

No. 49  
STATE OF MICHIGAN  
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OF THE  
**House of Representatives**  
95th Legislature  
REGULAR SESSION OF 2009

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House Chamber, Lansing, Tuesday, June 2, 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—excused	Jackson—present	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—present	Tlaib—present
Cushingberry—present	Jones, Rick—present	Nerat—present	Tyler—present
Daley—present	Jones, Robert—present	Neumann—present	Valentine—present
Dean—present	Kandrevas—present	Opsommer—present	Walsh—present
Denby—present	Kennedy—present	Pavlov—present	Warren—present
DeShazor—present	Knollenberg—present	Pearce—present	Womack—present
Dillon—present	Kowall—present	Polidori—present	Young—present
Donigan—present	Kurtz—present		

e/d/s = entered during session

Rep. James Marleau, from the 46th District, offered the following invocation:

“God of power and might, wisdom and justice, through Your authority is rightly administered, laws are enacted, and judgment is decreed. Assist with Your spirit of counsel to the leaders of this great state of Michigan. May we always seek the ways of righteousness, justice and mercy. Grant that we may be enabled by Your powerful protection to lead our State with honesty and integrity. We ask this through Christ our Lord. Amen.”

Rep. Segal moved that Rep. Coulouris be excused from today’s session.  
The motion prevailed.

### Second Reading of Bills

#### House Bill No. 4906, entitled

A bill to amend 2004 PA 174, entitled “Streamlined sales and use tax administration act,” by amending section 25 (MCL 205.825), as amended by 2008 PA 437.

The bill was read a second time.

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

The motion prevailed.

Rep. 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. 4906, entitled

A bill to amend 2004 PA 174, entitled “Streamlined sales and use tax administration act,” by amending section 25 (MCL 205.825), as amended by 2008 PA 437.

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

#### Roll Call No. 264

#### Yeas—107

Agema	Ebli	Lahti	Roberts
Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Espinoza	Leland	Rogers
Barnett	Geiss	Lemmons	Schmidt, R.
Bauer	Genetski	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	Meekhof	Slezak
Caul	Haveman	Melton	Smith
Clemente	Hildenbrand	Meltzer	Spade
Constan	Horn	Miller	Stamas
Corriveau	Huckleberry	Moore	Stanley
Crawford	Jackson	Moss	Switalski
Cushingberry	Johnson	Nathan	Tlaib

Daley	Jones, Rick	Nerat	Tyler
Dean	Jones, Robert	Neumann	Valentine
Denby	Kandrevas	Opsommer	Walsh
DeShazor	Kennedy	Pavlov	Warren
Dillon	Knollenberg	Pearce	Womack
Donigan	Kowall	Polidori	Young
Durhal	Kurtz	Proos	

**Nays—2**

Amash	McMillin
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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. 4977, entitled**

A bill to amend 1988 PA 511, entitled “Community corrections act,” by amending section 8 (MCL 791.408).  
 The bill was read a second time.

Rep. Kandrevas 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. 4977, entitled**

A bill to amend 1988 PA 511, entitled “Community corrections act,” by amending section 8 (MCL 791.408).  
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 265****Yeas—71**

Angerer	Ebli	LeBlanc	Scripps
Barnett	Espinoza	Leland	Segal
Bauer	Geiss	Lemmons	Sheltrown
Bennett	Gonzales	Lindberg	Simpson
Bledsoe	Gregory	Lipton	Slavens
Brown, L.	Griffin	Liss	Slezak
Brown, T.	Haase	Mayes	Smith
Byrnes	Hammel	McDowell	Spade
Byrum	Haugh	Meadows	Stamas
Caul	Haveman	Melton	Stanley
Clemente	Huckleberry	Miller	Switalski
Constan	Jackson	Nathan	Tlaib
Corriveau	Johnson	Nerat	Valentine
Cushingberry	Jones, Rick	Neumann	Walsh

Dean	Jones, Robert	Polidori	Warren
Dillon	Kandrevas	Roberts	Womack
Donigan	Kennedy	Schmidt, R.	Young
Durhal	Lahti	Scott, B.	

### Nays—38

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

In The Chair: Byrnes

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

### Second Reading of Bills

#### Senate Bill No. 432, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 513 (MCL 436.1513), as amended by 2007 PA 11.

The bill was read a second time.

Rep. Johnson moved to amend the bill as follows:

1. Amend page 2, line 19, after “**THE**” by inserting “**LICENSED PREMISES FOR THE OPERATION OF A**”.
- The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, following line 22, by inserting:

**“(4) SUBJECT TO THE PROVISIONS OF SECTION 531, THE COMMISSION MAY ISSUE A LICENSE TO A PRIVATE ENTITY FOR THE SALE OF ALCOHOLIC LIQUOR FOR CONSUMPTION ON THE LICENSED PREMISES OF A RESTAURANT LOCATED ON LAND OWNED BY WESTERN MICHIGAN UNIVERSITY IF BOTH OF THE FOLLOWING CIRCUMSTANCES EXIST:**

**(A) THE LAND IS LEASED OR SUBLEASED AT FAIR MARKET VALUE TO A PRIVATE ENTITY THAT OWNS, LEASES, OR SUBLEASES THE RESTAURANT.**

**(B) THE RESTAURANT IS LOCATED WITHIN AN AREA DESIGNATED FOR INDUSTRIAL, RESEARCH, OR COMMERCIAL DEVELOPMENT BY THE GOVERNING BOARD OF WESTERN MICHIGAN UNIVERSITY.”**

and renumbering the remaining subsections.

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

Rep. Amash moved to amend the bill as follows:

1. Amend page 2, line 16, after “**BY**” by striking out the balance of the line through “**(A)**” on line 18 and inserting “**ANY COLLEGE OR UNIVERSITY IF**”.

2. Amend page 2, line 20, by striking out all of subdivision **(B)**.

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

Rep. Angerer moved to amend the bill as follows:

1. Amend page 3, line 26, after “institute,” by striking out “and”.

2. Amend page 3, line 27, after “college” by inserting a comma and “**AND THE LA-Z-BOY CENTER AT MONROE COMMUNITY COLLEGE**”.

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

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

The motion prevailed.

Rep. 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**

**Senate Bill No. 432, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 513 (MCL 436.1513), as amended by 2007 PA 11.

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

**Roll Call No. 266**

**Yeas—96**

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

**Nays—13**

Agema	DeShazor	Marleau	Opsommer
Amash	Genetski	McMillin	Pearce
Calley	Kurtz	Meekhof	Schuitmaker
Daley			

In The Chair: Byrnes

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

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

### Second Reading of Bills

#### House Bill No. 4932, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 310b (MCL 750.310b), as added by 1996 PA 539.

The bill was read a second time.

Rep. Johnson 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. Rocca 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. 4932, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 310b (MCL 750.310b), as added by 1996 PA 539.

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

#### Roll Call No. 267

#### Yeas—107

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

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

### Nays—2

Jones, Robert

Pearce

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. LeBlanc offered the following resolution:

#### House Resolution No. 105.

A resolution declaring the second Saturday in July as Cruisin' Michigan Day in the state of Michigan.

Whereas, The Michigan Avenue corridor through Wayne County has a tremendous automotive endowment and heritage that has produced significant wealth and economic investment for the state and its residents; and

Whereas, Michigan Avenue is where the world headquarters of the Ford Motor Company is located, as well many other automotive facilities, factories and museums; and

Whereas, To celebrate and observe Michigan Avenue's contributions to the automotive industry and love affair with the automobile, five Wayne County communities – Dearborn, Dearborn Heights, Inkster, Westland and Wayne – are teaming up with automotive enthusiast Don Nicholson, local car clubs, chambers of commerce and corporate sponsors to host the annual Cruisin' Michigan cruise and car show on the second Saturday in July; and

Whereas, This inaugural event will provide significant economic benefits for the businesses located along Michigan Avenue, as well as for local service organizations such as the Kiwanis, Rotary and other clubs that will be able to sell merchandise to support their missions; and

Whereas, Cruisin' Michigan will promote Michigan and recognize the contributions it has made to the automotive industry; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body designate the second Saturday in July as Cruisin' Michigan Day.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Nerat offered the following resolution:

**House Resolution No. 106.**

A resolution to memorialize the Congress of the United States to rectify the imbalance in federal transportation funding that has consistently put Michigan near the bottom of the 50 states in the percentage of federal transportation tax dollars returned to this state each year.

Whereas, Since the creation of the federal highway system and the construction of the interstate network that began in the 1950s, Michigan has paid more than its share—much more—of the costs of the nation’s network of roads. Through a complicated formula that has changed over a span of more than 5 decades, one thing has remained unchanged: Michigan has been, and continues to be, a “donor state,” one sending significantly more money to Washington than it receives in return; and

Whereas, Since the enactment of the Federal Aid Highway Act of 1956 and up to and including the 2006-2007 Fiscal Year, Michigan has, through the various federal transportation taxes paid by Michigan drivers, paid out more than \$1.4 billion than it has been allocated in program funds. This shortfall, which represents a 94 percent return, places Michigan at 46th out of the 50 states in the money returned to fund projects in our state. The overall result of this policy is an insufficiently maintained highway network that becomes even more expensive to care for than it needs to be; and

Whereas, Although this serious imbalance in the redistribution of federal transportation tax dollars has always been disturbing and unfair, the harmful impact of this continuing injustice is exacerbated as Michigan struggles in the throes of the transformational challenges facing our economy. No longer can we absorb this annual inequity without seriously jeopardizing the safety of all who utilize our aging highway infrastructure; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to rectify the imbalance in federal transportation funding that has consistently put Michigan near the bottom of the 50 states in the percentage of federal transportation tax dollars returned to this state each year; and be it further

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

The resolution was referred to the Committee on Transportation.

Reps. Opsommer, Amash, Ball, Genetski, Lori, McMillin, Pearce, Sheltroun and Tyler offered the following concurrent resolution:

**House Concurrent Resolution No. 22.**

A concurrent resolution to memorialize the Congress of the United States to enact legislation to end the current federal gas tax highway program or to allow individual states to opt out.

Whereas, Federal motor fuel and motor vehicle taxes are collected for transactions in each state and then deposited into the Federal Aid Highway Program of the Highway Trust Fund, where they are later redistributed back to the states for approved highway projects. Each state’s federal motor fuel taxes are calculated on the basis of the gallons of gasoline and diesel fuels sold within its boundaries; and

Whereas, Michigan has been a donor state for transportation dollars for many years, getting back less than it sends out and seeing its dollars in essence go to subsidize roads or policy projects in other states. In recent years, Michigan has received federal transportation dollars at levels between 87 and 92 percent of the share of the tax revenue that the state and its citizens generated for the Highway Trust Fund. At a 100 percent level, the state would receive an additional \$100-150 million each year. This current inequitable and unfair federal highway funding practice makes it far more difficult for Michigan to maintain the quality of its highways and puts pressure on Michigan to increase its own gas tax in order to compensate; and

Whereas, The federal government frequently uses these dollars to financially coerce states to adopt federal rules and laws only tangentially related to road construction, holding back money if Michigan does not acquiesce to pressure in instances in which the federal government would ordinarily have no standing. Additionally, only about 60 percent of the federal fuel taxes paid by motorists go to roads. There were 7,000 individual earmarks enacted in the transportation reauthorization bill in 2005, which clearly detracts from the original intent of the highway program and further jeopardizes Michigan’s roads; and

Whereas, The interstate highway system was completed in the early 1980s, fulfilling the original goals of the federal highway program. The program should be ended and the responsibility turned back to the states either in whole or individually so they can opt out of collecting federal gas taxes. This would allow the states to make decisions regarding their own gas taxes in full knowledge that they would actually be able to keep and use all of the dollars that are generated. Opt-out states would be free to pursue transportation objectives that are in the best interest of their citizens while still meeting certain performance standards and maintaining and enhancing segments of interstate highway in their state; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact legislation to either end the current federal highway program or allow states to opt out and maintain their own roads; and be it further



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

The concurrent resolution was referred to the Committee on Transportation.

#### 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 Friday, May 29:

<b>House Bill Nos.</b>	<b>5011</b>	<b>5012</b>	<b>5013</b>	<b>5014</b>	<b>5015</b>	<b>5016</b>	<b>5017</b>	<b>5018</b>	<b>5019</b>	<b>5020</b>	<b>5021</b>	<b>5022</b>	<b>5023</b>	<b>5024</b>
	<b>5025</b>	<b>5026</b>	<b>5027</b>	<b>5028</b>	<b>5029</b>	<b>5030</b>								

#### Reports of Standing Committees

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

**Senate Bill No. 349, entitled**

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

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

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

#### Favorable Roll Call

To Report Out:

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

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 2, 2009

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

Absent: Rep. Horn

Excused: Rep. Horn

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

**House Bill No. 4940, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20153.

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

Nays: None

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

**House Bill No. 4941, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n (MCL 777.13n), as amended by 2008 PA 37.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 2, 2009

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

Absent: Rep. Coulouris

Excused: Rep. Coulouris

The Committee on Intergovernmental and Regional Affairs, by Rep. Donigan, Chair, reported

**House Bill No. 4520, entitled**

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

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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, June 2, 2009

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 2, 2009

Present: Reps. Mayes, Lisa Brown, Ebli, Huckleberry, Johnson, Lindberg, Melton, Roberts, Scripps, Marleau, Opsommer, Proos, Wayne Schmidt and Schuitmaker

Absent: Reps. Geiss, Clemente, Lipton, Horn and Crawford

Excused: Reps. Geiss, Clemente, Lipton, Horn and Crawford

**Communications from State Officers**

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

May 20, 2009

In accordance with MCL 333.7524a., I am pleased to present to the Michigan Legislature the 17th comprehensive report on asset forfeiture. Michigan's asset forfeiture program saves taxpayer money and deprives drug criminals of cash and property obtained through illegal activity. Michigan's law enforcement community has done an outstanding job of stripping drug dealers of illicit gain and utilizing these proceeds to expand and enhance drug enforcement efforts to protect our citizens.

During 2008, over \$25.3 million in cash and assets amassed by drug traffickers was forfeited and placed into the fight against drugs through the use of state and federal forfeiture laws. Extensive multi-agency teamwork is evident in this report. Considerable assets were obtained as the result of joint enforcement involving several agencies at the federal, state and local levels.

Forfeiture funds were used to further enforce drug laws by providing resources for drug enforcement personnel, needed equipment, undercover informant and investigative costs, and matching funds to obtain federal grants. Some of the forfeited assets were also used for drug and gang prevention education programs.

I commend our law enforcement community for the tremendous job they have done and submit this report for your information and review.

Sincerely,  
Deborah J. Hollis, Acting Director  
Office of Drug Control Policy

The communication was referred to the Clerk.

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

Notices of Filing  
Administrative Rules

May 27, 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 & Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2007-010-LG (Secretary of State Filing #09-05-07) on this date at 11:35 a.m. for the Department of Energy Labor & Economic Growth, entitled "Electric Interconnection and Net Metering Standards".

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

May 27, 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 & Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2009-006-LG (Secretary of State Filing #09-05-08) on this date at 11:37 a.m. for the Department of Energy Labor & Economic Growth, entitled "Part 1a. Abrasive Wheels".

These rules take effect 14 days after filing with the Secretary of State.

May 28, 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 Environmental Quality and the State Office of Administrative Hearings and Rules filed Administrative Rule #2007-038-EQ (Secretary of State Filing #09-05-09) on this date at 11:20 a.m. for the Department of Environmental Quality, entitled "Part 8. Emission Limitations and Prohibitions-Oxides of Nitrogen (NOx)".

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

May 28, 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 #2008-001-LG (Secretary of State Filing #09-05-10) on this date at 11:22 a.m. for the Department of Energy, Labor and Economic Growth, entitled "Michigan Boiler Rules".

These rules take effect 60 days after filing with the Secretary of State.

May 28, 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 #2008-048-SR (Secretary of State Filing #09-05-11) on this date at 11:24 a.m. for the Department of Energy, Labor and Economic Growth, entitled "Public School Retirement Board – General Hearing Rules".

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

May 29, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Agriculture and the State Office of Administrative Hearings and Rules filed Administrative Rule #2007-048-AC (Secretary of State Filing #09-05-12) on this date at 11:26 a.m. for the Department of Agriculture, entitled "Regulation No. 561. Dispensing Facility Reid Vapor Pressure".

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

May 29, 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 #2008-013-LG (Secretary of State Filing #09-05-13) on this date at 11:28 a.m. for the Department of Energy, Labor and Economic Growth, entitled "Health Care Facilities Fire Safety Rules".

These rules become effective 60 days after filing with the Secretary of State.

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

The communications were referred to the Clerk.

### Introduction of Bills

Rep. Opsommer introduced

**House Bill No. 5031, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 504 and 43509 (MCL 324.504 and 324.43509), section 504 as amended by 2004 PA 130 and section 43509 as amended by 1996 PA 585.

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

Rep. Opsommer introduced

**House Bill No. 5032, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 112, 115, 213, 305, and 404 (MCL 18.1112, 18.1115, 18.1213, 18.1305, and 18.1404), sections 115, 305, and 404 as amended by 1999 PA 8 and section 213 as amended by 2006 PA 269, and by adding sections 241c and 255.

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

Reps. Scripps and Meadows introduced

**House Bill No. 5033, entitled**

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

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

Rep. Byrnes introduced

**House Bill No. 5034, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2918 (MCL 600.2918).

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



Rep. Marleau moved that the House adjourn.

The motion prevailed, the time being 3:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 3, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

