

No. 55
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Tuesday, June 16, 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—e/d/s	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—excused	Tlaib—present
Cushingberry—e/d/s	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. Tim Moore, from the 97th District, offered the following invocation:

“Heavenly Father; please help to guide us as we work our way through some of the toughest times in our states history. Please give us the strength, the courage and the compassion needed to be the best possible stewards of this state.

Lord, please be a beacon of hope for any of our constituents that are struggling and for our state, nation and world as a whole. Amen.”

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

Second Reading of Bills

House Bill No. 4456, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 34d (MCL 211.34d), as amended by 2007 PA 31, and by adding section 7ll.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4456, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 34d (MCL 211.34d), as amended by 2007 PA 31, and by adding section 7ll.

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

Roll Call No. 294

Yeas—69

Angerer	Durhal	LeBlanc	Schuitmaker
Ball	Ebli	Leland	Scott, B.
Barnett	Espinoza	Lemmons	Scripps
Bauer	Geiss	Lindberg	Segal
Bennett	Gonzales	Lipton	Sheltrown
Bledsoe	Green	Liss	Simpson
Booher	Gregory	Mayes	Slavens
Brown, L.	Griffin	McDowell	Slezak
Brown, T.	Haase	Meadows	Smith
Byrnes	Hammel	Melton	Spade
Byrum	Haugh	Miller	Stanley
Clemente	Huckleberry	Nerat	Switalski
Corriveau	Johnson	Neumann	Tlaib
Coulouris	Jones, Robert	Opsommer	Valentine
Crawford	Kandreas	Polidori	Warren
Dean	Kennedy	Roberts	Womack

Dillon
Donigan

Lahti

Schmidt, R.

Young

Nays—38

Agema
Amash
Bolger
Calley
Caul
Constan
Daley
Denby
DeShazor
Elsenheimer

Genetski
Haines
Hansen
Haveman
Hildenbrand
Horn
Jones, Rick
Knollenberg
Kowall
Kurtz

Lori
Lund
Marleau
McMillin
Meekhof
Meltzer
Moore
Moss
Pavlov

Pearce
Proos
Rocca
Rogers
Schmidt, W.
Scott, P.
Stamas
Tyler
Walsh

In The Chair: Byrnes

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

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

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 34d (MCL 211.34d), as amended by 2007 PA 31.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4985, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” (MCL 169.201 to 169.282) by adding section 48.

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

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

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

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

Rep. Moss moved to amend the bill as follows:

1. Amend page 1, line 2, after “**CANDIDATE**” by inserting “**OR WHICH REFERS TO A CANDIDATE, AN INCUMBENT OFFICE HOLDER, OR A BALLOT QUESTION,**”.

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

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

The motion prevailed.

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

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

Rep. Cushingberry entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4985, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 48.

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

Roll Call No. 295

Yeas—100

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

Nays—8

Agema	Caul	Elsenheimer	Haveman
Amash	Daley	Genetski	McMillin

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Ball, Bauer, Bledsoe, Bolger, Booher, Terry Brown, Byrnes, Byrum, Calley, Constan, Corriveau, Crawford, DeShazor, Dillon, Durhal, Ebli, Espinoza, Geiss, Gonzales, Gregory, Griffin, Haase, Hammel, Hansen, Haugh, Horn, Huckleberry, Johnson, Rick Jones, Robert Jones, Kandrevas, Knollenberg, Kurtz, LeBlanc, Leland, Lindberg, Lori, McDowell, Melton, Meltzer, Miller, Neumann, Polidori, Roberts, Wayne Schmidt, Segal, Sheltrown, Slavens, Slezak, Smith, Spade, Switalski, Tlaib, Tyler, Valentine, Warren and Young were named co-sponsors of the bill.

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

“Mr. Speaker and members of the House:

I voted ‘No’ because this bill exempts large special-interest PACs - stacking the deck against candidates.”

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

“Mr. Speaker and members of the House:

I believe it violates the first amendment.”

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

“Mr. Speaker and members of the House:

I respectfully oppose HB 4985 because this bill claims to be campaign and election reform, however, even should this bill become law, phone calls from ‘issues campaigns’ would not be covered. We should treat all elections related phone calls equally under the law.”

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

“Mr. Speaker and members of the House:

This bill, if enacted, would be unconstitutional under the First Amendment to the Constitution of the United States of America.”

Second Reading of Bills

House Bill No. 4501, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 1 (MCL 28.421), as amended by 2008 PA 407.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4501, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 1 (MCL 28.421), as amended by 2008 PA 407.

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

Roll Call No. 296**Yeas—108**

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Agema, Terry Brown, Byrum, Crawford, Daley, Dean, Denby, Durhal, Gonzales, Haase, Hammel, Haveman, Horn, Johnson, Robert Jones, Kennedy, Lemmons, Liss, Marleau, Mayes, Melton, Neumann, Polidori, Wayne Schmidt, Schuitmaker, Scripps, Sheltrown, Slezak and Tyler were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4502, entitled**

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

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4502, entitled

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

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

Roll Call No. 297

Yeas—108

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5037, entitled

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

The bill was read a second time.

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

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

House Bill No. 5037, entitled

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

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

Roll Call No. 298

Yeas—108

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

Nays—0

In The Chair: Byrnes

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

Second Reading of Bills

House Bill No. 5038, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” (MCL 28.421 to 28.435) by adding section 3.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5038, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” (MCL 28.421 to 28.435) by adding section 3.

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

Roll Call No. 299

Yeas—108

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

Denby
DeShazor
Dillon

Kennedy
Knollenberg
Kowall

Pavlov
Pearce
Polidori

Warren
Womack
Young

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4221, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 2 (MCL 28.422), as amended by 2008 PA 406.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Jackson entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4221, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 2 (MCL 28.422), as amended by 2008 PA 406.

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

Roll Call No. 300

Yeas—109

Agema
Amash

Durhal
Ebli

Kurtz
Lahti

Proos
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	Mayes	Sheltrown
Byrnes	Hammel	McDowell	Simpson
Byrum	Hansen	McMillin	Slavens
Calley	Haugh	Meadows	Slezak
Caul	Haveman	Meekhof	Smith
Clemente	Hildenbrand	Melton	Spade
Constan	Horn	Meltzer	Stamas
Corriveau	Huckleberry	Miller	Stanley
Coulouris	Jackson	Moore	Switalski
Crawford	Johnson	Moss	Tlaib
Cushingberry	Jones, Rick	Nerat	Tyler
Daley	Jones, Robert	Neumann	Valentine
Dean	Kandrevas	Opsommer	Walsh
Denby	Kennedy	Pavlov	Warren
DeShazor	Knollenberg	Pearce	Womack
Dillon	Kowall	Polidori	Young
Donigan			

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4222, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2950a (MCL 600.2950a), as amended by 2001 PA 201.

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

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

Rep. Ebli moved to amend the bill as follows:

1. Amend page 2, line 5, after “**OR**” by striking out “**POSTING A MESSAGE AS DEFINED IN**” and inserting “**CONDUCT THAT IS PROHIBITED UNDER**”.

2. Amend page 2, line 26, after “**STATE**” by striking out “**OR COUNTRY,**” and inserting a comma and “**OR A FOREIGN COUNTRY**”.

3. Amend page 3, line 6, after “**STATE**” by striking out “**OR COUNTRY,**” and inserting a comma and “**OR A FOREIGN COUNTRY**”.

4. Amend page 3, line 20, after “**STATE**” by striking out “**OR COUNTRY,**” and inserting a comma and “**OR A FOREIGN COUNTRY**”.

5. Amend page 16, line 5, after “STATE” by striking out “OR COUNTRY,” and inserting a comma and “OR A FOREIGN COUNTRY”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4222, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2950a (MCL 600.2950a), as amended by 2001 PA 201.

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

Roll Call No. 301

Yeas—109

Agema	Durhal	Kurtz	Proos
Amash	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	Mayes	Sheltrown
Byrnes	Hammel	McDowell	Simpson
Byrum	Hansen	McMillin	Slavens
Calley	Haugh	Meadows	Slezak
Caul	Haveman	Meekhof	Smith
Clemente	Hildenbrand	Melton	Spade
Constan	Horn	Meltzer	Stamas
Corriveau	Huckleberry	Miller	Stanley
Coulouris	Jackson	Moore	Switalski
Crawford	Johnson	Moss	Tlaib
Cushingberry	Jones, Rick	Nerat	Tyler
Daley	Jones, Robert	Neumann	Valentine
Dean	Kandrevas	Opsommer	Walsh
Denby	Kennedy	Pavlov	Warren
DeShazor	Knollenberg	Pearce	Womack
Dillon	Kowall	Polidori	Young
Donigan			

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

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

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

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

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 Thursday, June 11:

Senate Bill Nos. 636 637 638 639

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

House Bill Nos. 5078 5079 5080 5081 5082 5083 5084 5085 5086 5087 5088 5089

Senate Bill Nos. 630 631 632 633 634 635

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, June 16:

Senate Bill Nos. 640 641

The Clerk announced that the following Senate bill had been received on Tuesday, June 16:

Senate Bill No. 245

Reports of Standing Committees

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

House Bill No. 4568, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 231a (MCL 750.231a), as amended by 2008 PA 196.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 4569, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 2 (MCL 28.422), as amended by 2008 PA 406.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Ebli, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Bolger, Hansen and Horn
Nays: None

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

House Bill No. 5087, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81101 (MCL 324.81101), as amended by 2004 PA 587.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Ebli, Huckleberry, Lindberg, Simpson, Stanley, Stamas, Bolger, Hansen and Horn
Nays: None

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 16, 2009

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

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

House Bill No. 4744, entitled

A bill to amend 1913 PA 380, entitled "An act to regulate gifts of real and personal property to cities, villages, townships, and counties, and the use of those gifts and other funds; and to validate all gifts made before the enactment of this act," by amending section 2 (MCL 123.872), as amended by 2003 PA 122.

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

Nays: None

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

House Bill No. 4801, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 7 (MCL 125.2307).

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. 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 16, 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 16, 2009

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

Absent: Reps. Johnson, Marleau and Wayne Schmidt

Excused: Reps. Johnson, Marleau and Wayne Schmidt

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 16, 2009

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

Absent: Rep. Marleau

Excused: Rep. Marleau

Messages from the Governor

Date: June 12, 2009

Time: 1:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4830 (Public Act No. 39, I.E.), being

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

(Filed with the Secretary of State June 12, 2009, at 1:54 p.m.)

By unanimous consent the House returned to the order of

Messages from the Senate**Senate Bill No. 245, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2010; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state

agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The Senate has passed the bill.

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

Notices

Pursuant to Rule 41, the Speaker has made the following reassignment:

House Bill No. 5076 referred to the Committee on Military and Veterans Affairs and Homeland Security on June 16, 2009.

Introduction of Bills

Reps. Denby, Opsommer, Haveman, Kowall, Moss, Rogers, Agema, Lund, Horn, Crawford, Lori, Meekhof, Schuitmaker, Liss, Haugh, Stamas, McMillin, Ball, Meltzer, Amash, Genetski, Walsh and Dean introduced

House Bill No. 5090, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending section 5 (MCL 124.505), as amended by 1985 PA 10.

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

Reps. Angerer, Lisa Brown, Lori, Mayes, Sheltroun, Roy Schmidt, Valentine, Roberts, Scripps, Spade, Melton, Meekhof, Simpson, Ebli, Bennett, Espinoza, Terry Brown, Hammel, Donigan, Rick Jones, Kowall, Lemmons, Huckleberry, Durhal, Dean, Hildenbrand, Caul, Opsommer, Marleau, Agema, Lahti, Young, Moore, Constan and Robert Jones introduced

House Bill No. 5091, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16401, 16423, and 16431 (MCL 333.16401, 333.16423, and 333.16431), section 16401 as amended by 2002 PA 734 and section 16431 as amended by 1994 PA 234.

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

Reps. Robert Jones, Young, Simpson, Stanley, Miller, Espinoza, Lisa Brown, Slavens, Constan, Durhal, Warren, Bauer, Bettie Scott, Nathan and Geiss introduced

House Bill No. 5092, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 269 (MCL 206.269), as added by 2004 PA 313.

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

Reps. Warren, Smith, Meadows, Scripps, Miller, Donigan, Robert Jones, Young, Tlaib, Liss, Cushingberry, Kennedy, Bauer, Hammel, Bennett, Byrnes and Dean introduced

House Bill No. 5093, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310b.

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

Reps. DeShazor and Womack introduced

House Bill No. 5094, entitled

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending section 10 (MCL 28.610), as amended by 1998 PA 237.

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

Reps. Womack and DeShazor introduced

House Bill No. 5095, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending sections 2, 3, 4, 7, 8, 9, 17, and 29 (MCL 338.1052, 338.1053, 338.1054, 338.1057, 338.1058, 338.1059, 338.1067, and 338.1079),

sections 2, 3, 7, 17, and 29 as amended by 2002 PA 473, sections 4 and 8 as amended by 2000 PA 411, and section 9 as amended by 2004 PA 270, and by adding sections 6a, 37, 38, 39, 40, 41, 42, and 43.

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

Reps. Meadows and Sheltroun introduced

House Bill No. 5096, entitled

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

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

Rep. Meadows introduced

House Bill No. 5097, entitled

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

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

Reps. McMillin and Lund introduced

House Bill No. 5098, entitled

A bill to allow for the review, oversight, and providing of recommendations regarding the operation of certain water and sewer systems within this state; to create the water accountability advisory board; and to provide for the powers and duties of certain governmental officials and entities.

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

Rep. Clemente introduced

House Bill No. 5099, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88k (MCL 125.2088k), as added by 2005 PA 215.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Rep. Clemente introduced

House Bill No. 5100, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88b (MCL 125.2088b), as amended by 2008 PA 175.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Reps. LeBlanc, Meadows and Gregory introduced

House Bill No. 5101, entitled

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

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

Reps. LeBlanc, Meadows, Sheltroun, Polidori and Melton introduced

House Bill No. 5102, entitled

A bill to allow certain active duty service members to terminate contracts with wireless telecommunications providers; to provide for the rights and responsibilities of the parties to those terminated contracts; to provide for the powers and duties of certain state officials; to prescribe civil sanctions and provide remedies; and to provide for the disposition of civil fines.

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

Rep. LeBlanc introduced

House Bill No. 5103, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57v. The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Rep. Mayes introduced

House Bill No. 5104, 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 first time by its title and referred to the Committee on Regulatory Reform.

Rep. Donigan introduced

House Bill No. 5105, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3107b (MCL 500.3107b), as added by 1994 PA 438.

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

Rep. Angerer introduced

House Bill No. 5106, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 502 and 502a (MCL 550.1502 and 550.1502a), section 502 as amended by 2003 PA 59 and section 502a as amended by 1998 PA 446.

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

Rep. Angerer introduced

House Bill No. 5107, entitled

A bill to amend 1984 PA 233, entitled "Prudent purchaser act," by amending section 3 (MCL 550.53), as amended by 1996 PA 518.

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

Rep. Angerer introduced

House Bill No. 5108, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 315 (MCL 418.315), as amended by 1998 PA 447.

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

Rep. Angerer introduced

House Bill No. 5109, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3107b, 3405, 3475, and 3631 (MCL 500.3107b, 500.3405, 500.3475, and 500.3631), section 3107b as added and sections 3405 and 3631 as amended by 1994 PA 438 and section 3475 as amended by 1984 PA 280.

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

Reps. Slezak, Slavens, Liss, Haugh, Kandrevas, Roy Schmidt, Haase, Young, Clemente, Walsh, Womack and Wayne Schmidt introduced

House Bill No. 5110, 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. Moore introduced

House Joint Resolution W, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 12 and 13 of article IV and section 15 of article V, to limit the legislative session, to reduce salaries of members of the legislature, and to limit the governor's ability to call for extraordinary sessions.

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

Reps. Moore, DeShazor, Kurtz and Stamas introduced

House Joint Resolution X, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 37 of article IV, to provide for approval by the joint committee on administrative rules of any rule adopted by a state agency.

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

Rep. Lemmons moved that the House adjourn.

The motion prevailed, the time being 4:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 17, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

