

No. 48
STATE OF MICHIGAN
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OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Thursday, May 28, 2009.

12:00 Noon.

The House was called to order by The Clerk.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

The Honorable Richard J. Brown, Clerk of the House, offered the following invocation:

“Creator, open our hearts to peace and healing between all people.
Creator, open our hearts to provide and protect for all children of the earth.
Creator, open our hearts to respect for the earth, and all the gifts of the earth.
Creator, open our hearts to end exclusion, violence, and fear among all.
Thank You for the gifts of this day and every day. (Alycia Longriver) Amen.”

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, May 27, for her approval of the following bill:

Enrolled House Bill No. 4145 at 2:34 p.m.

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

Senate Bill Nos. 610 611 612 613 614 615

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 27, 2009

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

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

May 14, 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 Community Health and the State Office of Administrative Hearings and Rules filed Administrative Rule #2009-002-CH (Secretary of State Filing #09-05-02) on this date at 3:49 p.m. for the Department of Community Health, entitled "Board of Psychology – General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a (6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

May 15, 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 Community Health and the State Office of Administrative Hearings and Rules filed Administrative Rule #2008-003-CH (Secretary of State Filing #09-05-03) on this date at 1:47 p.m. for the Department of Community Health, entitled "Bureau of Health Professions – General Rules".

May 15, 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 Community Health and the State Office of Administrative Hearings and Rules filed Administrative Rule #2008-010-CH (Secretary of State Filing #09-05-04) on this date at 1:49 p.m. for the Department of Community Health, entitled "Board of Physical Therapy – General Rules".

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.

May 15, 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 #2008-026-NR (Secretary of State Filing #09-05-05) on this date at 1:51 p.m. for the Department of Natural Resources, entitled "Wilderness and Natural Areas".

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.

May 18, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Agriculture and the State Office of Administrative Hearings and Rules filed Administrative Rule #2008-036-AC (Secretary of State Filing #09-05-06) on this date at 3:37 p.m. for the Department of Agriculture, entitled "Racing Commissioner – General Rules".

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

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

The communications were referred to the Clerk.

Introduction of Bills

Reps. Constan, Gregory, Lindberg, Nerat, Spade, Polidori, LeBlanc, Gonzales, Liss, Barnett, Robert Jones and Neumann introduced

House Bill No. 5011, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1a of chapter IV (MCL 764.1a), as amended by 2005 PA 106.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Rep. Cushingberry introduced

House Bill No. 5012, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

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

Rep. Cushingberry introduced

House Bill No. 5013, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

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

Rep. Cushingberry introduced

House Bill No. 5014, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

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

Rep. Cushingberry introduced

House Bill No. 5015, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

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

Rep. Cushingberry introduced

House Bill No. 5016, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

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

Reps. Stanley, Hammel, Bennett, Gregory, Gonzales, Spade, McDowell, Terry Brown, Haveman, Sheltroun, Liss, Espinoza, Lahti, Slezak and Robert Jones introduced

House Bill No. 5017, entitled

A bill to impose a state assessment on persons engaged in the business of leasing or renting a motor vehicle; to provide for the levy, collection, and administration of the state assessment; to provide for the disposition of the proceeds of the state assessment; to prescribe the powers and duties of certain state departments and certain public entities; and to provide for certain exemptions.

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

Reps. Nathan, Robert Jones, Scripps, Sheltroun, Horn, Hansen, Jackson, Bledsoe, Durhal, Leland, Liss and McDowell introduced

House Bill No. 5018, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 3A.

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

Reps. Rick Jones, Moss, Amash, Opsommer, Meekhof, Haines, Rogers, Meltzer, Hansen, Schuitmaker, Elsenheimer, Hildenbrand, Sheltroun and Calley introduced

House Bill No. 5019, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 50b, 75, and 79 (MCL 38.1050b, 38.1075, and 38.1079), sections 50b and 75 as amended by 1998 PA 501 and section 79 as amended by 2006 PA 614, and by adding section 79a.

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

Reps. Valentine, Roberts, Slavens, Haugh, Haase, Liss, Kennedy, Huckleberry, Lisa Brown, Scripps, Robert Jones and Barnett introduced

House Bill No. 5020, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2203.

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

Reps. Warren, Scripps, Roberts, Tlaib, Kennedy, Mayes, Smith, Bauer and Donigan introduced

House Bill No. 5021, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1315.

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

Reps. Young, Geiss and Tlaib introduced

House Bill No. 5022, entitled

A bill to encourage and expand the use of cafeteria plans by small employers; to create a fund; to authorize grants; to provide powers and duties of certain state departments and officers; and to authorize the promulgation of rules.

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

Reps. Daley, Kowall, Rogers, Crawford, Haines, Marleau, Opsommer and Caul introduced

House Bill No. 5023, entitled

A bill to amend 2008 PA 554, entitled "Regional convention facility authority act," by amending sections 5 and 19 (MCL 141.1355 and 141.1369).

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

Reps. Haines, Crawford, Knollenberg, Rick Jones, Agema, Elsenheimer, Rogers, Kowall, Daley, Marleau, Opsommer and Green introduced

House Bill No. 5024, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending sections 3, 8, 9, 10, and 12 (MCL 207.623, 207.628, 207.629, 207.630, and 207.632), as amended by 2008 PA 553.

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

Reps. Crawford, Haines, Knollenberg, Rick Jones, Agema, Elsenheimer, Rogers, Kowall, Daley, Marleau, Opsommer, Caul and Green introduced

House Bill No. 5025, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending section 5 (MCL 141.475), as amended by 2008 PA 586.

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

Reps. Rogers, Marleau, Kowall, Crawford, Haines, Opsommer, Caul and Green introduced

House Bill No. 5026, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as amended by 2008 PA 256.

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

Rep. Mayes introduced

House Bill No. 5027, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 204c.

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

Rep. Young introduced

House Bill No. 5028, entitled

A bill to provide for pooled trusts for persons with disabilities; and to prescribe the powers and duties of certain state agencies and departments.

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

Reps. Spade, Polidori, Terry Brown, Espinoza, Gonzales, Mayes, Leland and Dean introduced

House Bill No. 5029, entitled

A bill to amend 1982 PA 204, entitled "Deaf persons' interpreters act," (MCL 393.501 to 393.509) by adding section 8f.

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

Reps. Spade, Leland, Polidori and Dean introduced

House Bill No. 5030, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 19 (MCL 38.19), as amended by 2002 PA 93.

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

The Clerk declared the House adjourned until Tuesday, June 2, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

