.319, and 257.322), sections 303 and 319 as amended by 2008 PA 463 and section 322 as amended by 2008 PA 462.

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

Reps. Robert Jones, Durhal, Stanley and Young introduced

**House Bill No. 4337, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 496a.

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

Reps. Robert Jones, Durhal, Stanley and Young introduced

**House Bill No. 4338, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 278.

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

Reps. Robert Jones, Durhal, Stanley and Young introduced

**House Bill No. 4339, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21529; and to repeal acts and parts of acts.

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

Reps. Robert Jones, Durhal and Scripps introduced

**House Bill No. 4340, 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 bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Reps. Bauer, Warren, Slavens, Paul Scott, McDowell, Donigan, Barnett, Byrnes, Liss, Valentine, Coulouris, Ebli, Segal, Miller, Hammel, Bledsoe, Bennett, Lipton, Daley, Griffin, Roy Schmidt, Ball, Lindberg, Polidori, Terry Brown, Meadows, Smith, Dean, Lori, Constan, Kennedy, Womack, Marleau and Scripps introduced

**House Bill No. 4341, 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.

Rep. Green introduced

**House Bill No. 4342, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 675 and 803d (MCL 257.675 and 257.803d), section 675 as amended by 2004 PA 151 and section 803d as amended by 1998 PA 68.

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

Rep. Green introduced

**House Bill No. 4343, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 709 (MCL 257.709), as amended by 2000 PA 127.

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

Reps. Barnett, Liss, Young, Valentine, Warren, Johnson, Constan, Leland, Gregory, Miller, Rick Jones, Ball, Switalski, Melton, Tlaib, Dean and Meadows introduced

**House Bill No. 4344, entitled**

A bill to establish a teachers loan forgiveness program for eligible teachers in certain at-risk schools; to establish a teachers loan forgiveness fund and to provide for its administration; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

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

Reps. Liss, Barnett, Young, Valentine, Warren, Johnson, Constan, Leland, Gregory, Miller, Rick Jones, Ball, Switalski, Lipton, Melton, Tlaib, Dean and Meadows introduced

**House Bill No. 4345, entitled**

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," by amending section 300 (MCL 16.400).

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

Reps. Slavens, Kennedy, Haugh, Haase, Switalski, Miller, Robert Jones, Spade, Gonzales and Melton introduced

**House Bill No. 4346, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2008 PA 268.

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

Rep. Cushingberry introduced

**House Joint Resolution L, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by repealing section 54 of article IV, to repeal term limits for legislators.

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

Rep. Meltzer introduced

**House Joint Resolution M, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 24 of article IX, to provide for forfeiture of pensions for certain public employees under certain circumstances.

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

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Rep. Switalski moved that the House adjourn.  
The motion prevailed, the time being 3:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, February 19, at 12:00 Noon.

RICHARD J. BROWN  
Clerk of the House of Representatives

