

No. 35
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Wednesday, April 29, 2009.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. Dave Hildenbrand, from the 86th District, offered the following invocation:

“Dear Father in Heaven:

We pause before You today to ask for Your guidance and direction as we do Your will in this historic chamber. Where there are differences, we ask for compromise. And where there is tension, we ask for peace.

Amidst the hustle and pressures of the day, we pause also to thank You for the countless blessings in our everyday lives. Continue to watch over us and guide us as we do the work of the residents of this great state.

In Your name we pray. AMEN.”

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

Reports of Standing Committees

The Committee on Commerce, by Rep. Roy Schmidt, Vice-Chair, reported
House Resolution No. 80.

A resolution to memorialize the U.S. Army Corps of Engineers to allocate federal stimulus package funds for the construction of a new Soo Lock at Sault Ste. Marie, Michigan.

(For text of resolution, see House Journal No. 33, p. 688.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 80.

A resolution to memorialize the U.S. Congress and the U.S. Army Corps of Engineers to provide additional federal funding for the construction of a new Soo Lock at Sault Ste. Marie, Michigan.

Whereas, The Soo Locks are integral to the commercial and recreational navigation of the Great Lakes. Each year, 10,000 vessels transporting shipments totaling approximately \$4 billion pass through the Soo Locks. The Soo Locks represent an enormous investment that must be preserved; and

Whereas, Only one of the current Soo Locks is capable of accommodating the 1,000-foot cargo vessels operating on the Great Lakes, known as “lakers.” If this lock were to fail, Great Lakes shipping and the industries and people that depend on it would come to a standstill; and

Whereas, The U.S. Congress authorized the building of a similarly sized new Soo Lock over 20 years ago, but the lock has not yet been built. Contracts worth approximately \$100 million could be in place this year for the initial phases of construction of a new Soo Lock if federal funding is made available. These contracts would provide an immediate boost to our economy and provide good-paying jobs in one of the hardest hit regions of this recession; and

Whereas, Despite the long-standing need and potential for significant economic stimulus, the U.S. Army Corps of Engineers failed to allocate any of the \$2 billion made available from the American Recovery and Reinvestment Act for this project. This short-sighted decision ignores the critical importance of a new lock to the economy of the Great Lakes region and the country. This missed opportunity must be rectified; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the U.S. Congress and the Army Corps of Engineers to provide additional federal funding for the construction of a new Soo Lock at Sault Ste. Marie, Michigan; and be it further

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Roy Schmidt, Byrum, Clemente, Haase, Haugh, Lemmons, Nathan, Nerat, Sheltrown, Womack, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Roy Schmidt, Vice-Chair, of the Committee on Commerce, was received and read:

Meeting held on: Wednesday, April 29, 2009

Present: Reps. Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Lemmons, Nathan, Nerat, Sheltroun, Womack, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Absent: Rep. Robert Jones

Excused: Rep. Robert Jones

The Speaker laid before the House

House Resolution No. 80.

A resolution to memorialize the U.S. Army Corps of Engineers to allocate federal stimulus package funds for the construction of a new Soo Lock at Sault Ste. Marie, Michigan.

(For text of resolution, see House Journal No. 33, p. 688.)

(The resolution was reported by the Committee on Commerce on April 29, with substitute (H-1).)

(For substitute, see today's Journal p. 722.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

Pending the Second Reading of

House Bill No. 4127, entitled

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

Rep. Angerer moved that the bill be re-referred to the Committee on Military and Veterans Affairs and Homeland Security.

The motion prevailed.

House Bill No. 4177, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 476a (MCL 500.476a), as amended by 2007 PA 187.

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

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

Rep. Hansen moved that Rep. Moss be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4177, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 476a (MCL 500.476a), as amended by 2007 PA 187.

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

Roll Call No. 189**Yeas—106**

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

Nays—2

Amash

McMillin

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.

Second Reading of Bills**House Bill No. 4175, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 279.

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

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

Rep. Ebli moved to substitute (H-2) the bill.

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

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. 4175, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 279.

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

Roll Call No. 190

Yeas—103

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

Nays—6

Agema	Daley	McMillin	Meekhof
Amash	Genetski		

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. 4176, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 465.
 Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

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

Rep. Melton moved to substitute (H-2) the bill.
 The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.
 Rep. Melton 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. 4176, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 465.
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 191

Yeas—103

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

Nays—6Agema
AmashDaley
Genetski

McMillin

Meekhof

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.

Second Reading of Bills**House Bill No. 4178, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 18a.

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

The substitute (H-1) was 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.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4178, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 18a.

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

Roll Call No. 192**Yeas—103**Angerer
BallEbli
ElsenheimerLeBlanc
LelandRocca
Rogers

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

Nays—6

Agema	Daley	McMillin	Meekhof
Amash	Genetski		

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. 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:

All these bills give the MEDC more responsibility. It is already an agency that can’t effectively run and spend it’s money. It needs to be eliminated.”

Second Reading of Bills

House Bill No. 4191, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2007 PA 154.

The bill was read a second time.

Rep. Warren 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. 4191, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2007 PA 154.

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

Roll Call No. 193

Yeas—108

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

Nays—1

Amash

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Hildenbrand 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. 4629, 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.

The bill was read a second time.

Rep. Lipton moved to amend the bill as follows:

1. Amend page 4, line 6, after “**INCOME**,” by inserting “**DEDUCT**”.

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

Rep. Lipton 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. 4629, 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.

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

Roll Call No. 194

Yeas—108

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

Nays—1

Amash

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 4692, entitled**

A bill to amend 1994 PA 160, entitled "Credit services protection act," by amending section 2 (MCL 445.1822).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4692, entitled**

A bill to amend 1994 PA 160, entitled "Credit services protection act," by amending section 2 (MCL 445.1822).

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

Roll Call No. 195**Yeas—109**

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

Daley	Kandrevas	Neumann	Valentine
Dean	Kennedy	Opsommer	Walsh
Denby	Knollenberg	Pavlov	Warren
DeShazor	Kowall	Pearce	Womack
Dillon	Kurtz	Polidori	Young
Donigan			

Nays—0

In The Chair: Byrnes

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

Second Reading of Bills**House Bill No. 4693, entitled**

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 20 (MCL 445.920).
 The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4693, entitled**

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 20 (MCL 445.920).
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 196**Yeas—109**

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

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Miller, Ball, Barnett, Booher, Lisa Brown, Terry Brown, Byrnes, Constan, Crawford, Dean, Donigan, Durhal, Espinoza, Geiss, Gonzales, Gregory, Hansen, Haugh, Rick Jones, Kandrevas, Knollenberg, Lahti, LeBlanc, Leland, Lemmons, Liss, Lori, Marleau, Mayes, McDowell, Meadows, Neumann, Polidori, Roberts, Rogers, Slavens, Spade, Switalski, Valentine and Warren offered the following resolution:

House Resolution No. 85.

A resolution to commemorate May 12, 2009, as Michigan Fibromyalgia Awareness Day.

Whereas, Fibromyalgia is a disease without a known cause or cure. This chronic disease affects people of all ages throughout the world. Nearly 10 million people in the United States alone suffer from this chronic disease; and

Whereas, While 75-90 percent of the people who have fibromyalgia are women, it also occurs in men and children of all ethnic groups. The disorder is often seen in families, among siblings or mothers and their children. The diagnosis is usually made between the ages of 20 to 50 years, but the incidence rises with age so that by age 80, approximately 8% of adults meet the classification of fibromyalgia; and

Whereas, Fibromyalgia is a chronic condition, which causes people to suffer from often intolerable pain. One of the affects of fibromyalgia is sleep fatigue as a result of a lack of deep sleep as well as patterns of non-restorative sleep. Fibromyalgia can also cause various nervous system pains such as: neuropathic pain, central nervous system pain, and transmitter or receptor dysfunction pain. It can also cause headaches, interstitial cystitis, dizziness, tingling sensations, lack of sensations, vision problems, noise sensitivity, dysfunctional bowels, and problems with memory functioning; and

Whereas, People afflicted by this condition find it nearly impossible to complete their daily routines. Patients have difficulty lifting any object even of light weight, have problems using stairs, and any slight physical strain makes it almost impossible to conduct daily activities; and

Whereas, A diagnosis of fibromyalgia takes an average of five years. Throughout the time the patient is enduring enormous amounts of pain, he or she often must face discrimination at both the workplace, and the community; and

Whereas, The lack of public education of fibromyalgia makes it extremely difficult to treat as well as to diagnose. Increasing public education and research on the causes and diagnosis of this illness would help to eliminate a misunderstanding of its conditions, and possibly make advances in diagnosis and treatment more likely in the future; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate May 12, 2009, as Michigan Fibromyalgia Awareness Day.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Slavens, Geiss, Liss, Haugh, Roberts, Coulouris, Segal, Nerat, Stanley, Byrnes, Kennedy, Haase, Simpson, Lisa Brown, Valentine, Ebli, Bettie Scott, Gregory, Nathan, Johnson, Ball, Barnett, Booher, Terry Brown, Caul, Constan, Crawford, Dean, Donigan, Durhal, Espinoza, Gonzales, Hansen, Rick Jones, Kandreas, Knollenberg, Kurtz, Lahti, LeBlanc, Leland, Lemmons, Lori, Marleau, Mayes, McDowell, Meadows, Meltzer, Neumann, Opsommer, Polidori, Rogers, Spade, Switalski, Tyler and Warren offered the following resolution:

House Resolution No. 86.

A resolution declaring May 2009 as Bicycle Safety and Driver Alertness Month in the state of Michigan.

Whereas, May is Motorcycle Safety Awareness Month in the state of Michigan, it is equally important to secure and recognize the safety of those in use of bicycle transportation and commemorate May 2009 as Bicycle Safety and Driver Alertness Month; and

Whereas, The bicycle is a practical and environmentally sound form of transportation that is used daily by millions of Michigan's citizens for both recreational and necessary purposes. Michiganders will experience the joys of bicycling during the month of May through educational programs, races, trail riding, charity events, commuting to work or simply adventuring out to enjoy the spring that Michigan has to offer; and

Whereas, Rising concerns about health, fitness, increased energy costs and the environment have increased the number of cyclists on our roads in recent years. Motor vehicles and cyclists are obligated to share the state's roadways and this season calls for all commuters to renew their awareness and the safety requirements for motorists and cyclists alike; and

Whereas, Bicycle Safety and Driver Alertness Month asks cyclists to share the road, safely accommodate motorists, to wear the proper safety equipment and riding gear, to strictly follow all laws of the road, to operate with extreme caution and learn expert techniques that provide for a heightened level of safety while riding. In addition, car and other motor vehicles are notified of the increased bicycle traffic that is anticipated on public highways and roads, and all are expected to increase their alertness and be mindful when approaching their fellow citizens on bicycles while driving; and

Whereas, It is a privilege to recognize Michigan's unique appreciation for the outdoors by reminding its citizens of their responsibility to be safe and alert so that everyone may equally exercise their right to enjoy our Great Lake State; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate May 2009 as Bicycle Safety and Driver Alertness Month in the state of Michigan. All of Michigan's citizens are encouraged to identify and learn the various aspects of bicycle and motor safety as it relates to sharing our public roads and uphold the highest standard of care and concern in an effort toward making Michigan's roads the safest among the 50 states.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Terry Brown, Ball, Barnett, Booher, Lisa Brown, Byrnes, Caul, Constan, Crawford, Dean, Donigan, Durhal, Espinoza, Geiss, Gonzales, Gregory, Hansen, Haugh, Rick Jones, Knollenberg, Kurtz, Lahti, LeBlanc, Leland, Lemmons, Liss, Lori, Marleau, Mayes, McDowell, Meadows, Neumann, Polidori, Opsommer, Roberts, Rogers, Slavens, Spade, Stanley, Switalski, Tyler, Valentine and Warren offered the following resolution:

House Resolution No. 87.

A resolution recognizing the week of May 3-9, 2009, as National County Government Week in the state of Michigan.

Whereas, The nation's 3,068 counties provide a variety of essential public services to communities serving 300 million Americans; and

Whereas, Tuscola County and all counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

Whereas, Many county government initiatives and programs involve the protection of valuable and vulnerable environmental resources in communities; and

Whereas, The National Association of Counties is the only national organization that represents county governments in the United States; and

Whereas, The National Association of Counties created National County Government Week in 1991 to raise public awareness and understanding about the roles and responsibilities of the nation's counties to meet the needs of the community; and

Whereas, The National Association of Counties and Tuscola County are working together to Restore the Partnership between all levels of government to better serve American communities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize May 3-9, 2009, as National County Government Week in the state of Michigan; and be it further

Resolved, That the members of this legislative body encourage all Tuscola County officials, employees, schools and residents to participate in county government week activities; and be it further

Resolved, That a copy of this resolution be transmitted to the National Association of Counties and Tuscola County.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Terry Brown, Ball, Barnett, Booher, Lisa Brown, Byrnes, Caul, Constan, Crawford, Dean, Donigan, Durhal, Espinoza, Geiss, Gonzales, Green, Gregory, Hansen, Haugh, Rick Jones, Knollenberg, Kurtz, Lahti, LeBlanc, Leland, Lemmons, Liss, Lori, Marleau, Mayes, McDowell, Meadows, Neumann, Polidori, Opsommer, Roberts, Rogers, Slavens, Spade, Switalski, Tyler, Valentine and Warren offered the following resolution:

House Resolution No. 88.

A resolution recognizing the week of May 10-16, 2009, as Nursing Home Week in the state of Michigan.

Whereas, Those citizens of Tuscola County and the entire state of Michigan that now reside in nursing homes have contributed immeasurably to the heritage, success and growth of our community; and

Whereas, Nursing home residents of any age or ability are themselves living history and a precious resource; and

Whereas, Member nursing homes of the American Health Care Association and the Health Care Association of Michigan are holding events in observance of Nursing Home Week guided by this year's national theme of "Nurturing a Love that Lasts"; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize May 10-16, 2009, as Nursing Home Week in the state of Michigan; and be it further

Resolved, That we congratulate Tendercare Cass City and all members of the Health Care Association of Michigan and commend the organizations for the valuable role they play in providing for the well-being of the elderly and disabled people of the great state of Michigan; and be it further

Resolved, That we urge every citizen to honor the elderly and disabled residents of nursing homes by visiting or volunteering at a local nursing home to bring good cheer to the residents and appreciation to the staff who care for our most vulnerable citizens on our behalf; and be it further

Resolved, That a copy of this resolution be transmitted to Tendercare Cass City and the Health Care Association of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Opsommer offered the following concurrent resolution:

House Concurrent Resolution No. 19.

A concurrent resolution to memorialize the United States Congress to exercise its oversight responsibilities with regard to the Security and Prosperity Partnership of North America and any other agreements, compacts, or associations between itself, Canada, and Mexico that may compromise the sovereignty of the United States.

Whereas, The Security and Prosperity Partnership of North America (SPP) is a trilateral effort between the United States, Canada, and Mexico that looks to build upon NAFTA and provide greater cooperation and information sharing between the governments. The stated objectives of the SPP are to enhance prosperity and security through efforts such as reducing the costs of trade and improving productivity and public health; and

Whereas, SPP meetings involving the three nations have taken place with little information being given to the public on the manner in which the SPP seeks to build upon NAFTA. Congress has not specifically authorized the SPP, and critics argue that agreements, compacts, and associations are being created and implemented by agencies and departments without congressional oversight. One of the more controversial objectives of the SPP involves the construction of an international highway through Texas and other parts of the United States that would affect how our borders operate and our driver's license information would be shared; and

Whereas, We urge the United States Congress to review the outcomes of NAFTA before formally seeking to expand it or before allowing departmental agreements, compacts, or associations to independently expand it by rule promulgation or executive fiat. We urge Congress to investigate and oversee the policy objectives of the SPP in order to clarify its goals and to make sure they are in the best interests of the citizens of the United States; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the United States Congress to exercise its oversight responsibilities with regard to the Security and Prosperity Partnership of North America and any other agreements, compacts, or associations between itself, Canada, and Mexico that may compromise the sovereignty of the United States; 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 Commerce.

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, April 29:

House Bill Nos. 4833 4834 4835 4836 4837 4838 4839

Senate Bill Nos.	470	471	472	473	479	480	481	482	483	484	485	486	487	488
	489	490	491	492										

The Clerk announced that the following Senate bills had been received on Wednesday, April 29:

Senate Bill Nos. 163 313

Reports of Standing Committees

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

House Bill No. 4653, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 8 (MCL 207.1008), as amended by 2006 PA 268.

With the recommendation that the bill be referred to the Committee on Transportation.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ebli, Melton, Barnett, Coulouris, Kandrevas, Lipton, Slezak, Calley, Kowall, Lund, Meekhof, Meltzer, Stamas and Walsh

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Transportation.

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

House Bill No. 4682, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 70d.

With the recommendation that the bill be referred to the Committee on Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ebli, Melton, Barnett, Coulouris, Kandrevas, Lipton, Slezak, Calley, Kowall, Lund, Meekhof, Meltzer, Stamas and Walsh

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Urban Policy.

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, April 29, 2009

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

Absent: Rep. Robert Jones

Excused: Rep. Robert Jones

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

House Bill No. 4618, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 174a (MCL 750.174a), as amended by 2004 PA 255.

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. Neumann, Slavens, Constan, Lemmons, Ball, DeShazor and Tyler

Nays: None

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

House Bill No. 4727, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2006 PA 574.

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. Neumann, Slavens, Constan, Lemmons, Ball, DeShazor 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, April 29, 2009

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

Absent: Reps. Robert Jones and Moore

Excused: Reps. Robert Jones and Moore

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

Senate Bill No. 145, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1a of chapter IX (MCL 769.1a), as amended by 1998 PA 231.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 146, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 2, 16, 31, 44, 61, and 76 (MCL 780.752, 780.766, 780.781, 780.794, 780.811, and 780.826), sections 2, 16, 44, and 76 as amended by 2005 PA 184 and sections 31 and 61 as amended by 2006 PA 461.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 383, entitled

A bill to amend 1846 RS 81, entitled "Of fraudulent conveyances and contracts, relative to goods, chattels, and things in action," by amending section 1 (MCL 566.131).

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

1. Amend page 2, following line 27, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2010." and renumbering the remaining enacting section. The bill and amendment 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, Kandreas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

Senate Bill No. 384, entitled

A bill to amend 1846 RS 63, entitled "Of uses and trusts," (MCL 555.1 to 555.27) by adding section 28.

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

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

"Enacting section 1. This amendatory act takes effect April 1, 2010." and renumbering the remaining enacting section. The bill and amendment 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, Kandreas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

Senate Bill No. 385, entitled

A bill to amend 1998 PA 434, entitled "Uniform fraudulent transfer act," by amending section 1 (MCL 566.31).

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

1. Amend page 5, following line 23, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2010." and renumbering the remaining enacting section. The bill and amendment 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, Kandreas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

Senate Bill No. 386, entitled

A bill to amend 1967 PA 224, entitled "Powers of appointment act of 1967," by amending section 13 (MCL 556.123). With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 2, following line 26, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2010." and renumbering the remaining enacting section. The bill and amendment 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, Kandreas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

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

Senate Bill No. 387, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1103, 1104, 1105, 1106, 1107, 1201, 1209, 1210, 1212, 1214, 1308, 1403, 1507, 2501, 2504, 2511, 2519, 2705, 2722, 2901, 2904, 2907, 3104, 3403, 3703, 3705, 3713, 3715, 3801, 3803, 3805, 3914, 3915, 5407, 5421, 6101, 7101, 7102, 7103, 7104, 7105, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7301, 7302, 7303, 7304, 7305, 7401, 7402, 7403, 7404, 7405, 7406, 7407, 7410, 7501, 7502, 7503, 7504, 7505, 7506, 7507, and 7508 (MCL 700.1103, 700.1104, 700.1105, 700.1106, 700.1107, 700.1201, 700.1209, 700.1210, 700.1212, 700.1214, 700.1308, 700.1403, 700.1507, 700.2501, 700.2504, 700.2511, 700.2519, 700.2705, 700.2722, 700.2901, 700.2904, 700.2907, 700.3104, 700.3403, 700.3703, 700.3705, 700.3713, 700.3715, 700.3801, 700.3803, 700.3805, 700.3914, 700.3915, 700.5407, 700.5421, 700.6101, 700.7101, 700.7102, 700.7103, 700.7104, 700.7105, 700.7201, 700.7202, 700.7203, 700.7204, 700.7205, 700.7206, 700.7207, 700.7301, 700.7302, 700.7303, 700.7304, 700.7305, 700.7401, 700.7402, 700.7403, 700.7404, 700.7405, 700.7406, 700.7407, 700.7410, 700.7501, 700.7502, 700.7503, 700.7504, 700.7505, 700.7506, 700.7507, and 700.7508), sections 1103 and 7503 as amended by 2000 PA 177, section 1104 as amended by 2006 PA 299, sections 1105, 3803, 7303, and 7406 as amended and section 7410 as added by 2004 PA 314, section 1106 as amended by 2004 PA 532, sections 1107, 1214, 2504, 7206, 7501, and 7507 as amended by 2000 PA 54, sections 2519, 3715, 7401, 7502, and 7508 as amended by 2005 PA 204, section 3705 as amended by 2004 PA 481, and section 3805 as amended by 2007 PA 73, by amending the heading of article VII and the headings of parts 1, 2, 3, 4, and 5 of article VII, by adding sections 7107, 7108, 7109, 7110, 7111, 7112, 7113, 7208, 7209, 7210, 7211, 7411, 7412, 7413, 7414, 7415, 7416, 7417, 8201, 8202, 8204, and 8206, and by adding parts 6, 7, 8, and 9 to article VII; and to repeal acts and parts of acts.

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

1. Amend page 98, line 12, after "**IS**" by striking out the balance of the subsection and inserting "**AS FOLLOWS:**

(A) IN A COUNTY IN THIS STATE IN WHICH A TRUST BENEFICIARY RESIDES.

(B) IN A COUNTY IN WHICH ANY TRUST PROPERTY IS LOCATED.

(C) IF THE TRUST IS CREATED BY WILL, IN THE COUNTY IN WHICH THE DECEDENT'S ESTATE WAS OR IS BEING ADMINISTERED.

(D) AS OTHERWISE PROVIDED BY COURT RULE."

2. Amend page 199, line 24, after "**OF**" by striking out "**THIS ARTICLE**" and inserting "**ARTICLE VII**".

3. Amend page 200, line 2, by striking out all of enacting section 2 and inserting:

"Enacting section 2. This amendatory act takes effect April 1, 2010.

Enacting section 3. This amendatory act does not take effect unless all of the following bills of the 95th Legislature are enacted into law:

(a) Senate Bill No. 383.

(b) Senate Bill No. 384.

(c) Senate Bill No. 385.

(d) Senate Bill No. 386."

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, Kandreas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 29, 2009

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Johnson, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, April 29, 2009

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

Absent: Rep. Bettie Scott

Excused: Rep. Bettie Scott

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 28, 2009

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 29, 2009

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

Messages from the Senate**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).

The Senate has passed the bill.

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

Senate Bill No. 313, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 241 (MCL 18.1241), as amended by 1999 PA 8.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Communications from State Officers

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

Notice of Filing
Administrative Rules

April 17, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor and Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2008-021-LG (Secretary of State Filing #09-04-06) on this date at 10:57 a.m. for the Department of Energy, Labor and Economic Growth, entitled "Michigan Gas Safety Standards".

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

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

The communication was referred to the Clerk.

Announcements by the Clerk

April 28, 2009

Received from the Auditor General a copy of the following audit report and/or report summary:

Performance audit of the Health Insurance Cost Avoidance and Recovery Section, Medical Services Administration, Department of Community Health, April 2009.

Richard J. Brown
Clerk of the House

By unanimous consent the House returned to the order of

Introduction of Bills

Rep. Coulouris introduced

House Bill No. 4840, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 9515, 9516, 9520, and 9521 (MCL 440.9515, 440.9516, 440.9520, and 440.9521), as amended by 2008 PA 383, and by adding section 9513a; and to repeal acts and parts of acts.

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

Rep. Coulouris introduced

House Bill No. 4841, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14g of chapter XVII (MCL 777.14g), as amended by 2008 PA 382.

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

Reps. Simpson, Kennedy, Liss, Constan, Slavens, Haase, Ebli, Valentine, Gregory, Bledsoe, Spade, Segal, Byrum and Switalski introduced

House Bill No. 4842, entitled

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

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

Reps. Simpson, Kennedy, Constan, Haase, Slavens, Switalski, Liss, Ebli, Gregory, Valentine, Segal, Spade, Bledsoe and Byrum introduced

House Bill No. 4843, entitled

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

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

Reps. Nathan, Lisa Brown, Switalski, Scripps, Roberts, Young, Geiss, Kandreas, Smith, Barnett, Lipton, Jackson, Durhal, Slezak, Constan, Kennedy, Cushingberry, Haase, Liss, Haugh, Mayes, Angerer, Dean, Bettie Scott, Melton, Johnson and Womack introduced

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.

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

Reps. Scripps, Kandreas, Haugh, Nathan, Switalski, Roberts, Constan, Haase, Slezak, Barnett, Slavens, Smith and Warren introduced

House Bill No. 4845, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3141 and 3145 (MCL 500.3141 and 500.3145).

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

Reps. Slezak, Haase, Kandreas, Haugh, Scripps, Barnett, Slavens, Switalski, Young, Durhal, Miller, Nathan, Liss and Womack introduced

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).

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

Reps. Cushingberry, Johnson, Smith, Tlaib, Young, Durhal, Lemmons, Nathan and Jackson introduced

House Bill No. 4847, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending sections 1, 1a, 2, and 3 (MCL 780.621, 780.621a, 780.622, and 780.623), section 1 as amended by 2002 PA 472, section 1a as added by 1982 PA 495, and sections 2 and 3 as amended by 1994 PA 294; and to repeal acts and parts of acts.

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

Reps. Sheltroun and Mayes introduced

House Bill No. 4848, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the

purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 12 (MCL 247.662), as amended by 2002 PA 498.

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

Rep. Sheltroun introduced

House Bill No. 4849, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7212, 7403, and 7404 (MCL 333.7212, 333.7403, and 333.7404), as amended by 2002 PA 710.

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

Reps. Lund, Lori, Opsommer, Rick Jones, McMillin, Daley, Pavlov, Agema, Horn, Haveman, Hansen, Calley, Kurtz, Moss, Kowall, Rogers, Elsenheimer, Wayne Schmidt, Crawford, Moore, Bolger, Haines, Knollenberg, Meekhof, Schuitmaker, Genetski, Pearce, Sheltroun, Meltzer and Hildenbrand introduced

House Bill No. 4850, entitled

A bill to provide standards for personnel policies to protect and accommodate the right of health care providers who object to providing or participating in certain health care services under certain circumstances; to provide for protection from certain liability; and to prescribe penalties and provide remedies.

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

Reps. Bauer, Byrnes, Segal, Lipton, Smith, Miller, Liss, Valentine, Ebli, Geiss, Hammel, Haugh, Warren, Byrum, Donigan, Young, Bledsoe, Cushingberry, Switalski, Corriveau, Scripps, Lemmons, Coulouris, Dean, Meadows, Stanley, Constan, Angerer, Lindberg, Bennett, Espinoza, Spade, Leland, Lisa Brown, Johnson and Jackson introduced

House Bill No. 4851, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), section 102 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, and section 202 as amended by 1991 PA 11.

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

Reps. Byrnes, Bauer, Segal, Gregory, Lipton, Smith, Miller, Liss, Valentine, Ebli, Neumann, Geiss, Hammel, Haugh, Warren, Byrum, Donigan, Young, Bledsoe, Cushingberry, Switalski, Corriveau, Scripps, Lemmons, Coulouris, Dean, Meadows, Stanley, Constan, Angerer, Lindberg, Bennett, Espinoza, Spade, Leland, Lisa Brown, Johnson and Jackson introduced

House Bill No. 4852, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 556 (MCL 750.556).

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

Reps. Roberts, Byrnes, Segal, Lipton, Smith, Miller, Liss, Valentine, Ebli, Neumann, Geiss, Hammel, Haugh, Warren, Byrum, Donigan, Young, Bledsoe, Cushingberry, Switalski, Corriveau, Scripps, Lemmons, Coulouris, Dean, Meadows, Stanley, Constan, Lisa Brown, Angerer, Lindberg, Bennett, Espinoza, Spade, Leland, Johnson and Jackson introduced

House Bill No. 4853, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 556 (MCL 750.556).

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

Reps. Slavens, Byrnes, Bauer, Segal, Lipton, Smith, Miller, Liss, Valentine, Ebli, Neumann, Geiss, Hammel, Haugh, Warren, Byrum, Donigan, Young, Bledsoe, Cushingberry, Switalski, Corriveau, Scripps, Lemmons, Coulouris, Lisa Brown, Dean, Meadows, Stanley, Constan, Angerer, Lindberg, Bennett, Espinoza, Spade, Leland, Johnson and Jackson introduced

House Bill No. 4854, entitled

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

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

Rep. Terry Brown introduced

House Bill No. 4855, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2008 PA 268 and section 17b as amended by 2007 PA 137.

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

Rep. Terry Brown introduced

House Bill No. 4856, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2008 PA 268 and section 17b as amended by 2007 PA 137.

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

Rep. Terry Brown introduced

House Bill No. 4857, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2008 PA 268 and section 17b as amended by 2007 PA 137.

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

Rep. Terry Brown introduced

House Bill No. 4858, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2008 PA 268 and section 17b as amended by 2007 PA 137.

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

Rep. Terry Brown introduced

House Bill No. 4859, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2008 PA 268 and section 17b as amended by 2007 PA 137.

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

Rep. Terry Brown introduced

House Bill No. 4860, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2008 PA 268 and section 17b as amended by 2007 PA 137.

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

Rep. Terry Brown introduced

House Bill No. 4861, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2008 PA 268 and section 17b as amended by 2007 PA 137.

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

Reps. Agema, Elsenheimer, Pearce, Tyler, Green, Kowall, Marleau, Walsh, Kurtz, Calley, McMillin, Rick Jones and Proos introduced

House Bill No. 4862, entitled

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending section 23 (MCL 256.643).

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

Reps. Agema, Amash, McMillin, Green, Genetski and Knollenberg introduced

House Bill No. 4863, entitled

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

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

Reps. Byrum, Opsommer, DeShazor, Cushingberry, Haugh, Horn, Denby and Dean introduced

House Bill No. 4864, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 421 (MCL 208.1421).
The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Byrnes introduced

House Bill No. 4865, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 31 (MCL 338.2231), as amended by 2007 PA 77.

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

Reps. Marleau and Mayes introduced

House Bill No. 4866, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), as amended by 2006 PA 646.

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

Reps. Mayes and Marleau introduced

House Bill No. 4867, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 400, 403, and 413 (MCL 208.1400, 208.1403, and 208.1413), section 403 as amended by 2008 PA 434 and section 413 as amended by 2007 PA 145.

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

Reps. Lipton, Meadows, Coulouris, Tlaib, Lisa Brown, Durhal, Slavens and Constan introduced

House Bill No. 4868, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 225 (MCL 600.225), as amended by 1996 PA 388.

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

Rep. Neumann moved that the House adjourn.

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

The Speaker Pro Tempore declared the House adjourned until Thursday, April 30, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives

