

No. 10
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House Chamber, Lansing, Tuesday, February 17, 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—excused	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—present	Tlaib—present
Cushingberry—present	Jones, Rick—present	Nerat—present	Tyler—present
Daley—present	Jones, Robert—present	Neumann—present	Valentine—present
Dean—present	Kandrevas—present	Opsommer—present	Walsh—present
Denby—present	Kennedy—present	Pavlov—present	Warren—present
DeShazor—present	Knollenberg—present	Pearce—present	Womack—present
Dillon—present	Kowall—present	Polidori—present	Young—present
Donigan—present	Kurtz—present		

e/d/s = entered during session

Rep. Brian N. Calley, from the 87th District, offered the following invocation:

“Lord, thank You for the many blessings You have bestowed upon this State. In these trying times, we are reminded of the words of the Apostle Paul in his letter to the believers in Philippi, formed in the first chapter of the book of Philippians verses 20 and 21. ‘According to my earnest expectation and my hope, that in nothing I shall be ashamed, but that with all boldness, as always, so now also Christ shall be magnified in my body, whether it be by life, or by death. For to me to live is Christ, and to die is gain.’

Help the members of this chamber to be bold at a time when bold action is required of us. We seek Your wisdom and Your blessings in Jesus’ name, Amen.”

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

Reports of Standing Committees

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported
House Resolution No. 16.

A resolution to request that the U.S. Fish and Wildlife Service extend indefinitely the depredation order for double-crested cormorants.

(For text of resolution, see House Journal No. 6, p. 88.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

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

Nays: None

The Speaker laid before the House

House Resolution No. 16.

A resolution to request that the U.S. Fish and Wildlife Service extend indefinitely the depredation order for double-crested cormorants.

(For text of resolution, see House Journal No. 6, p. 88.)

(The resolution was reported by the Committee on Tourism, Outdoor Recreation and Natural Resources on February 17.)

The question being on the adoption of the resolution,

The resolution was adopted.

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

Introduction of Bills

Rep. Cushingberry introduced

House Bill No. 4258, entitled

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

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

Rep. Cushingberry introduced
House Bill No. 4259, entitled

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

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

Rep. Cushingberry introduced
House Bill No. 4260, entitled

A bill to make, supplement, and adjust appropriations for the department of labor and economic growth for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

Reps. Liss and Lori introduced
House Bill No. 4261, entitled

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

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

Reps. Liss and Nathan introduced
House Bill No. 4262, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1290.

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

Rep. Rick Jones introduced
House Bill No. 4263, entitled

A bill to amend 1919 PA 339, entitled "Dog law of 1919," (MCL 287.261 to 287.290) by adding section 19c.

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

Reps. Robert Jones, Simpson, Smith, Young, Miller, Scripps, Durhal, Tlaib, Constan and Johnson introduced
House Bill No. 4264, 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 bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Robert Jones, Simpson, Smith, Young, Miller, Scripps, Durhal, Tlaib, Constan and Johnson introduced
House Bill No. 4265, entitled

A bill to amend 1970 PA 169, entitled "Local historic districts act," by amending sections 1a, 5, 9, 10, 11, 14, and 15 (MCL 399.201a, 399.205, 399.209, 399.210, 399.211, 399.214, and 399.215), sections 1a and 5 as amended by 2004 PA 67, section 9 as amended by 2001 PA 67, and sections 10 and 11 as amended and sections 14 and 15 as added by 1992 PA 96, and by adding sections 14a and 14b.

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

Reps. Robert Jones, Simpson, Smith, Young, Miller, Scripps, Durhal, Tlaib, Constan and Johnson introduced
House Bill No. 4266, 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 bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Rick Jones, Agema, Elsenheimer, Knollenberg, Lori, Walsh, Meadows and Schuitmaker introduced
House Bill No. 4267, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 1817.

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

Reps. Rick Jones, Elsenheimer, Knollenberg, Lori, Young, Valentine, Mayes, Moss, DeShazor, Ball, Walsh, Genetski, Schuitmaker and Barnett introduced

House Bill No. 4268, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1307. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Rick Jones, Schuitmaker, Meekhof, Mayes, Durhal, Geiss, Young, Huckleberry, Sheltroun, Corriveau, Ebli, Spade, Gonzales, Moore, Horn, Valentine, Moss, DeShazor, Kowall, Tyler, Elsenheimer, Ball, Espinoza, Terry Brown, Knollenberg, Stamas, Marleau, Opsommer, Paul Scott, Wayne Schmidt, Rocca, Calley, McMillin and Walsh introduced

House Bill No. 4269, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 387 (MCL 750.387), as amended by 1998 PA 311.

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

Reps. Mayes, Rick Jones, Schuitmaker, Meekhof, Durhal, Geiss, Young, Huckleberry, Sheltroun, Corriveau, Ebli, Spade, Gonzales, Moore, Knollenberg, Horn, Valentine, Marleau, Moss, Kowall, Tyler, Elsenheimer, Ball, Espinoza, Terry Brown, Stamas, DeShazor, Opsommer, Paul Scott, Wayne Schmidt, Rocca, Calley, McMillin and Walsh introduced

House Bill No. 4270, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16s of chapter XVII (MCL 777.16s), as amended by 2008 PA 414.

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

Reps. Hammel, Slavens, Miller and Bennett introduced

House Bill No. 4271, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2008 PA 506.

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

Reps. Booher, Horn, Opsommer, Caul, Marleau, Wayne Schmidt, McDowell, Hansen, Haveman, Spade, Ball and Crawford introduced

House Bill No. 4272, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 48f (MCL 125.1448f), as added by 1981 PA 173.

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

Reps. Booher, Horn, Opsommer, Caul, Marleau, Wayne Schmidt, McDowell, Hansen, Haveman, Spade, Ball and Crawford introduced

House Bill No. 4273, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3216 (MCL 600.3216). The bill was read a first time by its title and referred to the Committee on Intergovernmental and Regional Affairs.

Reps. McMillin and Knollenberg introduced

House Bill No. 4274, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 513 (MCL 208.1513). The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. McMillin introduced

House Bill No. 4275, entitled

A bill to apportion the state's expenses for the cost of health benefits for state employees.

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

Reps. Griffin and Polidori introduced

House Bill No. 4276, entitled

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

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

Reps. Byrnes, Liss, Miller, Scripps, Smith, Robert Jones, Switalski, Roberts and Lisa Brown introduced

House Bill No. 4277, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11503, 11514, and 11539 (MCL 324.11503, 324.11514, and 324.11539), section 11503 as amended by 2007 PA 212 and section 11514 as amended by 2008 PA 394.

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

Reps. Valentine, Liss, Byrnes, Miller, Scripps, Smith, Robert Jones, Roberts and Lisa Brown introduced

House Bill No. 4278, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 17201 (MCL 324.17201), as amended by 2006 PA 494, and by adding section 17208.

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

Reps. Ebli, Liss, Byrnes, Miller, Scripps, Smith, Robert Jones, Switalski, Roberts and Lisa Brown introduced

House Bill No. 4279, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 17209.

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

Reps. Ebli, Liss, Byrnes, Miller, Scripps, Smith, Switalski, Roberts and Lisa Brown introduced

House Bill No. 4280, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 17211.

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

Reps. Warren, Scripps, Lisa Brown, Byrnes, Liss, Miller, Smith, Robert Jones, Switalski, Roberts and Dean introduced

House Bill No. 4281, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 17201 (MCL 324.17201), as amended by 2006 PA 494, and by adding sections 17210, 17215, and 17217.

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

Reps. Miller, Espinoza, Gregory, Geiss, Haugh, Switalski, Liss, Robert Jones, Smith, Roberts, Lisa Brown and Polidori introduced

House Bill No. 4282, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 264 (MCL 18.1264), as added by 1988 PA 504.

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

Reps. Miller, Espinoza, Gregory, Geiss, Switalski, Haugh, Rocca, Byrnes, Liss, Leland, Robert Jones, Smith, Roberts, Lisa Brown and Polidori introduced

House Bill No. 4283, entitled

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

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

Reps. Miller and Angerer introduced

House Bill No. 4284, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 55 (MCL 169.255), as amended by 1995 PA 264.

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

Rep. Miller introduced

House Bill No. 4285, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 84 (MCL 38.1384), as amended by 1989 PA 194, and by adding section 81b.

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

Reps. Nerat, Melton, Byrnes, Rocca, Lindberg, Lahti, McDowell, Neumann, Bauer, Sheltroun and Scripps introduced

House Bill No. 4286, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 504 (MCL 324.504), as amended by 2004 PA 130.

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

Reps. Switalski, Tlaib, Durhal, Geiss, Stanley, Simpson, Roberts, Liss and Smith introduced

House Bill No. 4287, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 14k.

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

Rep. Espinoza introduced

House Bill No. 4288, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Lahti introduced

House Bill No. 4289, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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

Rep. Miller introduced

House Bill No. 4290, entitled

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. McDowell introduced

House Bill No. 4291, entitled

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Smith introduced

House Bill No. 4292, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Terry Brown introduced

House Bill No. 4293, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Bennett introduced

House Bill No. 4294, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Durhal introduced

House Bill No. 4295, entitled

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Rep. Bauer introduced

House Bill No. 4296, entitled

A bill to make appropriations for higher education for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Jackson introduced

House Bill No. 4297, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Spade introduced

House Bill No. 4298, entitled

A bill to make appropriations for the department of human services for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Tlaib introduced

House Bill No. 4299, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Hammel introduced

House Bill No. 4300, entitled

A bill to make appropriations for the department of energy, labor, and economic growth for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Hammel introduced

House Bill No. 4301, entitled

A bill to make appropriations for the Michigan strategic fund for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. LeBlanc introduced

House Bill No. 4302, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Lahti introduced

House Bill No. 4303, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Terry Brown introduced

House Bill No. 4304, entitled

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

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

Rep. Terry Brown introduced

House Bill No. 4305, 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. LeBlanc introduced

House Bill No. 4306, entitled

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Gonzales introduced

House Bill No. 4307, entitled

A bill to make appropriations for the department of transportation for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

Rep. Cushingberry introduced

House Bill No. 4308, entitled

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

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

Rep. Cushingberry introduced

House Bill No. 4309, entitled

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

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

Rep. Cushingberry introduced

House Bill No. 4310, entitled

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

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

Rep. Cushingberry introduced

House Bill No. 4311, entitled

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

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

Rep. Leland introduced

House Bill No. 4312, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 3 (MCL 408.473).

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Rep. Meadows introduced

House Bill No. 4313, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 2003 PA 299.

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

Reps. Meadows, Warren, Gonzales, Johnson, Roberts and Dean introduced

House Bill No. 4314, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 17c of chapter XIIA (MCL 712A.17c), as amended by 1998 PA 480.

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

Reps. Meadows, Warren, Gonzales, Johnson and Dean introduced

House Bill No. 4315, entitled

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

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

Reps. Lisa Brown, Simpson, Switalski, Donigan, Tlaib, Scripps, Miller, Bledsoe, Mayes, Sheltroun, Haugh, Haase, Lipton, Durhal, Roberts, Byrum, Slavens, Barnett and Dean introduced

House Bill No. 4316, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2946 (MCL 600.2946), as amended by 1995 PA 249.

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

Reps. Kennedy, Switalski, Donigan, Tlaib, Lisa Brown, Simpson, Scripps, Miller, Young, Mayes, Sheltroun, Haugh, Lipton, Haase, Roberts, Durhal, Byrum, Slavens, Barnett and Dean introduced

House Bill No. 4317, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5805 (MCL 600.5805), as amended by 2002 PA 715.

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

Reps. Slavens, Donigan, Switalski, Lisa Brown, Tlaib, Simpson, Scripps, Miller, Young, Bledsoe, Mayes, Sheltroun, Haugh, Lipton, Haase, Roberts, Durhal, Byrum, Barnett and Dean introduced

House Bill No. 4318, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending sections 2 and 3 (MCL 445.902 and 445.903), section 2 as amended by 2006 PA 508 and section 3 as amended by 2008 PA 310.

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

Rep. Hansen introduced

House Bill No. 4319, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2008 PA 337.

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

Rep. Hansen introduced

House Bill No. 4320, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," by amending section 1 (MCL 41.801), as amended by 2002 PA 501.

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

Reps. Hansen and Simpson introduced

House Bill No. 4321, entitled

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

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

Rep. Cushingberry introduced

House Joint Resolution J, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to limit the increase in the taxable value of property following a transfer of ownership.

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

Rep. McMillin introduced

House Joint Resolution K, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to reduce compensation for state legislators when the state unemployment rate exceeds a certain amount.

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

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

Rep. Dillon offered the following resolution:

House Resolution No. 24.

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

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

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

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

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

Resolved by the House of Representatives, That we memorialize Congress and the President to invest in the manufacturing sector, including the domestic auto industry; and be it further

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

The resolution was referred to the Committee on Commerce.

Reps. McMillin, Knollenberg, Hansen, Horn, Caul, Cushingberry, Daley, Green, Haines, Rick Jones, Kowall, Kurtz, Lund, Moss, Opsommer, Pavlov, Rogers, Amash and Marleau offered the following resolution:

House Resolution No. 25.

A resolution to urge Congress to oppose the restoration of the Fairness Doctrine.

Whereas, Many citizens and organizations are deeply concerned about the so-called "fairness doctrine," which would dictate to broadcasters that they present opposing viewpoints on controversial issues of public importance. Bringing back this requirement to broadcast media would amount to government control over political views expressed on the public airwaves. Government should not be in the business of rationing free speech; and

Whereas, The Fairness Doctrine clearly violates the First Amendment in the United States Constitution, which states "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances"; and

Whereas, Freedom of speech includes written, spoken word, or electronic communication; and

Whereas, In a free society, fairness should be determined on the basis of equal opportunity, not equal results. Since the expiration of the fairness doctrine requirement, talk radio has emerged as a dynamic forum for public debate and an asset to the nation; and

Whereas, If the fairness doctrine is reinstated, it will place a major financial burden on many small radio stations that currently carry politically oriented programming. Demands to provide equal time may be cost prohibitive, which may cause some stations not to carry any talk radio programming at all; now, therefore, be it

Resolved by the House of Representatives, That we urge Congress to oppose the restoration of the Fairness Doctrine; 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 Judiciary.

Reps. Rick Jones, Caul, Constan, Cushingberry, Daley, Dean, DeShazor, Espinoza, Geiss, Green, Haines, Horn, Kowall, Kurtz, Lahti, Lori, Lund, Miller, Moss, Neumann, Opsommer, Pavlov, Pearce, Polidori, Proos, Rogers, Roy Schmidt, Smith, Spade, Valentine, Hansen, Liss and Marleau offered the following resolution:

House Resolution No. 26.

A resolution declaring May 2009 as Motorcycle Safety Awareness Month in the state of Michigan.

Whereas, It is most appropriate to join with motorcyclists throughout the state of Michigan in commemorating May 2009 as Motorcycle Safety Awareness Month. This prudent observation elicits all Michigan motorists the opportunity to re-dedicate themselves to the utmost standards of highway safety; and

Whereas, The emergence of spring is synonymous with the return of motorcycle mavens to our state's roadways. Throughout Michigan, motorcyclists have been on the cutting edge of promoting the wise and sensible use of this enjoyable mode of travel. Indeed, the disproportionate number of motorcycle fatalities makes it vitally important to encourage motorcyclists to understand and practice the highest degree of safety. It is also important to remind other drivers that highway safety is beneficial to all parties traveling on public roadways; and

Whereas, Motorcycle Safety Awareness Month encourages motorcycle operators to don proper protective riding attire; to maintain their motorcycles at a high level of safe operating conditions; to abide by the laws of the road; and to implement operating techniques providing an additional standard of safety. Additionally, car and truck drivers are informed of the fact that motorcyclists are resuming their travels on our public roadways, and each is encouraged to be exceptionally vigilant and watchful when approaching or passing a motorcycle on the highway. It is a distinct pleasure, on this occasion, to encourage all of those who share our streets that safety is every driver's responsibility; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate May 2009 as Motorcycle Safety Awareness Month in the state of Michigan. All of Michigan's citizens are urged to identify and know the different types and scope of vehicles on our public roadways and to maintain a caring attitude toward proper allocations of lanes on the road, making the roads of our Great Lakes State safer for all.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Terry Brown, Caul, Constan, Cushingberry, Daley, Dean, DeShazor, Donigan, Durhal, Espinoza, Geiss, Gonzales, Green, Haines, Robert Jones, Kowall, Lahti, Lori, Lund, Miller, Moss, Neumann, Opsommer, Pavlov, Pearce, Polidori, Proos, Rogers, Roy Schmidt, Smith, Spade, Valentine, Hansen, Haveman, Liss, Barnett and Marleau offered the following resolution:

House Resolution No. 27.

A resolution commemorating March 2009 as Parenting Awareness Month in the state of Michigan.

Whereas, The Parenting Awareness Michigan initiative has been in existence since 1993, when it began as an awareness month to promote parenting; and

Whereas, Parenting Awareness Month sets the foundation for guiding children and youth to be healthy and drug free year round; and

Whereas, Parenting Awareness works to raise the awareness of individuals and community groups to be involved in alcohol, tobacco, and other drug prevention; and

Whereas, Informed and effective parenting is of critical importance across the lifespan and adds stability and strength to the lives of children and also helps to reduce social problems such as substance abuse, academic failure, teenage pregnancy, violence, and crime; and

Whereas, Showing children love, concern, and respect; providing children a safe place to live and play; spending time with children and teaching them to be responsible are key factors in the philosophy supported by Parenting Awareness Michigan; and

Whereas, Providing and promoting education and resources for the development of effective parenting while working hand-in-hand with our schools and community to improve the quality of life for children and families; and

Whereas, A national month dedicated to educating all Americans on the importance of effective parenting and to celebrate those people who are raising children and utilize the Parenting Awareness Michigan Initiative to improve the quality of life for the people of Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate March 2009 as Parenting Awareness Month, and honor the contributions to it is making to educate Americans on the commitment and dedication to individuals, families, and communities everywhere that the Parenting Awareness Michigan Initiative provides; and be it further

Resolved, We honor and join other organizations throughout the state and this country, as they use this occasion to honor the contributions of the Parenting Awareness Initiative; and be it further

Resolved, That a copy of this resolution be transmitted to the Parenting Awareness Michigan Chapter; the Huron County Parenting Awareness Coalition, and other local community organizations throughout the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, February 12:

House Bill Nos. 4242 4243 4244 4245 4246 4247 4248 4249 4250 4251 4252 4253 4254 4255
 4256 4257
House Joint Resolution I
Senate Bill Nos. 210 211 212 213 214 215 216 217

The Clerk announced that the following Senate bills had been received on Thursday, February 12:

Senate Bill Nos. 70 71 72

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, February 13:

Senate Bill Nos. 218 219 220 221 222 223 224 225 226

The Clerk announced that the following Senate bills had been received on Tuesday, February 17:

Senate Bill Nos. 195 196

Reports of Standing Committees

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

House Bill No. 4030, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1561 and 1596 (MCL 380.1561 and 380.1596), section 1561 as amended by 1996 PA 339.

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, Lisa Brown, Bledsoe, Byrum, Corriveau, Geiss, Haase, Kennedy, Lindberg, Nathan, Polidori, Roberts, Sheltroun, Valentine, Ball, DeShazor and Walsh

Nays: Reps. Pavlov, Amash, McMillin, Pearce, Paul Scott and Tyler

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

House Bill No. 4132, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1561 and 1596 (MCL 380.1561 and 380.1596), section 1561 as amended by 1996 PA 339.

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, Lisa Brown, Bledsoe, Byrum, Corriveau, Geiss, Haase, Kennedy, Lindberg, Nathan, Polidori, Roberts, Sheltroun, Valentine, Ball, DeShazor and Walsh

Nays: Reps. Pavlov, Amash, McMillin, Pearce, Paul Scott and Tyler

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 12, 2009

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

The Committee on Energy and Technology, by Rep. Mayes, Chair, reported

House Bill No. 4247, entitled

A bill to amend 2006 PA 480, entitled "Uniform video services local franchise act," by amending section 10 (MCL 484.3310).

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. Mayes, Geiss, Lisa Brown, Clemente, Huckleberry, Lindberg, Lipton, Melton, Roberts, Scripps, Horn, Crawford, Opsommer, Proos, Wayne Schmidt and Schuitmaker

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 17, 2009

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

Absent: Reps. Ebli, Johnson and Marleau

Excused: Reps. Ebli, Johnson and Marleau

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

House Bill No. 4145, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 4155, 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 the title and sections 5f, 5k, and 5o (MCL 28.425f, 28.425k, and 28.425o), the title as amended and section 5k as added by 2000 PA 381, section 5f as amended by 2008 PA 194, and section 5o as amended by 2008 PA 407.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Huckleberry, Lindberg, Simpson, Stamas, Bolger, Hansen and Horn

Nays: None

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

House Bill No. 4156, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2006 PA 457.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 4164, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Huckleberry, Lindberg, Simpson, Stamas, Bolger, Hansen and Horn

Nays: Rep. Stanley

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, February 17, 2009

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

Absent: Rep. Ebli

Excused: Rep. Ebli

The Committee on Government Operations, by Rep. Constan, Chair, reported

House Bill No. 4128, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Constan, Liss, Corriveau, Simpson, Slezak, Warren, Walsh and McMillin

Nays: None

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

The Committee on Government Operations, by Rep. Constan, Chair, reported

House Bill No. 4135, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Constan, Liss, Corriveau, Simpson, Slezak, Warren, Walsh, Daley and McMillin

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Constan, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Tuesday, February 17, 2009

Present: Reps. Constan, Liss, Corriveau, Simpson, Slezak, Warren, Walsh, Daley and McMillin

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 12, 2009

Present: Reps. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 17, 2009

Present: Reps. Leland, Nathan, Barnett, Meadows, Segal, Stanley, Womack, Paul Scott, Hansen, Meltzer and Pavlov

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 17, 2009

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

Absent: Reps. Coulouris, Donigan and Johnson

Excused: Reps. Coulouris, Donigan and Johnson

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Griffin, Chair, of the Committee on Oversight and Investigations, was received and read:

Meeting held on: Tuesday, February 17, 2009

Present: Reps. Griffin, Bledsoe, Angerer and Bolger

Absent: Reps. Warren and Horn

Excused: Reps. Warren and Horn

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, February 17, 2009

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

Absent: Rep. Young

Excused: Rep. Young

Messages from the Senate**Senate Bill No. 70, 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," by amending section 28 (MCL 205.28), as amended by 2003 PA 114.

The Senate has passed the bill.

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

Senate Bill No. 71, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 72, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 513 (MCL 208.1513).

The Senate has passed the bill.

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

Senate Bill No. 195, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," by amending section 1 (MCL 129.91), as amended by 2008 PA 308.

The Senate has passed the bill.

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

Senate Bill No. 196, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 622 and 1223 (MCL 380.622 and 380.1223), as amended by 2008 PA 307.

The Senate has passed the bill.

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

Notices

February 11, 2009

Mr. Richard J. Brown, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

I hereby make the following changes to the membership for the subcommittees of the Appropriations Committee for the 2009-2010 Legislative Session:

Economic Development

Rep. Gonzales to replace Rep. Terry Brown.

Joint Capital Outlay

Rep. Terry Brown to replace Rep. Gonzales.

Sincerely,
George Cushingberry, Chair
Appropriations Committee

Messages from the Governor

The following message from the Governor was received February 12, 2009 and read:

EXECUTIVE ORDER

No. 2009 – 2

DEPARTMENT OF COMMUNITY HEALTH

EXECUTIVE REORGANIZATION

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch of state government or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, there is a continuing need to reorganize functions amongst state departments to ensure efficient administration and effectiveness of government;

WHEREAS, reductions in state revenue and on-going fiscal constraints inhibit the ability of state government to continue to operate a separate and distinct Office of Drug Control Policy within the Department of Community Health;

WHEREAS, legally mandated duties and functions currently performed by the Office of Drug Control Policy can be assumed by the Department of Community Health;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. “Department of Community Health” or “Department” means the principal department of state government created as the Department of Mental Health under Section 400 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.500, and renamed the Department of Community Health under Executive Order 1996-2, MCL 330.3101.

B. “Office of Drug Control Policy” means the office established as an autonomous entity within the Department of Management and Budget under Executive Order 1991-20, transferred to the Department of Community Health by Executive Order 1996-2, MCL 330.3101, and designated as a “Type II agency” within the Department of Community Health by Executive Order 1997-4, MCL 333.26324.

C. “State Budget Director” means the individual appointed by the Governor pursuant to Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

D. “Type III transfer” means that term as defined under Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

II. TRANSFER OF FUNCTIONS OF OFFICE OF DRUG CONTROL POLICY

- A. The Office of Drug Control Policy is transferred by Type III transfer to the Department of Community Health.
 B. The Office of Drug Control Policy is abolished.

III. IMPLEMENTATION OF TRANSFER

A. The Director of the Department of Community Health shall provide executive direction and supervision for the implementation of the transfer under this Order and shall make internal organization changes as necessary to effectuate the transfers.

B. The authority, powers, duties, functions, and responsibilities transferred to the Department of Community Health under this Order shall be administered in such ways as to promote efficient administration.

C. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available for the activities, powers, duties, functions, and responsibilities transferred to the Department of Community Health under this Order are transferred to the Department.

IV. MISCELLANEOUS

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system necessary for the implementation of this Order.

B. All rules, orders, contracts, and agreements relating to the transfers under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

C. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective October 1, 2009 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 12th day of February, in the year of our Lord, two thousand nine.

Jennifer M. Granholm
 Governor
 By the Governor:
 Terri L. Land
 Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received February 12, 2009 and read:

EXECUTIVE ORDER
No. 2009 – 3

OFFICE OF LONG-TERM CARE SUPPORTS AND SERVICES

DEPARTMENT OF COMMUNITY HEALTH

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Michigan's publicly-supported system of long-term care must be provided in an integrated and coordinated manner as an integral part of the mission of the Department of Community Health;

WHEREAS, consumers and the families or advocates involved with and most affected by Medicaid long-term care services and supports should be consulted by the Department of Community Health on an on-going basis about ways to improve the quality and delivery of long-term care services and supports;

WHEREAS, Michigan's long-term care system must continue to provide effective public education about the options and settings for long-term services and supports and provide timely and informed access to those options through person-centered planning;

WHEREAS, reductions in state revenue and on-going fiscal constraints inhibit the ability of state government to continue to operate a separate and distinct Office of Long-Term Care Supports and Services;

WHEREAS, duties and functions currently performed by the Office of Long-Term Care Supports and Services can be integrated into the functions of the Department of Community Health;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. "Department of Community Health" or "Department" means the principal department of state government created as the Department of Mental Health under Section 400 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.500, and renamed the Department of Community Health under Executive Order 1996-2, MCL 330.3101.

B. "Office of Long-Term Care Supports and Services" means the office established within the Department of Community Health by Executive Order 2005-14.

II. RESCISSION OF EXECUTIVE ORDER 2005-14

A. Section II of Executive Order 2005-14 is rescinded.

B. The Office of Long-Term Care Supports and Services is abolished.

This Order is effective October 1, 2009 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 12th day of February, in the year of our Lord, two thousand nine.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received February 12, 2009 and read:

EXECUTIVE ORDER

No. 2009 – 4

**DEPARTMENT OF AGRICULTURE
DEPARTMENT OF MANAGEMENT AND BUDGET**

EXECUTIVE REORGANIZATION

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch of state government or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, there is a continuing need to reorganize functions amongst state departments to ensure efficient administration and effectiveness of government;

WHEREAS, reductions in state revenue and on-going fiscal constraints inhibit the ability to provide taxpayer-funded assistance to the state fairs operated in the Upper Peninsula and in the City of Detroit;

WHEREAS, with the end of state-support for the state fairs, the remaining legally mandated duties and functions relating to the state fairs can be performed by the Department of Management and Budget;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. "Department of Agriculture" means the principal department of state government created under Section 1 of 1921 PA 13, MCL 285.1 and Section 175 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.275.

B. "Department of Management and Budget" means the principal department of state government created under Section 121 of The Management and Budget Act, 1984 PA 431, MCL 18.1121.

C. "Michigan Exposition and Fairgrounds Authority" means the public body created within the Department of Management and Budget under Section 4 of the Michigan Exposition and Fairgrounds Authority Act, 1978 PA 361, MCL 285.164.

D. "Board of Managers of the Upper Peninsula State Fair" means the board created under Section 1 of 1927 PA 89, MCL 285.141, and transferred to the Department of Agriculture under Section 186 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.286.

E. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

F. "Type III transfer" means that term as defined under Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

II. TRANSFER OF FUNCTIONS OF MICHIGAN EXPOSITION AND FAIRGROUNDS AUTHORITY

A. The position of Manager of the Michigan Exposition and Fairgrounds Authority is transferred by Type III transfer to the Department of Management and Budget.

B. The position of Manager of the Michigan Exposition and Fairgrounds Authority is abolished.

C. The Michigan Exposition and Fairgrounds Authority is transferred by Type III transfer to the Department of Management and Budget.

D. The Michigan Exposition and Fairgrounds Authority is abolished.

III. TRANSFER OF FUNCTIONS OF BOARD OF MANAGERS OF UPPER PENINSULA STATE FAIR

A. The Board of Managers of the Upper Peninsula State Fair is transferred by Type III transfer to the Department of Management and Budget.

B. The Board of Managers of the Upper Peninsula State Fair is abolished.

C. Any and all remaining authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Department of Agriculture under 1927 PA 89, MCL 285.141 to 285.145, are transferred to the Department of Management and Budget.

IV. IMPLEMENTATION OF TRANSFERS

A. The Director of the Department of Management and Budget shall provide executive direction and supervision for the implementation of the transfers under this Order and shall make internal organization changes as necessary to effectuate the transfers.

B. The authority, powers, duties, functions, and responsibilities transferred to the Department of Management and Budget under this Order shall be administered in such ways as to promote efficient administration.

C. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available for the activities, powers, duties, functions, and responsibilities transferred to the Department of Management and Budget under this Order are transferred to the Department of Management and Budget.

V. MISCELLANEOUS

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system necessary for the implementation of this Order.

B. All rules, orders, contracts, and agreements relating to the transfers under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

C. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective October 1, 2009 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 12th day of February, in the year of our Lord, two thousand nine.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received February 12, 2009 and read:

EXECUTIVE ORDER

No. 2009 – 5

**CREATION OF
MICHIGAN PAROLE AND COMMUTATION BOARD**

DEPARTMENT OF CORRECTIONS

EXECUTIVE REORGANIZATION

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch of state government or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, there is a continuing need to reorganize functions amongst state departments to ensure efficient administration and effectiveness of government;

WHEREAS, expansion and reorganization of the Michigan Parole Board will lead to more effective implementation of corrections policy, greater administrative efficiencies in the Department of Corrections, enhanced accountability to elected officials, increased consideration of parole and commutation requests, and reductions in corrections expenditures;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. "Civil Service Commission" means the Michigan Civil Service Commission created under Section 5 of Article XI of the Michigan Constitution of 1963.

B. "Department of Corrections" or "Department" means the principal department of state government created under Section 1 of the Corrections Code of 1953, 1953 PA 232, MCL 791.201, Section 275 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.375, and Executive Order 1991-12, MCL 791.302.

C. "Michigan Parole and Commutation Board" or "Board" means the Michigan Parole and Commutation Board established by this Order.

D. "Parole Board" means the Parole Board established in the Department of Corrections beginning on October 1, 1992, by Section 31a of the Corrections Code of 1953, 1953 PA 232, MCL 791.231a, and abolished by this Order.

E. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

II. CREATION OF MICHIGAN PAROLE AND COMMUTATION BOARD

A. The Michigan Parole and Commutation Board is established within the Department of Corrections. The Michigan Parole and Commutation Board shall consist of 15 members appointed by the Governor. Members of the Board shall not be within the classified state civil service. Not less than 6 members of the Board shall be individuals who, at the time of the member's original appointment, had not previously been employed or appointed to a position in the Department of Corrections other than a position as a member of the Board or the Parole Board.

B. Of the members of the Michigan Parole and Commutation Board initially appointed by the Governor under Section II.B, 4 members shall be appointed for a term expiring on November 30, 2009, 4 members shall be appointed for a term expiring on November 30, 2010, 4 members shall be appointed for a term expiring on November 30, 2011, and 3 members shall be appointed for a term expiring on November 30, 2012. After the initial appointments under this paragraph, members of the Board shall be appointed for a term of 4 years.

C. A member of the Michigan Parole and Commutation Board shall continue to serve until a successor is appointed and qualified. A vacancy on the Board occurring other than by expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term.

D. The Governor shall designate a member of the Michigan Parole and Commutation Board as the Chairperson of the Board to serve as Chairperson at the pleasure of the Governor. The Chairperson of the Board shall be responsible for the administration and operation of the functions of the Board consistent with this Order. The Chairperson may conduct interviews, public hearings, and participate in the parole decision-making process. The Chairperson shall serve as the appointing authority for secretaries, assistants, clerks, and other employees of the Board as the Chairperson considers necessary, consistent with applicable rules and regulations of the Civil Service Commission.

E. Each member of the Michigan Parole and Commutation Board shall receive an annual salary as appropriated by law and shall be entitled to actual and necessary expenses while on the business of the Board consistent with standard state travel regulations.

F. A member of the Michigan Parole and Commutation Board shall be subject to removal by the Governor for incompetency, dereliction of duty, and as provided under Section 10 of Article V of the Michigan Constitution of 1963.

G. The Director of the Department of Corrections shall report to the Governor monthly on the productivity and caseload of the Michigan Parole and Commutation Board. Based upon these reports, the Director shall recommend to the Governor in writing any reduction or increase in the number of Board members necessary in the opinion of the Director.

III. ABOLITION OF PAROLE BOARD

A. All of the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Parole Board are transferred to the Michigan Parole and Commutation Board. The authority, powers, duties, and functions of the Parole Board transferred under this Order to the Michigan Parole and Commutation Board, include, but are not limited to, authority, powers, duties, and functions of the Parole Board under any of the following:

1. Section 9 of the Sex Offenders Registration Act, 1994 PA 295, MCL 28.729.

2. Section 36 of Title VIII of The Code of Criminal Procedure, 1927 PA 175, MCL 768.36.

3. Sections 1a, 1f, and 1g of Title IX of The Code of Criminal Procedure, 1927 PA 175, MCL 769.1a, 769.1f, and 769.1g.

4. Section 22 of the Uniform Criminal Extradition Act, 1937 PA 144, MCL 780.22.

5. Section 1 of 1957 PA 177, MCL 780.131.

6. Sections 16, 19, 21, and 48 of the William Van Regenmorter Crime Victim's Rights Act, 1985 PA 87, MCL 780.766, 780.769, 780.771, and 780.798.

7. The Corrections Code of 1953, 1953 PA 232, MCL 791.201 to 791.285.

8. Section 5 of the Special Alternative Incarceration Act, 1988 PA 287, MCL 798.15.

9. Sections 33 to 35 of 1893 PA 118, MCL 800.33 to 800.35.

10. Executive Order 2007-2.

B. After the effective date of this Order, any statutory and other references to the Parole Board shall be deemed references to the Michigan Parole and Commutation Board.

C. The Parole Board is abolished.

IV. IMPLEMENTATION OF TRANSFER

A. The Director of the Department of Corrections shall provide executive direction and supervision for the implementation of the transfer under this Order and shall make internal organization changes as necessary to effectuate the transfers.

B. The authority, powers, duties, functions, and responsibilities transferred to the Michigan Parole and Commutation Board under this Order shall be administered in such ways as to promote efficient administration.

C. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available for the activities, powers, duties, functions, and responsibilities transferred to the Michigan Parole and Commutation Board under this Order are transferred to the Michigan Parole and Commutation Board.

V. MISCELLANEOUS

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system necessary for the implementation of this Order.

B. All rules, orders, contracts, and agreements relating to the transfers under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

C. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are April 19, 2009 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 12th day of February, in the year of our Lord, two thousand nine.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

Explanation of "No" Votes

Rep. Kowall, having reserved the right to explain her nay vote pertaining to **House Resolution No. 21**, made the following statement:

"Mr. Speaker and members of the House:

The trillion dollar federal stimulus package has the potential to be the biggest waste of taxpayer money in the history of the world. While we do need an economic stimulus and we do need to create jobs and long term economic growth, there is no reason to believe the bill currently under consideration by Congress will do that. It is full of political paybacks and classic pork-barrel spending. There is not guarantee it will work and every guarantee our children's children will be left with the bill.

As currently written, the bill includes billions of dollars worth of projects that do absolutely nothing to stimulate our economy, such as: \$400 million to prevent sexually transmitted diseases and \$246 million for tax breaks to Hollywood movie producers.

Congress must make sure the stimulus package is used in ways that will create jobs and long-term economic growth. For these reasons, I cannot support this bill at this time.”

Communications from State Officers

The following communication from the Department of Community Health was received and read:

February 12, 2009

When a Michigan Department of Community Health (MDCH) inpatient facility is designated for closure, Section 19(6) of Act 240 of the Public Acts of 1943, being Section 38.19 of the Michigan Compiled Laws, requires that the director of the MDCH certify in writing to the Legislature and the Retirement Board, not less than 240 days prior to the designated official date of closure, which facility is to be closed.

In fulfillment of this requirement, I am officially providing notification that the Mt. Pleasant Center (MPC), located at 1400 West Pickard, Mt. Pleasant (Isabella County), Michigan 48858, will close effective October 10, 2009. The MPC is an ICF/MR (Intermediate Care Facility for the Mentally Retarded) and provides treatment and residential services for developmentally disabled persons. The facility is a CMS (Centers for Medicare and Medicaid) certified provider.

Section 605(3) of Public Act 246 of 2008 requires the MDCH to provide a center closure plan to the House and Senate Appropriations Subcommittees on Community Health and the State Budget Director. This plan is due four (4) months subsequent to the certification made in this letter. This date is June 12, 2009.

As a result of this closure, an individual person-centered plan for each ICF/MR-eligible resident at the MPC will be developed in coordination with the applicable PIHP (Prepaid Inpatient Health Plan) or CMHSP (Community Mental Health Services Program), and each person will be discharged to an appropriate community placement with an aftercare plan that meets all of their needs. For MPC residents that may continue to require state delivered inpatient or facility services, those services can be provided for at the Caro Center, the Kalamazoo Psychiatric Hospital, or the Walter Reuther Psychiatric Hospital.

Sincerely,
Janet Olszewski
Director

The communication was referred to the Clerk.

The following communication from the Michigan Economic Development Corporation was received and read:

February 13, 2009

On January 23, 2009, the Strategic Economic Investment and Commercialization Board (the “Commercialization Board”) approved the request for proposed business plans for the 2009 Pre-Seed Fund business plan competition (“RFP”). Consistent with the requirements of MCL 125.2088k(8), I am writing to provide you with the Commercialization Board’s Decision Document, Final Resolution of the Commercialization Board (the “Resolution”) and attachments to the Resolution relating to the approval of the RFP.

Sincerely,
Ned Staebler
Vice President of Program Administration

The communication was referred to the Clerk.

Announcements by the Clerk

February 13, 2009

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of Vehicle and Travel Services, Department of Management and Budget, February 2009.

Richard J. Brown
Clerk of the House

Rep. Tlaib moved that the House adjourn.
The motion prevailed, the time being 2:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, February 18, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

