

No. 68
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House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Wednesday, August 19, 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—excused	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—excused	Tyler—present
Daley—present	Jones, Robert—present	Neumann—present	Valentine—excused
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. Tom Pearce, from the 73rd District, offered the following invocation:

“It’s our confession Lord, that we are weak, that You are strong. In all of our weakness, Heavenly Father, we invite You into our presence today. We ask You for those who are hurting and in need of healing, we pray for Your touch. For those who are struggling and need discernment, we pray for Your wisdom. Today may we see the issues of this state, not just through our eyes, but through Yours. Be with those who protect us both locally and around the world. Give them an extra measure of blessing for their service today. Thank You for our leadership, both here in our state and in our country. We pray that You will be with them. May they feel Your presence, may they seek Your wisdom in every decision they make. We ask this in Your name, Amen.”

Rep. Angerer moved that Reps. Bennett, Nerat and Valentine be excused from today’s session. The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, August 12:

House Bill Nos. 5232 5233 5234 5235 5236 5237 5238 5239

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, August 18:

Senate Bill Nos. 732 733 734 735 736 737 738 739 740 741 742

The Clerk announced that the following Senate bills had been received on Tuesday, August 18:

Senate Bill Nos. 700 701 703 706 707 710 712

The Clerk announced that the following Senate bills had been received on Wednesday, August 19:

Senate Bill Nos. 215 266 484 674 675 676 677 678 679 698

Reports of Standing Committees

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 4244, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2090.

With the recommendation that the substitute (H-2) 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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack and Rocca
Nays: Reps. Denby, Green, Lund and Moore

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 4844, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3149.

With the recommendation that the substitute (H-2) 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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack and Rocca
Nays: Reps. Denby, Green, Haveman, Lund and Moore

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 4846, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2038 (MCL 500.2038).
With the recommendation that the substitute (H-4) 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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack and Rocca
Nays: Reps. Denby, Green, Lund and Moore

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 4989, entitled

A bill to regulate guaranteed asset protection waivers offered or provided in connection with finance agreements for certain motor vehicles; to provide for the powers and duties of certain state governmental officers and entities; and to provide remedies.

With the recommendation that the substitute (H-2) 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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack, Denby, Green, Lund, Moore and Rocca
Nays: None

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 4990, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 127.

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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack, Denby, Green, Lund, Moore and Rocca
Nays: None

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 4991, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 13 (MCL 492.113), as amended by 2002 PA 699.

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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack, Denby, Green, Lund, Moore and Rocca

Nays: None

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 4992, entitled

A bill to amend 1966 PA 224, entitled "Retail installment sales act," by amending section 3 (MCL 445.853).

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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack, Denby, Green, Lund, Moore and Rocca

Nays: None

The Committee on Insurance, by Rep. Byrum, Chair, reported

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.

With the recommendation that the substitute (H-2) 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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack and Rocca

Nays: Reps. Denby, Green, Haveman, Lund and Moore

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 5144, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2035.

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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack and Rocca

Nays: Reps. Denby, Green, Lund and Moore

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 5145, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2026c.

With the recommendation that the substitute (H-2) 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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack and Rocca
Nays: Reps. Denby, Green, Haveman, Lund and Moore

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 5146, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2027b.

With the recommendation that the substitute (H-3) 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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack and Rocca
Nays: Reps. Denby, Green, Haveman, Lund and Moore

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 5147, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2026b.

With the recommendation that the substitute (H-2) 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. Byrum, Young, Constan, Lemmons, Lipton, Polidori, Segal, Sheltroun and Womack
Nays: Reps. Denby, Green, Haveman, Lund and Moore

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 5148, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15a of chapter XVII (MCL 777.15a), as added by 2002 PA 206.

With the recommendation that the substitute (H-2) 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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun and Womack
Nays: Reps. Denby, Green, Haveman, Lund and Moore

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 5149, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2035a.

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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack and Rocca
Nays: Reps. Denby, Green, Haveman, Lund and Moore

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 5150, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2027a.

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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack and Rocca
Nays: Reps. Denby, Green, Haveman, Lund and Moore

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 5151, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2090a.

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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack and Rocca
Nays: Reps. Denby, Green, Haveman, Lund and Moore

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 19, 2009

Present: Reps. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack, Denby, Green, Haveman, Lund, Moore and Rocca

Absent: Rep. Marleau

Excused: Rep. Marleau

The Committee on Tax Policy, by Rep. Ebli, Chair, reported

Senate Bill No. 219, entitled

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

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. Ebli, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Slezak, Warren, Calley, Kowall, Lund, Meekhof, Meltzer, Stamas and Walsh

Nays: None

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, August 19, 2009

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

Absent: Reps. Melton and Mayes

Excused: Reps. Melton and Mayes

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Slezak, Vice-Chair, reported

House Bill No. 4894, 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 2 (MCL 28.422), as amended by 2008 PA 406.

With the recommendation that the substitute (H-3) 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. Slezak, Ebli, Huckleberry, Lindberg, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 19, 2009

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

Absent: Reps. Sheltroun and Simpson

Excused: Reps. Sheltroun and Simpson

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, August 18, 2009

Present: Reps. Donigan, Barnett, Haugh, Robert Jones, Kennedy, Young, Lund, Denby, Meekhof and Wayne Schmidt

Absent: Rep. Bledsoe

Excused: Rep. Bledsoe

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 19, 2009

Present: Reps. Lindberg, Kennedy, Kandrevas, Liss, Bettie Scott, Slezak, Young, Amash, Daley, Haveman and McMillin

Messages from the Senate**House Bill No. 4683, entitled**

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

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on August 18, 2009.

House Bill No. 4684, entitled

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

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on August 18, 2009.

House Bill No. 4686, entitled

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

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on August 18, 2009.

House Bill No. 4687, entitled

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

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on August 18, 2009.

House Bill No. 4695, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 13 (MCL 38.1133), as amended by 2008 PA 425.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on August 18, 2009.

House Bill No. 4696, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 23 (MCL 125.2023), as amended by 2002 PA 556.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on August 18, 2009.

House Concurrent Resolution No. 6.

A concurrent resolution to memorialize the President, the Congress, and the Department of Homeland Security of the United States to change requirements, agreements, and memorandums of understanding relating to the creation of Enhanced Drivers Licenses.

(For text of resolution, see House Journal No. 2, p. 31.)

The Senate has adopted the concurrent resolution and named Senator Barcia as co-sponsor.

The concurrent resolution was referred to the Clerk for record.

House Bill No. 4083, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 11 (MCL 125.2011), as amended by 1987 PA 278.

The Senate has nonconcurrent in the House substitute (H-1) to the Senate substitute (S-2) and appointed Senators Allen, Gilbert and Clarke as conferees.

The message was referred to the Clerk for record.

House Bill No. 4089, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 8 and 10 (MCL 207.808 and 207.810), section 8 as amended by 2008 PA 257 and section 10 as amended by 2006 PA 283.

The Senate has nonconcurrent in the House substitute (H-1) to the Senate substitute (S-2) and appointed Senators Allen, Gilbert and Clarke as conferees.

The message was referred to the Clerk for record.

House Bill No. 4092, entitled

A bill to amend 1963 PA 62, entitled "Industrial development revenue bond act of 1963," (MCL 125.1251 to 125.1267) by adding section 5a.

The Senate has nonconcurrent in the House substitute (H-3) to the Senate substitute (S-1) and appointed Senators Allen, Gilbert and Clarke as conferees.

The message was referred to the Clerk for record.

House Bill No. 4093, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 4 (MCL 207.554), as amended by 2004 PA 437.

The Senate has nonconcurrent in the House substitute (H-1) to the Senate substitute (S-1) and appointed Senators Allen, Gilbert and Clarke as conferees.

The message was referred to the Clerk for record.

House Bill No. 4094, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 13 (MCL 247.913) and by adding section 9a.

The Senate has nonconcurrent in the House substitute (H-3) to the Senate substitute (S-1) and appointed Senators Allen, Gilbert and Clarke as conferees.

The message was referred to the Clerk for record.

House Bill No. 4438, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

The Senate has nonconcurrent in the House substitute (H-3) to the Senate substitute (S-1) and appointed Senators Jelinek, Brown and Switalski as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 290, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2007 PA 201.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Allen, Gilbert and Clarke as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 293, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 15 (MCL 125.2695) and by adding sections 8g and 8h.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Allen, Gilbert and Clarke as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 295, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 8 (MCL 125.2788), as amended by 2008 PA 504.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Allen, Gilbert and Clarke as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 296, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2008 PA 448.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Allen, Gilbert and Clarke as conferees.

The message was referred to the Clerk for record.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Jackson to the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 142** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 142.

A resolution of tribute offered as a memorial for Jim Connors, former member of the House of Representatives.

Whereas, The members of this legislative body were saddened to learn of the passing of Jim Connors, a member of the Eighty-third and Eighty-fourth Legislatures. This conscientious gentleman devoted much of his life to public service in some capacity, and his commitment to others will long be remembered far beyond his beloved family and friends; and

Whereas, A proud and loyal son of the U.P., Jim Connors was born in Matchwood in Ontonagon County, earned his bachelor's degree at Northern Michigan University, and later earned his master's degree in social work from Wayne State University. An Army veteran who served 2 years in Germany, Jim Connors devoted his considerable skills and compassion to those in need. He worked as a social worker for a Cuban refugee program within the Marquette Diocese, later becoming director of Catholic Social Services in Iron County. His talents were also channeled through responsibilities with the Dickinson County Friend of the Court and the Dickinson-Iron Intermediate School District and through his efforts in the insurance industry; and

Whereas, A longtime stalwart of numerous civic and charitable organizations, Jim Connors brought this strong sense of concern to Lansing in 1985 following his election as State Representative. In his 2 terms as a lawmaker, he demonstrated a deep understanding of the challenges facing Michigan families. Even after his legislative tenure, he worked on behalf of his community and our state as a key staff member for former Senator Koivisto; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Jim Connors, a member of this legislative body from 1985 to 1988; and be it further

Resolved, That copies of this resolution be transmitted to the Connors family as evidence of our lasting esteem for his memory.

The question being on the adoption of the resolution,
The resolution was adopted by unanimous standing vote.

Rep. Angerer moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 334**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 334, entitled

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

The bill was read a second time.

Rep. Cushingberry moved to substitute (H-1) the bill.
The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. McDowell moved to amend the bill as follows:

1. Amend page 11, line 9, by striking out “(316,500)” and inserting “622,400”.
2. Amend page 11, line 13, by striking out “1,023,300” and inserting “1,962,200” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 13, following line 7, by inserting:

“Sec. 302. The department of community health shall review contract policies for the women, infants, and children program in an effort to maximize vendor participation while not undermining the amount of program resources available to individuals.”

4. Amend page 14, line 6, after “1001.” by striking out the balance of the line and renumbering the remaining subsections.

5. Amend page 14, line 8, by striking out all of subsection (3) and renumbering the remaining subsections.
The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Rep. Angerer moved that Rep. Dillon 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. 334, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

Rep. Smith moved to amend the bill as follows:

1. Amend page 13, following line 7, by inserting:

“DEPARTMENT OF CORRECTIONS

Sec. 351. At least 90 days before beginning any effort to privatize, except for the current effort to privatize and contract for prisoner mental health services which is necessitated by the critical need for prisoner mental health treatment staff, the department shall submit a complete project plan to the appropriate senate and house appropriations subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house appropriations subcommittees and the senate and house fiscal agencies within 30 months. In the case of the current effort to privatize and contract for prisoner mental health services, the department shall submit a complete project plan to the appropriate senate and house appropriations committee chairs and appropriate senate and house appropriations subcommittee chairs as well as the senate and house fiscal agency and state budget office 10 days prior to beginning the effort.

Sec. 352. (1) Before privatizing any services or activities currently provided by state employees in the department, except for the privatization of prisoner mental health services which is necessitated by a critical shortage of mental health professional staff, the department shall submit to the senate and house appropriations committees a preprivatization cost-benefit analysis. This analysis shall utilize accurate, reliable, and objective data. Included in this analysis shall be a comparative estimate of the costs that will be incurred by this state over the life of the contract if 1 or both of the following occur:

- (a) The service or activity continues to be provided by state employees.
- (b) The service or activity is privatized. The costs of privatizing these services shall include the costs of all necessary monitoring and oversight of the private entity by this state. In all cases, including the provision of prisoner mental health services, these private entities shall be adequately bonded, so as not to expose the state to any potential future liability or legal causes of action.

(2) The department shall not commence any efforts to privatize the services or activities currently provided by state employees under part 1, except for prisoner mental health services, until the cost-benefit analysis prescribed by subsection (1) has been sent to both the senate and house appropriations committees 14 days prior to the efforts to privatize, and proves a cost savings of at least 5% of the costs of continuing to use state employees in providing the services or activities. Prior to awarding a contract for the provision of prisoner mental health treatment services, a cost-benefit analysis shall be completed as specified in subsection (1) above and submitted to the appropriate senate and house appropriations committee chairs and appropriate senate and house appropriations subcommittee chairs as well as the senate and house fiscal agency and state budget office not less than 7 days prior to awarding a contract.

(3) A private contractor with a contract with this state that expends state or federal tax dollars shall have all records pertinent to state contracts, including all records detailing compliance with section 209, be subject to disclosure to the department or the department of management and budget.

(4) State employees shall be given the opportunity to bid on contracts that privatize services that are or were provided by state employees. If the contract is awarded to any state employee, he or she ceases being an employee of the state.”.

2. Amend page 14, following line 16, by inserting:

“(12) Section 207 of 2008 PA 245 is repealed.

(13) Section 207a of 2008 PA 245 is repealed.”.

The motion was seconded and the amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 371

Yeas—62

Angerer	Ebli	LeBlanc	Schmidt, R.
Barnett	Espinoza	Leland	Scott, B.
Bauer	Geiss	Lemmons	Scripps
Bledsoe	Gonzales	Lindberg	Segal
Brown, L.	Gregory	Lipton	Sheltrown
Brown, T.	Griffin	Liss	Simpson
Byrnes	Haase	Mayes	Slavens
Byrum	Hammel	McDowell	Slezak
Clemente	Haugh	Meadows	Smith
Constan	Huckleberry	Melton	Spade
Corriveau	Jackson	Miller	Stanley
Coulouris	Johnson	Nathan	Switalski

Cushingberry	Jones, Robert	Neumann	Tlaib
Dean	Kandrevas	Polidori	Warren
Donigan	Kennedy	Roberts	Womack
Durhal	Lahti		

Nays—44

Agema	Elsenheimer	Kurtz	Pearce
Amash	Genetski	Lori	Proos
Ball	Green	Lund	Rocca
Bolger	Haines	Marleau	Rogers
Booher	Hansen	McMillin	Schmidt, W.
Calley	Haveman	Meekhof	Schuitmaker
Caul	Hildenbrand	Meltzer	Scott, P.
Crawford	Horn	Moore	Stamas
Daley	Jones, Rick	Moss	Tyler
Denby	Knollenberg	Opsommer	Walsh
DeShazor	Kowall	Pavlov	Young

In The Chair: Jackson

The House agreed to the title of the bill.
Rep. Angerer moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

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

“Mr. Speaker and members of the House:

This bill was not presented until the very last minute and includes \$450 million of additional spending. The amendments presented at the last minute also were not voted on. This isn’t democracy.”

Second Reading of Bills

House Bill No. 4999, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722 (MCL 257.722), as amended by 2008 PA 579.

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

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. Angerer moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4999, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722 (MCL 257.722), as amended by 2008 PA 579.

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

Roll Call No. 372**Yeas—100**

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

Nays—6

Gonzales	Lahti	Tlaib	Young
Kurtz	Lipton		

In The Chair: Jackson

The House agreed to the title of the bill.
Rep. Angerer moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

The Speaker Pro Tempore resumed the Chair.

Second Reading of Bills**House Bill No. 4846, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2038 (MCL 500.2038).

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Insurance,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Slezak moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.
 Rep. Angerer moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 4846, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2038 (MCL 500.2038).
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 373

Yeas—65

Angerer	Ebli	LeBlanc	Schmidt, R.
Barnett	Espinoza	Leland	Scott, B.
Bauer	Geiss	Lemmons	Scripps
Bledsoe	Gonzales	Lindberg	Segal
Brown, L.	Gregory	Lipton	Sheltrown
Brown, T.	Griffin	Liss	Simpson
Byrnes	Haase	Mayes	Slavens
Byrum	Hammel	McDowell	Slezak
Clemente	Haugh	Meadows	Smith
Constan	Huckleberry	Melton	Spade
Corriveau	Jackson	Miller	Stanley
Coulouris	Johnson	Nathan	Switalski
Cushingberry	Jones, Robert	Neumann	Tlaib
Dean	Kandrevas	Polidori	Warren
Dillon	Kennedy	Roberts	Womack
Donigan	Lahti	Rocca	Young
Durhal			

Nays—42

Agema	Elsenheimer	Kurtz	Pavlov
Amash	Genetski	Lori	Pearce
Ball	Green	Lund	Proos
Bolger	Haines	Marleau	Rogers
Booher	Hansen	McMillin	Schmidt, W.
Calley	Haveman	Meekhof	Schuitmaker
Caul	Hildenbrand	Meltzer	Scott, P.
Crawford	Horn	Moore	Stamas
Daley	Jones, Rick	Moss	Tyler
Denby	Knollenberg	Opsommer	Walsh
DeShazor	Kowall		

In The Chair: Byrnes

The House agreed to the title of the bill.
 Rep. Angerer moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

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

“Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Rep. Knollenberg, 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:

HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Second Reading of Bills

House Bill No. 5149, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2035a.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5149, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2035a.

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

Roll Call No. 374

Yeas—63

Angerer	Durhal	Leland	Scott, B.
Barnett	Ebli	Lemmons	Scripps
Bauer	Espinoza	Lindberg	Segal
Bledsoe	Geiss	Lipton	Sheltrown
Brown, L.	Gonzales	Liss	Simpson
Brown, T.	Gregory	Mayes	Slavens
Byrnes	Haase	McDowell	Slezak
Byrum	Hammel	Meadows	Smith
Clemente	Haugh	Melton	Spade
Constan	Huckleberry	Miller	Stanley
Corriveau	Jackson	Nathan	Switalski
Coulouris	Johnson	Neumann	Tlaib
Cushingberry	Jones, Robert	Polidori	Warren
Dean	Kandreas	Roberts	Womack
Dillon	Kennedy	Rocca	Young
Donigan	LeBlanc	Schmidt, R.	

Nays—44

Agema	Elsenheimer	Kowall	Opsommer
Amash	Genetski	Kurtz	Pavlov
Ball	Green	Lahti	Pearce
Bolger	Griffin	Lori	Proos
Booher	Haines	Lund	Rogers
Calley	Hansen	Marleau	Schmidt, W.
Caul	Haveman	McMillin	Schuitmaker
Crawford	Hildenbrand	Meekhof	Scott, P.
Daley	Horn	Meltzer	Stamas
Denby	Jones, Rick	Moore	Tyler
DeShazor	Knollenberg	Moss	Walsh

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

"Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan's insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan's insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time."

Rep. Knollenberg, 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:

HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan's insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan's insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time."

Second Reading of Bills

House Bill No. 4244, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2090.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Insurance,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Denby moved to amend the bill as follows:

1. Amend page 3, following line 19, by inserting:

"(4) AN ACTION UNDER THIS SECTION SHALL NOT BE BROUGHT UNTIL THE INDIVIDUAL HAS FILED A COMPLAINT WITH THE OFFICE OF FINANCIAL AND INSURANCE REGULATION AND EXHAUSTED ALL AVAILABLE ADMINISTRATIVE REMEDIES. IF THE COMMISSIONER HAS FAILED TO ISSUE A FINDING IN THE MATTER WITHIN 120 DAYS OF THE FILING OF THE COMPLAINT, ALL ADMINISTRATIVE REMEDIES WILL BE CONSIDERED EXHAUSTED." and renumbering the remaining subsection.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Green moved to amend the bill as follows:

1. Amend page 3, following line 19, by inserting:

“(4) IF, IN AWARDING A REASONABLE ATTORNEY FEE UNDER THIS SECTION, A COURT AWARDS THE ATTORNEY FEE AS A PERCENTAGE OF THE AMOUNT RECOVERED, THE COURT SHALL NOT AWARD AN ATTORNEY FEE THAT IS MORE THAN THE SUM OF THE FOLLOWING:

(A) ONE-THIRD OF THE AMOUNT RECOVERED THAT IS \$100,000.00 OR LESS.

(B) FIFTEEN PERCENT OF ANY AMOUNT RECOVERED THAT IS MORE THAN \$100,000.00 AND THAT IS \$500,000.00 OR LESS.

(C) TEN PERCENT OF ANY AMOUNT RECOVERED THAT IS MORE THAN \$500,000.00.” and renumbering the remaining subsection.

The question being on the adoption of the amendment offered by Rep. Green,

Rep. Green demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Green,

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

Roll Call No. 375

Yeas—57

Agema	Espinoza	Kowall	Proos
Amash	Geiss	Kurtz	Rocca
Ball	Genetski	Liss	Rogers
Bolger	Green	Lori	Schmidt, R.
Booher	Haase	Lund	Schmidt, W.
Brown, T.	Haines	Marleau	Schuitmaker
Calley	Hansen	McMillin	Scott, P.
Caul	Haveman	Meekhof	Segal
Corriveau	Hildenbrand	Meltzer	Slavens
Crawford	Horn	Moore	Stamas
Daley	Huckleberry	Moss	Tlaib
Dean	Jones, Rick	Opsommer	Tyler
Denby	Kennedy	Pavlov	Walsh
DeShazor	Knollenberg	Pearce	Womack
Elsenheimer			

Nays—49

Angerer	Ebli	Leland	Roberts
Barnett	Gonzales	Lemmons	Scott, B.
Bauer	Gregory	Lindberg	Scripps
Bledsoe	Griffin	Lipton	Sheltrown
Brown, L.	Hammel	Mayer	Simpson
Byrnes	Haugh	McDowell	Slezak
Byrum	Jackson	Meadows	Smith
Clemente	Johnson	Melton	Spade
Constan	Jones, Robert	Miller	Stanley
Coulouris	Kandrevas	Nathan	Switalski
Cushingberry	Lahti	Neumann	Warren
Donigan	LeBlanc	Polidori	Young
Durhal			

In The Chair: Byrnes

Rep. Bauer moved to amend the bill as follows:

1. Amend page 3, line 21, after the second **“INSURER,”** by striking out the balance of the sentence and inserting **“OR A COMMERCIAL PROPERTY INSURER.”**

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Simpson moved to substitute (H-3) the bill.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4244, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2090.

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

Roll Call No. 376

Yeas—62

Angerer	Ebli	Lemmons	Scott, B.
Barnett	Espinoza	Lindberg	Scripps
Bauer	Geiss	Lipton	Segal
Bledsoe	Gonzales	Liss	Sheltrown
Brown, L.	Gregory	Mayes	Simpson
Brown, T.	Griffin	McDowell	Slavens
Byrnes	Haase	Meadows	Slezak
Byrum	Haugh	Melton	Smith
Clemente	Huckleberry	Miller	Spade
Constan	Jackson	Nathan	Stanley
Corriveau	Johnson	Neumann	Switalski
Coulouris	Jones, Robert	Polidori	Tlaib
Cushingberry	Kandrevas	Roberts	Warren
Dean	Kennedy	Rocca	Womack
Donigan	Lahti	Schmidt, R.	Young
Durhal	Leland		

Nays—44

Agema	Elsenheimer	Kowall	Opsommer
Amash	Genetski	Kurtz	Pavlov
Ball	Green	LeBlanc	Pearce
Bolger	Haines	Lori	Proos
Booher	Hammel	Lund	Rogers
Calley	Hansen	Marleau	Schmidt, W.
Caul	Haveman	McMillin	Schuitmaker
Crawford	Hildenbrand	Meekhof	Scott, P.
Daley	Horn	Meltzer	Stamas
Denby	Jones, Rick	Moore	Tyler
DeShazor	Knollenberg	Moss	Walsh

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

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

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2027a.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

"Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan's insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan's insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time."

Rep. Knollenberg, 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:

HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan's insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan's insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time."

Rep. Angerer moved that Rep. Dillon be excused temporarily from today’s session. The motion prevailed.

Second Reading of Bills

House Bill No. 4844, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3149.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Insurance,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Denby moved to amend the bill as follows:

1. Amend page 3, following line 19, by inserting:

“(3) AN ACTION UNDER THIS SECTION SHALL NOT BE BROUGHT UNTIL THE INDIVIDUAL HAS FILED A COMPLAINT WITH THE OFFICE OF FINANCIAL AND INSURANCE REGULATION AND EXHAUSTED ALL AVAILABLE ADMINISTRATIVE REMEDIES. IF THE COMMISSIONER HAS FAILED TO ISSUE A FINDING IN THE MATTER WITHIN 120 DAYS OF THE FILING OF THE COMPLAINT, ALL ADMINISTRATIVE REMEDIES WILL BE CONSIDERED EXHAUSTED.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Lund moved to amend the bill as follows:

1. Amend page 3, following line 19, by inserting:

“(3) IF AN INSURER PREVAILS IN AN ACTION BROUGHT UNDER THIS SECTION, THE COURT SHALL AWARD THE PREVAILING INSURER AN ATTORNEY FEE TO BE PAID BY THE NONPREVAILING PARTY. THE ATTORNEY FEE SHALL BE REASONABLE AND CALCULATED BASED ON AN HOURLY RATE THAT DOES NOT EXCEED A RATE THAT THE COURT CONSIDERS ACCEPTABLE IN THE COMMUNITY IN WHICH THE ATTORNEY PRACTICES LAW. IF UPON THE MOTION OF THE PREVAILING INSURER THE COURT FINDS THAT AN ACTION UNDER THIS SECTION WAS FRIVOLOUS, THE COURT SHALL AWARD TO THE PREVAILING INSURER THE GREATER OF \$10,000.00 OR 3 TIMES THE COSTS AND FEES INCURRED BY THAT PARTY IN CONNECTION WITH THE ACTION BY ASSESSING THE COSTS AND FEES AGAINST THE NONPREVAILING PARTY AND THE NONPREVAILING PARTY’S ATTORNEY. AS USED IN THIS SUBSECTION AND SUBSECTION (4), “FRIVOLOUS” MEANS THAT THE PARTY’S PRIMARY PURPOSE IN INITIATING THE ACTION WAS TO HARASS, EMBARRASS, OR INJURE THE INSURER.

(4) IN ADDITION TO OTHER COSTS AND FEES AWARDED UNDER THIS SECTION, THE COURT MAY IMPOSE AN APPROPRIATE SANCTION ON THE ATTORNEYS, LAW FIRMS, OR PARTIES THAT INITIATED THE ACTION FOUND TO BE FRIVOLOUS. A SANCTION IMPOSED UNDER THIS SUBSECTION SHALL NOT EXCEED AN AMOUNT SUFFICIENT TO DETER THE REPETITION OF THE CONDUCT OR COMPARABLE CONDUCT BY OTHERS SIMILARLY SITUATED.”.

The question being on the adoption of the amendment offered by Rep. Lund,

Rep. Lund demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Lund,

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

Roll Call No. 377

Yeas—69

Agema	Espinoza	Kowall	Pavlov
Amash	Geiss	Kurtz	Pearce
Angerer	Genetski	Leland	Proos
Ball	Green	Lindberg	Roberts
Bolger	Gregory	Lori	Rogers
Booher	Griffin	Lund	Schmidt, W.

Brown, L.	Haase	Marleau	Schuitmaker
Brown, T.	Haines	Mayer	Scott, P.
Calley	Hansen	McDowell	Segal
Caul	Haugh	McMillin	Sheltrown
Clemente	Haveman	Meekhof	Simpson
Crawford	Hildenbrand	Melton	Slavens
Daley	Horn	Meltzer	Spade
Denby	Huckleberry	Moore	Stamas
DeShazor	Jones, Rick	Moss	Tyler
Donigan	Kennedy	Neumann	Walsh
Ebli	Knollenberg	Opsommer	Womack
Elsenheimer			

Nays—37

Barnett	Durhal	Lemmons	Scott, B.
Bauer	Gonzales	Lipton	Scripps
Bledsoe	Hammel	Liss	Slezak
Byrnes	Jackson	Meadows	Smith
Byrum	Johnson	Miller	Stanley
Constan	Jones, Robert	Nathan	Switalski
Corriveau	Kandrevas	Polidori	Tlaib
Coulouris	Lahti	Rocca	Warren
Cushingberry	LeBlanc	Schmidt, R.	Young
Dean			

In The Chair: Byrnes

Rep. Green moved to amend the bill as follows:

1. Amend page 3, following line 19, by inserting:

“(3) IF, IN AWARDING A REASONABLE ATTORNEY FEE UNDER THIS SECTION, A COURT AWARDS THE ATTORNEY FEE AS A PERCENTAGE OF THE AMOUNT RECOVERED, THE COURT SHALL NOT AWARD AN ATTORNEY FEE THAT IS MORE THAN THE SUM OF THE FOLLOWING:

(A) ONE-THIRD OF THE AMOUNT RECOVERED THAT IS \$100,000.00 OR LESS.

(B) FIFTEEN PERCENT OF ANY AMOUNT RECOVERED THAT IS MORE THAN \$100,000.00 AND THAT IS \$500,000.00 OR LESS.

(C) TEN PERCENT OF ANY AMOUNT RECOVERED THAT IS MORE THAN \$500,000.00.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Haveman moved to amend the bill as follows:

1. Amend page 1, line 2, after “**ACT**” by striking out “**HAS**” and inserting “**AND AN ATTORNEY HAVE**”.

2. Amend page 1, line 4, after “**INSURER**” by inserting “**OR AN ATTORNEY**”.

3. Amend page 3, line 18, after “**INSURER**” by inserting “**OR AN ATTORNEY**”.

The question being on the adoption of the amendments offered by Rep. Haveman,

Rep. Haveman demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Haveman,

The amendments were adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 378

Yeas—63

Agema	Geiss	Lori	Rogers
Angerer	Genetski	Lund	Schmidt, W.

Ball	Green	Marleau	Schuitmaker
Bledsoe	Griffin	Mayer	Scott, P.
Bolger	Haase	McMillin	Scripps
Booher	Haines	Meekhof	Segal
Brown, L.	Hansen	Melton	Sheltrown
Calley	Haveman	Meltzer	Simpson
Caul	Hildenbrand	Moore	Slavens
Clemente	Horn	Moss	Slezak
Crawford	Huckleberry	Neumann	Spade
Daley	Jones, Rick	Opsommer	Stamas
Denby	Kennedy	Pavlov	Tyler
DeShazor	Knollenberg	Pearce	Walsh
Ebli	Kowall	Proos	Womack
Elsenheimer	Kurtz	Roberts	

Nays—43

Amash	Donigan	Lahti	Polidori
Barnett	Durhal	LeBlanc	Rocca
Bauer	Espinoza	Leland	Schmidt, R.
Brown, T.	Gonzales	Lemmons	Scott, B.
Byrnes	Gregory	Lindberg	Smith
Byrum	Hammel	Lipton	Stanley
Constan	Haugh	Liss	Switalski
Corriveau	Jackson	McDowell	Tlaib
Coulouris	Johnson	Meadows	Warren
Cushingberry	Jones, Robert	Miller	Young
Dean	Kandrevas	Nathan	

In The Chair: Byrnes

Rep. Nathan moved to substitute (H-3) the bill.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4844, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3149.

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

Roll Call No. 379**Yeas—59**

Angerer	Ebli	Leland	Scripps
Barnett	Espinoza	Lindberg	Segal
Bauer	Geiss	Lipton	Sheltrown
Bledsoe	Gonzales	Liss	Simpson

Brown, L.	Gregory	Mayes	Slavens
Brown, T.	Griffin	McDowell	Slezak
Byrnes	Haase	Meadows	Smith
Byrum	Haugh	Melton	Spade
Clemente	Huckleberry	Miller	Stanley
Constan	Jackson	Nathan	Switalski
Corriveau	Johnson	Neumann	Tlaib
Coulouris	Jones, Robert	Roberts	Warren
Cushingberry	Kandrevas	Rocca	Womack
Dean	Kennedy	Schmidt, R.	Young
Donigan	Lahti	Scott, B.	

Nays—47

Agema	Elsenheimer	Kurtz	Pavlov
Amash	Genetski	LeBlanc	Pearce
Ball	Green	Lemmons	Polidori
Bolger	Haines	Lori	Proos
Booher	Hammel	Lund	Rogers
Calley	Hansen	Marleau	Schmidt, W.
Caul	Haveman	McMillin	Schuitmaker
Crawford	Hildenbrand	Meekhof	Scott, P.
Daley	Horn	Meltzer	Stamas
Denby	Jones, Rick	Moore	Tyler
DeShazor	Knollenberg	Moss	Walsh
Durhal	Kowall	Opsommer	

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Rep. Knollenberg, 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:
HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Second Reading of Bills

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.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Insurance,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Denby moved to amend the bill as follows:

1. Amend page 3, following line 18, by inserting:

“(3) AN ACTION UNDER THIS SECTION SHALL NOT BE BROUGHT UNTIL THE INDIVIDUAL HAS FILED A COMPLAINT WITH THE OFFICE OF FINANCIAL AND INSURANCE REGULATION AND EXHAUSTED ALL AVAILABLE ADMINISTRATIVE REMEDIES. IF THE COMMISSIONER HAS FAILED TO ISSUE A FINDING IN THE MATTER WITHIN 120 DAYS OF THE FILING OF THE COMPLAINT, ALL ADMINISTRATIVE REMEDIES WILL BE CONSIDERED EXHAUSTED.” and renumbering the remain subsection.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Lund moved to amend the bill as follows:

1. Amend page 3, following line 18, by inserting:

“(3) IF AN INSURER PREVAILS IN AN ACTION BROUGHT UNDER THIS SECTION, THE COURT SHALL AWARD THE PREVAILING INSURER AN ATTORNEY FEE TO BE PAID BY THE NONPREVAILING PARTY. THE ATTORNEY FEE SHALL BE REASONABLE AND CALCULATED BASED ON AN HOURLY RATE THAT DOES NOT EXCEED A RATE THAT THE COURT CONSIDERS ACCEPTABLE IN THE COMMUNITY IN WHICH THE ATTORNEY PRACTICES LAW. IF UPON THE MOTION OF THE PREVAILING INSURER THE COURT FINDS THAT AN ACTION UNDER THIS SECTION WAS FRIVOLOUS, THE COURT SHALL AWARD TO THE PREVAILING INSURER THE GREATER OF \$10,000.00 OR 3 TIMES THE COSTS AND

FEEs INCURRED BY THAT PARTY IN CONNECTION WITH THE ACTION BY ASSESSING THE COSTS AND FEES AGAINST THE NONPREVAILING PARTY AND THE NONPREVAILING PARTY'S ATTORNEY.

(4) IN ADDITION TO OTHER COSTS AND FEES AWARDED UNDER THIS SECTION, THE COURT MAY IMPOSE AN APPROPRIATE SANCTION ON THE ATTORNEYS, LAW FIRMS, OR PARTIES THAT INITIATED THE ACTION FOUND TO BE FRIVOLOUS. A SANCTION IMPOSED UNDER THIS SUBSECTION SHALL NOT EXCEED AN AMOUNT SUFFICIENT TO DETER THE REPETITION OF THE CONDUCT OR COMPARABLE CONDUCT BY OTHERS SIMILARLY SITUATED." and renumbering the remaining subsection.

2. Amend page 3, line 19, after "SECTION" by striking out the comma and inserting a colon and:

"(A) "FRIVOLOUS" MEANS THAT THE PARTY'S PRIMARY PURPOSE IN INITIATING THE ACTION WAS TO HARASS, EMBARRASS, OR INJURE THE PREVAILING PARTY.

(B)".

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Green moved to amend the bill as follows:

1. Amend page 3, following line 18, by inserting:

"(3) IF, IN AWARDED A REASONABLE ATTORNEY FEE UNDER THIS SECTION, A COURT AWARDS THE ATTORNEY FEE AS A PERCENTAGE OF THE AMOUNT RECOVERED, THE COURT SHALL NOT AWARD AN ATTORNEY FEE THAT IS MORE THAN THE SUM OF THE FOLLOWING:

(A) ONE-THIRD OF THE AMOUNT RECOVERED THAT IS \$100,000.00 OR LESS.

(B) FIFTEEN PERCENT OF ANY AMOUNT RECOVERED THAT IS MORE THAN \$100,000.00 AND THAT IS \$500,000.00 OR LESS.

(C) TEN PERCENT OF ANY AMOUNT RECOVERED THAT IS MORE THAN \$500,000.00." and renumbering the remaining subsection.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Haveman moved to amend the bill as follows:

1. Amend page 1, line 3, by striking out "**HAS**" and inserting "**AND AN ATTORNEY HAVE**".

2. Amend page 1, line 4, after "**INSURER**" by inserting "**OR AN ATTORNEY**".

3. Amend page 3, line 17, after "**INSURER**" by inserting "**OR ATTORNEY**".

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 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.

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

Roll Call No. 380

Yeas—61

Angerer	Ebli	Lemmons	Scott, B.
Barnett	Espinoza	Lindberg	Scripps
Bauer	Geiss	Lipton	Segal
Bledsoe	Gonzales	Liss	Sheltrown
Brown, L.	Gregory	Mayer	Simpson
Brown, T.	Griffin	McDowell	Slavens
Byrnes	Haase	Meadows	Slezak
Byrum	Haugh	Melton	Smith
Clemente	Huckleberry	Miller	Spade

Constan	Jackson	Nathan	Stanley
Corriveau	Johnson	Neumann	Switalski
Coulouris	Jones, Robert	Polidori	Tlaib
Cushingberry	Kandrevas	Roberts	Warren
Dean	Kennedy	Rocca	Womack
Donigan	Leland	Schmidt, R.	Young
Durhal			

Nays—45

Agema	Genetski	Kurtz	Opsommer
Amash	Green	Lahti	Pavlov
Ball	Haines	LeBlanc	Pearce
Bolger	Hammel	Lori	Proos
Booher	Hansen	Lund	Rogers
Calley	Haveman	Marleau	Schmidt, W.
Caul	Hildenbrand	McMillin	Schuitmaker
Crawford	Horn	Meekhof	Scott, P.
Daley	Jones, Rick	Meltzer	Stamas
Denby	Knollenberg	Moore	Tyler
DeShazor	Kowall	Moss	Walsh
Elsenheimer			

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Rep. Knollenberg, 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:
HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

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

“Mr. Speaker and members of the House:

Many of these bills, including this one, are tie barred to bad legislation. They should be voted on based on their own merit.”

Second Reading of Bills

House Bill No. 5144, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2035.

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

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

Rep. Haveman moved to amend the bill as follows:

1. Amend page 1, line 2, after the first “ACT” by inserting “OR A FULL-TIME OR PART-TIME EMPLOYEE OF AN ATTORNEY OR LAW FIRM”.

2. Amend page 1, line 3, after “INSURANCE” by inserting “OR LAW”.

3. Amend page 1, line 5, after the second “THE” by inserting “INSURER”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5144, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2035.

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

Roll Call No. 381**Yeas—63**

Angerer	Ebli	Leland	Scott, B.
Barnett	Espinoza	Lemmons	Scripps
Bauer	Geiss	Lindberg	Segal
Bledsoe	Gonzales	Lipton	Sheltrown
Brown, L.	Gregory	Liss	Simpson
Brown, T.	Griffin	Mayes	Slavens
Byrnes	Haase	McDowell	Slezak
Byrum	Hammel	Meadows	Smith
Clemente	Haugh	Melton	Spade
Constan	Huckleberry	Miller	Stanley
Corriveau	Jackson	Nathan	Switalski
Coulouris	Johnson	Neumann	Tlaib
Cushingberry	Jones, Robert	Polidori	Warren
Dean	Kandrevas	Roberts	Womack
Donigan	Kennedy	Rocca	Young
Durhal	LeBlanc	Schmidt, R.	

Nays—43

Agema	Elsenheimer	Kurtz	Pavlov
Amash	Genetski	Lahti	Pearce
Ball	Green	Lori	Proos
Bolger	Haines	Lund	Rogers
Booher	Hansen	Marleau	Schmidt, W.
Calley	Haveman	McMillin	Schuitmaker
Caul	Hildenbrand	Meekhof	Scott, P.
Crawford	Horn	Meltzer	Stamas
Daley	Jones, Rick	Moore	Tyler
Denby	Knollenberg	Moss	Walsh
DeShazor	Kowall	Opsommer	

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Rep. Knollenberg, 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:

HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

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

“Mr. Speaker and members of the House:

This is another bill tie barred to bad bills. The concept is good but the other bills are not.”

Second Reading of Bills

House Bill No. 5145, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2026c.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Insurance,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Lund moved to amend the bill as follows:

1. Amend page 1, following line 5, by inserting:

“(2) IF A VIOLATION BY AN ATTORNEY OR LAW FIRM IS THE SECOND OR A SUBSEQUENT VIOLATION OF THIS ACT BY THE ATTORNEY OR LAW FIRM, AFTER NOTICE AND AN OPPORTUNITY FOR A HEARING AND ON ORDER OF THE COMMISSIONER, THE ATTORNEY OR LAW FIRM IS SUBJECT TO AN ADMINISTRATIVE FINE OF \$1,000,000.00.” and renumbering the remaining subsection.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Huckleberry moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5145, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2026c.

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

Roll Call No. 382

Yeas—60

Angerer	Ebli	Lemmons	Scott, B.
Barnett	Espinoza	Lindberg	Scripps
Bledsoe	Geiss	Lipton	Segal
Brown, L.	Gonzales	Liss	Sheltrown
Brown, T.	Gregory	Mayes	Simpson
Byrnes	Haase	McDowell	Slavens
Byrum	Haugh	Meadows	Slezak
Clemente	Huckleberry	Melton	Smith
Constan	Jackson	Miller	Spade
Corriveau	Johnson	Nathan	Stanley
Coulouris	Jones, Robert	Neumann	Switalski
Cushingberry	Kandrevas	Polidori	Tlaib
Dean	Kennedy	Roberts	Warren
Donigan	Lahti	Rocca	Womack
Durhal	Leland	Schmidt, R.	Young

Nays—46

Agema	Elsenheimer	Kowall	Opsommer
Amash	Genetski	Kurtz	Pavlov
Ball	Green	LeBlanc	Pearce
Bauer	Griffin	Lori	Proos
Bolger	Haines	Lund	Rogers
Booher	Hammel	Marleau	Schmidt, W.
Calley	Hansen	McMillin	Schuitmaker
Caul	Haveman	Meekhof	Scott, P.
Crawford	Hildenbrand	Meltzer	Stamas
Daley	Horn	Moore	Tyler
Denby	Jones, Rick	Moss	Walsh
DeShazor	Knollenberg		

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Rep. Knollenberg, 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:

HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

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I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Second Reading of Bills

House Bill No. 5146, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2027b.

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

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

Rep. Lund moved to amend the bill as follows:

1. Amend page 2, following line 6, by inserting:

“(3) IF AN INSURER PREVAILS IN AN ACTION BROUGHT UNDER THIS SECTION, THE COURT SHALL AWARD THE PREVAILING INSURER AN ATTORNEY FEE TO BE PAID BY THE NONPREVAILING PARTY. THE ATTORNEY FEE SHALL BE REASONABLE AND CALCULATED BASED ON AN HOURLY RATE THAT DOES NOT EXCEED A RATE THAT THE COURT CONSIDERS ACCEPTABLE IN THE COMMUNITY IN WHICH THE ATTORNEY PRACTICES LAW. IF UPON THE MOTION OF THE PREVAILING INSURER THE COURT FINDS THAT AN ACTION UNDER THIS SECTION WAS FRIVOLOUS, THE COURT SHALL AWARD TO THE PREVAILING INSURER THE GREATER OF \$10,000.00 OR 3 TIMES THE COSTS AND FEES INCURRED BY THAT PARTY IN CONNECTION WITH THE ACTION BY ASSESSING THE COSTS AND FEES AGAINST THE NONPREVAILING PARTY AND THE NONPREVAILING PARTY’S ATTORNEY.

(4) IN ADDITION TO OTHER COSTS AND FEES AWARDED UNDER THIS SECTION, THE COURT MAY IMPOSE AN APPROPRIATE SANCTION ON THE ATTORNEYS, LAW FIRMS, OR PARTIES THAT INITIATED THE ACTION FOUND TO BE FRIVOLOUS. A SANCTION IMPOSED UNDER THIS SUBSECTION SHALL NOT EXCEED AN AMOUNT SUFFICIENT TO DETER THE REPETITION OF THE CONDUCT OR COMPARABLE CONDUCT BY OTHERS SIMILARLY SITUATED.” and renumbering the remaining subsection.

2. Amend page 2, line 7, after “SECTION” by striking out the comma and inserting a colon and:

“(A) “FRIVOLOUS” MEANS THAT THE PARTY’S PRIMARY PURPOSE IN INITIATING THE ACTION WAS TO HARASS, EMBARRASS, OR INJURE THE PREVAILING PARTY.

(B)”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5146, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2027b.

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

Roll Call No. 383

Yeas—60

Angerer	Durhal	Lemmons	Scott, B.
Barnett	Ebli	Lindberg	Scripps
Bauer	Espinoza	Lipton	Segal
Bledsoe	Geiss	Liss	Sheltrown
Brown, L.	Gonzales	Mayes	Simpson
Brown, T.	Gregory	McDowell	Slavens
Byrnes	Haase	Meadows	Slezak
Byrum	Haugh	Melton	Smith
Clemente	Huckleberry	Miller	Spade
Constan	Jackson	Nathan	Stanley
Corriveau	Johnson	Neumann	Switalski
Coulouris	Jones, Robert	Polidori	Tlaib
Cushingberry	Kandrevas	Roberts	Warren
Dean	Kennedy	Rocca	Womack
Donigan	Leland	Schmidt, R.	Young

Nays—45

Agema	Genetski	Kurtz	Opsommer
Amash	Green	Lahti	Pavlov

Ball	Haines	LeBlanc	Pearce
Bolger	Hammel	Lori	Proos
Booher	Hansen	Lund	Rogers
Calley	Haveman	Marleau	Schmidt, W.
Caul	Hildenbrand	McMillin	Schuitmaker
Crawford	Horn	Meekhof	Scott, P.
Daley	Jones, Rick	Meltzer	Stamas
Denby	Knollenberg	Moore	Tyler
DeShazor	Kowall	Moss	Walsh
Elsenheimer			

In The Chair: Byrnes

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

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

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2027d.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

"Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan's insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan's insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time."

Rep. Knollenberg, 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:

HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan's insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan's insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time."

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

"Mr. Speaker and members of the House:

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan's insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan's insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support."

Second Reading of Bills

House Bill No. 5147, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2026b.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Insurance,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Denby moved to amend the bill as follows:

1. Amend page 1, line 1, after "SEC. 2026B." by inserting "(1)".
2. Amend page 1, following line 7, by inserting:

"(2) AN ATTORNEY AND ANY PARTNER OF THE ATTORNEY WHO KNOWINGLY CREATES, FOSTERS, OR ENCOURAGES THE SYSTEMIC PROSECUTION OF FRIVOLOUS ACTIONS AGAINST AN INSURER IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR UP TO 4 YEARS OR A FINE OF NOT MORE THAN \$50,000.00, OR BOTH.

(3) FOR PURPOSES OF THIS SECTION, "FRIVOLOUS" MEANS THAT THE PARTY'S PRIMARY PURPOSE IN INITIATING THE ACTION WAS TO HARASS, EMBARRASS, OR INJURE THE PREVAILING PARTY."

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5147, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2026b.

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

Roll Call No. 384

Yeas—57

Angerer	Espinoza	Lindberg	Scripps
Barnett	Geiss	Lipton	Segal
Brown, L.	Gonzales	Liss	Sheltrown
Brown, T.	Gregory	Mayer	Simpson
Byrnes	Haase	McDowell	Slavens
Byrum	Haugh	Meadows	Slezak
Clemente	Huckleberry	Melton	Smith
Constan	Jackson	Miller	Spade
Corriveau	Johnson	Nathan	Stanley
Coulouris	Jones, Robert	Polidori	Switalski
Cushingberry	Kandrevas	Roberts	Tlaib
Dean	Kennedy	Rocca	Warren
Donigan	Leland	Schmidt, R.	Womack
Durhal	Lemmons	Scott, B.	Young
Ebli			

Nays—49

Agema	Elsenheimer	Kowall	Neumann
Amash	Genetski	Kurtz	Opsommer
Ball	Green	Lahti	Pavlov
Bauer	Griffin	LeBlanc	Pearce
Bledsoe	Haines	Lori	Proos
Bolger	Hammel	Lund	Rogers
Booher	Hansen	Marleau	Schmidt, W.
Calley	Haveman	McMillin	Schuitmaker
Caul	Hildenbrand	Meekhof	Scott, P.
Crawford	Horn	Meltzer	Stamas
Daley	Jones, Rick	Moore	Tyler
Denby	Knollenberg	Moss	Walsh
DeShazor			

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Rep. Knollenberg, 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:

HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Second Reading of Bills

House Bill No. 5148, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15a of chapter XVII (MCL 777.15a), as added by 2002 PA 206.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Insurance,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Denby moved to amend the bill as follows:

1. Amend page 2, line 2, by striking out “**500.2026B**” and inserting “**500.2026B(1)**”.

2. Amend page 2, following line 2, by inserting:

“**500.2026B(2)** **PUB TRST** **F** **ATTORNEY AND ANY PARTNER OF
THE ATTORNEY RESPONSIBLE
FOR FRIVOLOUS INSURANCE
ACTION** **4**”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5148, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15a of chapter XVII (MCL 777.15a), as added by 2002 PA 206.

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

Roll Call No. 385

Yeas—57

Angerer	Espinoza	Lindberg	Scripps
Barnett	Geiss	Lipton	Segal
Brown, L.	Gonzales	Liss	Sheltrown
Brown, T.	Gregory	Mayes	Simpson
Byrnes	Haase	McDowell	Slavens
Byrum	Haugh	Meadows	Slezak
Clemente	Huckleberry	Melton	Smith
Constan	Jackson	Miller	Spade
Corriveau	Johnson	Nathan	Stanley
Coulouris	Jones, Robert	Polidori	Switalski
Cushingberry	Kandrevas	Roberts	Tlaib
Dean	Kennedy	Rocca	Warren
Donigan	Leland	Schmidt, R.	Womack
Durhal	Lemmons	Scott, B.	Young
Ebli			

Nays—49

Agema	Elsenheimer	Kowall	Neumann
Amash	Genetski	Kurtz	Opsommer
Ball	Green	Lahti	Pavlov
Bauer	Griffin	LeBlanc	Pearce
Bledsoe	Haines	Lori	Proos
Bolger	Hammel	Lund	Rogers
Booher	Hansen	Marleau	Schmidt, W.
Calley	Haveman	McMillin	Schuitmaker
Caul	Hildenbrand	Meekhof	Scott, P.
Crawford	Horn	Meltzer	Stamas
Daley	Jones, Rick	Moore	Tyler

Denby
DeShazor

Knollenberg

Moss

Walsh

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Rep. Knollenberg, 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:

HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan’s insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan’s insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

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I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time.”

Second Reading of Bills

House Bill No. 4995, entitled

A bill to require all official depictions of the state of Michigan to include both peninsulas of the state.
The bill was read a second time.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4995, entitled

A bill to require all official depictions of the state of Michigan to include both peninsulas of the state.

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

Roll Call No. 386

Yeas—106

Agema	Ebli	Lahti	Proos
Amash	Elsenheimer	LeBlanc	Roberts
Angerer	Espinoza	Leland	Rocca
Ball	Geiss	Lemmons	Rogers
Barnett	Genetski	Lindberg	Schmidt, R.
Bauer	Gonzales	Lipton	Schmidt, W.
Bledsoe	Green	Liss	Schuitmaker
Bolger	Gregory	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	Neumann	Tyler
Dean	Kandreas	Opsommer	Walsh
Denby	Kennedy	Pavlov	Warren
DeShazor	Knollenberg	Pearce	Womack
Donigan	Kowall	Polidori	Young
Durhal	Kurtz		

Nays—0

The House agreed to the title of the bill.
Rep. Angerer 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. 5150, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2027a.

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

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

Rep. Denby moved to amend the bill as follows:

1. Amend page 1, line 6, after "INSURER." by inserting "AN ACTION UNDER THIS SECTION SHALL NOT BE BROUGHT UNTIL THE INDIVIDUAL HAS FILED A COMPLAINT WITH THE OFFICE OF FINANCIAL AND INSURANCE REGULATION AND EXHAUSTED ALL AVAILABLE ADMINISTRATIVE REMEDIES. IF THE COMMISSIONER HAS FAILED TO ISSUE A FINDING IN THE MATTER WITHIN 120 DAYS OF THE FILING OF THE COMPLAINT, ALL ADMINISTRATIVE REMEDIES WILL BE CONSIDERED EXHAUSTED."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Lund moved to amend the bill as follows:

1. Amend page 1, following line 6, by inserting:

"(2) IF AN INSURER PREVAILS IN AN ACTION BROUGHT UNDER THIS SECTION, THE COURT SHALL AWARD THE PREVAILING INSURER AN ATTORNEY FEE TO BE PAID BY THE NONPREVAILING PARTY. THE ATTORNEY FEE SHALL BE REASONABLE AND CALCULATED BASED ON AN HOURLY RATE THAT DOES NOT EXCEED A RATE THAT THE COURT CONSIDERS ACCEPTABLE IN THE COMMUNITY IN WHICH THE ATTORNEY PRACTICES LAW. IF UPON THE MOTION OF THE PREVAILING INSURER THE COURT FINDS THAT AN ACTION UNDER THIS SECTION WAS FRIVOLOUS, THE COURT SHALL AWARD TO THE PREVAILING INSURER THE GREATER OF \$10,000.00 OR 3 TIMES THE COSTS AND FEES INCURRED BY THAT PARTY IN CONNECTION WITH THE ACTION BY ASSESSING THE COSTS AND FEES AGAINST THE NONPREVAILING PARTY AND THE NONPREVAILING PARTY'S ATTORNEY.

(3) IN ADDITION TO OTHER COSTS AND FEES AWARDED UNDER THIS SECTION, THE COURT MAY IMPOSE AN APPROPRIATE SANCTION ON THE ATTORNEYS, LAW FIRMS, OR PARTIES THAT INITIATED THE ACTION FOUND TO BE FRIVOLOUS. A SANCTION IMPOSED UNDER THIS SUBSECTION SHALL NOT EXCEED AN AMOUNT SUFFICIENT TO DETER THE REPETITION OF THE CONDUCT OR COMPARABLE CONDUCT BY OTHERS SIMILARLY SITUATED." and renumbering the remaining subsection.

2. Amend page 1, line 7, after "SECTION" by striking out the comma and inserting a colon and:

"(A) "FRIVOLOUS" MEANS THAT THE PARTY'S PRIMARY PURPOSE IN INITIATING THE ACTION WAS TO HARASS, EMBARRASS, OR INJURE THE PREVAILING PARTY.

(B)".

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5150, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2027a.

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

Roll Call No. 387**Yeas—62**

Angerer	Ebli	Lemmons	Scott, B.
Barnett	Espinoza	Lindberg	Scripps
Bauer	Geiss	Lipton	Segal
Bledsoe	Gonzales	Liss	Sheltrown
Brown, L.	Gregory	Mayes	Simpson
Brown, T.	Griffin	McDowell	Slavens
Byrnes	Haase	Meadows	Slezak
Byrum	Haugh	Melton	Smith
Clemente	Huckleberry	Miller	Spade
Constan	Jackson	Nathan	Stanley
Corriveau	Johnson	Neumann	Switalski
Coulouris	Jones, Robert	Polidori	Tlaib
Cushingberry	Kandrevas	Roberts	Warren
Dean	Kennedy	Rocca	Womack
Donigan	Lahti	Schmidt, R.	Young
Durhal	Leland		

Nays—44

Agema	Elsenheimer	Kowall	Opsommer
Amash	Genetski	Kurtz	Pavlov
Ball	Green	LeBlanc	Pearce
Bolger	Haines	Lori	Proos
Booher	Hammel	Lund	Rogers
Calley	Hansen	Marleau	Schmidt, W.
Caul	Haveman	McMillin	Schuitmaker
Crawford	Hildenbrand	Meekhof	Scott, P.
Daley	Horn	Meltzer	Stamas
Denby	Jones, Rick	Moore	Tyler
DeShazor	Knollenberg	Moss	Walsh

In The Chair: Byrnes

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

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

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2027c.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan's insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan's insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time."

Rep. Knollenberg, 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:

HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan's insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan's insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time."

Second Reading of Bills

House Bill No. 5151, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2090a.

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

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

Rep. Green moved to amend the bill as follows:

1. Amend page 2, following line 6, by inserting:

"(3) IF, IN AWARDING A REASONABLE ATTORNEY FEE UNDER THIS SECTION, A COURT AWARDS THE ATTORNEY FEE AS A PERCENTAGE OF THE AMOUNT RECOVERED, THE COURT SHALL NOT AWARD AN ATTORNEY FEE THAT IS MORE THAN THE SUM OF THE FOLLOWING:

(A) ONE-THIRD OF THE AMOUNT RECOVERED THAT IS \$100,000.00 OR LESS.

(B) FIFTEEN PERCENT OF ANY AMOUNT RECOVERED THAT IS MORE THAN \$100,000.00 AND THAT IS \$500,000.00 OR LESS.

(C) TEN PERCENT OF ANY AMOUNT RECOVERED THAT IS MORE THAN \$500,000.00." and renumbering the remaining subsection.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Green moved to amend the bill as follows:

1. Amend page 1, line 1, after “**COMMISSIONER**” by striking out “**OR A COURT**”.

2. Amend page 2, line 1, by striking out all of subsection (2) and renumbering the remaining subsection.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5151, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2090a.

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

Roll Call No. 388

Yeas—61

Angerer	Ebli	Lemmons	Scott, B.
Barnett	Espinoza	Lindberg	Scripps
Bauer	Geiss	Lipton	Segal
Bledsoe	Gonzales	Liss	Sheltrown
Brown, L.	Gregory	Mayes	Simpson
Brown, T.	Griffin	McDowell	Slavens
Byrnes	Haase	Meadows	Slezak
Byrum	Haugh	Melton	Smith
Clemente	Huckleberry	Miller	Spade
Constan	Jackson	Nathan	Stanley
Corriveau	Johnson	Neumann	Switalski
Coulouris	Jones, Robert	Polidori	Tlaib
Cushingberry	Kandrevas	Roberts	Warren
Dean	Kennedy	Rocca	Womack
Donigan	Leland	Schmidt, R.	Young
Durhal			

Nays—45

Agema	Genetski	Kurtz	Opsommer
Amash	Green	Lahti	Pavlov
Ball	Haines	LeBlanc	Pearce
Bolger	Hammel	Lori	Proos
Booher	Hansen	Lund	Rogers
Calley	Haveman	Marleau	Schmidt, W.
Caul	Hildenbrand	McMillin	Schuitmaker
Crawford	Horn	Meekhof	Scott, P.
Daley	Jones, Rick	Meltzer	Stamas
Denby	Knollenberg	Moore	Tyler
DeShazor	Kowall	Moss	Walsh
Elsenheimer			

In The Chair: Byrnes

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

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

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2027b.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

"Mr. Speaker and members of the House:

No Vote Explanation

HB 4244/ 4844/ 4846/ 5020/ 5144-5151 (Dem insurance bills)

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan's insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan's insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

Republican lawmakers offered an amendment to allow courts to penalize lawyers who bring frivolous lawsuits, but the amendment was shot down.

The insurance industry is one of the few sectors that is growing in Michigan, with more than 55,000 insurance-related jobs in the state. We should be looking for ways to attract more of these jobs to our state, not needlessly attacking the honesty and integrity of our friends and neighbors who work in this growing industry just because it plays well politically.

I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time."

Rep. Knollenberg, 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:

HB 4244/ 4844/ 4846/ 5020/ 5144-5151

These so-called reform bills look good on the surface, but in reality they will allow lengthy and expensive lawsuits regardless of whether they are based on merit, which will increase insurance rates, drive good-paying jobs out of state and line the pockets of trial lawyers at the expense of Michigan consumers.

Michigan's insurance code already provides substantial penalties for insurance companies that unfairly deny or delay claims, which the state insurance commissioner already has the power to enforce. Of the more than one million insurance claims filed last year, barely 1,500 complaints were filed with Michigan's insurance regulatory arm. This means there was a dispute in only 0.15 percent of cases, significantly less than 1 percent.

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I also take issue with the way Democrat lawmakers rammed this legislation through committee. Representatives of the insurance industry were not allowed to rebut most of the witnesses, including one person brought in to testify about horrific treatment by insurance companies who was later found to have served time in jail for committing insurance fraud.

For these reasons I cannot support these bills at this time."

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Angerer moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that when the House adjourns today it stand adjourned until Wednesday, August 26, at 1:30 p.m. The motion prevailed.

Reps. McMillin, Genetski and Horn offered the following resolution:

House Resolution No. 132.

A resolution to memorialize the United States Senate to oppose the ratification of the United Nations Convention on the Rights of the Child.

Whereas, For nearly 20 years, there has been debate across the country concerning the United Nations Convention on the Rights of the Child. In spite of this span of time, a great deal of misunderstanding exists with regard to this treaty; and

Whereas, As some people promote the United States' ratification of this measure, it is essential to recognize the threat that adopting the convention could present to the sovereignty of the United States. The unique network of legal jurisdictions and rights among individual citizens, the states, and the federal government make the approval of the U.N. treaty a more complex challenge than appears at the surface; and

Whereas, Many are concerned that the provisions included in the Convention on the Rights of the Child could imperil long-cherished rights of Americans to freedom of thought, conscience, and religion. Decisions long made by families for the well-being of their children, including those pertaining to discipline and religious education, could be subject to an international body. This would not only intrude on family life, but also supercede the authorities assured for the states under the United States Constitution; and

Whereas, It is also important to make sure the emotions surrounding the serious matter of protecting children do not obscure the fact that a treaty itself can do little help the children of the world most in need of care and protection. The long-acknowledged frustrations the United Nations experiences with enforcing its initiatives demonstrate that this treaty itself can do little to protect children; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Senate to oppose the ratification of the United Nations Convention on the Rights of the Child; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Families and Children's Services.

Reps. Byrum, Constan, Dean, Denby, Durhal, Gonzales, Horn, LeBlanc, Lemmons, Lori, Pearce, Polidori, Proos, Switalski, Barnett and Neumann offered the following resolution:

House Resolution No. 133.

A resolution recognizing September 2009 as Life Insurance Awareness Month in the state of Michigan.

Whereas, The vast majority of Americans recognize that life insurance helps safeguard their families' financial security. Today, nearly 80 percent of U.S. households have some form of life insurance coverage; and

Whereas, In the years 2004 through 2008, a majority of state governors signed proclamations recognizing September as Life Insurance Awareness Month; and

Whereas, Life insurance owned by individuals and businesses provides much needed income replacement to spouses and families who have lost loved ones whose income they relied upon for sustenance and economic well-being; and

Whereas, Nearly 68 million Americans say they lack the life insurance coverage needed to ensure a secure financial future for their loved ones; and

Whereas, Life insurance tools, such as wealth transfer, estate tax equity and estate planning, help provide economic stability and security for families throughout Michigan; and

Whereas, Life insurance usually pays for burial costs, unpaid medical fees and other unexpected expenses related to fatal illnesses, injuries and death; and

Whereas, The Life and Health Insurance Foundation for Education (LIFE), the National Association of Insurance and Financial Advisors (NAIFA) and a coalition representing hundreds of leading life insurance companies and organizations have designated September 2009 as "Life Insurance Awareness Month." Their goal is to make consumers more aware

of their life insurance needs, encourage them to seek professional advice and take the actions necessary to achieve the financial security of their loved ones; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognizes September 2009 as Life Insurance Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Polidori, Constan, Dean, Durhal, Gonzales, LeBlanc, Lemmons, Liss, Roberts, Spade, Barnett and Neumann offered the following resolution:

House Resolution No. 134.

A resolution to memorialize Congress to enact the Social Security Fairness Act to rectify inequities in Social Security for certain public service workers.

Whereas, In 1977 and 1983, Congress enacted legislation designed to eliminate what was perceived to be an unfair advantage for certain public service employees who also were eligible for pension benefits for private sector work not covered under the Social Security system. The formula put in place to address this perceived advantage, however, has ended up imposing a significant penalty because it does not consider fully the wages some of these employees have earned and made payroll contributions for during their employment. This inequity is compounded for some people when they attempt to receive spousal benefits after their spouse dies; and

Whereas, The group of workers caught in this inadvertent situation includes first responders, police officers, fire fighters, postal workers, and some federal employees. It is estimated that as many as 1.5 million people are unfairly impacted by the Government Pension Offset and the Windfall Elimination Provision, the measures that created this problem; and

Whereas, In addition to the devastating impact on retirees who in some cases receive only 40 percent of the benefits they have rightfully earned, the continuation of this injustice could discourage people from pursuing jobs in fields that are important to our safety and our children. Legislation pending before Congress, the Social Security Fairness Act, seeks to correct this problem; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to enact the Social Security Fairness Act to rectify inequities in Social Security for certain public service workers; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Labor.

Reps. Knollenberg, Crawford, DeShazor, Durhal, Genetski, Haines, Horn, LeBlanc, Liss, Lori, McMillin, Moss, Pearce, Proos, Rocca, Tyler and Barnett offered the following resolution:

House Resolution No. 135.

A resolution to urge President Obama to grant Michigan a waiver from federal matching requirements for federal-aid highway projects.

Whereas, The condition of Michigan's roads and infrastructure is deteriorating rapidly as dollars for construction and improvements dwindle. The Michigan Asset Management Council reports that the percentage of roads in poor condition increased from 25 percent in 2007 to 32 percent in 2008. This represents more than 17,378 lane miles of federal-aid-eligible roads. The costs of this continued deterioration are significant. In 2004, it would have cost about \$3.7 billion to bring all poor and fair federal-aid roads up to a good rating. Four years later, it would have cost \$7.2 billion, almost double what it would have cost in 2004. This represents \$3.5 billion in lost value of our road assets. Allowing this trend to continue will have significant financial and economic effects on the state economy, which has been mired in a recession since 2002; and

Whereas, Michigan is facing a crisis in infrastructure funding exacerbated by rising inflation in materials costs and a decline in fuel tax revenue due to spikes in gas prices, reduced travel, improvements in gas mileage, and the slow economy. Last year, Governor Granholm's Transportation Funding Task Force recommended raising transportation-related taxes and fees by over \$3 billion. If not, the Michigan Department of Transportation will lose almost \$600 million in federal aid beginning in 2011, and \$1.9 billion between 2011 and 2013. Losing those funds would greatly reduce highway improvement projects and cost the state an estimated 17,000 jobs; and

Whereas, Since the mid-1950s, when the interstate highway system was created, Michigan has been a "donor" state for transportation dollars, contributing a greater proportionate share to the Federal Highway Trust Fund than the share of federal transportation funds returned to Michigan. Currently, Michigan receives 92 percent of the share of the federal tax revenue that the state generates; and

Whereas, Granting Michigan a waiver from the federal matching requirement, much like the Obama Administration provided to every state under the American Recovery and Reinvestment Act of 2009, would help to alleviate the need for

massive fuel and vehicle registration fee increases, act to stimulate the economy, and further diversify the state economy by attracting new businesses; now, therefore, be it

Resolved by the House of Representatives, That we urge President Obama to grant Michigan a waiver from federal matching requirements for federal-aid highway projects; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the United States Department of Transportation, and members of the Michigan congressional delegation.

The resolution was referred to the Committee on Transportation.

Reps. Polidori, Constan, Dean, Durhal, Gonzales, Rick Jones, Kandrevas, LeBlanc, Lemmons, Liss, Miller, Moss, Pearce, Roberts, Spade, Tlaib, Neumann and Knollenberg offered the following resolution:

House Resolution No. 136.

A resolution wishing Muslims in Michigan and beyond a happy and meaningful observance of Ramadan, a month of reflection and prayer.

Whereas, Muslims, who make up nearly 1.5 billion people worldwide and nearly 300,000 in the United States, have observed the holy month of Ramadan; and

Whereas, This month is observed in celebration of the Islamic faith and in commemoration of the month in which the Muslim holy book, the Koran, was revealed to Muhammad; and

Whereas, Muslims around the world will observe Ramadan by refraining from food, drink, and other activities during daylight hours; and

Whereas, Muslims spend this time in reflection and prayer, while strengthening the bonds of family and friendship; and

Whereas, This month of sacrifice and contemplation begins Thursday, August 20, at sunset and continues through Saturday, September 19, with Eid al-Fitr, a day of joyous celebration; now, therefore, be it

Resolved by House of Representatives, That the members of this legislative body extend its warmest wishes to Muslims in Michigan and beyond on the observance of Ramadan and then the celebration of Eid al-Fitr, when we will wish our Muslim friends and neighbors *Eid Mubarak!*

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. DeShazor, Crawford, Dean, Denby, Durhal, Genetski, Haines, Rick Jones, LeBlanc, Liss, Lori, Pearce, Proos, Rocca, Barnett, Bolger, Neumann, Ball and Knollenberg offered the following resolution:

House Resolution No. 137.

A resolution to memorialize Congress and the President to increase Michigan's share of stimulus funding for transportation.

Whereas, The condition of Michigan's roads and infrastructure is deteriorating rapidly as dollars for construction and improvements dwindle. The crisis in infrastructure funding is exacerbated by rising inflation in materials costs and a decline in fuel tax revenue due to spikes in gas prices, reduced travel, improvements in gas mileage, and the slow economy; and

Whereas, The Michigan Asset Management Council reports that the percentage of roads in poor condition has increased from 25 percent in 2007 to 32 percent in 2008. This represents more than 17,378 lane miles of federal-aid-eligible roads. The costs of this continued deterioration are significant. In 2004, it would have cost about \$3.7 billion to bring all poor and fair federal-aid roads up to a good rating. Four years later, it would have cost \$7.2 billion, almost double. This represents \$3.5 billion in lost value of our road assets. Allowing this trend to continue will have significant financial and economic effects on the state economy, which has been mired in a recession since 2002; and

Whereas, Michigan's heavy reliance on highway travel results in a higher relative federal motor fuel tax burden and also demonstrates our equal or greater need for federal highway dollars to repair our potholed highways and crumbling bridges. For several decades, Michigan has been a "donor" state, contributing a significantly greater proportionate share to the Federal Highway Trust Fund than the share of federal transportation funds returned to Michigan. Currently, Michigan receives only about 92 percent of the share of the federal tax revenue that the state generates which creates a serious financial and safety challenge for the state; and

Whereas, According to the *Wall Street Journal*, Michigan ranks forty-sixth in per capita transportation stimulus funding. This seems out of line with our nation-leading unemployment rate and history of benefiting other states at our expense. Michigan's beleaguered businesses and citizens, as well as its visitors, would benefit enormously if Michigan were to receive a greater share of federal highway stimulus funding. Even as the economy calls for more careful public expenditures, an increase in transportation funding would help Michigan's manufacturing, commercial, and tourism industries and bring greater fairness to the issue of transportation spending; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress and the President to increase Michigan's share of stimulus funding for transportation; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Transportation.

Reps. Miller, Constan, Dean, Durhal, Gonzales, LeBlanc, Lemmons, Liss, Polidori, Roberts, Switalski, Barnett and Neumann offered the following resolution:

House Resolution No. 138.

A resolution to affirm the right of workers to bargain collectively in their labor contracts for wages, working conditions, and benefits, and, in particular, health benefits.

Whereas, Collective bargaining is a triumph of the labor movement—one won through the valiant efforts of countless numbers of working men and women who literally gave life and limb for the right to organize and bargain collectively. Clearly, collective bargaining set the stage for a working middle class and a host of social, safety, and environmental reforms that led us out of the Great Depression, prepared us for the challenges of World War II, and led us into the postwar boom and beyond; and

Whereas, The benefits of collective bargaining contributed to much of the social and economic progress of the Twentieth Century. The bargaining table allowed a more cooperative and deliberative process to resolve labor issues and achieve mutually beneficial labor agreements. Indeed, as heralded by the Rolling Stones; “You can't always get what you want; And if you try sometime you find; You get what you need” aptly applies to a collective bargaining process designed to achieve win-win results; and

Whereas, In recent years, however, some have criticized the collective bargaining process as a dinosaur of the past, one ill-suited to the new world economy. These are typically corporate-inspired attacks especially targeted to those naively unaware of the connection between collective bargaining and the many rights and privileges of the modern workplace. These attacks are frequently directed toward benefits, and, in particular, health benefits. In the spirit of those who won the right of collective bargaining, it is time to end these divisive tactics and reaffirm the right of workers to organize and bargain collectively; now, therefore, be it

Resolved by the House of Representatives, That we hereby affirm the right of workers to bargain collectively in their labor contracts for wages, working conditions, and benefits, and, in particular, health benefits; and be it further

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

The resolution was referred to the Committee on Labor.

Reps. Byrum, Constan, Dean, DeShazor, Durhal, Gonzales, Rick Jones, LeBlanc, Lemmons, Moss, Pearce, Proos, Spade, Switalski, Barnett and Neumann offered the following resolution:

House Resolution No. 139.

A resolution proclaiming September 2009 as Safe Sleep Awareness Month in the state of Michigan.

Whereas, Sudden infant death syndrome (SIDS) is the leading cause of death in infants between one month and one year of age; and

Whereas, The risk factors for sudden infant death syndrome can be mitigated by reducing the baby's exposure to smoke and unsafe sleep practices; and

Whereas, Many parents are unaware of the dangers of SIDS. Babies are needlessly dying because they are put to sleep in environments that are not safe. These include: couches and adult beds, sleep areas with other children, adults or pets pillows, blankets, and adult beds or children's cribs with stuffed animals or other toys; and

Whereas, There are seven simple, inexpensive steps one should take to ensure babies sleep in a safe environment. These steps are: the baby always sleeps alone in a crib; the baby sleeps on his or her back; there is nothing in the baby's sleep area; the baby's face is uncovered; there is no smoking around the baby; the baby is not overheated or overdressed; the baby must sleep on a firm mattress with a tight-fitting sheet; and

Whereas, A broader understanding of safe sleep practices by parents in the state of Michigan will help prevent the nearly 8 babies who die out of 1,000 live births before their first birthday; now, therefore be it

Resolved by the House of Representatives, That the members of this legislative body proclaim the month of September 2009 to be Safe Sleep Awareness Month in the state of Michigan. We aim to promote awareness of safe sleep practices; and be it further

Resolved, That Michigan's hospitals are encouraged to instruct safe sleep practices to all new parents in order to prevent unsafe sleep environments and reduce infant deaths because of unsafe sleep; and be it further

Resolved, That copies of this resolution be transmitted to Tomorrow's Child as a token of our thanks for helping raise awareness of safe sleep practices and providing support to families who have lost a baby.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Rick Jones, Bauer, Denby, Durhal, Genetski, Horn, LeBlanc, Lori, Moss, Opsommer, Pearce, Proos, Barnett, Bolger, Neumann, Ball and Knollenberg offered the following resolution:

House Resolution No. 140.

A resolution to urge the Governor to devise a plan to assure that the Library of Michigan collection remains intact and accessible in Lansing.

Whereas, Executive Order 2009-36, which, among other things, would abolish the Department of History, Arts and Libraries, includes language that could result in the dissolution of the uniquely valuable collection of the Library of Michigan. This has generated strong objections from user groups of the library and those concerned with the preservation of this priceless resource of knowledge and history; and

Whereas, While no one can dispute the seriousness of the state's financial situation or the need for strong actions, it is important that the steps we take to address this crisis do not result in a permanent and costly long-term loss to the state. Under the provisions of the executive order, overall responsibility for the Library of Michigan would be transferred to the Department of Education. The Superintendent of Public Instruction, among other duties, is charged with pursuing the elimination or transfer to other suitable institutions (Michigan State University has been suggested) of the Federal Documents Depository and the non-Michigan genealogy collection; and

Whereas, To break up the Library of Michigan's collection would be a major loss, not only for the people and institutions of this state, but also for the researchers who come to Lansing from all over the country to search for information in what is acknowledged to be one of the finest collections anywhere; and

Whereas, With primary source documents going back to Michigan's territorial days and genealogical materials that are among the most comprehensive in the nation, it is clear that maintaining the full collection must be achieved. All options to do so, even if they include a temporary closing or implementing some user fees, are preferable to breaking up this treasured resource; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor to devise a plan to assure that the Library of Michigan collection remains intact and accessible in Lansing; and be it further

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

The resolution was referred to the Committee on Government Operations.

Reps. Rick Jones, Dean, Durhal, Haines, Lori, Opsommer, Pearce, Polidori, Proos, Barnett, Bolger, Neumann, Ball and Knollenberg offered the following resolution:

House Resolution No. 141.

A resolution recognizing September 2009 as National Alcohol and Drug Addiction Recovery Month in the state of Michigan.

Whereas, Substance use disorders affect 22.6 million people or 9.6 percent of the U.S. population, which is more than the number of people living with coronary heart disease, cancer or Alzheimer's, combined; and

Whereas, Effective evidence-based treatment has led to long-term recovery from substance use disorders and brought a new outlook on life for those in recovery and their families and friends; and

Whereas, Many have found recovery resources on the Internet to aid them in finding individualized treatment that many have consistently found to be essential for a successful path to recovery; and

Whereas, Real stories of long-term recovery can inspire others to ask for help and improve their own lives, the lives of their families, and benefit the entire community; and

Whereas, It is critical that we educate our community members that substance use disorders are treatable, yet serious health care problems, and by treating them like other chronic health conditions, we can improve the quality of life for the entire community; and

Whereas, To help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, and the Michigan Recovery Month Coalition invite all residents of Michigan to participate in National Alcohol and Drug Addiction Recovery Month in September 2009; and

Whereas, The National Alcohol and Drug Addiction Recovery Month is a national initiative and annual observance that recognizes societal benefits of substance abuse treatment, celebrates people in recovery, recognizes those in the treatment field who dedicate their lives to helping people recover from addiction, and promotes the message that recovery from substance abuse is possible, as we celebrate this year's theme, "Together we learn, together we heal."; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize September 2009 as National Alcohol and Drug Addiction Recovery Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Angerer offered the following resolution:

House Resolution No. 143.

A resolution to amend the Standing Rules of the House of Representatives.

Resolved by the House of Representatives, That Rule 33 of the Standing Rules of the House of Representatives be amended to read as follows:

“Names and Number of Members.

Rule 33. (1) All standing committees shall be appointed by the Speaker, except where the House shall otherwise order.

(2) The standing committees of the House and the number of Members shall be as follows:

- (a) Agriculture (11)
- (b) Appropriations (31)
- (c) Banking and Financial Services (10)
- (d) Commerce (19)
- (e) Education (23)
- (f) Energy and Technology (19)
- (g) Ethics and Elections (9)
- (h) Families and Children’s Services (9)
- (i) Government Operations (9)
- (j) Great Lakes and Environment (15)
- (k) Health Policy (21)
- (l) Insurance (17)
- (m) Intergovernmental and Regional Affairs (11)
- (n) Judiciary (15)
- (o) Labor (11)
- (p) Military and Veterans Affairs and Homeland Security (9)
- (q) New Economy and Quality of Life (11)
- (r) Oversight and Investigations (6)
- (S) PUBLIC EMPLOYEE HEALTH CARE REFORM (13)**
- (T) ~~(s)~~ Regulatory Reform (11)**
- (U) ~~(t)~~ Senior Health, Security, and Retirement (9)**
- (V) ~~(u)~~ Tax Policy (17)**
- (W) ~~(v)~~ Tourism, Outdoor Recreation and Natural Resources (11)**
- (X) ~~(w)~~ Transportation (17)**
- (Y) ~~(x)~~ Urban Policy (11)**

(3) Statutory Standing Committees:

- (a) Joint Committee on Administrative Rules (5)
- (b) House Fiscal Agency Governing Committee (6)
- (c) Legislative Council (6)
- (d) Michigan Legislative Retirement System (4)
- (e) Michigan Capitol Committee (4)

(4) The House Journal shall report the roll call on all motions to report bills, resolutions and reorganization orders. (See Const 1963, Art 4 § 17)

(5) Committees shall adopt a meeting schedule at the commencement of each term which shall be printed in the House Journal. Additional meetings may be called by the Chair or by a majority of the Members in writing to the Clerk. The Chair may cancel any scheduled meeting, except one called by a majority of the Members, by notice to the Members.”.

Pending the reference of the resolution to a committee,

Rep. Angerer moved that Rule 69 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Knollenberg, Crawford, Denby, DeShazor, Durhal, Genetski, Haines, Rick Jones, LeBlanc, Liss, Lori, Moss, Pearce, Proos, Rocca, Barnett, Bolger and Ball offered the following concurrent resolution:

House Concurrent Resolution No. 26.

A concurrent resolution to memorialize Congress and the President to increase Michigan’s share of stimulus funding for transportation.

Whereas, The condition of Michigan's roads and infrastructure is deteriorating rapidly as dollars for construction and improvements dwindle. The crisis in infrastructure funding is exacerbated by rising inflation in materials costs and a decline in fuel tax revenue due to spikes in gas prices, reduced travel, improvements in gas mileage, and the slow economy; and

Whereas, The Michigan Asset Management Council reports that the percentage of roads in poor condition has increased from 25 percent in 2007 to 32 percent in 2008. This represents more than 17,378 lane miles of federal-aid-eligible roads. The costs of this continued deterioration are significant. In 2004, it would have cost about \$3.7 billion to bring all poor and fair federal-aid roads up to a good rating. Four years later, it would have cost \$7.2 billion, almost double. This represents \$3.5 billion in lost value of our road assets. Allowing this trend to continue will have significant financial and economic effects on the state economy, which has been mired in a recession since 2002; and

Whereas, Michigan's heavy reliance on highway travel results in a higher relative federal motor fuel tax burden and also demonstrates our equal or greater need for federal highway dollars to repair our potholed highways and crumbling bridges. For several decades, Michigan has been a "donor" state, contributing a significantly greater proportionate share to the Federal Highway Trust Fund than the share of federal transportation funds returned to Michigan. Currently, Michigan receives only about 92 percent of the share of the federal tax revenue that the state generates which creates a serious financial and safety challenge for the state; and

Whereas, According to the *Wall Street Journal*, Michigan ranks forty-sixth in per capita transportation stimulus funding. This seems out of line with our nation-leading unemployment rate and history of benefiting other states at our expense. Michigan's beleaguered businesses and citizens, as well as its visitors, would benefit enormously if Michigan were to receive a greater share of federal highway stimulus funding. Even as the economy calls for more careful public expenditures, an increase in transportation funding would help Michigan's manufacturing, commercial, and tourism industries and bring greater fairness to the issue of transportation spending; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize Congress and the President to increase Michigan's share of stimulus funding for transportation; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Transportation.

Reps. DeShazor, Crawford, Dean, Durhal, Genetski, Haines, Horn, Rick Jones, LeBlanc, Liss, Lori, McMillin, Pearce, Proos, Rocca, Tyler, Barnett, Bolger and Knollenberg offered the following concurrent resolution:

House Concurrent Resolution No. 27.

A concurrent resolution to urge President Obama to grant Michigan a waiver from federal matching requirements for federal-aid highway projects.

Whereas, The condition of Michigan's roads and infrastructure is deteriorating rapidly as dollars for construction and improvements dwindle. The Michigan Asset Management Council reports that the percentage of roads in poor condition increased from 25 percent in 2007 to 32 percent in 2008. This represents more than 17,378 lane miles of federal-aid-eligible roads. The costs of this continued deterioration are significant. In 2004, it would have cost about \$3.7 billion to bring all poor and fair federal-aid roads up to a good rating. Four years later, it would have cost \$7.2 billion, almost double what it would have cost in 2004. This represents \$3.5 billion in lost value of our road assets. Allowing this trend to continue will have significant financial and economic effects on the state economy, which has been mired in a recession since 2002; and

Whereas, Michigan is facing a crisis in infrastructure funding exacerbated by rising inflation in materials costs and a decline in fuel tax revenue due to spikes in gas prices, reduced travel, improvements in gas mileage, and the slow economy. Last year, Governor Granholm's Transportation Funding Task Force recommended raising transportation-related taxes and fees by over \$3 billion. If not, the Michigan Department of Transportation will lose almost \$600 million in federal aid beginning in 2011, and \$1.9 billion between 2011 and 2013. Losing those funds would greatly reduce highway improvement projects and cost the state an estimated 17,000 jobs; and

Whereas, Since the mid-1950s, when the interstate highway system was created, Michigan has been a "donor" state for transportation dollars, contributing a greater proportionate share to the Federal Highway Trust Fund than the share of federal transportation funds returned to Michigan. Currently, Michigan receives 92 percent of the share of the federal tax revenue that the state generates; and

Whereas, Granting Michigan a waiver from the federal matching requirement, much like the Obama Administration provided to every state under the American Recovery and Reinvestment Act of 2009, would help to alleviate the need for massive fuel and vehicle registration fee increases, act to stimulate the economy, and further diversify the state economy by attracting new businesses; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge President Obama to grant Michigan a waiver from federal matching requirements for federal-aid highway projects; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the United States Department of Transportation, and members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Transportation.

Reports of Standing Committees

The Committee on Senior Health, Security, and Retirement, by Rep. Neumann, Chair, reported

House Bill No. 4621, entitled

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

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. Neumann, Slavens, Constan, Robert Jones, Lemmons, Ball, DeShazor, Moore and Tyler

Nays: None

The Committee on Senior Health, Security, and Retirement, by Rep. Neumann, Chair, reported

House Bill No. 5210, entitled

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

With the recommendation that the substitute (H-2) 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. Neumann, Slavens, Constan, Robert Jones, Lemmons, Ball, DeShazor, Moore and Tyler

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Neumann, Chair, of the Committee on Senior Health, Security, and Retirement, was received and read:

Meeting held on: Wednesday, August 19, 2009

Present: Reps. Neumann, Slavens, Constan, Robert Jones, Lemmons, Ball, DeShazor, Moore and Tyler

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

House Bill No. 4704, entitled

A bill to amend 1905 PA 299, entitled "An act to provide for changing and determining the names of divorced women," by amending the title and section 1 (MCL 552.391).

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. 4729, entitled

A bill to amend 2004 PA 452, entitled "Identity theft protection act," (MCL 445.61 to 445.77) by adding section 14; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-2) 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, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker and Rocca

Nays: Rep. Amash

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

House Bill No. 4982, 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 5o (MCL 28.425o), as amended by 2008 PA 407.

Adverse Roll Call

To Report Out:

Yeas: Reps. Meadows, Constan, Coulouris, Kandrevas and Haveman

Nays: Reps. Lipton, Lisa Brown, Bettie Scott, Warren, Schuitmaker, Amash and Kowall

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

Senate Bill No. 149, entitled

A bill to amend 2004 PA 452, entitled "Identity theft protection act," by amending sections 3, 7, and 9 (MCL 445.63, 445.67, and 445.69), section 3 as amended by 2006 PA 566, and by adding section 7a.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 9, line 13, by striking out all of subsection (7).
2. Amend page 9, line 21, after "**NOT**" by striking out the balance of the line through the first "**OR**" on line 22.
3. Amend page 9, line 22, after "**NOT**" by striking out the balance of the line through the first "**OR**" on line 23.

The bill and amendments were 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, Rick Jones, Kowall and Rocca

Nays: Rep. Amash

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

Senate Bill No. 150, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 430.

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, Kowall and Rocca

Nays: None

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

Senate Bill No. 163, entitled

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by amending section 4 (MCL 28.4).

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 Resolution No. 123.

A resolution to extend subpoena power to the House Judiciary Committee.

(For text of resolution, see House Journal No. 62, p. 1288.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas and Warren

Nays: Reps. Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 19, 2009

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

The Committee on Education, by Rep. Melton, Chair, reported

House Bill No. 4410, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278a, 1278b, and 1280 (MCL 380.1278a, 380.1278b, and 380.1280), section 1278a as amended by 2008 PA 316, section 1278b as amended by 2007 PA 141, and section 1280 as amended by 2006 PA 123, and by adding section 1278c.

With the recommendation that the substitute (H-3) 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. Melton, Byrum, Corriveau, Geiss, Haase, Kennedy, Lindberg, Nathan, Polidori, Roberts, Sheltroun, Ball, DeShazor, McMillin, Pearce, Tyler and Walsh

Nays: Reps. Pavlov and Paul Scott

The Committee on Education, by Rep. Melton, Chair, reported

House Bill No. 4511, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278b (MCL 380.1278b), as amended by 2007 PA 141.

With the recommendation that the substitute (H-2) 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. Melton, Byrum, Corriveau, Geiss, Haase, Kennedy, Lindberg, Polidori, Roberts, Sheltroun, Pavlov, Ball, DeShazor, McMillin, Pearce, Paul Scott, Tyler and Walsh

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 19, 2009

Present: Reps. Melton, Lisa Brown, Byrum, Corriveau, Geiss, Haase, Kennedy, Lindberg, Nathan, Polidori, Roberts, Sheltroun, Pavlov, Amash, Ball, DeShazor, McMillin, Pearce, Paul Scott, Tyler and Walsh

Absent: Reps. Bledsoe and Valentine

Excused: Reps. Bledsoe and Valentine

Messages from the Senate**Senate Bill No. 215, entitled**

A bill to amend 1975 PA 164, entitled "An act to create a commission on Spanish-speaking affairs, an office of Spanish-speaking affairs, and an interagency council on Spanish-speaking affairs; to prescribe their powers and duties; to provide for appropriations; and to abolish the advisory council for the Spanish-speaking," by amending the title and sections 1, 2, 3, 4, 5, and 6 (MCL 18.301, 18.302, 18.303, 18.304, 18.305, and 18.306), sections 2 and 4 as amended by 2004 PA 94.

The Senate has passed the bill.

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

Senate Bill No. 266, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending section 18a (MCL 252.318a), as amended by 2006 PA 448.

The Senate has passed the bill.

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

Senate Bill No. 484, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 674, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 7 (MCL 124.287), as amended by 2002 PA 241.

The Senate has passed the bill.

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

Senate Bill No. 675, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 1 (MCL 124.281), as amended by 1981 PA 154.

The Senate has passed the bill.

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

Senate Bill No. 676, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 10 (MCL 124.290), as amended by 1981 PA 154.

The Senate has passed the bill.

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

Senate Bill No. 677, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 8 (MCL 124.288), as amended by 1981 PA 154.

The Senate has passed the bill.

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

Senate Bill No. 678, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 4d (MCL 124.284d), as added by 1985 PA 178.

The Senate has passed the bill.

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

Senate Bill No. 679, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 4e (MCL 124.284e), as added by 1985 PA 178.

The Senate has passed the bill.

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

Senate Bill No. 698, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as amended by 2008 PA 316.

The Senate has passed the bill.

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

Senate Bill No. 700, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 20 (MCL 445.920).

The Senate has passed the bill.

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

Senate Bill No. 701, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 703, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 706, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 707, entitled

A bill to amend 1986 PA 316, entitled "Michigan education trust act," by amending section 19 (MCL 390.1439).

The Senate has passed the bill.

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

Senate Bill No. 710, entitled

A bill to amend 1994 PA 160, entitled "Credit services protection act," by amending section 2 (MCL 445.1822).

The Senate has passed the bill.

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

Senate Bill No. 712, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21528 and 50510 (MCL 324.21528 and 324.50510), section 21528 as amended by 1996 PA 181 and section 50510 as amended by 2002 PA 387.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 17.

A concurrent resolution to memorialize the President of the United States and the United States Congress to declassify intelligence information regarding Guantanamo Bay detention camp detainees and provide it to the Governor and Michigan State Legislature.

Whereas, President Barack Obama has issued an executive order mandating the closure of the detention center at Guantanamo Bay by January 22, 2010. Since the most horrific assault on our nation occurred on September 11, 2001, and the subsequent Global War on Terrorism began, the United States government has held international terrorists at the Guantanamo Bay detention facilities. At last count, 232 suspected terrorists are detained offshore on the 45-square-mile naval base where they await a determination to be made for their transfer, release, or prosecution; and

Whereas, Federal officials have toured a maximum-security prison facility in Standish, Michigan, which is slated to close by the end of the year, as a site under consideration to house trained terrorists who need to be relocated due to Guantanamo Bay's closure. Bringing foreign terrorist detainees onto Michigan soil would undoubtedly pose a security threat to the correctional facility employees and their families, the state of Michigan, its residents and abundant resources, and our great nation; and

Whereas, Should Michigan be mandated against its will to house individuals who actively engage in international terrorism, it is paramount that we be privy to the same intelligence information that the chair and ranking member of the House Permanent Select Committee on Intelligence receive. Such intelligence information pertaining to the detained terrorists must be declassified and disclosed so that our state can take the greatest security measures possible to protect our citizens from those who have disdain and hatred for our democratic country; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the President of the United States and the United States Congress to declassify intelligence information regarding Guantanamo Bay detention camp detainees and provide it to the Governor and Michigan State Legislature; and be it further

Resolved, That copies of this resolution be transmitted to 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 Senate has adopted the concurrent resolution.

Reps. Denby, Genetski, Horn, Rick Jones, LeBlanc, Liss, Meekhof, Pearce, Proos, Bolger and Knollenberg were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Judiciary.

Introduction of Bills

Rep. DeShazor introduced

House Bill No. 5240, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2006 PA 85.

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

Rep. LeBlanc introduced

House Bill No. 5241, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending section 3 (MCL 38.1603), as amended by 2008 PA 366.

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

Reps. Byrnes, Melton and Spade introduced

House Bill No. 5242, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74b.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Melton, Byrnes and Spade introduced

House Bill No. 5243, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74c.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Spade, Byrnes and Melton introduced

House Bill No. 5244, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74a.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Polidori and Kurtz introduced

House Bill No. 5245, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2919) by adding section 1809b.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Reps. Kurtz and Polidori introduced

House Bill No. 5246, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2919) by adding section 1809a.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Reps. Amash and Lund introduced

House Bill No. 5247, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 29a, 29d, and 88d (MCL 125.2029a, 125.2029d, and 125.2088d), sections 29a and 29d as added by 2008 PA 75 and section 88d as amended by 2008 PA 571.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. McMillin and Lund introduced

House Bill No. 5248, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 367 (MCL 206.367), as added by 2008 PA 79; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Rep. Lund introduced

House Bill No. 5249, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 455, 457, and 459 (MCL 208.1455, 208.1457, and 208.1459), section 455 as added by 2008 PA 77, section 457 as added by 2008 PA 86, and section 459 as added by 2008 PA 74; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Rep. Meekhof introduced

House Bill No. 5250, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 4g.

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

Rep. Hammel introduced

House Bill No. 5251, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 11 (MCL 141.911), as amended by 2004 PA 356.

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

Rep. Hammel introduced

House Bill No. 5252, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44a (MCL 211.44a), as amended by 2008 PA 498.

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

Rep. Haveman introduced

House Bill No. 5253, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 67.

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

Reps. Meltzer, Lund, Rick Jones, Calley and Crawford introduced

House Bill No. 5254, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 2002 PA 494.

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

Reps. Meltzer, Rick Jones, Wayne Schmidt, Calley, Crawford, Bolger, Schuitmaker, DeShazor and Tyler introduced

House Bill No. 5255, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 254.

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

Reps. Meltzer, Rick Jones, Calley, Hansen, Bolger, Schuitmaker, DeShazor, Tyler and Haines introduced

House Bill No. 5256, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803e (MCL 257.803e), as amended by 2003 PA 30.

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

Reps. Leland, Byrnes, Jackson, Johnson, Stanley, Switalski, Bettie Scott, Liss, Polidori, Durhal, Segal, Melton, Tlaib, Lipton, Geiss, Dean, Meadows, Robert Jones, Gonzales, Haugh, Coulouris and Nathan introduced

House Bill No. 5257, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7u (MCL 211.7u), as amended by 2003 PA 140.

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

Reps. Dean, Byrnes, Jackson, Johnson, Stanley, Switalski, Leland, Bettie Scott, Robert Jones, Liss, Polidori, Durhal, Gonzales, Segal, Haugh, Coulouris, Melton, Tlaib, Lipton, Geiss and Nathan introduced

House Bill No. 5258, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 24c (MCL 211.24c), as amended by 2003 PA 247.

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

Reps. Johnson, Byrnes, Jackson, Stanley, Switalski, Leland, Bettie Scott, Rocca, Robert Jones, Liss, Polidori, Segal, Durhal, Haugh, Coulouris, Melton, Dean, Meadows, Gonzales, Tlaib, Lipton, Geiss and Nathan introduced

House Bill No. 5259, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 30 (MCL 211.30), as amended by 2003 PA 194.

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

Reps. Stanley, Byrnes, Jackson, Johnson, Switalski, Leland, Bettie Scott, Rocca, Robert Jones, Liss, Gonzales, Polidori, Durhal, Segal, Haugh, Melton, Geiss, Dean, Meadows, Coulouris, Tlaib, Lipton and Nathan introduced

House Bill No. 5260, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78c (MCL 211.78c), as amended by 2003 PA 263.

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

Reps. Hansen, Byrnes, Jackson, Johnson, Stanley, Switalski, Leland, Bettie Scott, Rocca, Robert Jones, Liss, Gonzales, Polidori, Segal, Durhal, Haugh, Melton, Dean, Meadows, Coulouris, Tlaib, Lipton, Geiss and Nathan introduced

House Bill No. 5261, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78f (MCL 211.78f), as amended by 2003 PA 263.

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

Reps. Switalski, Byrnes, Jackson, Johnson, Stanley, Leland, Bettie Scott, Robert Jones, Liss, Gonzales, Polidori, Segal, Durhal, Haugh, Melton, Tlaib, Lipton, Geiss, Dean, Meadows, Coulouris and Nathan introduced

House Bill No. 5262, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78g (MCL 211.78g), as amended by 2003 PA 263.

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

Reps. Jackson, Byrnes, Johnson, Stanley, Switalski, Leland, Bettie Scott, Robert Jones, Liss, Durhal, Polidori, Segal, Haugh, Coulouris, Melton, Geiss, Dean, Meadows, Tlaib, Lipton and Nathan introduced

House Bill No. 5263, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78h (MCL 211.78h), as amended by 2001 PA 96.

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

Reps. Ball, Byrnes, Jackson, Johnson, Stanley, Switalski, Hansen, Leland, Bettie Scott, Rocca, Robert Jones, Liss, Polidori, Segal, Durhal, Haugh, Coulouris, Melton, Tlaib, Dean, Meadows, Gonzales, Lipton, Geiss and Nathan introduced

House Bill No. 5264, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78i (MCL 211.78i), as amended by 2006 PA 611.

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

Reps. Melton, Jackson, Johnson, Stanley, Switalski, Leland, Bettie Scott, Rocca, Robert Jones, Liss, Polidori, Durhal, Segal, Haugh, Coulouris, Tlaib, Lipton, Geiss, Dean, Meadows, Gonzales, Byrnes and Nathan introduced

House Bill No. 5265, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78k (MCL 211.78k), as amended by 2006 PA 611.

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

Rep. Meadows introduced

House Bill No. 5266, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 14o.

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

Reps. Miller, Switalski, Liss, Huckleberry, Rocca, Gregory and Lisa Brown introduced

House Bill No. 5267, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3240 (MCL 600.3240), as amended by 2006 PA 579.

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

Reps. Genetski, Agema, Amash, Haines, Wayne Schmidt, Tyler, Lund, Moss, Rick Jones, Elsenheimer, Hildenbrand, Meekhof, Rogers, Kowall, Walsh, Knollenberg, Pearce, Ball, Lori, Caul, Opsommer, Calley, Pavlov, Daley, Moore, Rocca, Scripps, Schuitmaker, Stamas, Espinoza, LeBlanc, Tlaib, McMillin, Haveman, Proos, Crawford, Hansen, Booher, Denby, Sheltroun, Miller, Mayes, Gonzales, Terry Brown, Bauer, Roy Schmidt, Slezak, Barnett, Smith, Liss, Constan, Haase, Lindberg, Polidori, Switalski, Robert Jones, Womack, Durhal, Warren, Gregory, Bolger, Clemente, Leland, Haugh, Hammel, Kandrevas, Meltzer, Johnson, Jackson, Dean and Nathan introduced

House Bill No. 5268, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1204a and 1280 (MCL 380.1204a and 380.1280), section 1204a as amended by 1996 PA 159 and section 1280 as amended by 2006 PA 123.

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

Reps. Tlaib, Liss, Roberts, Robert Jones, Bledsoe, Smith, Johnson, Durhal, Haugh, Kennedy, Nathan and Jackson introduced

House Bill No. 5269, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 639.

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

Reps. Tlaib, Liss, Roberts, Robert Jones, Bledsoe, Lisa Brown, Smith, Johnson, Durhal, Haugh, Kennedy, Constan, Nathan and Jackson introduced

House Bill No. 5270, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13f of chapter XVII (MCL 777.13f), as added by 2002 PA 30.

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

Reps. Tlaib, Liss, Roberts, Robert Jones, Bledsoe, Lisa Brown, Smith, Jackson, Johnson, Durhal, Haugh, Kennedy and Nathan introduced

House Bill No. 5271, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1264.

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

Reps. Tlaib, Liss, Robert Jones, Bledsoe, Lisa Brown, Smith, Johnson, Durhal, Haugh, Kennedy, Nathan and Jackson introduced

House Bill No. 5272, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 204.

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

Reps. Corriveau and Lipton introduced

House Bill No. 5273, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 1084.

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

Reps. Lipton and Corriveau introduced

House Bill No. 5274, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 322, 625n, 732a, and 904d (MCL 257.303, 257.322, 257.625n, 257.732a, and 257.904d), sections 303, 732a, and 904d as amended by 2008 PA 463, section 322 as amended by 2008 PA 462, and section 625n as amended by 2008 PA 539.

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

Rep. Lisa Brown introduced

House Bill No. 5275, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 434 (MCL 208.1434), as amended by 2009 PA 26.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Rep. Amash introduced

House Joint Resolution Z, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 28 to article I, to affirm a right to independent health care.

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

Rep. Robert Jones moved that the House adjourn.
The motion prevailed, the time being 7:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, August 26, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

