

**No. 52**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**95th Legislature**  
**REGULAR SESSION OF 2009**

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House Chamber, Lansing, Tuesday, June 9, 2009.

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	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—excused	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—e/d/s
Donigan—present	Kurtz—present		

e/d/s = entered during session

Rep. Arlan B. Meekhof, from the 89th District, offered the following invocation:

“Heavenly Father, we come before You today to ask Your forgiveness and to seek Your direction and guidance. We know Your word says, ‘Woe to those who call evil good,’ but that is exactly what we have done.

We have lost our spiritual equilibrium and reversed our values.

We have exploited the poor and called it the lottery.

We have rewarded laziness and called it welfare.

We have killed our unborn and called it choice.

We have neglected to discipline our children and called it building self esteem.

We have abused power and called it politics.

We have coveted our neighbor’s possessions and called it ambition.

We have polluted the air with profanity and pornography and called it freedom of expression.

We have ridiculed the time-honored values of our forefathers and called it enlightenment.

Search us, oh, God, and know our hearts today; cleanse us from every sin and set us free.

Amen!”

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Rep. Segal moved that Rep. Gregory be excused from today’s session.

The motion prevailed.

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 4479, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 37 (MCL 211.37), as amended by 1994 PA 415.

(The bill was received from the Senate on June 4, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1023.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 278

#### Yeas—108

Agema	Donigan	Kurtz	Polidori
Amash	Durhal	Lahti	Proos
Angerer	Ebli	LeBlanc	Roberts
Ball	Elsenheimer	Leland	Rocca
Barnett	Espinoza	Lemmons	Rogers
Bauer	Geiss	Lindberg	Schmidt, R.
Bennett	Genetski	Lipton	Schmidt, W.
Bledsoe	Gonzales	Liss	Schuitmaker
Bolger	Green	Lori	Scott, B.
Booher	Griffin	Lund	Scott, P.
Brown, L.	Haase	Marleau	Scripps
Brown, T.	Haines	Mayes	Segal
Byrnes	Hammel	McDowell	Sheltrown
Byrum	Hansen	McMillin	Simpson
Calley	Haug	Meadows	Slavens
Caul	Haveman	Meekhof	Slezak
Clemente	Hildenbrand	Melton	Smith
Constan	Horn	Meltzer	Spade
Corriveau	Huckleberry	Miller	Stamas

Coulouris	Jackson	Moore	Stanley
Crawford	Johnson	Moss	Switalski
Cushingberry	Jones, Rick	Nathan	Tlaib
Daley	Jones, Robert	Nerat	Tyler
Dean	Kandrevas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren
Dillon	Kowall	Pearce	Womack

**Nays—0**

In The Chair: Byrnes

The House agreed to the full title.

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

Rep. Wayne Schmidt moved that Rep. Opsommer be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 4579, entitled**

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

(The bill was received from the Senate on June 4, with substitute (S-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1023.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 279**

**Yeas—106**

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

Constan	Horn	Meltzer	Spade
Corriveau	Huckleberry	Miller	Stamas
Coulouris	Jackson	Moore	Stanley
Crawford	Johnson	Moss	Switalski
Cushingberry	Jones, Rick	Nathan	Tlaib
Daley	Jones, Robert	Nerat	Tyler
Dean	Kandrevas	Neumann	Valentine
Denby	Kennedy	Pavlov	Walsh
DeShazor	Knollenberg	Pearce	Warren
Dillon	Kowall	Polidori	Womack
Donigan	Kurtz		

### Nays—1

Amash

In The Chair: Byrnes

The House agreed to the title as amended.

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

### Second Reading of Bills

#### Senate Bill No. 349, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43521 (MCL 324.43521), as amended by 1996 PA 585.

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

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

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

The motion prevailed.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 349, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43521 (MCL 324.43521), as amended by 1996 PA 585.

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

### Roll Call No. 280

### Yeas—105

Agema	Donigan	Lahti	Proos
Amash	Durhal	LeBlanc	Roberts

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

### Nays—1

Genetski

In The Chair: Byrnes

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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. 4520, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” (MCL 117.1 to 117.38) by adding section 5k.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Intergovernmental and Regional Affairs,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Barnett 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.

Rep. Young entered the House Chambers.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4520, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 5k.

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

**Roll Call No. 281**

**Yeas—108**

Agema	Donigan	Kurtz	Proos
Amash	Durhal	Lahti	Roberts
Angerer	Ebli	LeBlanc	Rocca
Ball	Elsenheimer	Leland	Rogers
Barnett	Espinoza	Lemmons	Schmidt, R.
Bauer	Geiss	Lindberg	Schmidt, W.
Bennett	Genetski	Lipton	Schuitmaker
Bledsoe	Gonzales	Liss	Scott, B.
Bolger	Green	Lori	Scott, P.
Booher	Griffin	Lund	Scripps
Brown, L.	Haase	Marleau	Segal
Brown, T.	Haines	Mayes	Sheltrown
Byrnes	Hammel	McDowell	Simpson
Byrum	Hansen	McMillin	Slavens
Calley	Haugh	Meadows	Slezak
Caul	Haveman	Meekhof	Smith
Clemente	Hildenbrand	Melton	Spade
Constan	Horn	Meltzer	Stamas
Corriveau	Huckleberry	Miller	Stanley
Coulouris	Jackson	Moore	Switalski
Crawford	Johnson	Moss	Tlaib
Cushingberry	Jones, Rick	Nathan	Tyler
Daley	Jones, Robert	Nerat	Valentine
Dean	Kandrevas	Neumann	Walsh
Denby	Kennedy	Pavlov	Warren
DeShazor	Knollenberg	Pearce	Womack
Dillon	Kowall	Polidori	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. 4887, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101 and 36104a (MCL 324.36101 and 324.36104a), section 36101 as amended by 2008 PA 336 and section 36104a as added by 1996 PA 233.

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

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

Rep. Mayes 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. 4887, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101 and 36104a (MCL 324.36101 and 324.36104a), section 36101 as amended by 2008 PA 336 and section 36104a as added by 1996 PA 233.

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

#### Roll Call No. 282

#### Yeas—105

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

#### Nays—3

Amash

Genetski

McMillin

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.

Rep. McMillin, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I am voting No because of local control concerns re: taking away local municipalities’ ability to determine what constitutes farmland use.”

### Second Reading of Bills

#### House Bill No. 5033, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 5838a and 5851 (MCL 600.5838a and 600.5851), section 5838a as amended by 1993 PA 78 and section 5851 as amended by 1993 PA 283.

The bill was read a second time.

Rep. Schuitmaker moved to substitute (H-1) the bill.

The motion did not prevail and the substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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. 5033, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 5838a and 5851 (MCL 600.5838a and 600.5851), section 5838a as amended by 1993 PA 78 and section 5851 as amended by 1993 PA 283.

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

#### Roll Call No. 283

#### Yeas—107

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



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

### Nays—1

Kurtz

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.

Rep. Segal moved that House Committees be given leave to meet during the balance of today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, June 4, for her approval of the following bill:

**Enrolled House Bill No. 4286 at 3:45 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, June 5:

<b>House Bill Nos.</b>	<b>5040</b>	<b>5041</b>	<b>5042</b>	<b>5043</b>	<b>5044</b>	<b>5045</b>	<b>5046</b>	<b>5047</b>	<b>5048</b>
<b>Senate Bill Nos.</b>	<b>624</b>	<b>625</b>	<b>626</b>						

The Clerk announced the enrollment printing and presentation to the Governor on Friday, June 5, for her approval of the following bill:

**Enrolled House Bill No. 4308 at 1:16 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, June 9:

<b>Senate Bill Nos.</b>	<b>627</b>	<b>628</b>	<b>629</b>
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The Clerk announced that the following Senate bill had been received on Tuesday, June 9:

<b>Senate Bill No.</b>	<b>583</b>
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**Reports of Standing Committees**

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

**House Bill No. 4501, 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 1 (MCL 28.421), as amended by 2008 PA 407.

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. Sheltroun, Slezak, Ebli, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

**House Bill No. 4502, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 222 and 223 (MCL 750.222 and 750.223), section 222 as amended by 2001 PA 135 and section 223 as amended by 1992 PA 221.

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. Sheltroun, Slezak, Ebli, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

**House Bill No. 5037, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2951 (MCL 600.2951), as added by 1982 PA 186.

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. Sheltroun, Slezak, Ebli, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

**House Bill No. 5038, 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," (MCL 28.421 to 28.435) by adding section 3.

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. Sheltroun, Slezak, Ebli, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheltroun, Chair, of the Committee on Tourism, Outdoor Recreation and Natural Resources, was received and read:

Meeting held on: Tuesday, June 9, 2009

Present: Reps. Sheltroun, Slezak, Ebli, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Bolger, Hansen and Horn

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

#### **House Bill No. 4161, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17708, 17751, and 17763 (MCL 333.7405, 333.17708, 333.17751, and 333.17763), as amended by 2006 PA 672.

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. Corriveau, Segal, Byrum, Coulouris, Donigan, Liss, Neumann, Roy Schmidt, Simpson, Slavens, Valentine, Marleau, Ball, Calley, Crawford, Denby, Green, Moore and Paul Scott

Nays: None

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

#### **House Bill No. 4183, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

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. Corriveau, Segal, Byrum, Coulouris, Donigan, Liss, Neumann, Roy Schmidt, Simpson, Slavens, Valentine, Marleau, Ball, Calley, Crawford, Denby, Green, Moore and Paul Scott

Nays: None

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

#### **House Bill No. 4476, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416e.

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. Corriveau, Segal, Byrum, Coulouris, Donigan, Liss, Neumann, Roy Schmidt, Simpson, Slavens, Valentine, Marleau, Ball, Calley, Crawford, Denby, Green, Moore 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, June 9, 2009

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

Absent: Reps. Johnson and Womack

Excused: Reps. Johnson and Womack

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mayes, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Tuesday, June 9, 2009

Present: Reps. Mayes, Geiss, Lisa Brown, Clemente, Ebli, Huckleberry, Lindberg, Lipton, Roberts, Horn, Crawford, Marleau, Opsommer, Proos, Wayne Schmidt and Schuitmaker

Absent: Reps. Johnson, Melton and Scripps

Excused: Reps. Johnson, Melton and Scripps

**Messages from the Senate****House Bill No. 4830, entitled**

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 of chapter IV (MCL 224.6), as amended by 2006 PA 598.

The Senate has substituted (S-5) the bill.

The Senate has passed the bill as substituted (S-5) and ordered that it be given immediate effect.

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

**Senate Bill No. 583, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 142 (MCL 389.142), as amended by 2008 PA 237.

The Senate has passed the bill.

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

**Messages from the Governor**

Date: June 4, 2009

Time: 9:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4781 (Public Act No. 32, I.E.), being**

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally

accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 216 and 719a (MCL 257.216 and 257.719a), section 216 as amended by 2008 PA 539 and section 719a as amended by 1996 PA 136, and by adding sections 38a, 49a, and 74a.

(Filed with the Secretary of State June 4, 2009, at 3:00 p.m.)

Date: June 4, 2009

Time: 9:22 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4145 (Public Act No. 35, I.E.), being**

An act to amend 2006 PA 237, entitled "An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 80110, 80111, and 80112 (MCL 324.80110, 324.80111, and 324.80112), as added by 1995 PA 58; and to repeal acts and parts of acts," by repealing enacting section 1.

(Filed with the Secretary of State June 4, 2009, at 3:06 p.m.)

Date: June 4, 2009

Time: 9:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4224 (Public Act No. 37, I.E.), being**

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 719 (MCL 257.719), as amended by 2004 PA 420.

(Filed with the Secretary of State June 4, 2009, at 3:10 p.m.)

### Communications from State Officers

The following communications from the Department of Energy, Labor and Economic Growth were received and read:

June 5, 2009

Pursuant to MCL 500.2213b(7), the Commissioner of the Office of Financial and Insurance Regulation is required to issue an annual report compiling the gross written premium for short-term or one-time limited duration policies or certificates issued in Michigan during the preceding calendar year. Be advised that the annual report required by MCL 500.3515 is attached to this correspondence.

If you have any questions or concerns, please feel free to contact Jenita Moore, Deputy Commissioner for the Policy Division at (517) 373-1866.

June 5, 2009

Pursuant to MCL 500.3515, the Commissioner of the Office of Financial and Insurance Regulation is required to make a determination as to whether the greater co-payment and co-insurance levels allowed by the amendatory act that added this subsection have increased the number of employers who have contracted for health maintenance organization services and whether these levels have increased the number of enrollees receiving health maintenance organization services. Be advised that the annual report required by MCL 500.3515 is attached to this correspondence.

If you have any questions or concerns, please feel free to contact Jenita Moore, Deputy Commissioner for the Policy Division at (517) 373-1866.

Thank you,  
Angela M. Shipp, Executive Secretary  
Policy Division  
Office of Financial & Insurance Regulation (OFIR)  
Phone: (517) 373-1866  
Fax: 517-335-1727  
Toll Free 1-877-999-6442  
Email: [shippA@michigan.gov](mailto:shippA@michigan.gov)  
Website: [www.michigan.gov/ofir](http://www.michigan.gov/ofir)

The communications were referred to the Clerk.

### Introduction of Bills

Reps. Kennedy, Roberts, Ebli, Tlaib, Cushingberry, Simpson, Constan, Liss, Barnett, Slavens, Nathan, Lisa Brown, Kandrevas, Young, Durhal, Jackson, Polidori, Leland, Womack, Geiss, Bledsoe, Scripps and Meadows introduced

**House Bill No. 5049, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11529 (MCL 324.11529), as amended by 1996 PA 358.

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

Reps. Rogers and Womack introduced

**House Bill No. 5050, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending sections 2a and 6 (MCL 423.202a and 423.206), section 6 as amended section 2a as added by 1994 PA 112.

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

Reps. Womack and Rogers introduced

**House Bill No. 5051, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1535b. The bill was read a first time by its title and referred to the Committee on Labor.

Reps. Womack, Kennedy, Geiss, Tlaib, Haugh, Melton, Jackson, Nathan, Liss, Roy Schmidt, Gregory, Slezak, Cushingberry, Leland, Stanley, Durhal, Constan, Rogers, Lipton, Bettie Scott and Paul Scott introduced

**House Bill No. 5052, entitled**

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," (MCL 141.1201 to 141.1291) by adding sections 21a and 41a.

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

Rep. LeBlanc introduced

**House Bill No. 5053, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 306, 309, and 312b (MCL 257.306, 257.309, and 257.312b), section 306 as amended by 2006 PA 298 and sections 309 and 312b as amended by 2004 PA 362.

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

Rep. Rick Jones introduced

**House Bill No. 5054, entitled**

A bill to create the motorcycle safety and training act; to provide for the approval and certification of motorcycle training programs and instructors; to establish training requirements and standards; to prescribe the powers and duties of certain state departments and agencies and other persons; to provide funding for program grants; to provide for distribution from certain funds; and to provide sanctions, remedies, and penalties.

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

Rep. Bennett introduced

**House Bill No. 5055, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30101, 30102, 30103, and 30104 (MCL 324.30101, 324.30102, 324.30103, and 324.30104), section 30101 as amended by 2006 PA 275, section 30102 as added by 1995 PA 59, section 30103 as amended by 2006 PA 33, and section 30104 as amended by 2008 PA 276, and by adding section 30106a.

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

Rep. Hammel introduced

**House Bill No. 5056, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 525, 543, and 1114 (MCL 436.1525, 436.1543, and 436.2114), section 525 as amended by 2008 PA 218, section 543 as amended by 2005 PA 269, and section 1114 as added by 2004 PA 134, and by adding sections 1116 and 1117.

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

Reps. Paul Scott and Slezak introduced

**House Bill No. 5057, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2681 and 2683 (MCL 333.2681 and 333.2683), section 2681 as added by 2006 PA 635 and section 2683 as added by 2006 PA 638, and by adding section 2684.

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

Rep. Sheltroun introduced

**House Bill No. 5058, entitled**

A bill to authorize the department of natural resources to convey certain state owned property in Iosco county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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

Reps. Donigan, Tlaib, Young, Durhal and Meadows introduced

**House Bill No. 5059, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 1116.

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

Rep. Tyler introduced

**House Bill No. 5060, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1205 (MCL 339.1205), as amended by 1997 PA 97.

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

Reps. Smith, Bennett and Hammel introduced

**House Bill No. 5061, entitled**

A bill to amend 2006 PA 479, entitled "Michigan promise grant act," by amending sections 4, 5, and 6 (MCL 390.1624, 390.1625, and 390.1626), section 4 as amended by 2008 PA 517, and by adding section 7a; and to repeal acts and parts of acts.

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

Rep. Smith introduced

**House Bill No. 5062, entitled**

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 9 and 10 (MCL 12.259 and 12.260), sections 9 and 10 as added by 2005 PA 232; and to repeal acts and parts of acts.

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

Rep. Smith introduced

**House Bill No. 5063, entitled**

A bill to amend 1986 PA 273, entitled "An act to establish a Michigan educational opportunity grant program for resident qualified students enrolled in eligible public postsecondary schools; and to prescribe the powers and duties of certain state agencies," by amending section 4 (MCL 390.1404); and to repeal acts and parts of acts.

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

Rep. Smith introduced

**House Bill No. 5064, entitled**

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition act," by amending section 3 (MCL 390.1243); and to repeal acts and parts of acts.

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

Rep. Smith introduced

**House Bill No. 5065, entitled**

A bill to amend 2005 PA 248, entitled "Children of veterans tuition grant act," by amending sections 4 and 5 (MCL 390.1344 and 390.1345); and to repeal acts and parts of acts.

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

Rep. Lemmons introduced

**House Bill No. 5066, entitled**

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

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

Rep. Lemmons introduced

**House Bill No. 5067, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 69b. The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Lemmons introduced

**House Bill No. 5068, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," (MCL 37.2101 to 37.2804) by adding section 202b.

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

Reps. Spade, Durhal, Espinoza, Lahti, Bennett, McDowell, Polidori, Gonzales and Dean introduced

**House Bill No. 5069, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 5705.

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



Rep. Lemmons introduced

**House Joint Resolution U, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, section 8 of article III, sections 1, 7, 8, 11, 12, 14, 16, 17, 18, 19, 20, 22, 24, 26, 27, 29, 30, 31, 33, 37, 43, 53, and 54 of article IV, sections 2, 3, 6, 7, 13, 18, 20, 25, 26, 28, and 29 of article V, sections 1 and 25 of article VI, section 6 of article VIII, sections 15 and 27 of article IX, section 5 of article X, sections 5 and 7 of article XI, and sections 1 and 3 of article XII; adding section 1a to article IV and a schedule and temporary provisions; and repealing sections 2, 3, 4, 6, and 21 of article IV, to provide for the establishment of a unicameral legislature.

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

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Rep. Liss moved that the House adjourn.

The motion prevailed, the time being 3:50 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 10, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

