

No. 30  
STATE OF MICHIGAN  
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**House of Representatives**  
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REGULAR SESSION OF 2009

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House Chamber, Lansing, Thursday, April 2, 2009.

12:00 Noon.

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

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

Agema—present	Durhal—present	Lahti—present	Proos—present
Amash—present	Ebli—present	LeBlanc—present	Roberts—present
Angerer—present	Elsenheimer—present	Leland—present	Rocca—present
Ball—present	Espinoza—present	Lemmons—present	Rogers—present
Barnett—present	Geiss—present	Lindberg—present	Schmidt, R.—present
Bauer—present	Genetski—present	Lipton—present	Schmidt, W.—present
Bennett—present	Gonzales—present	Liss—present	Schuitmaker—present
Bledsoe—present	Green—present	Lori—present	Scott, B.—present
Bolger—present	Gregory—present	Lund—present	Scott, P.—present
Booher—present	Griffin—present	Marleau—present	Scripps—present
Brown, L.—present	Haase—present	Mayes—present	Segal—present
Brown, T.—present	Haines—present	McDowell—present	Sheltrown—present
Byrnes—present	Hammel—present	McMillin—present	Simpson—present
Byrum—present	Hansen—present	Meadows—present	Slavens—present
Calley—present	Haugh—present	Meekhof—present	Slezak—present
Caul—present	Haveman—present	Melton—present	Smith—present
Clemente—present	Hildenbrand—present	Meltzer—present	Spade—present
Constan—present	Horn—present	Miller—present	Stamas—present
Corriveau—present	Huckleberry—present	Moore—present	Stanley—present
Coulouris—present	Jackson—present	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—present	Tlaib—present
Cushingberry—present	Jones, Rick—present	Nerat—present	Tyler—present
Daley—present	Jones, Robert—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. Goeff Hansen, from the 100th District, offered the following invocation:

“Our Heavenly Father, creator of all things. We thank You for this day. We thank You for this beautiful state and ask You to bless us as we serve the people of Michigan. God, we ask You to lay Your hand upon us as we work to turn our great state around. Now more than ever Your guidance is needed as we make our decisions-not as republicans and democrats, but as legislators speaking for every man, woman, boy or girl. These things we ask in the name of Jesus Christ our Savior. Amen.”

### Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported  
**House Bill No. 4435, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Booher, Caul and Hildenbrand

Nays: Reps. Moss, Proos and Schuitmaker

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

**House Bill No. 4437, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski and Tlaib

Nays: Reps. Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 1, 2009

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

The Speaker laid before the House

**House Resolution No. 40.**

A resolution to memorialize the Congress of the United States to enact an oversight mechanism or structure to ensure that the federal stimulus assistance to the domestic automotive industry be used to pay outstanding debts due to the tool, die, and mold industry.

(For text of resolution, see House Journal No. 17, p. 267.)

(The resolution was reported by the Committee on Commerce on April 1, with substitute (H-1), see House Journal No. 29, p. 562; substitute (H-1) adopted and resolution postponed for the day on April 1, see House Journal No. 29, p. 577.)

The question being on the adoption of the resolution,

Rep. Meltzer moved to substitute (H-4) the resolution as follows:

**Substitute for House Resolution No. 40.**

A resolution memorializing the Congress of the United States to give fair consideration to all facets of the domestic automotive industry in the distribution of the \$5 billion federal auto supplier TARP funding, and to enact an oversight mechanism to assure that the funds are fairly distributed.

Whereas, Our domestic automobile industry has been the focus of much of the economic revitalization activity in Congress. While the health and well-being of the automotive industry is a key to our nation's, and, in particular, Michigan's economic recovery, attention should be paid to all facets of the automotive manufacturing process. For example, the production from our local tool, die, and mold shops is one of the first steps in the development of new and redesigned products that ultimately grace the showroom floor. Due to the fact that their contribution to the process takes place up to 24 months or more in advance of motor vehicle production, auto supplier TARP funds may take months to trickle down to the tool, die, and mold shops, and may not reach down to that level at all; and

Whereas, The tool, die, and mold industry plays a key role in the automotive manufacturing industry. As has the entire domestic automotive industry, the domestic tooling, machining, and molding industries have been also hard hit by the tumultuous forces of foreign competition, rapidly escalating materials costs, and tight credit. This has resulted in job losses and economic hardships throughout the entire automotive and related industries. Indeed, in Michigan, tool, die, and mold employment peaked around 1998, and, by 2003 it had lost over 30,000 jobs. Many of the companies threatened are higher wage, mom and pop operations scattered throughout every corner of the state; and

Whereas, Clearly, as the entire automotive industry is striving to keep its head above water, it is incumbent on Washington to recognize that all facets of the industry are struggling. Congress must assure that these auto supplier TARP payments flow to the manufacturers and their first suppliers and on down to our tool, die, and mold operations in Michigan; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the Congress of the United States to give fair consideration to all facets of the domestic automotive industry in the distribution of the \$5 billion federal auto supplier TARP funding, and to enact an oversight mechanism to ensure that the funds are fairly distributed; 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 motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

Rep. Meltzer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

**Roll Call No. 136**

**Yeas—109**

Agema	Ebli	Lahti	Proos
Angerer	Elsenheimer	LeBlanc	Roberts
Ball	Espinoza	Leland	Rocca
Barnett	Geiss	Lemmons	Rogers
Bauer	Genetski	Lindberg	Schmidt, R.
Bennett	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	Nerat	Tyler
Dean	Kandrevas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren
Dillon	Kowall	Pearce	Womack
Donigan	Kurtz	Polidori	Young
Durhal			

### Nays—1

Amash

In The Chair: Byrnes

### Second Reading of Bills

#### House Bill No. 4473, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

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

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

Reps. Haase and McMillin moved to amend the bill as follows:

1. Amend page 3, line 8, after the first “**THE**” by striking out “**5**” and inserting “**10**”.

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

Rep. Haase moved to amend the bill as follows:

1. Amend page 2, line 8, after the second “**A**” by striking out “**FULLY PAID**”.
2. Amend page 2, line 9, after “**EMPLOYED**” by inserting “**FULL- OR PART-TIME**”.
3. Amend page 2, line 9, after “**MORE,**” by inserting “**OR WHO HAS BEEN A VOLUNTEER FIRE FIGHTER 60 MONTHS OR MORE,**”.
4. Amend page 2, line 12, after “**A**” by striking out “**FULLY PAID**”.
5. Amend page 2, line 17, after “**WORK-RELATED**” by inserting “**OR VOLUNTEER-RELATED**”.
6. Amend page 3, line 3, after the second “**A**” by striking out “**FULLY PAID**”.
7. Amend page 3, line 6, after “**MEMBER**” by striking out the balance of the line.

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

Rep. Lund moved to amend the bill as follows:

1. Amend page 2, line 15, after “**ITSELF,**” by inserting “**WHO IMMEDIATELY PRIOR TO THAT ACTIVE SERVICE EMPLOYMENT RECEIVED A PHYSICAL EXAMINATION THAT DID NOT SHOW ANY EVIDENCE OF ANY RESPIRATORY TRACT, BLADDER, SKIN, BRAIN, KIDNEY, BLOOD, OR LYMPHATIC CANCER,**”.

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

Rep. Haase 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. 4473, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

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

**Roll Call No. 137**

**Yeas—96**

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

**Nays—14**

Agema	Crawford	Hildenbrand	Lund
Amash	Daley	Horn	Meekhof
Booher	Elsenheimer	Kurtz	Opsommer
Caul	Genetski		

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Barnett, Bauer, Bennett, Lisa Brown, Terry Brown, Byrum, Constan, Corriveau, Dean, Denby, DeShazor, Donigan, Durhal, Ebli, Espinoza, Geiss, Gonzales, Gregory, Griffin, Hammel, Hansen, Haugh, Huckleberry, Jackson, Rick Jones, Robert Jones, Kennedy, Lahti, Leland, Lipton, Liss, Lori, Mayes, McDowell, McMillin, Meadows, Melton, Neumann, Polidori, Roberts, Rocca, Rogers, Roy Schmidt, Wayne Schmidt, Bettie Scott, Paul Scott, Scripps, Segal, Sheltroun, Slavens, Slezak, Smith, Spade, Stamas, Stanley, Switalski, Tlaib, Valentine and Warren were named co-sponsors of the bill.

Rep. Elsenheimer, 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 is actually a bill which I could support, but where do the revenues to support this program come from? This state is bleeding \$5 million dollars per work day, and the legislature is taking up bills to create new lines of expenditure. It’s unrealistic, and unfortunate. Let’s bring this bill up again when we have identified how we will pay for it.”

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:

The question is how many others areas will this spill into. As a pilot, can I presume I got face cancer because I was flying above the ozone layers? There are too many jobs this will filter into. You can’t presume cause when about 50% of disease is genetic. There are too many factors in sickness to automatically presume the cause was your employment. Most firefighters wear their mask at all times when in dangerous areas. This is a special carve out and will be a lawyers dream .come true and raise the costs to our municipalities.”

### Second Reading of Bills

#### Senate Bill No. 399, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 64 (MCL 421.64), as amended by 2003 PA 174.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 399, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 64 (MCL 421.64), as amended by 2003 PA 174.

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

### Roll Call No. 138

### Yeas—110

Agema	Durhal	Lahti	Proos
Amash	Ebli	LeBlanc	Roberts
Angerer	Elsenheimer	Leland	Rocca
Ball	Espinoza	Lemmons	Rogers
Barnett	Geiss	Lindberg	Schmidt, R.

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

### Nays—0

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 protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act.”

The House agreed to the full title.

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. 4475, entitled

A bill to establish the autism research fund in the department of community health; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The bill was read a second time.

Rep. Ball 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. 4475, entitled**

A bill to establish the autism research fund in the department of community health; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

**Roll Call No. 139**

**Yeas—109**

Agema	Ebli	Lahti	Proos
Angerer	Elsenheimer	LeBlanc	Roberts
Ball	Espinoza	Leland	Rocca
Barnett	Geiss	Lemmons	Rogers
Bauer	Genetski	Lindberg	Schmidt, R.
Bennett	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	Nerat	Tyler
Dean	Kandrevas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren
Dillon	Kowall	Pearce	Womack
Donigan	Kurtz	Polidori	Young
Durhal			

**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.

Reps. Barnett, Bennett, Bledsoe, Lisa Brown, Terry Brown, Byrnes, Byrum, Calley, Caul, Clemente, Constan, Crawford, Daley, Dean, Denby, Dillon, Donigan, Elsenheimer, Espinoza, Gonzales, Haase, Hammel, Hansen, Haveman, Hildenbrand, Horn, Rick Jones, Robert Jones, Kandrevas, Kennedy, Kowall, LeBlanc, Leland, Lori, Marleau, Mayes, McDowell, Meekhof, Moore, Polidori, Proos, Roberts, Rocca, Rogers, Wayne Schmidt, Schuitmaker, Paul Scott, Scripps, Segal, Simpson, Slavens, Slezak, Spade, Stamas, Tyler, Valentine, Walsh and Warren were named co-sponsors of the bill.

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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:

I strongly support autism research. Autism is a devastating disorder, and a growing threat to our children. But HB 4475 and HB 4477 are going to weaken autism funding and reduce the chances of finding a cure.

These bills propose to create a checkbox through which individual taxpayers can choose to pay additional taxes to a state-managed autism research fund. Common sense-and historical experience-shows this will backfire. A small percentage of voters will choose to donate money to a state fund. (The actual percentage is unknown because no fact-finding has been presented as to its actual effects.) Meanwhile, every taxpayer will see the checkbox and gain false confidence that the government, and some other concerned citizens, are taking care of the problem. When these taxpayers consider other opportunities to contribute to autism research, many will decline, convinced that autism research already has solid funding. Even within government, legislators who support these bills will move on to other issues because the autism fund is supposedly doing its work. Everyone will feel good while no good is being done to fight autism.

Historical precedent confirms my worst fears about this bill. In 2006, our state tax forms contained three checkboxes for charitable causes - the Children’s Trust Fund (focusing on child abuse), the Military Family Relief Fund, and the Children of Veterans Tuition Grant Program. All are good causes. Less than 1% of taxpayers contributed any money to these funds, which raised only a few hundred thousand dollars each. Even more tragically, every taxpayer was encouraged to believe that these causes were being effectively funded by someone else.

Meanwhile, the small amounts of money that these bills may generate will be offset by administrative costs and are vulnerable to being misdirected. HB 4475 provides that the ‘state treasurer shall direct the investment of the fund.’ The state treasurer is not in the best position to evaluate how to direct autism money among state-wide hospitals, schools, and charities. Lobbying, personal agendas, and inside connections will influence how the funds are spent.

I have enormous concern for the many families across our state whose children have been diagnosed with autism. But well-intentioned government proposals that actually reduce total funding, breed complacency, and encourage waste are not the right solution.”

### **Second Reading of Bills**

#### **House Bill No. 4477, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 435 (MCL 206.435), as amended by 2008 PA 560.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **House Bill No. 4477, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 435 (MCL 206.435), as amended by 2008 PA 560.

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

**Roll Call No. 140****Yeas—109**

Agema	Ebli	Lahti	Proos
Angerer	Elsenheimer	LeBlanc	Roberts
Ball	Espinoza	Leland	Rocca
Barnett	Geiss	Lemmons	Rogers
Bauer	Genetski	Lindberg	Schmidt, R.
Bennett	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	Nerat	Tyler
Dean	Kandrevas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren
Dillon	Kowall	Pearce	Womack
Donigan	Kurtz	Polidori	Young
Durhal			

**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.

Reps. Ball, Barnett, Bauer, Booher, Lisa Brown, Terry Brown, Byrnes, Byrum, Calley, Caul, Clemente, Constan, Corriveau, Crawford, Daley, Dean, Denby, Dillon, Durhal, Ebli, Espinoza, Geiss, Gonzales, Green, Gregory, Haase, Haines, Hammel, Hansen, Haugh, Haveman, Hildenbrand, Huckleberry, Jackson, Johnson, Rick Jones, Robert Jones, Kandrevas, Kennedy, Kowall, LeBlanc, Leland, Lemmons, Lipton, Lori, Marleau, Mayes, McDowell, Meadows, Moore, Nathan, Opsommer, Polidori, Proos, Roberts, Rocca, Rogers, Wayne Schmidt, Paul Scott, Scripps, Segal, Simpson, Slavens, Slezak, Smith, Spade, Tlaib, Tyler, Valentine, Walsh and Warren were named co-sponsors of the bill.

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:

I strongly support autism research. Autism is a devastating disorder, and a growing threat to our children. But HB 4475 and HB 4477 are going to weaken autism funding and reduce the chances of finding a cure.

These bills propose to create a checkbox through which individual taxpayers can choose to pay additional taxes to a state-managed autism research fund. Common sense-and historical experience-shows this will backfire. A small percentage of voters will choose to donate money to a state fund. (The actual percentage is unknown because no fact-finding has been presented as to its actual effects.) Meanwhile, every taxpayer will see the checkbox and gain false confidence that the government, and some other concerned citizens, are taking care of the problem. When these taxpayers consider other opportunities to contribute to autism research, many will decline, convinced that autism research already has solid funding. Even within government, legislators who support these bills will move on to other issues because the autism fund is supposedly doing its work. Everyone will feel good while no good is being done to fight autism.

Historical precedent confirms my worst fears about this bill. In 2006, our state tax forms contained three checkboxes for charitable causes - the Children's Trust Fund (focusing on child abuse), the Military Family Relief Fund, and the Children of Veterans Tuition Grant Program. All are good causes. Less than 1% of taxpayers contributed any money to these funds, which raised only a few hundred thousand dollars each. Even more tragically, every taxpayer was encouraged to believe that these causes were being effectively funded by someone else.

Meanwhile, the small amounts of money that these bills may generate will be offset by administrative costs and are vulnerable to being misdirected. HB 4475 provides that the 'state treasurer shall direct the investment of the fund.' The state treasurer is not in the best position to evaluate how to direct autism money among state-wide hospitals, schools, and charities. Lobbying, personal agendas, and inside connections will influence how the funds are spent.

I have enormous concern for the many families across our state whose children have been diagnosed with autism. But well-intentioned government proposals that actually reduce total funding, breed complacency, and encourage waste are not the right solution."

### Second Reading of Bills

#### Senate Bill No. 322, entitled

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 322, entitled

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

#### Roll Call No. 141

#### Yeas—110

Agema	Durhal	Lahti	Proos
Amash	Ebli	LeBlanc	Roberts
Angerer	Elsenheimer	Leland	Rocca
Ball	Espinoza	Lemmons	Rogers
Barnett	Geiss	Lindberg	Schmidt, R.
Bauer	Genetski	Lipton	Schmidt, W.
Bennett	Gonzales	Liss	Schuitmaker
Bledsoe	Green	Lori	Scott, B.
Bolger	Gregory	Lund	Scott, P.
Booher	Griffin	Marleau	Scripps
Brown, L.	Haase	Mayes	Segal

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

**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. 4026, entitled**

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 2c (MCL 29.2c), as amended by 2006 PA 189.

The bill was read a second time.

Rep. Hammel 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. 4026, entitled**

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 2c (MCL 29.2c), as amended by 2006 PA 189.

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

**Roll Call No. 142**

**Yeas—91**

Angerer	DeShazor	Kennedy	Rocca
Ball	Dillon	Kurtz	Schmidt, R.
Barnett	Donigan	Lahti	Schmidt, W.
Bauer	Durhal	LeBlanc	Scott, B.
Bennett	Ebli	Leland	Scott, P.

Bledsoe	Espinoza	Lemmons	Scripps
Bolger	Geiss	Lindberg	Segal
Booher	Gonzales	Lipton	Sheltrown
Brown, L.	Green	Liss	Simpson
Brown, T.	Gregory	Lori	Slavens
Byrnes	Griffin	Mayes	Slezak
Byrum	Haase	McDowell	Smith
Calley	Hammel	Meadows	Spade
Caul	Hansen	Melton	Stamas
Clemente	Haugh	Miller	Stanley
Constan	Hildenbrand	Nathan	Switalski
Corriveau	Horn	Nerat	Tlaib
Coulouris	Huckleberry	Neumann	Tyler
Crawford	Jackson	Opsommer	Valentine
Cushingberry	Johnson	Pearce	Warren
Daley	Jones, Rick	Polidori	Womack
Dean	Jones, Robert	Proos	Young
Denby	Kandrevas	Roberts	

### Nays—19

Agema	Haveman	McMillin	Pavlov
Amash	Knollenberg	Meekhof	Rogers
Elsenheimer	Kowall	Meltzer	Schuitmaker
Genetski	Lund	Moore	Walsh
Haines	Marleau	Moss	

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. Meltzer, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

No Vote Explanation

House Bill 4026

I have concerns with this legislation as it allows a non-elected state official to set new fees without Legislative oversight. I believe that this lack of accountability is problematic to taxpayers across the state. In response to the poor economy, there has been no greater outcry for accountability when it comes to how taxpayer dollars are spent. Setting up a system where there are no checks and balances creates a system that has the potential to prioritize an agenda separate from that which was intended.

For this reason, I cannot support this legislation at this time.”

### Second Reading of Bills

#### House Bill No. 4680, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3135 (MCL 500.3135), as amended by 2002 PA 697.

The bill was read a second time.

Rep. Meadows 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. 4680, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3135 (MCL 500.3135), as amended by 2002 PA 697.

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

**Roll Call No. 143**

**Yeas—68**

Angerer	Durhal	LeBlanc	Schmidt, R.
Barnett	Ebli	Leland	Scott, B.
Bauer	Espinoza	Lemmons	Scripps
Bennett	Geiss	Lindberg	Segal
Bledsoe	Gonzales	Lipton	Sheltrown
Brown, L.	Gregory	Liss	Simpson
Brown, T.	Griffin	Mayes	Slavens
Byrnes	Haase	McDowell	Slezak
Byrum	Hammel	Meadows	Smith
Clemente	Haugh	Melton	Spade
Constan	Huckleberry	Miller	Stanley
Corriveau	Jackson	Nathan	Switalski
Coulouris	Johnson	Nerat	Tlaib
Cushingberry	Jones, Robert	Neumann	Valentine
Dean	Kandreas	Polidori	Warren
Dillon	Kennedy	Roberts	Womack
Donigan	Lahti	Rocca	Young

**Nays—42**

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

In The Chair: Byrnes

The House agreed to the title of the bill.

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:

No Vote Explanation

HB 4680 - Kreiner auto insurance

I oppose this change because it will dramatically increase the cost of car insurance at a time when our economy is already weak and families are struggling to get by. It also includes a provision making the change retroactive, which will set a chilling and dangerous precedent that will discourage job providers from investing in our state.

For these reasons I cannot support this bill at this time.”

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:

Serious changes need to be made to correct the effects of Kreiner. This bill, though, went too far. I hope to see this bill back from the Senate in a form I can support - that corrects many wrongs from Kreiner.”

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

“Mr. Speaker and members of the House:

I oppose this change because it will dramatically increase the cost of car insurance at a time when our economy is already weak and families are struggling to get by. It also includes a provision making the change retroactive, which will set a chilling and dangerous precedent that will discourage job providers from investing in our state.

For these reasons I cannot support this bill at this time.”

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 4096, entitled

A bill to amend 1966 PA 189, entitled “An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts,” by amending sections 1, 2, and 4 (MCL 780.651, 780.652, and 780.654), section 1 as amended by 2003 PA 185 and section 4 as amended by 2002 PA 112.

(The bill was received from the Senate on April 1, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 29, p. 580.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 144

#### Yeas—94

Agema	Donigan	Kowall	Polidori
Amash	Ebli	Kurtz	Proos
Angerer	Elsenheimer	LeBlanc	Roberts
Ball	Espinoza	Leland	Rocca
Barnett	Geiss	Lindberg	Rogers
Bauer	Genetski	Lipton	Schmidt, R.
Bledsoe	Gonzales	Liss	Schmidt, W.
Bolger	Green	Lori	Schuitmaker
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	Meltzer	Spade

Corriveau	Hildenbrand	Moore	Stamas
Coulouris	Horn	Moss	Switalski
Crawford	Huckleberry	Nerat	Tyler
Daley	Jones, Rick	Neumann	Valentine
Dean	Jones, Robert	Opsommer	Walsh
Denby	Kandrevas	Pavlov	Warren
DeShazor	Kennedy	Pearce	Womack
Dillon	Knollenberg		

### Nays—16

Bennett	Jackson	Melton	Smith
Constan	Johnson	Miller	Stanley
Cushingberry	Lahti	Nathan	Tlaib
Durhal	Lemmons	Scott, B.	Young

In The Chair: Byrnes

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

#### **House Bill No. 4397, entitled**

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

(The bill was received from the Senate on April 1, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 29, p. 580.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 145

### Yeas—110

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



Coulouris	Jackson	Moss	Switalski
Crawford	Johnson	Nathan	Tlaib
Cushingberry	Jones, Rick	Nerat	Tyler
Daley	Jones, Robert	Neumann	Valentine
Dean	Kandrevas	Opsommer	Walsh
Denby	Kennedy	Pavlov	Warren
DeShazor	Knollenberg	Pearce	Womack
Dillon	Kowall	Polidori	Young
Donigan	Kurtz		

**Nays—0**

In The Chair: Byrnes

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4496, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 501 (MCL 208.1501).

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Angerer moved that Rule 42 be suspended.

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

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 146****Yeas—110**

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

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

**Nays—0**

In The Chair: Byrnes

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4045, entitled**

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending section 4 (MCL 207.774), as amended by 2008 PA 284.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Angerer moved that Rule 42 be suspended.

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

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 147****Yeas—104**

Angerer	Durhal	Lahti	Proos
Ball	Ebli	LeBlanc	Roberts
Barnett	Elsenheimer	Leland	Rocca
Bauer	Espinoza	Lemmons	Schmidt, R.
Bennett	Geiss	Lindberg	Schmidt, W.
Bledsoe	Gonzales	Lipton	Schuitmaker
Bolger	Gregory	Liss	Scott, B.
Booher	Griffin	Lori	Scott, P.
Brown, L.	Haase	Lund	Scripps
Brown, T.	Haines	Marleau	Segal
Byrnes	Hammel	Mayes	Sheltrown
Byrum	Hansen	McDowell	Simpson
Calley	Haugh	McMillin	Slavens
Caul	Haveman	Meadows	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	Nerat	Tyler
Dean	Kandrevas	Neumann	Valentine
Denby	Kennedy	Opsommer	Walsh
DeShazor	Knollenberg	Pavlov	Warren

Dillon  
DoniganKowall  
KurtzPearce  
PolidoriWomack  
Young**Nays—6**Agema  
AmashGenetski  
Green

Meekhof

Rogers

In The Chair: Byrnes

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Meekhof, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I can not continue to vote for carve out tax breaks for one city in Michigan. We need lower taxes for all.”

**Second Reading of Bills****House Bill No. 4264, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 435 (MCL 208.1435), as amended by 2008 PA 448.

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. Robert Jones 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. Robert Jones 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. 4264, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 435 (MCL 208.1435), as amended by 2008 PA 448.

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

**Roll Call No. 148****Yeas—109**Agema  
Amash  
AngererDurhal  
Ebli  
ElsenheimerKurtz  
LeBlanc  
LelandProos  
Roberts  
Rocca

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

Rep. Lahti, under Rule 31, made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 148 because of a possible conflict of interest.”

### Second Reading of Bills

#### House Bill No. 4709, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 117 (MCL 208.1117).

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

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

Rep. 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. 4709, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 117 (MCL 208.1117).

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

**Roll Call No. 149**

**Yeas—110**

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

**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. 4047, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 402 (MCL 380.402), as amended by 2000 PA 230.

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

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

Rep. Bettie Scott 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. 4047, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 402 (MCL 380.402), as amended by 2000 PA 230.

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

**Roll Call No. 150**

**Yeas—71**

Angerer	Durhal	LeBlanc	Scott, B.
Ball	Ebli	Leland	Scripps
Barnett	Espinoza	Lemmons	Segal
Bauer	Geiss	Lindberg	Sheltrown
Bennett	Gonzales	Lipton	Simpson
Bledsoe	Gregory	Liss	Slavens
Brown, L.	Griffin	Mayes	Slezak
Brown, T.	Haase	McDowell	Smith
Byrnes	Hammel	Meadows	Spade
Byrum	Haugh	Melton	Stanley
Clemente	Huckleberry	Miller	Switalski
Constan	Jackson	Nathan	Tlaib
Corriveau	Johnson	Nerat	Valentine
Coulouris	Jones, Rick	Neumann	Walsh
Dean	Jones, Robert	Polidori	Warren
DeShazor	Kandrevas	Roberts	Womack
Dillon	Kennedy	Rocca	Young
Donigan	Lahti	Schmidt, R.	

**Nays—38**

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

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. Barnett, Constan, Durhal, Espinoza, Gregory, Haugh, Jackson, Johnson, Robert Jones, Leland, Lemmons, Lipton, Liss, Miller, Nathan, Polidori, Smith, Stanley, Tlaib, Womack and Young were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

### Messages from the Senate

#### House Bill No. 4258, entitled

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

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Angerer moved that Rule 42 be suspended.

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

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 151

#### Yeas—99

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

#### Nays—10

Amash	Genetski	Kowall	McMillin
Daley	Green	Kurtz	Meekhof
Denby	Haveman		

In The Chair: Byrnes

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

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

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Reps. Warren, Booher, Constan, Dean, Geiss, Gonzales, Griffin, Hansen, Robert Jones, Lahti, Lemmons, Marleau, Meadows, Polidori, Proos, Spade, Stanley, Tlaib, Tyler, Valentine and Walsh offered the following resolution:

#### **House Resolution No. 69.**

A resolution declaring April 2009 as Car Pool Month in the state of Michigan.

Whereas, Carpooling, also known as car-sharing, ride-sharing, lift-sharing, is the shared use of a car by the driver and one or more passengers. Carpool projects have been around in a structured form since the mid-1970s in the United States of America; and

Whereas, Carpoolers use pool members' private cars for shared journeys, usually to and from work. Hence, carpooling reduces the costs involved in repetitive or long distance driving by sharing cars. A mutual benefit exists between the driver and passenger(s); and

Whereas, According to the U.S. Census: In 2007 there were approximately 4,400,000 commuters in the state of Michigan, approximately 83% (3,655,000) of which drive to work alone; and

Whereas, Carpooling reduces the number of cars on the road, the need for parking spaces, the cost of maintaining and building more parking structures and bridges, the wear and tear of pavement, and the transportation congestion that inhibits our daily commutes; and

Whereas, Carpooling curbs both the number of miles put on a car and the amount of money spent on maintenance, while also preventing its premature decrease in value; and

Whereas, In a global perspective, the reduction of greenhouse gas emissions, noise pollution, and green space can be preserved. In wartime, carpooling was encouraged to save oil. Today, carpooling can once again reduce the national dependency on oil and share the cost of gas; and

Whereas, Carpooling reduces driving stress and creates a fun and social alternative to driving alone, allowing employees to arrive to work more relaxed; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2009 as Car Pool Month in the state of Michigan. The members and the people of the state of Michigan recognize that carpooling is a flexible, convenient and economical way to reach your destination. Additionally, carpooling helps reduce vehicle emissions to help keep our air clean and reduce transportation cost; and be it further

Resolved, We encourage all citizens to carpool with neighbors, coworkers, family, friends to celebrate April 2009 as Car Pool Month.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Knollenberg, Agema, Amash, Booher, Daley, Genetski, Green, Haines, Hansen, Horn, Kowall, Opsommer, Proos, Rogers, Paul Scott and Walsh offered the following resolution:

#### **House Resolution No. 70.**

A resolution to urge the President and the Congress of the United States to refrain from excessive interference in the operations of private corporations, allowing the shareholders and boards of directors to make their own decisions on who should lead those companies and control the day-to-day operations of the enterprise.

Whereas, The recent White House move to oust the chair and CEO of General Motors as a step to revamping the country's largest auto manufacturer has raised concerns across our state and nation. Given the scope and complexities of the financial problems facing the entire economy and not just this industry, this particular federal action in dictating who will be the day-to-day manager of a private corporation raises a specter of concern and precedent that goes beyond any single company or industry; and

Whereas, Government-initiated decisions for a business that competes in the global marketplace run the risks of inflexibility; conflicts of interest with other governmental, lobbyist, or special-interest goals; and ignoring the very strength of our system of free enterprise. The long-term historical track record of governmentally run endeavors provides cause for concern in the eyes of many people. To subject this state's primary industry to such a granular level of federal governmental control is especially worrisome to the people of Michigan; and

Whereas, The actions and attitudes of the administration demonstrated toward the domestic auto industry also seem to stand in stark contrast to how failing financial companies seeking federal help have been treated. While the public justifiably seeks and demands oversight, accountability, and transparency in how its federal tax dollars are spent, and the corporations of the auto industry accepting such money should accept and be prepared to openly account for their use of



such monies and provide transparency in their reforms, the federal government should not micro-manage those companies once it has chosen to grant loans or in the alternative not grant them. This contrast is even more profound when noting that the failing financial industry, by creating a tight loan environment and overall economic uncertainty, may have contributed to the condition of the auto industry and all other industries in economic stagnation. The seemingly discriminatory treatment bestowed upon the auto industry through the course of this governmental intervention is even more precisely outlined when noting that while the government has loaned and given the financial industry at least 20 times as much money, it not only has not replaced financial company presidents but it infamously allowed, in a completely non-transparent way, the executives of one notorious financial institution to receive nearly \$170 million in bonuses. The disparateness of these actions, coupled with the concern of the historical precedent this action sets as the first “nationalization” of an industry, move us to determine and declare our grave concern; now, therefore, be it

Resolved by the House of Representatives, That, if the federal government decides to assist a private industry during economically hard times, we urge the President and the Congress of the United States to allow such companies to make their own leadership decisions and otherwise run the day-to-day operations without undue interference; and be it further

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

The resolution was referred to the Committee on Commerce.

#### **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, April 2:

<b>House Bill Nos.</b>	<b>4750</b>	<b>4751</b>	<b>4752</b>	<b>4753</b>	<b>4754</b>	<b>4755</b>	<b>4756</b>			
<b>Senate Bill Nos.</b>	<b>419</b>	<b>420</b>	<b>421</b>	<b>422</b>	<b>423</b>	<b>424</b>	<b>425</b>	<b>426</b>	<b>427</b>	<b>428</b>

The Clerk announced that the following Senate bills had been received on Thursday, April 2:

<b>Senate Bill Nos.</b>	<b>383</b>	<b>384</b>	<b>385</b>	<b>386</b>	<b>387</b>
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#### **Messages from the Senate**

##### **House Bill No. 4159, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 115g, 115i, and 115j (MCL 400.115g, 400.115i, and 400.115j), section 115g as amended by 2004 PA 193 and sections 115i and 115j as amended by 2002 PA 648.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

##### **Senate Bill No. 383, entitled**

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

The Senate has passed the bill.

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

##### **Senate Bill No. 384, entitled**

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

The Senate has passed the bill.

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

##### **Senate Bill No. 385, entitled**

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

The Senate has passed the bill.

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

**Senate Bill No. 386, entitled**

A bill to amend 1967 PA 224, entitled "Powers of appointment act of 1967," by amending section 13 (MCL 556.123). The Senate has passed the bill.

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

**Senate Bill No. 387, entitled**

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

The Senate has passed the bill.

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

### Communications from State Officers

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

April 1, 2009

Attached you will find the 21st Century Jobs Fund report for Fiscal Year 2008, as required in MCL 125.2088n of the Michigan Strategic Fund Act and the 21st Century Jobs Trust Fund legislation.

If you have any questions regarding the information in this report, please feel free to contact James McBryde in our Office of Governmental Affairs at 517.335.1847.

Sincerely,  
D. Gregory Main  
President and CEO

The communication was referred to the Clerk.

### Introduction of Bills

Rep. Hansen introduced

**House Bill No. 4757, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40107b.

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

Rep. Donigan introduced

**House Bill No. 4758, entitled**

A bill to amend 2008 PA 456, entitled "An act to amend 1966 PA 346, entitled "An act to create a state housing development authority; to define the powers and duties of the authority; to establish a housing development revolving

fund; to establish a land acquisition and development fund; to establish a rehabilitation fund; to establish a conversion condominium fund; to create certain other funds and provide for the expenditure of certain funds; to authorize the making and purchase of loans, deferred payment loans, and grants to qualified developers, sponsors, individuals, mortgage lenders, and municipalities; to establish and provide acceleration and foreclosure procedures; to provide tax exemption; to authorize payments instead of taxes by nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, mobile home park corporations, and mobile home park associations; and to prescribe criminal penalties for violations of this act,” (MCL 125.1401 to 125.1499c) by adding chapter 3B,” by repealing enacting section 1.

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

Reps. Polidori, Constan, Neumann, Sheltroun, Geiss, Byrnes, Spade, Clemente, Gonzales and Meadows introduced  
**House Bill No. 4759, 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 first time by its title and referred to the Committee on Regulatory Reform.

Reps. Genetski, Roy Schmidt, Haines, Haase, Opsommer, Ball, DeShazor, Kurtz, LeBlanc, Proos, Barnett, Tyler, Daley, Pavlov, Lund, Knollenberg, Rick Jones, Agema, Moss, Meltzer, Walsh, Terry Brown, Bolger, Stamas, Moore and Slezak introduced

**House Bill No. 4760, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1531f.

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

Reps. Genetski, Roy Schmidt, Haines, Opsommer, Ball, DeShazor, Kurtz, LeBlanc, Proos, Tyler, Pearce, Pavlov, Daley, Lund, Knollenberg, Rick Jones, Moss, Meltzer, Walsh and Slezak introduced

**House Bill No. 4761, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1531i.

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

Reps. Genetski, Haines, Opsommer, Ball, Barnett, Caul, Pearce, Tyler, Daley, Lund, Knollenberg, Rick Jones, Agema, Meltzer, Walsh, Bolger, Stamas and Moore introduced

**House Bill No. 4762, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1278a (MCL 380.1278a), as amended by 2008 PA 316.

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

Reps. Nerat, Geiss, Haase, Slavens, Warren, Scripps, Segal, Liss, Kennedy, Valentine, Leland, Byrnes, Meadows and McDowell introduced

**House Bill No. 4763, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by amending the heading of part 54C and by adding section 5490.

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

Reps. Geiss, Nerat, Haase, Slavens, Warren, Scripps, Segal, Liss, Kennedy, Valentine, Leland, Byrnes, Meadows and McDowell introduced

**House Bill No. 4764, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 5491 (MCL 333.5491), as added by 2007 PA 159.

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

Reps. Warren, Nerat, Geiss, Haase, Slavens, Scripps, Segal, Liss, Kennedy, Valentine, Leland, Byrnes, Meadows and McDowell introduced

**House Bill No. 4765, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 5494.

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

Reps. Segal, Nerat, Geiss, Haase, Slavens, Warren, Scripps, Liss, Kennedy, Valentine, Leland, Byrnes, Meadows and McDowell introduced

**House Bill No. 4766, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5495. The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Reps. Haase, Nerat, Geiss, Slavens, Warren, Scripps, Segal, Liss, Kennedy, Valentine, Leland, Byrnes, Meadows and McDowell introduced

**House Bill No. 4767, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5496. The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Reps. McDowell, Nerat, Geiss, Haase, Slavens, Warren, Scripps, Segal, Liss, Kennedy, Valentine, Leland, Byrnes and Meadows introduced

**House Bill No. 4768, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5497. The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Reps. Slavens, Nerat, Geiss, Haase, Warren, Scripps, Segal, Liss, Kennedy, Valentine, Leland, Byrnes, Meadows and McDowell introduced

**House Bill No. 4769, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5498. The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Reps. Lahti, Spade, Lindberg, Nerat, McDowell, Roy Schmidt and Dean introduced

**House Bill No. 4770, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1061.

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

Reps. Haase, Lisa Brown, Slavens, Lindberg, Tlaib, Roberts, Espinoza, Liss, Miller, Nathan, Switalski, Haugh, Pavlov, McMillin, Paul Scott, Womack and Genetski introduced

**House Bill No. 4771, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1280b (MCL 380.1280b), as added by 2000 PA 230, and by adding section 1280c; and to repeal acts and parts of acts.

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

Reps. Kennedy, Miller, Kandrevas and Liss introduced

**House Bill No. 4772, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

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

Reps. Elsenheimer, Marleau, Rick Jones and Ball introduced

**House Bill No. 4773, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20206. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Hansen, Elsenheimer, Marleau, Rick Jones and Ball introduced

**House Bill No. 4774, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17751 (MCL 333.17751), as amended by 2006 PA 672.

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

Reps. Schuitmaker, Elsenheimer, Marleau, Rick Jones and Ball introduced

**House Bill No. 4775, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7407 (MCL 333.7407), as amended by 2001 PA 236.

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

Reps. Wayne Schmidt, Elsenheimer, Marleau, Rick Jones and Ball introduced

**House Bill No. 4776, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7333b.

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

Reps. Rick Jones, Elsenheimer, Marleau and Ball introduced

**House Bill No. 4777, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7333a (MCL 333.7333a), as added by 2001 PA 231.

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

Reps. Marleau, Elsenheimer, Rick Jones and Ball introduced

**House Bill No. 4778, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16279.

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

Reps. Hansen, Haveman, Spade, Booher, Sheltroun and Dean introduced

**House Bill No. 4779, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending section 9 (MCL 28.609), as amended by 2005 PA 239.

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

Reps. Rogers, Moss, Lund, Lori, Meekhof, Opsommer, Walsh, Haveman, Crawford, Agema and Horn introduced

**House Joint Resolution Q, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IV and section 18 of article V, to limit the budget, to require certain deposits into certain state funds, and to require a 2/3 majority for certain appropriations.

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

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

**House Bill No. 4277, entitled**

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

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. Warren, Nerat, Bledsoe, Ebli, Kennedy, Leland, Meadows, Roberts and Scripps

Nays: Reps. Meekhof, Daley, Haveman, Rick Jones, Pavlov and Wayne Schmidt

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

**House Bill No. 4278, entitled**

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

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. Warren, Nerat, Bledsoe, Ebli, Kennedy, Leland, Meadows, Roberts, Scripps and Rick Jones

Nays: Reps. Meekhof, Daley, Haveman, Pavlov and Wayne Schmidt

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

**House Bill No. 4279, entitled**

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

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. Warren, Nerat, Bledsoe, Ebli, Kennedy, Leland, Meadows, Roberts, Scripps and Rick Jones

Nays: Reps. Meekhof, Daley, Haveman, Pavlov and Wayne Schmidt

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

**House Bill No. 4280, entitled**

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

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. Warren, Nerat, Bledsoe, Ebli, Kennedy, Leland, Meadows, Roberts, Scripps and Rick Jones

Nays: Reps. Meekhof, Daley, Haveman, Pavlov and Wayne Schmidt

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

**House Bill No. 4281, entitled**

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

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. Warren, Nerat, Bledsoe, Ebli, Kennedy, Leland, Meadows, Roberts, Scripps and Rick Jones

Nays: Reps. Meekhof, Daley, Haveman, Pavlov and Wayne Schmidt

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Thursday, April 2, 2009

Present: Reps. Warren, Nerat, Bledsoe, Ebli, Kennedy, Leland, Meadows, Roberts, Scripps, Meekhof, Daley, Haveman, Rick Jones, Pavlov and Wayne Schmidt

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

**House Bill No. 4743, entitled**

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by amending section 4205 (MCL 487.14205).

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. Coulouris, Scripps, Clemente, Mayes, Booher, Calley, Kowall and Marleau

Nays: None

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

**House Bill No. 4749, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 512 (MCL 487.3512).

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. Coulouris, Scripps, Clemente, Mayes, Booher, Calley, Kowall and Marleau

Nays: None

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

**Senate Bill No. 195, entitled**

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

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. Coulouris, Scripps, Clemente, Mayes, Booher, Calley and Kowall

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Coulouris, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Thursday, April 2, 2009

Present: Reps. Coulouris, Scripps, Clemente, Mayes, Nathan, Booher, Calley, Kowall and Marleau

Absent: Rep. Johnson

Excused: Rep. Johnson

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

**House Bill No. 4438, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Caul and Haines

Nays: Reps. Green, Hildenbrand and Proos

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

**House Bill No. 4441, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Booher, Caul, Green, Lori and Schuitmaker

Nays: Reps. Moss, Agema, Hildenbrand, Proos and Rogers

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 2, 2009

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

**Second Reading of Bills**

**House Bill No. 4437, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

Rep. Proos moved to amend the bill as follows:

1. Amend page 26, after line 15, by inserting:

“Sec. 234. Due to the current budgetary problems in this state and a lack of transparency related to departmental spending, the department shall:

(a) Implement a spending plan for fiscal year 2009-2010 which incorporates a 5% general fund reduction from the dollars appropriated in part 1.



(b) Provide the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director a list of budget cuts sufficient to reduce department spending by 5% in fiscal year 2010-2011.

Sec. 235. (1) It is the intent of the legislature that any federal dollars appropriated in part 1 from the American recovery and reinvestment act of 2009, Public Law 111-5 shall not be included in the base funding for any program but will be maintained in separate line items.

(2) In addition to the funds appropriated in part 1, any additional federal funding awarded to Michigan through recalculation of formulas and under the redistribution provisions of the American recovery and reinvestment act of 2009, Public Law 111-5 shall also be allocated in separate line items and will not be included in base funding for any program.

Sec. 236. From the funds appropriated in part 1, the department shall develop, post, and maintain on a user-friendly and publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. Funds appropriated in part 1 from the federal American recovery and reinvestment act shall also be included on a publicly accessible website maintained by the Michigan economic recovery office. The department shall not provide financial information on its website under this section if doing so would violate an applicable federal or state law, rule, regulation, or guideline that establishes privacy or security standards.”

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

Rep. Smith 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. 4437, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Lahti moved to amend the bill as follows:

1. Amend page 72, following line 1, by inserting:

“Sec. 930. It is the intent of the Legislature that the department only close existing facilities where employees can commute to another facility for employment.”

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 152

#### Yeas—63

Angerer	Donigan	Kennedy	Scripps
Barnett	Durhal	LeBlanc	Segal
Bauer	Ebli	Leland	Sheltrown
Bennett	Espinoza	Lemmons	Simpson
Bledsoe	Geiss	Lipton	Slavens
Brown, L.	Gonzales	Liss	Slezak
Brown, T.	Gregory	Mayes	Smith
Byrnes	Griffin	McDowell	Spade
Byrum	Haase	Meadows	Stanley
Clemente	Hammel	Melton	Switalski
Constan	Haugh	Nathan	Tlaib
Corriveau	Huckleberry	Neumann	Valentine

Coulouris	Jackson	Polidori	Warren
Cushingberry	Johnson	Roberts	Womack
Dean	Jones, Robert	Schmidt, R.	Young
Dillon	Kandrevas	Scott, B.	

#### Nays—47

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

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. 4441, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Rep. Genetski moved to amend the bill as follows:

1. Amend page 15, following line 23, by inserting:

“Sec. 218. A university receiving an appropriation in part 1 shall:

(a) Implement a spending reduction plan, to be implemented by fiscal year 2011-2012, which incorporates a 5% reduction in operation costs from the dollars appropriated in part 1 in order to mitigate the base funding disparity which may be created by incorporating funds received from the American recovery and reinvestment act of 2009, Public Law 111-5.

(b) Provide the senate and house appropriations subcommittees on higher education and the senate and house fiscal agencies with the list of reforms and reductions sufficient to meet a 5% reduction in operation costs prior to the end of fiscal year 2009-2010.

Sec. 219. A university receiving an appropriation in part 1 shall agree to develop, post, and maintain, a user-friendly and publicly accessible Internet site, with all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. The colleges may use, as a model for such reporting, the college portrait web reporting template in an effort to better improve university transparency and to further identify effective educational practices.

Sec. 220. (1) It is the intent of the legislature that any federal dollars appropriated in part 1 from the American recovery and reinvestment act of 2009, Public Law 111-5 shall not be included in the base funding for any program but will be maintained in separate line items.

(2) In addition to the funds appropriated in part 1, any additional federal funding awarded to Michigan through recalculation of formulas and under the redistribution provisions of the American recovery and reinvestment act of 2009, Public Law 111-5 shall also be allocated in separate line items and will not be included in base funding for any program.”.

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

Rep. Agema moved to amend the bill as follows:

1. Amend page 15, following line 23, by inserting:

“Sec. 218. (1) In light of sections 1, 3, and 4 of 1846 RS 83, MCL 551.1, 551.3, and 551.4, and section 1 of 1939 PA 168, MCL 551.271, a state institution of higher education receiving funding under this act shall not use funds appropriated in part 1 to extend employee benefits to the unmarried partners of the institution’s employees.

(2) If a state institution of higher education fails to comply with subsection (1), the state treasurer shall withhold 5% from the monthly installments paid to the institution under section 212(1) of this act until the requirements of subsection (1) are met.”.

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

Rep. Bauer 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. 4441, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

#### Roll Call No. 153

Yeas—89

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

**Nays—21**

Agema	Elsenheimer	Kurtz	Opsommer
Amash	Genetski	Lund	Pavlov
Calley	Hildenbrand	McMillin	Pearce
Crawford	Knollenberg	Meltzer	Proos
Daley	Kowall	Moss	Rogers
Denby			

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.

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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 can not in good conscience vote for this bill as I am greatly concerned that it allocates federal monies to cover spending cuts without enough guidance from the federal government as to what state governments can do with the money.”

**Second Reading of Bills****House Bill No. 4435, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Rep. Amash moved to amend the bill as follows:

1. Amend page 10, following line 9, by inserting:

“Sec. 252. A community college receiving an appropriation in part 1 shall:

(a) Implement a spending reduction plan, to be implemented by fiscal year 2011-2012, which incorporates a 5% reduction in operation costs from the dollars appropriated in part 1 in order to mitigate the base funding disparity which may be created by incorporating funds received from the American recovery and reinvestment act of 2009, Public Law 111-5.

(b) Provide the senate and house appropriations subcommittees on community colleges and the senate and house fiscal agencies with the list of reforms and reductions sufficient to meet a 5% reduction in operation costs prior to the end of fiscal year 2009-2010.

Sec. 253. A community college receiving an appropriation in part 1 shall develop, post, and maintain, a user-friendly and publicly accessible Internet site, with all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. The colleges may use, as a model for such reporting, the college portrait web reporting template in an effort to better improve university transparency and to further identify effective educational practices.

Sec. 254. (1) It is the intent of the legislature that any federal dollars appropriated in part 1 from the American recovery and reinvestment act of 2009, Public Law 111-5 shall not be included in the base funding for any program but will be maintained in separate line items.

(2) In addition to the funds appropriated in part 1, any additional federal funding awarded to Michigan through recalculation of formulas and under the redistribution provisions of the American recovery and reinvestment act of 2009, Public Law 111-5 shall also be allocated in separate line items and will not be included in base funding for any program.”.

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

Rep. Miller moved to amend the bill as follows:

1. Amend page 9, line 27, by striking out all of section 249 and inserting:

“Sec. 249. It is the intent of the legislature to study the feasibility of legislation that would provide rules and guidelines for a path to consolidation of community college districts and the creation of intercollege agreements pursuant to section 28 of article VII of the state constitution of 1963. The legislature also intends to study the feasibility of appropriating additional funds to districts that have a local property tax to provide incentives to enter into those agreements.”.

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

Rep. Miller 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. 4435, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

#### Roll Call No. 154

#### Yeas—88

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

#### Nays—22

Agema	Haveman	Meekhof	Proos
Amash	Knollenberg	Moss	Rogers

Calley  
Daley  
Elsenheimer  
Genetski

Kowall  
Lori  
Lund  
McMillin

Opsommer  
Pavlov  
Pearce

Schuitmaker  
Tyler  
Walsh

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.

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Rep. Meekhof, 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:

While I support many programs in this budget, I cannot support it because it is based on numbers we already know are faulty.

We are facing a \$1.5 billion budget shortfall next year and a billion dollar shortfall this year, and the problem is growing larger all the time because the state is taking in \$5 million-a-day less than expected.

These budgets fail to address our structural budget shortfall. They are bloated well beyond the governor’s recommendation and they fail to include the potential impact of a GM or Chrysler bankruptcy. Bankruptcies in the auto industry will drastically affect the state budget but they haven’t been factored in.

There are many lawmakers who want to take the easy way out by using federal stimulus funds to fill our budget hole, but this is a bad idea because a year or two from now when the money is gone, all we will have to show for it is another budget deficit and more national debt. Stimulus funds must be used to create jobs.

We need to make real reforms now and reduce spending now. If we don’t get our budget mess under control, we can’t do the things we need to do to attract jobs to our state and fix our economy.

Republicans worked to improve this bill by proposing a 5-percent cut to the budget to make sure we are not spending more than we can afford, but this proposal was defeated. Republicans also proposed keeping the federal stimulus funds separate, in order to ensure that funding levels are maintainable after the stimulus funds are gone.

Finally, Republicans asked for an amendment to increase transparency so taxpayers can see how their money is spent, but this too was defeated.

For these reasons, I cannot support this bill at this time.”

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 cannot in good conscience vote for this budget as I fear the State currently does not have the money to cover the expenditures within it.”

Rep. Walsh, 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:

Community colleges play a crucial role in our state’s education system, and I believe they need proper and consistent funding to continue their excellent work.

However, this legislation will do more harm than good for our community colleges as it imposes a tuition cap on community colleges only. The state has significantly lowered community college funding since the early ’80s. Moreover, community colleges are now realizing declining local revenue as home values plummet across the state. The Legislature must respect the need of locally elected community college boards to establish tuition as they deem appropriate, particularly under the aforementioned circumstances, for the continued operation of their respective institutions.

Community colleges consistently raise tuition at a dramatically lower rate than other universities, and for this they should be applauded, not punished.

For these reasons, I cannot support this legislation at present time.”

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

Rep. Angerer moved that Rule 42 be suspended.  
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 4309**.

The motion prevailed, a majority of the members serving voting therefor.  
 The bill was placed on the order of Second Reading of Bills.

**Second Reading of Bills**

**House Bill No. 4309, entitled**

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

The bill was read a second time.

Rep. Cushingberry moved to substitute (H-1) the bill.  
 The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 3, line 19, by striking out all of subsection (5), renumbering the remaining subsection, and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Moss moved to amend the bill as follows:

1. Amend page 4, following line 18, by inserting:

“Sec. 203. (1) In addition to the money appropriated in part 1, negative appropriations for budgetary savings from state general fund/general purpose revenue for state departments shall be implemented in the amounts listed below for each department:

Education.....	\$ (371,900)
Attorney general.....	(1,582,400)
Legislative auditor general.....	(627,500)
Management and budget.....	(14,594,400)
State.....	(1,306,500)
Treasury.....	(7,154,600)
Michigan strategic fund.....	(1,457,800)
Community health.....	(152,883,600)
Corrections.....	(97,405,600)
Human services.....	(61,060,300)
Agriculture.....	(1,600,100)
Environmental quality.....	(2,187,200)
Natural resources.....	(523,200)
Military and veterans affairs.....	(1,985,400)
State police.....	(14,246,100)
Energy, labor and economic growth.....	(3,635,200)
History, arts and libraries.....	(1,970,900)
Judiciary.....	(7,966,000)
Civil rights.....	(611,600)
Executive office.....	(265,900)
Legislature.....	(5,649,700)
<b>TOTAL BUDGETARY SAVINGS.....</b>	<b>\$ (379,085,800)</b>

(2) The negative appropriations for budgetary savings in subsection (1) shall be satisfied by savings identified by the director of each department and approved by the state budget director. Appropriation authorizations shall be adjusted after the approval of transfers by the legislature pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Cushingberry 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. 4309, entitled

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

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

#### Roll Call No. 155

#### Yeas—104

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

#### Nays—6

Jackson	Spade	Warren	Young
Smith	Tlaib		

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  
**Reports of Standing Committees**

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported  
**House Bill No. 4447, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8b, 11, 11a, 11g, 11j, 11k, 11m, 11n, 15, 18, 20, 20d, 20j, 22a, 22b, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32d, 32l, 32n, 39, 39a, 51a, 51c, 51d, 53a, 54, 54a, 56, 61a, 62, 64, 74, 81, 94a, 98, 99, 101, 104, 107, 147, and 164c (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1611n, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632d, 388.1632l, 388.1632n, 388.1639, 388.1639a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1661a, 388.1662, 388.1664, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1704, 388.1707, 388.1747, and 388.1764c), sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 20, 20d, 20j, 22a, 22b, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32d, 32l, 39, 39a, 51a, 51c, 51d, 53a, 54, 54a, 56, 61a, 62, 64, 74, 81, 94a, 98, 99, 104, 107, 147, and 164c as amended and section 11n as added by 2008 PA 268, section 8b as amended by 2007 PA 92, section 32n as added by 2007 PA 137, and section 101 as amended by 2006 PA 342; and to repeal acts and parts of acts.

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. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Green, Hildenbrand, Lori and Schuitmaker  
Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 2, 2009

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

#### Second Reading of Bills

#### House Bill No. 4447, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8b, 11, 11a, 11g, 11j, 11k, 11m, 11n, 15, 18, 20, 20d, 20j, 22a, 22b, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32d, 32l, 32n, 39, 39a, 51a, 51c, 51d, 53a, 54, 54a, 56, 61a, 62, 64, 74, 81, 94a, 98, 99, 101, 104, 107, 147, and 164c (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1611n, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632d, 388.1632l, 388.1632n, 388.1639, 388.1639a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1661a, 388.1662, 388.1664, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1704, 388.1707, 388.1747, and 388.1764c), sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 20, 20d, 20j, 22a, 22b, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32d, 32l, 39, 39a, 51a, 51c, 51d, 53a, 54, 54a, 56, 61a, 62, 64, 74, 81, 94a, 98, 99, 104, 107, 147, and 164c as amended and section 11n as added by 2008 PA 268, section 8b as amended by 2007 PA 92, section 32n as added by 2007 PA 137, and section 101 as amended by 2006 PA 342; and to repeal acts and parts of acts.

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

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

Rep. Hansen moved to amend the bill as follows:

1. Amend page 95, line 8, after “to” by striking out “**8.63%**” and inserting “11.5%”.

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

Rep. Calley moved to amend the bill as follows:

1. Amend page 10, line 23, after “12.” by striking out the balance of the subdivision.

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

Rep. Melton moved to amend the bill as follows:

1. Amend page 164, line 12, after “exceed” by striking out “\$1,750,000.00” and inserting “**\$850,000.00**” and adjusting the totals in section 11 and enacting section 1 accordingly.

2. Amend page 172, line 3, by striking out all of section 98A and inserting:

**“SEC. 98A. FROM THE FEDERAL FUNDING AWARDED TO THIS STATE UNDER TITLE VIII OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, PUBLIC LAW 111-5, THERE IS ALLOCATED \$24,533,000.00 FOR 2008-2009 FOR EDUCATION TECHNOLOGY GRANTS. UP TO 50% OF THIS FUNDING SHALL BE USED FOR FORMULA GRANTS DESCRIBED UNDER SECTION 2412(A)(2)(A) OF THE ENHANCING EDUCATION THROUGH TECHNOLOGY PART OF THE NO CHILD LEFT BEHIND ACT OF 2001, PUBLIC LAW 107-110, 20 USC 6762(A)(2)(A), AND UP TO 50% OF THIS FUNDING SHALL BE USED FOR COMPETITIVE GRANTS DESCRIBED UNDER SECTION 2412(A)(2)(B) OF THE ENHANCING EDUCATION THROUGH TECHNOLOGY PART OF THE NO CHILD LEFT BEHIND ACT OF 2001, PUBLIC LAW 107-110, 20 USC 6762(A)(2)(B).”**

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

Rep. Terry 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.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **House Bill No. 4447, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 6, 8b, 11, 11a, 11g, 11j, 11k, 11m, 11n, 15, 18, 20, 20d, 20j, 22a, 22b, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32d, 32l, 32n, 39, 39a, 51a, 51c, 51d, 53a, 54, 54a, 56, 61a, 62, 64, 74, 81, 94a, 98, 99, 101, 104, 107, 147, and 164c (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1611n, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632d, 388.1632l, 388.1632n, 388.1639, 388.1639a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1661a, 388.1662, 388.1664, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1704, 388.1707, 388.1747, and 388.1764c), sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 20, 20d, 20j, 22a, 22b, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32d, 32l, 39, 39a, 51a, 51c, 51d, 53a, 54, 54a, 56, 61a, 62, 64, 74, 81, 94a, 98, 99, 104, 107, 147, and 164c as amended and section 11n as added by 2008 PA 268, section 8b as amended by 2007 PA 92, section 32n as added by 2007 PA 137, and section 101 as amended by 2006 PA 342; and to repeal acts and parts of acts.

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

#### **Roll Call No. 156**

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

### Nays—3

Amash

Calley

McMillin

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 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 6, 8b, 11, 11a, 11g, 11j, 11k, 11m, 11n, 15, 18, 20, 20d, 20j, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 32n, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 54c, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99a, 99n, 99p, 101, 104, 107, 147, and 164c (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1611n, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1622e, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1632n, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1654c, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699a, 388.1699n, 388.1699p, 388.1701, 388.1704, 388.1707, 388.1747, and 388.1764c), sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 20d, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32c, 32d, 32j, 32l, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 54c, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99p, 104, 107, 147, and 164c as amended and sections 11n, 22e, and 99a as added by 2008 PA 268, section 8b as amended by 2007 PA 92, sections 20, 20j, and 32b as amended by 2008 PA 561, section 32n as added by 2007 PA 137, section 99n as added by 2008 PA 112, and section 101 as amended by 2006 PA 342, and by adding sections 22f, 32a, and 98a; and to repeal acts and parts of acts.

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. 4438, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; to prescribe the powers and

duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

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

Rep. Haines moved to amend the bill as follows:

1. Amend page 17, following line 12, by inserting:

“Sec. 227. Due to the current budgetary problems in this state and a lack of transparency related to departmental spending, the department shall:

(a) Implement a spending plan for fiscal year 2009-2010 which incorporates a 5% general fund reduction from the dollars appropriated in part 1.

(b) Provide the house and senate appropriations subcommittees responsible for the department budget and the house and senate fiscal agencies a list of budget cuts sufficient to reduce department spending by 5% in fiscal year 2010-2011.

Sec. 228. In addition to the funds appropriated in part 1, any additional federal funding awarded to Michigan through recalculation of formulas and under the redistribution provisions of the American recovery and reinvestment act of 2009, Public Law 111-5 shall also be allocated in separate line items and will not be included in base funding for any program.

Sec. 229. From the funds appropriated in part 1, the department shall develop, post, and maintain on a user-friendly and publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. Funds appropriated in part 1 from the federal American recovery and reinvestment act shall also be included on a publicly accessible website maintained by the Michigan economic recovery office. The department shall not provide financial information on its website under this section if doing so would violate a federal or state law, rule, regulation, or guideline that establishes privacy or security standards applicable to that section.”.

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

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 9, line 8, by striking out “300,000” and inserting “360,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 17, following line 12, by inserting:

“Sec. 225. It is the intent of the legislature that not later than 60 days after the state receives audited membership counts from intermediate school districts, the state superintendent of public instruction shall investigate and report to the legislature on the issue of pupil membership fraud and the incidence of students counted in membership in a district and not remaining in that district for the balance of the school year.”.

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

Rep. Terry 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.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4438, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

#### Roll Call No. 157

#### Yeas—74

Angerer	Ebli	LeBlanc	Schmidt, R.
Ball	Espinoza	Leland	Scott, B.
Barnett	Geiss	Lemmons	Scott, P.
Bauer	Gonzales	Lindberg	Scripps

Bennett	Gregory	Lipton	Segal
Bledsoe	Griffin	Liss	Sheltrown
Brown, L.	Haase	Mayes	Simpson
Brown, T.	Haines	McDowell	Slavens
Byrnes	Hammel	Meadows	Slezak
Byrum	Hansen	Melton	Smith
Clemente	Haugh	Miller	Spade
Constan	Horn	Moore	Stanley
Corriveau	Huckleberry	Nathan	Switalski
Coulouris	Jackson	Nerat	Tlaib
Cushingberry	Johnson	Neumann	Valentine
Dean	Jones, Robert	Polidori	Warren
Dillon	Kandrevas	Roberts	Womack
Donigan	Kennedy	Rocca	Young
Durhal	Lahti		

### Nays—36

Agema	DeShazor	Kurtz	Pavlov
Amash	Elsenheimer	Lori	Pearce
Bolger	Genetski	Lund	Proos
Booher	Green	Marleau	Rogers
Calley	Haveman	McMillin	Schmidt, W.
Caul	Hildenbrand	Meekhof	Schuitmaker
Crawford	Jones, Rick	Meltzer	Stamas
Daley	Knollenberg	Moss	Tyler
Denby	Kowall	Opsommer	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 make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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.

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.

### Introduction of Bills

Reps. Rick Jones, Genetski, Meekhof, Elsenheimer, Mayes, Sheltrown, Schuitmaker, Marleau, Calley, Hansen, Hildenbrand, Espinoza, Horn, Lund, Pearce, Opsommer, Knollenberg, Moore, Stamas, Pavlov and Daley introduced

#### House Bill No. 4780, entitled

A bill to amend 1895 PA 1, entitled "An act to provide for the incorporation of Masonic Associations; and to impose certain duties upon the department of commerce," (MCL 457.221 to 457.227) by adding section 4a.

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

Rep. Sheltroun introduced

**House Bill No. 4781, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 216 and 719a (MCL 257.216 and 257.719a), section 216 as amended by 2008 PA 539 and section 719a as amended by 1996 PA 136, and by adding sections 38a, 49a, and 74a.

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

Rep. Sheltroun introduced

**House Bill No. 4782, entitled**

A bill to regulate recreational vehicle dealers, manufacturers, wholesalers, warrantors, and their representatives; to regulate dealings between recreational vehicle manufacturers, wholesalers, warrantors, and dealers; to regulate dealings between consumers and recreational vehicle manufacturers, wholesalers, warrantors, and dealers; to prohibit certain trade practices; to provide for the powers and duties of certain state and local governmental officers and entities; and to provide remedies.

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. 4783, 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 12c.

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

Reps. Mayes and Moore introduced

**House Bill No. 4784, entitled**

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending section 50 (MCL 338.3650).

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

Rep. Hammel introduced

**House Bill No. 4785, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 27 and 28 (MCL 421.27 and 421.28), section 27 as amended by 2002 PA 192 and section 28 as amended by 1994 PA 422.

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

Rep. Johnson introduced

**House Bill No. 4786, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 28 (MCL 421.28), as amended by 1994 PA 422.

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

Reps. Melton and Johnson introduced

**House Bill No. 4787, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 5 and 1280 (MCL 380.5 and 380.1280), section 5 as amended by 2005 PA 61 and section 1280 as amended by 2006 PA 123, and by adding sections 1280c and 1320 and part 6d.

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

Reps. Johnson and Melton introduced

**House Bill No. 4788, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 15 (MCL 423.215), as amended by 1994 PA 112.

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

Reps. Melton and Johnson introduced

**House Bill No. 4789, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2008 PA 268.

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

Reps. Switalski, Tlaib, Young, Bettie Scott, Durhal, Johnson, Liss and Nathan introduced

**House Bill No. 4790, entitled**

A bill to provide compensation for individuals wrongly imprisoned for crimes; to prescribe the powers and duties of certain state governmental officers and agencies; and to provide remedies.

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

Reps. Switalski, Tlaib, Young, Bettie Scott, Durhal, Johnson, Liss and Nathan introduced

**House Bill No. 4791, entitled**

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

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

Reps. Paul Scott and Byrnes introduced

**House Bill No. 4792, entitled**

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

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

Reps. Byrum, Byrnes, Slezak, Walsh, Crawford, Horn, Wayne Schmidt, Calley, Denby, Meltzer, Knollenberg, Roy Schmidt, LeBlanc, Miller, Geiss, Bledsoe, Donigan, Bauer, Switalski, Lisa Brown, Polidori, Lahti, Pearce, Rick Jones, Schuitmaker, Meekhof, Moore, Daley, Stamas, Lipton, Segal and Meadows introduced

**House Bill No. 4793, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2004 and 2005 (MCL 339.2004 and 339.2005), section 2004 as amended by 1988 PA 463 and section 2005 as amended by 1998 PA 90.

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

Reps. Haase, Byrum, Kennedy, Huckleberry, Scripps, Terry Brown, Geiss, Donigan, Durhal, Bauer, Gregory, Haugh, Leland, Segal and Meadows introduced

**House Bill No. 4794, entitled**

A bill to amend 1966 PA 138, entitled "The family support act," by amending section 2 (MCL 552.452), as amended by 2002 PA 574.

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

Reps. Kennedy, Byrum, Haase, Huckleberry, Scripps, Terry Brown, Geiss, Donigan, Durhal, Bauer, Haugh, Leland, Segal and Meadows introduced

**House Bill No. 4795, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending section 2 (MCL 722.712), as amended by 2004 PA 253.

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

Reps. Byrum, Haase, Kennedy, Huckleberry, Scripps, Terry Brown, Geiss, Donigan, Durhal, Bauer, Gregory, Haugh, Leland, Segal and Meadows introduced

**House Bill No. 4796, entitled**

A bill to amend 1846 RS 84, entitled "Of divorce," (MCL 552.1 to 552.45) by adding section 40.

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

Reps. Sheltroun, Polidori, Mayes, Espinoza, Spade, Lahti, Constan, Nerat, Neumann, Lemmons, Warren, Hammel, Donigan, Johnson, Scripps and Dean introduced

**House Bill No. 4797, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16205 (MCL 333.16205), as amended by 1986 PA 290.

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

Reps. Sheltroun, Polidori and Mayes introduced

**House Bill No. 4798, 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 first time by its title and referred to the Committee on Regulatory Reform.

Rep. Meadows introduced

**House Bill No. 4799, entitled**

A bill to amend 1846 RS 12, entitled "Of certain state officers," by amending section 33 (MCL 14.33), as amended by 1996 PA 563.

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Angerer moved that when the House adjourns today it stand adjourned until Tuesday, April 21, at 1:30 p.m. The motion prevailed.

**Messages from the Senate**

**Senate Concurrent Resolution No. 12.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Thursday, April 2, 2009, it stands adjourned until Tuesday, April 21, 2009, at 10:00 a.m. for the Senate and 1:30 p.m. for the House of Representatives.

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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Rep. Proos moved that the House adjourn. The motion prevailed, the time being 7:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, April 21, at 1:30 p.m.