

No. 85  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
95th Legislature  
REGULAR SESSION OF 2009

---

---

House Chamber, Lansing, Wednesday, October 7, 2009.

1:30 p.m.

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

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

Agema—present	Durhal—present	Lahti—present	Proos—present
Amash—present	Ebli—present	LeBlanc—present	Roberts—present
Angerer—present	Elsenheimer—present	Leland—present	Rocca—present
Ball—present	Espinoza—present	Lemmons—present	Rogers—present
Barnett—present	Geiss—present	Lindberg—present	Schmidt, R.—present
Bauer—present	Genetski—present	Lipton—present	Schmidt, W.—present
Bennett—excused	Gonzales—present	Liss—present	Schuitmaker—present
Bledsoe—present	Green—present	Lori—present	Scott, B.—present
Bolger—present	Gregory—present	Lund—present	Scott, P.—present
Booher—present	Griffin—present	Marleau—present	Scripps—present
Brown, L.—present	Haase—present	Mayes—present	Segal—present
Brown, T.—present	Haines—present	McDowell—present	Sheltrown—present
Byrnes—present	Hammel—present	McMillin—present	Simpson—present
Byrum—present	Hansen—present	Meadows—present	Slavens—present
Calley—present	Haugh—present	Meekhof—present	Slezak—present
Caul—present	Haveman—present	Melton—present	Smith—present
Clemente—present	Hildenbrand—present	Meltzer—present	Spade—present
Constan—present	Horn—present	Miller—present	Stamas—present
Corriveau—present	Huckleberry—present	Moore—present	Stanley—present
Coulouris—present	Jackson—e/d/s	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—present	Tlaib—present
Cushingberry—present	Jones, Rick—present	Nerat—excused	Tyler—present
Daley—present	Jones, Robert—present	Neumann—present	Valentine—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. Jennifer Haase, from the 32nd District, offered the following invocation:

“Lord, please help us learn to be strong but not rude; learn to be kind but not weak; learn to be bold but not a bully; learn to be humble, but not timid; be proud but not arrogant, develop humor without folly. For with these skills that You grant to us, we hope to serve You by doing the right thing and making the right choices for the people of Michigan. We ask this in Your name, Amen.”

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

### Second Reading of Bills

#### House Bill No. 4989, entitled

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

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

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

Rep. Rocca moved to amend the bill as follows:

1. Amend page 2, line 27, by striking out all of subdivision (f) and inserting:

“(f) “Free look period” means the period of time during which a borrower may cancel a guaranteed asset protection waiver without penalty, fees, or costs to the borrower. A free look period must begin on the effective date of the guaranteed asset protection waiver, and the term of a free look period must be at least 30 days.”.

The motion prevailed and the amendment 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. 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. 4989, entitled

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

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

#### Roll Call No. 491

#### Yeas—106

Agema	Ebli	LeBlanc	Roberts
Angerer	Elsenheimer	Leland	Rocca
Ball	Espinoza	Lemmons	Rogers
Barnett	Geiss	Lindberg	Schmidt, R.
Bauer	Genetski	Lipton	Schmidt, W.
Bledsoe	Gonzales	Liss	Schuitmaker
Bolger	Green	Lori	Scott, B.
Booher	Gregory	Lund	Scott, P.

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

### Nays—1

Amash

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. 4990, entitled

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

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

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

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

The motion prevailed.

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

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

---

Rep. Jackson entered the House Chambers.

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4990, entitled**

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

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

**Roll Call No. 492**

**Yeas—106**

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

**Nays—1**

Amash

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. 4991, entitled**

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

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4991, entitled**

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

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

**Roll Call No. 493**

**Yeas—106**

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

**Nays—1**

Amash

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. 4992, entitled

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

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4992, entitled

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

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

#### Roll Call No. 494

#### Yeas—106

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

#### Nays—1

Amash

In The Chair: Byrnes

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

---

Rep. Angerer 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  
**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 Wednesday, October 7:

**House Bill No. 5499**  
**House Joint Resolution HH**  
**Senate Bill Nos. 883 884 885**

The Clerk announced that the following Senate bills had been received on Wednesday, October 7:  
**Senate Bill Nos. 553 555**

### Reports of Standing Committees

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported  
**Senate Bill No. 418, entitled**  
A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88q (MCL 125.2088q), as added by 2008 PA 175.  
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. Clemente, Stanley, Byrnes, Griffin, Segal, Bolger, Denby and Tyler  
Nays: None

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:  
Meeting held on: Wednesday, October 7, 2009  
Present: Reps. Clemente, Stanley, Byrnes, Griffin, Segal, Bolger, Denby and Tyler  
Absent: Reps. Geiss, Leland and Knollenberg  
Excused: Reps. Geiss, Leland and Knollenberg

### Messages from the Senate

**Senate Bill No. 553, entitled**  
A bill to amend 1984 PA 34, entitled "Michigan low income heating assistance and shut-off protection act," by amending section 7 (MCL 400.1207).  
The Senate has passed the bill.  
The bill was read a first time by its title and referred to the Committee on Energy and Technology.

**Senate Bill No. 555, entitled**

A bill to amend 1984 PA 34, entitled "Michigan low income heating assistance and shut-off protection act," (MCL 400.1201 to 400.1217) by adding section 7a.

The Senate has passed the bill.

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

**Introduction of Bills**

Reps. Knollenberg, Lund, Rick Jones, Genetski, Meltzer, DeShazor, McMillin, Amash and Lori introduced

**House Bill No. 5500, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1209.

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

---

Rep. Gonzales moved that the House adjourn.  
The motion prevailed, the time being 3:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, October 8, at 12:00 Noon.

RICHARD J. BROWN  
Clerk of the House of Representatives