

No. 39
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Thursday, May 7, 2009.

12:00 Noon.

The House was called to order by Associate Speaker Pro Tempore Scripps.

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—e/d/s	Jones, Rick—present	Nerat—present	Tyler—present
Daley—present	Jones, Robert—present	Neumann—present	Valentine—present
Dean—present	Kandrevas—present	Opsommer—present	Walsh—present
Denby—present	Kennedy—present	Pavlov—present	Warren—present
DeShazor—present	Knollenberg—present	Pearce—present	Womack—present
Dillon—present	Kowall—present	Polidori—present	Young—present
Donigan—present	Kurtz—present		

e/d/s = entered during session

Rep. John Proos, from the 79th District, offered the following invocation:

“Heavenly Father, we come to You today expressing thanks for the many blessings You have bestowed upon those of us fortunate enough to live in this great state. May we always be mindful of what a special treasure we have with our Great Lakes and unique peninsulas. Lord, we pray, with Your guidance on this National Day of Prayer, that Your will, will come to this chamber, which is always challenged with the necessary issues that face this great state. Please give us Your wisdom, Your compassion and that we may work in the interests of what is best in this great state. We ask this in Your heavenly name, Amen.”

The Speaker Pro Tempore assumed the Chair.

Second Reading of Bills

House Bill No. 4169, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 13a of chapter XIIIA (MCL 712A.13a), as amended by 2004 PA 475.

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

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

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

The motion prevailed.

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4169, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 13a of chapter XIIIA (MCL 712A.13a), as amended by 2004 PA 475.

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

Roll Call No. 218

Yeas—107

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

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

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 4867**.

(For first notice see House Journal No. 38, p. 810.)

The question being on the motion made by Rep. Angerer,

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. 4867, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending sections 400, 403, and 413 (MCL 208.1400, 208.1403, and 208.1413), section 403 as amended by 2008 PA 434 and section 413 as amended by 2007 PA 145.

The bill was read a second time.

Rep. Dillon 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. McMillin moved to amend the bill as follows:

1. Amend page 11, following line 22, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 71 of the 95th Legislature is enacted into law.”.

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

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

Rep. Cushingberry entered the House Chambers.

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

House Bill No. 4867, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 400, 403, and 413 (MCL 208.1400, 208.1403, and 208.1413), section 403 as amended by 2008 PA 434 and section 413 as amended by 2007 PA 145.

The bill was read a third time.
The question being on the passage of the bill,

Rep. Angerer moved that consideration of the bill be postponed for the day.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 466, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 434 (MCL 208.1434), as amended by 2009 PA 6.

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.

Rep. Hansen moved that Rep. Green be excused temporarily from today's session.
The motion prevailed.

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

Senate Bill No. 466, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 434 (MCL 208.1434), as amended by 2009 PA 6.

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

Roll Call No. 219

Yeas—102

Angerer
Ball

Ebli
Elsenheimer

Leland
Lemmons

Rocca
Rogers

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

Nays—6

Agema	Daley	McMillin	Meekhof
Amash	Genetski		

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”

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.

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:

We continue to carve out ‘special’ tax breaks for individual businesses, we need to lower the tax burden on all job providers to enable them to risk and create the new economy.”

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:

Once again we give tax breaks on the backs of existing companies. We need an equal tax break for all Michigan businesses so we can keep them here.”

By unanimous consent the House returned to the order of

Messages from the Senate

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 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 amended the title to read as follows:

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

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. 220

Yeas—105

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

Nays—3

Jackson

Warren

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.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, May 7:

House Bill Nos. 4890 4891 4892 4893 4894 4895 4896 4897 4898

The Clerk announced that the following Senate bills had been received on Thursday, May 7:

Senate Bill Nos. 194 290 293 295 296 502

Reports of Standing Committees

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

House Bill No. 4677, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2005, 2030, 2035, 74101, 74102a, 74116, 74117, 74122, 74123, 78105, and 83106 (MCL 324.2005, 324.2030, 324.2035, 324.74101, 324.74102a, 324.74116, 324.74117, 324.74122, 324.74123, 324.78105, and 324.83106), sections 2005, 2030, and 2035 as added and sections 74101, 74122, 78105, and 83106 as amended by 2004 PA 587, section 74102a as amended by 2006 PA 307, sections 74116 and 74123 as added by 1995 PA 58, and section 74117 as amended by 2006 PA 477, and by adding sections 1911 and 2045; and to repeal acts and parts of acts.

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, Ebli, Kennedy, Leland, Meadows, Roberts, Scripps, Meekhof and Rick Jones

Nays: Reps. Nerat, Bledsoe, Daley and Pavlov

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

House Bill No. 4678, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 805.

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, Ebli, Kennedy, Leland, Meadows, Roberts, Scripps, Meekhof and Rick Jones

Nays: Reps. Nerat, Bledsoe, Daley and Pavlov

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, May 7, 2009

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

The Committee on Transportation, by Rep. Byrnes, Chair, reported

House Bill No. 4205, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 394b. With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 1, line 1, after "(1)" by inserting "EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,".
2. Amend page 2, following line 16, by inserting:

"(3) SUBSECTION (1) DOES NOT APPLY TO A PERSON WHO ENGAGES IN CONDUCT DESCRIBED IN SUBSECTION (1) SOLELY FOR AUTHORIZED LAW ENFORCEMENT OR TRAFFIC CONTROL PURPOSES." and renumbering the remaining subsections.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Byrnes, Kandrevas, Donigan, Geiss, Griffin, Haugh, Leland, Nerat, Roy Schmidt, Young, Opsommer, Bolger, DeShazor, Knollenberg, Pearce, Wayne Schmidt and Paul Scott

Nays: None

The Committee on Transportation, by Rep. Byrnes, Chair, reported

House Bill No. 4206, entitled

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

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. Byrnes, Kandrevas, Donigan, Geiss, Griffin, Haugh, Leland, Nerat, Roy Schmidt, Young, Opsommer, Bolger, DeShazor, Knollenberg, Pearce, Wayne Schmidt and Paul Scott

Nays: None

The Committee on Transportation, by Rep. Byrnes, Chair, reported

House Bill No. 4644, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303 and 319 (MCL 257.303 and 257.319), section 303 as amended by 2008 PA 7 and section 319 as amended by 2008 PA 462.

With the recommendation that the bill be referred to the Committee on Education.

Favorable Roll Call

To Report Out:

Yeas: Reps. Byrnes, Kandrevas, Donigan, Geiss, Griffin, Haugh, Leland, Nerat, Roy Schmidt, Young, Opsommer, Bolger, Knollenberg, Pearce, Wayne Schmidt and Paul Scott

Nays: None

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

The Committee on Transportation, by Rep. Byrnes, Chair, reported

House Bill No. 4645, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 2f to chapter XIII.

With the recommendation that the bill be referred to the Committee on Education.

Favorable Roll Call

To Report Out:

Yeas: Reps. Byrnes, Kandrevas, Donigan, Geiss, Griffin, Haugh, Leland, Nerat, Roy Schmidt, Young, Opsommer, Bolger, Knollenberg, Pearce, Wayne Schmidt and Paul Scott

Nays: None

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

The Committee on Transportation, by Rep. Byrnes, Chair, reported

House Bill No. 4848, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 12 (MCL 247.662), as amended by 2002 PA 498.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 6, line 1, after "exceed" by striking out "50%" and inserting "30%".

2. Amend page 6, line 4, after "county." by striking out the balance of the line through "county." on line 11 and inserting **"NOT TO EXCEED AN ADDITIONAL 20% PER YEAR OF THE AMOUNT RETURNED TO A COUNTY FOR USE ON THE PRIMARY ROAD SYSTEM MAY BE EXPENDED, ONLY IF USED TO SUPPLEMENT FUNDS FROM OTHER SOURCES, ON THE COUNTY LOCAL ROAD SYSTEM OF THAT COUNTY."**

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Byrnes, Kandrevas, Donigan, Geiss, Griffin, Haugh, Leland, Nerat, Roy Schmidt, Young, Opsommer, Bolger, DeShazor, Knollenberg, Pearce, Wayne Schmidt and Paul Scott

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 7, 2009

Present: Reps. Byrnes, Kandrevas, Donigan, Geiss, Griffin, Haugh, Leland, Nerat, Roy Schmidt, Young, Opsommer, Bolger, DeShazor, Knollenberg, Pearce, Wayne Schmidt and Paul Scott

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 7, 2009

Present: Reps. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack, Denby, Green, Haveman, Lund, Marleau, Moore and Rocca

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 7, 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

Messages from the Senate**House Bill No. 4715, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 41 (MCL 432.41), as amended by 2008 PA 274.

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.

House Bill No. 4083, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 11 (MCL 125.2011), as amended by 1987 PA 278.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), 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.

House Bill No. 4089, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 8 and 10 (MCL 207.808 and 207.810), section 8 as amended by 2008 PA 257 and section 10 as amended by 2006 PA 283.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), 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.

House Bill No. 4092, entitled

A bill to amend 1963 PA 62, entitled "Industrial development revenue bond act of 1963," (MCL 125.1251 to 125.1267) by adding section 5a.

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.

House Bill No. 4093, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative

fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 4 (MCL 207.554), as amended by 2004 PA 437.

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.

House Bill No. 4094, entitled

A bill to amend 1987 PA 231, entitled “An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds,” by amending section 13 (MCL 247.913) and by adding section 9a.

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.

Senate Bill No. 194, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 430.

The Senate has passed the bill.

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

Senate Bill No. 290, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 15 (MCL 125.2665), as amended by 2007 PA 201.

The Senate has passed the bill.

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

Senate Bill No. 293, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 15 (MCL 125.2695) and by adding sections 8g and 8h.

The Senate has passed the bill.

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

Senate Bill No. 295, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 8 (MCL 125.2788), as amended by 2008 PA 504.

The Senate has passed the bill.

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

Senate Bill No. 296, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 502, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 261 (MCL 18.1261), as amended by 2008 PA 133.

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing
Administrative Rules

April 23, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor and Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2008-007-LG (Secretary of State Filing #09-04-07) on this date at 4:40 p.m. for the Department of Energy, Labor and Economic Growth, entitled "Unarmed Combat".

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

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

The communication was referred to the Clerk.

The following communication from the Office of the State Budget was received and read:

April 29, 2009

Transmitted under this cover is a schedule entitled "Statement of Revenue Subject to Constitutional Limitation - Legal Basis." The statement is submitted pursuant to Sections 18.1350(a) through 18.1350(e) of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 26 of the Michigan Constitution for the fiscal year 2008.

The statement has been reviewed by the Office of the Auditor General and a copy of the independent accountant's review is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,
Robert L. Emerson
State Budget Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Segal, Liss, Haugh, Moore and Roy Schmidt introduced

House Bill No. 4899, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5101, 5111, 5117, 5131, 5204, and 20191 (MCL 333.5101, 333.5111, 333.5117, 333.5131, 333.5204, and 333.20191), sections 5101, 5111, and 5117 as amended by 1994 PA 200, section 5131 as amended and section 5204 as added by 1997 PA 57, and section 20191 as amended by 1994 PA 419.

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

Reps. Moore, Liss, Segal, Haugh and Roy Schmidt introduced

House Bill No. 4900, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2441 (MCL 333.2441), as amended by 1986 PA 76, and by adding section 2443.

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

Reps. Liss, Segal, Haugh, Moore and Roy Schmidt introduced

House Bill No. 4901, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 67b (MCL 791.267b), as added by 1996 PA 565.

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

Reps. Agema, Meltzer, Amash, Horn, Marleau, Knollenberg, Walsh, Hansen, Denby, Tyler, Meekhof, Green, Rick Jones, Paul Scott, McMillin, Calley, DeShazor, Genetski, Kowall, Pearce and Stamas introduced

House Bill No. 4902, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 1505.

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

Reps. Agema, Meltzer, Amash, Haines, Horn, Kowall, Marleau, Knollenberg, Walsh, Hansen, Denby, Tyler, Pearce, Meekhof, Green, Rick Jones, Paul Scott, McMillin, Calley, DeShazor and Stamas introduced

House Bill No. 4903, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20101 and 20120a (MCL 324.20101 and 324.20120a), section 20101 as amended by 1996 PA 383 and section 20120a as added by 1995 PA 71.

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

Reps. Nathan, Slavens, Miller, Constan, Durhal, Pavlov, Knollenberg, Paul Scott, Leland and Johnson introduced

House Bill No. 4904, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5714 (MCL 600.5714), as amended by 2004 PA 105.

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

Reps. Nathan, Slavens, Miller, Constan, Durhal, Pavlov, Knollenberg, Paul Scott, Leland and Johnson introduced

House Bill No. 4905, entitled

A bill to amend 1846 RS 66, entitled "Of estates in dower, by the curtesy, and general provisions concerning real estate," by amending section 34 (MCL 554.134), as amended by 2004 PA 106.

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

Rep. Ebli introduced

House Bill No. 4906, entitled

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

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

Rep. Moore moved that the House adjourn.

The motion prevailed, the time being 1:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, May 12, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

